



Notice of Meeting

Notice is hereby given that the **Ordinary Council Meeting** of the **Whitsunday Regional Council** will be held at the Council Chambers, 67 Herbert Street, Bowen on **Wednesday 13 December 2023**, commencing at **9:00 AM** and the Agenda is attached.

Councillors: Julie Hall (Mayor), Gary Simpson (Deputy Mayor), Jan Clifford, Clay Bauman, John Collins, Michelle Wright and Michael Brunker.



Warren Bunker

CHIEF EXECUTIVE OFFICER

Agenda of the Ordinary Council Meeting to be held at
Council Chambers, 67 Herbert Street, Bowen on Wednesday 13 December 2023
commencing at **9:00 AM**

Council acknowledges and shows respect to the Traditional Custodian/owners in whose country we hold this meeting.

9:00 AM

- Formal Meeting Commences
- Morning Tea Commencing 10:30am - Elite Athlete Presentations

Table of Contents

1 APOLOGIES/LEAVE OF ABSENCE	5
2 CONDOLENCES	6
2.1 Condolences	6
3 CONFIRMATION OF MINUTES	7
3.1 Confirmation of Minutes	7
4 BUSINESS ARISING	10
4.1 WRC Public Question Response - Phil Batty	10
5 MAYORAL MINUTE	12
6 NOTICES OF MOTION	13
6.1 Notice of Motion - Queens Beach Reserve Management Plan	13
7 DEPUTATIONS	14
8 PETITIONS / QUESTIONS ON NOTICE	15
9 QUESTIONS FROM THE PUBLIC GALLERY	16
10 COMMITTEES REPORTS	17
11 OFFICERS REPORTS	18
11.1 Tondara Road Seal	18
11.2 Mullers Lagoon Master Plan	29
11.3 Shute Harbour Boat Ramp	35
11.4 20220476 - Development Application for Development Permit - Material Change of Use - Outdoor Sport & Recreation (Archery & Multi-Sports Court) - Jasinique Dr Flametree 22RP736798 - Heatherwood Court Pty Ltd As TTE C/- Wynne Planning & Development	39
11.5 20230769 – Development Application for Development Permit - Material Change Of Use – Short Term Accommodation – 4 Kara Crescent, Airlie Beach – L53 RP841829 - C J Rimmer C/- Wynne Planning & Development	60
11.6 20230634 - Development Application For Preliminary Approval (Variation Request) - Building Works (Height Relaxation) – 16 Bay Terrace, Shute Harbour – 1S9465 – CF Nightingale And JL Chudleigh C/- Wynne Planning And Development	77
11.7 Infrastructure Agreement - 18 Port Drive, Airlie Beach - Lot 115 on SP260215 - Port of Airlie	104
11.8 Sole Source Supplier Listing - 2023/2024	134
11.9 New Library Policies	142
11.10 Donation Request - Mt Coolon Community Christmas Tree	175
11.11 Sport & Recreation Facility Management Grant - Bowen Sporting Complex Coordinating Association Inc	183

11.12 Sport & Recreation Club Grants - December 2023.....	186
11.13 Financial Support for a Junior Elite Athlete - December 2023	188
11.14 Delegation of Authority - Chief Executive Officer Christmas Closure	191
11.15 Monthly Finance Report	194
12 CONFIDENTIAL MATTERS	213
12.1 Lease 1 - Whitsunday Coast Airport	213
12.2 Lease 2 - Whitsunday Coast Airport	214
13 LATE REPORT ITEMS.....	215
14 MATTERS OF IMPORTANCE	216

1 APOLOGIES/LEAVE OF ABSENCE

This item on the agenda allows Council the opportunity to receive apologies/leave of absence from Councillors unable to attend the meeting.

2 CONDOLENCES

To acknowledge and observe a minute silence for the recently deceased throughout the Whitsunday Region.

3.1 - Confirmation of Minutes

DATE: 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Tailah Jensen – Governance Administration Officer

AUTHORISING OFFICER: Jason Bradshaw - Director Corporate Services

PRESENTED FOR: Decision

ATTACHMENTS

Nil

PURPOSE

At each Council meeting, the minutes of the previous meeting must be confirmed by the councillors present and signed by the person presiding at the later meeting. The Minutes of Council's Ordinary Council Meeting held on 22 November 2023 are provided for Councils review and confirmation.

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 22 November 2023.

BACKGROUND

In accordance with s254F of the Local Government Regulation 2012, minutes were taken at Council's Ordinary Council Meeting held on 22 November 2023 under the supervision of the person presiding at the meeting. These unconfirmed minutes were reviewed and are available on Council's website for public inspection.

DISCUSSION/CURRENT ISSUE

Council's options are:

Confirm the Minutes of the Ordinary Council Meeting held on 22 November 2023. If Council is satisfied that the unconfirmed minutes are an accurate representation of what occurred at the meeting held on 22 November 2023 and comply with legislative requirements outlined in this report, no further action is required other than to confirm the minutes as per the recommendation.

Confirm the Minutes of the Ordinary Council Meeting held on 22 November 2023 with amendments.

If Council is not satisfied that the unconfirmed minutes are an accurate representation of what occurred at the meeting held on 22 November 2023 and comply with legislative requirements outlined in this report, then they move a motion that they be confirmed but with a list of amendments to ensure they are correct and compliant.

STATUTORY/COMPLIANCE MATTERS

In accordance with the Act, Council must record specified information in the minutes of a meeting regarding any declared conflicts of interest. At the Ordinary Council Meeting held on

22 November 2023, the following conflicts of interests were declared and recorded in the minutes:

Councillor/Officer	Prescribed or Declarable	Report No.	Particulars of the interest
Cr Jan Clifford	Prescribed	11.8	Cr Clifford declared a prescribed conflict of interest in item 11.8 regarding Donation of Land - Gardenia Street - Whitsunday Housing Company as defined by section 150EL of the Local Government Act 2009, due to the following: The name of any entity, other than the councillor, that has an interest in the matter: Whitsunday Housing Company. The nature of the councillor's relationship with the entity: Appointed on the Committee by Council and does hold an executive position. Councillor Clifford is the chairperson of the Whitsunday Housing Company Limited Committee. Details of the councillor's, and any other entity's, interest in the matter: Whitsunday Regional Council is considering support to Whitsunday Housing Company via donation of land. As a result of this conflict of interest, Cr Clifford advised that she will leave the meeting and take no part in the discussion or decision making of this matter. Cr Clifford left the meeting room at 9.45am.

Additionally, the chairperson of a local government meeting must also ensure that details of an order made against a Councillor for unsuitable meeting conduct at a Council meeting are recording in the minutes of the meeting. At the Ordinary Council Meeting held on 22 November 2023, the following orders were made:

Councillor	Order Made
<i>No orders made at this meeting.</i>	

Local Government Regulation 2012

Section 254F of the Local Government Regulation stipulates that the Chief Executive Officer must ensure that minutes of each meeting of a local government are taken under the supervision of the person presiding at the meeting.

Minutes of each meeting must include the names of councillors present at the meeting and if a division is called on a decision, the names of all persons voting on the decision and how they voted.

At each meeting, the minutes of the previous meeting must be confirmed by the Councillors present and signed by the person presiding at the later meeting.

A copy of the minutes of each meeting must be available for inspection by the public, at a local government's public office and on its website, within 10 days after the end of the meeting. Once confirmed, the minutes must also be available for purchase at the local government's public office(s).

FINANCIAL IMPLICATIONS

The price for a member of the public to purchase a copy of the minutes must not be more than the cost to the local government of having the copy printed and made available for purchase, and if the copy is supplied to the purchaser by post, the cost of the postage.

TABLED MATTERS

Unresolved Tabled Matters			
Date of Meeting	Resolution Number	Summary	Resolved
22/02/2023	13.5.2 - Tondara Road Seal	That the item lie on the table pending further investigations and costings.	Tondara Road resheeting Tender has been awarded and report to be presented at 13 December Ordinary Council Meeting.

CONSULTATION

Manager Governance & Administration

DISCLOSURE OF OFFICER'S INTERESTS

No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the Local Government Act 2009 or the Staff Code of Conduct.

CONCLUSION

These minutes from the Ordinary Council Meeting held on 22 November 2023 are therefore submitted for adoption of their accuracy by the Councillors at this meeting of Council.

4.1 - WRC Public Question Response - Phil Batty

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHORISING OFFICER: Warren Bunker - Chief Executive Officer

PRESENTED FOR: Information

There was one public question submitted for the Ordinary Council Meeting held on the 22nd of November 2023 by Mr Phil Batty.

The question was read out by the Chief Executive Officer on behalf of Mr Batty who was unable to attend the meeting. The question was taken on notice and the response has been provided.

ATTACHMENTS

1. Letter to Mr Batty - Ordinary Council Meeting - 13 December 2023 [4.1.1 - 1 page]

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For further information, please contact James Ngoroyemoto
Direct dial no.: (07) 4945 0298

24 November 2023

Mr P. Batty



Dear Mr Batty

RE: WRC Public Question Request

I refer to your email dated 20 November 2023 in which you have asked how much expenditure has been paid to ANSIC under the three ANSIC Investigation Reports.

We advise that a total of \$22,200.00 (including GST) has been spent.

Should you have any queries, please contact James Ngoroyemoto on (07) 4945 0298 or at james.ngoroyemoto@whitsundayrc.qld.gov.au.

Yours faithfully,

A handwritten signature in black ink, appearing to read "WB".

Warren Bunker
Chief Executive Officer

Correspondence:

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Bowen
Cnr Herbert & Powell Streets
Bowen QLD 4805

Proserpine
83-85 Main Street
Proserpine QLD 4800

Collinsville
Cnr Stanley & Conway Streets
Collinsville QLD 4804

Cannonvale
Shop 23, Whitsunday Plaza
Shute Harbour Road, Cannonvale QLD 4802

5 MAYORAL MINUTE

This item on the agenda allows the Mayor to introduce, by a signed minute, a matter for consideration at the meeting. In accordance with Council's Standing Orders, such a matter takes precedence over all other matters for consideration at the meeting and may be adopted by a motion moved by the Mayor without the need for the motion to be seconded.

6.1 - Notice of Motion - Queens Beach Reserve Management Plan

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Cr Michelle Wright

PRESENTED FOR: Decision

ATTACHMENTS

Nil

PURPOSE

Request for review on the Queens Beach Reserve Management plan.

COUNCILLORS RECOMMENDATION

That Council request the Chief Executive Officer to:

1. Undertake a review the Queens beach reserve management plan (specifically in relation to Yasso Point) to consider the range of ideas, suggestions and comments received by the divisional councillor over the past few months.
2. Refer the operational suggestions to the relevant council operations managers for action.
3. Receive feedback gathered from local residents and compile data into graph format for future reference.
4. Refer the capital items for consideration within the 2024/25 capital program development.

BACKGROUND

After listening to feedback from several Queens Beach residents about enhancing Yasso Point further community information was needed. Despite Yasso Point not being a priority project currently in the Bowen Masterplan, its significance to the community was recognised. To ensure feedback from Queens Beach residents was heard, I held a community meeting on Tuesday 3rd October 4-6pm at Yasso Point. The gathering was well attended and members from the Yasso family were invited, as well as the local Kite Surfing Group, Queens Beach Action Group, and a substantial number of local Queens Beach residents also attended. For those that could not attend on the day, feedback was also received and collected via email.

From the collaborative effort and interest from stakeholders and the community it is clear there is strong interest to further beautify / improve Yasso Point, turning it into a space that truly reflects our local history and caters for the needs of the community. A review of the Yasso point operational plan, master plan and management plan is required to understand issues around waste bin, general maintenance for both reserve and beach areas, facilities, boat and other parking, footpaths, grassed areas and irrigation, reducing/ discourage hooning, need for toilet block was mixed, interpretive signage highlighting local history and wildlife, vegetation management, and existing queens beach management plan.

7 DEPUTATIONS

This item on the agenda allows persons to make a deputation to Council. Deputations are managed in accordance with Council's adopted Standing Orders.

This item on the agenda allows for the following two options:

1. Councillors to present a petition to the meeting in accordance with Council's Standing Orders, no debate on or in relation to the tabled petition shall be allowed and the only motion's which may be moved is that the petition either be received, referred to a Committee or Council officer for consideration and report back to Council, or not be received because it is deemed invalid.
2. The inclusion of any responses prepared by officers in response to questions taken on notice at previous meetings of Council.

Excerpt from Council's Standing Orders:

1. In each Meeting, time shall be set aside to permit members of the public to address the Council on matters of public interest related to local government.
2. Questions from the Public Gallery will be taken on notice and may or may not be responded to at the Meeting.
3. The time allotted shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at any one (1) meeting.
4. Any person addressing the Council shall stand, act and speak with decorum and frame any remarks in respectful and courteous language.

10 COMMITTEES REPORTS

This item on the agenda is for consideration of any Council Committee's business.

11.1 - Tondara Road Seal

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Michael Downing - Acting Director Infrastructure Services

AUTHORISING OFFICER: Adam Hagy - Director of Capital Program and Network Planning

PRESENTED FOR: Decision

ATTACHMENTS

1. Tondara Seal Attachment - 13 December Ordinary Council Meeting [11.1.1 - 6 pages]

PURPOSE

This report provides information relating to the proposed capital works on Tondara Road, including a request to seal a portion of Tondara Road for dust suppression from chainage 17.3km to 19.4km. Additional information is included as an update to the tabled report from the Ordinary Council Meeting on 22 February 2023.

OFFICER'S RECOMMENDATION

That Council not seal Tondara Road from chainage 17.3km to 19.4km for dust suppression for the following reasons:

1. Since the original report that was tabled at the Ordinary Council meeting on 22 February 2023 the Navarre Gold Mine is no longer in operation;
2. Sealing any portion of the rural road at this time is not viable based on reduced vehicle traffic; and
3. The entire length of road is being gravel re-sheeted this financial year.

BACKGROUND

Capital upgrades to Tondara Road have been in discussion for many years as it was the main access for the Navarre (formerly Evolution) Gold Mine. Following extensive re-sheeting to the road in 2021 and with the mining company, Evolution, foreseeing many more years of operation and heavy vehicle movements, sealing the full length of the road was put forward with an estimated cost of around \$4.5million. A contribution of 70% of the capital expenditure by the mining company, and 30% by Council, was provisionally agreed to for inclusion in an infrastructure agreement.

Following detailed investigation and scoping by Council staff, plus significant impacts to the construction industry and increases to costs of materials, the estimated cost to seal the full length of the road had increased to a point where it was not considered a wise investment by Council or the mining company. Through this period the mine was purchased by Navarre, late in 2021.

Navarre confirmed later in 2022 that they anticipate their operations impact on Tondara Road would reduce due to plans to install a gold bar processing plant as opposed to shipping concentrate as per their current operation. This would substantially reduce their road use financial contribution towards maintenance and upgrading.

Since that time, in June 2023 Navarre entered voluntary administration and the appointed administrators informed Council that they could no longer financially contribute to the road.

This is page 18 of the Agenda of Council's Ordinary Council Meeting - 13 December 2023



The mine ceased normal operations and only caretakers were present on the site therefore all mining traffic had ceased on Tondara Road. The administrators are still seeking a buyer to return to mine production.

Council awarded a contract for the resheeting of Tondara Road under the Disaster Recovery Funding Arrangements (DRFA) Package T5. \$1,130,952.40 of the contract value was funded through DRFA for damages sustained in the event in January 2023. A further \$1,827,321.85 was funded through Council's Capital works budget to top up the gravel resheeting to ensure a minimum of 100mm was added and the road brought back to a good standard. These works are expected to complete late in 2023. Council have constructed 15 floodways on Tondara Road and have a small number of drainage structures requiring replacement. These works will improve access for the users and reduce overall maintenance costs to Council for the foreseeable future.

DISCUSSION/CURRENT ISSUE

The following is an extract of page 2 of the agenda report presented to Council at the Ordinary Council Meeting on 22nd February 2023.

Following discussions with Navarre and extensive investigation by Council officers, Council was briefed on 5 October 2022 in relation to changing the scope of works for capital expenditure on Tondara Road.

It has been raised at this briefing session and through customer requests that sealing a section of Tondara Road nearest to the residential dwellings of Glenroc Station be considered. The dwellings are located over 450 metres from Tondara Road at chainage 18.8km.



Figure 5 - Distance of Glenroc Station dwellings from Tondara Road

The proposed length of seal has been determined as approximately 2.1km as this would tie into the sealed approach leaving Alpha crossing at ch17.3km and finishing on the straight section of road at ch19.4km due west of the dwellings.

When considering whether to seal a gravel road there are numerous variables that are considered by Council officers. This includes, but is not limited to:

This is page 19 of the Agenda of Council's Ordinary Council Meeting - 13 December 2023

- Volume of traffic including percentage of heavy vehicles,
- Current and future developments or industries serviced by the road,
- Potential for grant funding,
- Ongoing maintenance expenditure,
- Design considerations and limitations,
- Competing priorities.

Council regularly receives requests to seal gravel roads and rarely is the request justifiable when considering the above variables. In considering sealing the 2.1km of Tondara Road there is little in favour of carrying out these works with the following points taken into account.

1. The Navarre gold mine was the main contributor to usage of the road. Now that the gold mine is not in operation, traffic has returned to a low volume.
2. There are a small number of cattle properties along Tondara Road and some residences near to the highway but no other proposed developments that may increase the traffic volume for the foreseeable future.
3. Tondara Road is currently being resheeted through a combination of DRFA and council funding. It has also had extensive resheeting carried out in 2021 following damage and loss of gravel during the early 2019 monsoonal trough.
4. Upgrading a gravel road to a sealed road has significant implications in meeting design standards. Past upgrades to Strathmore Road from unsealed to sealed have cost approximately \$1 million per kilometre, this was also prior to changes to the market and cost increases. Early investigations have shown that the drainage requirements in the 2.1km section of Tondara Road would not be extensive, however large volumes of earthworks would be required over and above any resheeting of the existing road to construct the appropriate formation and meet horizontal and vertical geometry requirements. Capital costs to seal the 2.1km section would be expected to be over \$2 million and whole of life costs for sealed roads would outweigh the benefit of this portion being sealed.
5. Roads are often sealed at creek crossings, or on steep sections where traction can be an issue for heavy vehicles, however the 2.1km section of road is not overly steep, winding or crossing large water courses.
6. The residences at Glenroc Station are located on the eastern side of Tondara Road. The predominant wind direction, as shown in figure 2, is from the southeast. Dust created on Tondara Road would generally be blown in the opposite direction to the residences meaning a seal would have minimal benefit in suppressing dust. The residences are also over 400m from the road with vegetation acting as a buffer, reducing the likelihood that Tondara Road is the main contributor to any dust on the property.

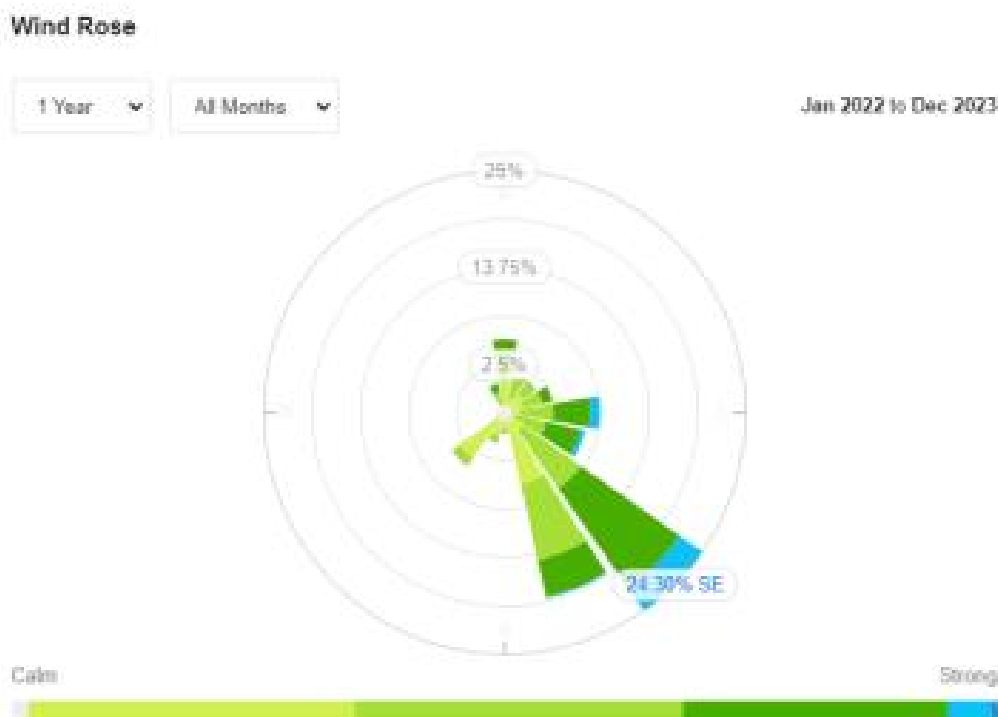


Figure 6 - Wind rose for nearest weather station at Bowen airport (Willyweather.com.au, 2023)

7. Sealing of small sections of roads is not considered a safe option as the road user can be drawn into a false sense of security. Sealed roads increase the 'operating speed' of a road, which is the speed at which people want to drive. Drivers will typically drive faster on sealed roads, and the signage required will not always have the effect on safety that is desired. Detailed design may find that the sealed section of road requires a lower speed limit than the 100kph limit on gravel roads, leading to the potential for speeding and accidents occurring with the change in road surface.
8. Despite many requests in past years to seal a road as dust causes or exacerbates health issues, discussions with Queensland Health have shown that studies cannot link the two matters to each other, and this is therefore not a consideration for Council to consider.

Of the points raised, the only benefit to Council is a reduction in maintenance on a small portion of Tondara Road. With the gold mine no longer in operation, Council's maintenance will significantly reduce.

STATUTORY/COMPLIANCE MATTERS

Council has the obligation to maintain Tondara Road in line with the Notifiable Road Use Agreement with Navarre. Navarre contributed accordingly until entering voluntary administration. Any future owner of the mine would need to meet the obligations of the agreement and contribute to the current works to bring the road up to standard.

Council would have to comply with relevant design standards if any portion of the road were to be sealed. The road would be deficient in many forms, hence the large capital expenditure required should the road be sealed.

STRATEGIC IMPACTS

Improve Council's Asset Management Planning maturity and develop Long Term Financial Plans for all asset classes which are financially affordable over the long term.

Meet Capital Works Delivery targets and ensure budget, time, and quality is maintained. Improve our transport network with a focus on meeting the economic needs for the region including road safety, road building, maintenance processes, and renewal of aging infrastructure.

FINANCIAL IMPLICATIONS

Council is currently funding over \$1.8 million of resheeting to bring Tondara Road up to a suitable condition. Any new owner of the mine would be subject to contribute 70% of this investment. Should a new owner not be forthcoming, Tondara Road will maintain a suitable condition, with maintenance per the levels of service, reducing ongoing maintenance costs.

CONSULTATION/ENGAGEMENT

Director Infrastructure Services
Executive Leadership Team

TIMINGS/DEADLINES

N/A

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Seal the full length of Tondara Road	As briefed in October 2022, the investment would be expected to be circa \$20million between Council and Navarre. Both parties agreed at the time that this was not a worthwhile investment.	Minimal maintenance of Tondara Road.	Significant capital investment with minimal return, particularly once vehicle numbers reduce in the near future. Capacity to deliver.
Do nothing	With the mine having closed the road returns to the same status as any other gravel road in the region with maintenance significantly reduced and brought back in line with the levels of service of other roads.	Significant drop in officer time due to less CRM's and inspections required. Vastly reduced financial implications for Council.	

13.5.2 - Tondara Road seal

DATE: Wednesday 22 February 2023

TO: Ordinary Council Meeting

AUTHOR: Michael Downing - Coordinator Capital Project Delivery

AUTHORISING OFFICER: Adam Hagy - Director Infrastructure Services

PRESENTED FOR: Decision

ATTACHMENTS

Nil

PURPOSE

This report provides information relating to the proposed capital works on Tondara Road, including a request to seal a portion of Tondara Road for dust suppression from chainage 17.3km to 19.4km.

OFFICER'S RECOMMENDATION

That Council:

1. Not approve to seal Tondara Road from chainage 17.3km to 19.4km for dust suppression as the entire length of road will be gravel re-sheeted in 2023/2024 financial year.
2. Note that the seal would not be required as Navarre plans to reduce traffic on the road in financial year 2024-2025.

BACKGROUND

Capital upgrades to Tondara Road have been in discussion for many years as it is the main access for the Navarre (formerly Evolution) Gold Mine. Following extensive resheeting to the road in 2021 and with the mining company, Evolution, foreseeing many more years of operation and heavy vehicle movements, sealing the full length of the road was put forward with an estimated cost of around \$4.5million. A contribution of 70% of the capital expenditure by the mining company, and 30% by Council, was provisionally agreed to for inclusion in an infrastructure agreement.

Following detailed investigation and scoping by Council staff, plus significant impacts to the construction industry and increases to costs of materials, the estimated cost to seal the full length of the road had increased to a point where it was not considered a wise investment by Council or the mining company. Through this period the mine was purchased by Navarre, late in 2021.

Navarre confirmed later in 2022 that they anticipate their operations reducing in scale in approximately two years which would reduce the heavy vehicle usage of Tondara Road significantly, ending their responsibility to contribute to the upkeep of the asset.

This is page 414 of the Agenda of Council's Ordinary Council Meeting - 22 February 2023

This is page 23 of the Agenda of Council's Ordinary Council Meeting - 13 December 2023

DISCUSSION/CURRENT ISSUE

Following discussions with Navarre and extensive investigation by Council officers, Council was briefed on 5 October 2022 in relation to changing the scope of works for capital expenditure on Tondara Road.

It has been raised at this briefing session and through customer requests that sealing a section of Tondara Road nearest to the residential dwellings of Glenroc Station be considered. The dwellings are located over 450 metres from Tondara Road at chainage 18.8km.

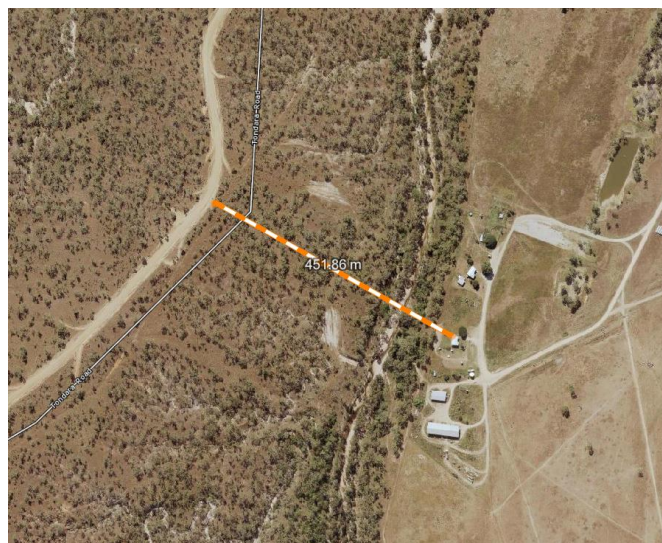


Figure 5 - Distance of Glenroc Station dwellings from Tondara Road

The proposed length of seal has been determined as approximately 2.3km as this would tie into the sealed approach leaving Alpha crossing at ch17.3 and finishing on the straight section of road at ch19.4km due west of the dwellings.

When considering whether to seal a gravel road there are numerous variables that are considered by Council officers. This includes, but is not limited to:

- Volume of traffic including percentage of heavy vehicles,
- Current and future developments or industries serviced by the road,
- Potential for grant funding,
- Ongoing maintenance expenditure,
- Design considerations and limitations,
- Competing priorities.

Council regularly receives requests to seal gravel roads and rarely is the request justifiable when considering the above variables, the latest response provided in the attachment to this report.

This is page 415 of the Agenda of Council's Ordinary Council Meeting - 22 February 2023

In considering sealing the 2.1km of Tondara Road there is little in favour of carrying out these works with the following points taken into account.

1. The existing Navarre gold mine is the main contributor to usage of the road. Navarre have suggested that their operations will significantly reduce the traffic volume around the financial year of 2024/2025. Should this be the case Council would not want to be burdened with a sealed road that costs a significant amount to reseal for little benefit.
2. There are a small number of cattle properties along Tondara Road and some residences near to the highway but no other proposed developments that may increase the traffic volume for the foreseeable future.
3. While there could be a current potential for grant funding to be sought for capital works on Tondara Road, there is minimal long-term benefit if the traffic volumes are to reduce significantly in the near future.
4. Tondara Road had extensive resheeting carried out in 2021 following damage and loss of gravel during the early 2019 monsoonal trough. The road is often closed to heavy vehicle access following localised heavy rainfall to reduce the likelihood of damage to the pavement. While the gold mine is operating as it currently does, they continue to contribute towards the upkeep of the road, reducing the financial burden on Council and the rate payer.
5. Upgrading a gravel road to a sealed road has significant implications in meeting design standards. Past upgrades to Strathmore Road from unsealed to sealed have cost approximately \$1million per kilometre. Early investigations have shown that the drainage requirements in the 2.1km section of Tondara Road would not be extensive, however large volumes of earthworks would be required over and above any resheeting of the existing road to construct the appropriate formation and meet horizontal and vertical geometry requirements. Capital costs to seal the 2.1km section would be expected to be over \$1million and whole of life costs for sealed roads would outweigh the benefit of this portion being sealed.
6. Roads are often sealed at creek crossings, or on steep sections where traction can be an issue for heavy vehicles, however the 2.1km section of road is not overly steep, winding or crossing large water courses.
7. The residences at Glenroc Station are located on the eastern side of Tondara Road. The predominant wind direction, as shown in figure 2, is from the southeast. Dust created on Tondara Road would generally be blown in the opposite direction to the residences meaning a seal would have minimal benefit in suppressing dust. The residences are also over 400m from the road with vegetation acting as a buffer, reducing the likelihood that Tondara Road is the main contributor to any dust on the property.

This is page 416 of the Agenda of Council's Ordinary Council Meeting - 22 February 2023



This is page 25 of the Agenda of Council's Ordinary Council Meeting - 13 December 2023

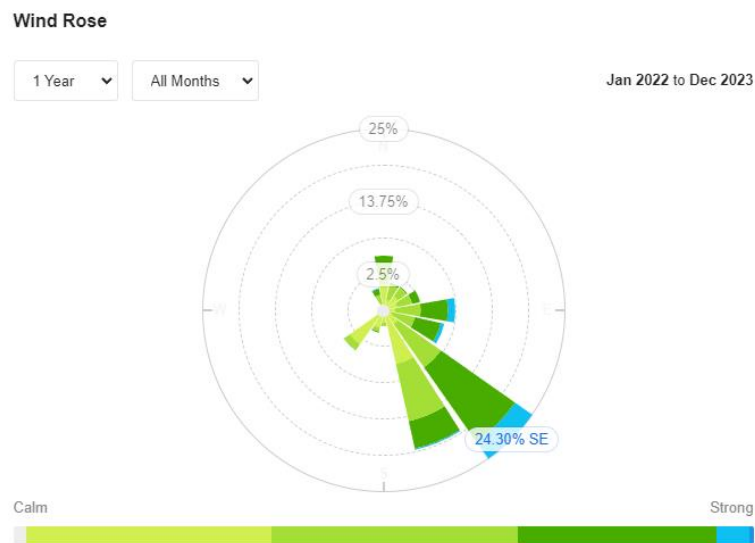


Figure 6 - Wind rose for nearest weather station at Bowen airport (Willyweather.com.au, 2023)

8. Sealing of small sections of roads is not considered a safe option as the road user can be drawn into a false sense of security. Sealed roads increase the 'operating speed' of a road, which is the speed at which people want to drive. Drivers will typically drive faster on sealed roads, and the signage required will not always have the effect on safety that is desired. Detailed design may find that the sealed section of road requires a lower speed limit than the 100kph limit on gravel roads, leading to the potential for speeding and accidents occurring with the change in road surface.
9. Despite many requests in past years to seal a road as dust causes or exacerbates health issues (see attachments), discussions with Queensland Health have shown that studies cannot link the two matters to each other, and this is therefore not a consideration for Council to take into account.

Of the points raised, the only benefit to Council is a reduction in maintenance on a small portion of Tondara Road, and this maintenance is currently contributed to by Navarre and will reduce in line with their operations reducing in the coming years.

It is currently proposed to carry out a full resheet of Tondara Road at costs of up to \$3million, of which \$1.05m can be funded through the Roads to Recovery program. Officers are currently compiling documentation to procure gravel, either from a quarry or through a pit on Tondara Road, with works likely to commence in quarter 4 of the 2022/2023 financial year. This capital expenditure is expected to be sufficient, along with formation grading twice per year, to ensure the road is kept up to standard until the mine reduces its operations. Beyond this point the maintenance will reduce due to the vast drop in vehicle usage with Council attending to the road on an as-needed basis.

STATUTORY/COMPLIANCE MATTERS

Council has the obligation to maintain Tondara Road in line with the Notifiable Road Use Agreement with Navarre. Navarre contribute accordingly and have done so while the NRU has been negotiated.

This is page 417 of the Agenda of Council's Ordinary Council Meeting - 22 February 2023

This is page 26 of the Agenda of Council's Ordinary Council Meeting - 13 December 2023

Council would have to comply with relevant design standards if any portion of the road were to be sealed. The road would be deficient in many forms, hence the large capital expenditure required should the road be sealed.

STRATEGIC IMPACTS

Improve Council's Asset Management planning maturity and develop long -term financial plans for all asset classes which are financially affordable over the long term.

Meet Capital Works Delivery targets and ensure budget, time, and quality is maintained. Provide great customer experience and service by utilising a customer-facing mind set, meeting response time frames, researching our customers well and eliminating duplication.

FINANCIAL IMPLICATIONS

The current proposal to resheet the full length of Tondara Road has implications of approximately \$3million, with \$1.05million proposed to be provided by the Roads to Recovery funding.

CONSULTATION/ENGAGEMENT

Director Infrastructure Services
Coordinator Transport Planning and Assets
Manager Roads and Drainage

RISK ASSESSMENT

There is minimal risk in following the recommendation as precedence has been set with various requests in past years.

TIMINGS/DEADLINES

N/A

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

This is page 418 of the Agenda of Council's Ordinary Council Meeting - 22 February 2023

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Seal the full length of Tondara Road	As briefed in October 2022, the investment would be expected to be circa \$20million between council and Navarre. Both parties agree that this is not necessary considering the operations are planned to reduce in the near future	Minimal maintenance of Tondara Road	Significant capital investment with minimal return, particularly once vehicle numbers reduce in the near future. Time required to prepare for the works to occur. Capacity to deliver

This is page 419 of the Agenda of Council's Ordinary Council Meeting - 22 February 2023

This is page 28 of the Agenda of Council's Ordinary Council Meeting - 13 December 2023

11.2 - Mullers Lagoon Master Plan

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Mark Callaghan - Manager Parks and Gardens

AUTHORISING OFFICER: Adam Hagy - Director of Capital Program and Network Planning

PRESENTED FOR: Decision

ATTACHMENTS

1. Mullers Lagoon Masterplan [11.2.1 - 1 page]
2. Mullers Lagoon Master Plan - Community Consultation [11.2.2 - 1 page]
3. Consultation Summary - Mullers Lagoon [11.2.3 - 1 page]

PURPOSE

This report is seeking approval of the Mullers Lagoon master plan.

OFFICER'S RECOMMENDATION

That Council endorse the Mullers Lagoon master plan as per Attachment 1 (Revision B) - 5th of October 2023.

BACKGROUND

The Whitsunday Regional Council's Parks & Gardens department manages 120 parks across the region. Mullers Lagoon in Bowen, covering 19.5 hectares, is proposed for a significant upgrade.

The vision for these parks is to create versatile spaces for all ages and abilities, featuring amenities like parking, playgrounds, sports facilities, pathways, signage, seating, BBQ areas, landscaping, shade trees, and various activities. Mullers Lagoon master plan has been produced by professional landscape designers following community consultation.

The revitalisation of Mullers Lagoon as outlined in the master plan is proposed to occur in stages over 15 years, with a focus on prioritized elements to ensure functionality and appeal.

The project will rely on government grants and general revenue through capital budgets to ensure sufficient funds to deliver the proposed 15-year project.

DISCUSSION/CURRENT ISSUE

The master plan looks to deliver a staged approach to park improvements.

STATUTORY/COMPLIANCE MATTERS

N/A

STRATEGIC IMPACTS

Provide an improved experience for our community and visitors when using our open spaces, natural features, and facilities.

FINANCIAL IMPLICATIONS

Mullers Lagoon is proposed to be funded through a mixture of general revenue and future Government grants over the life of the project.

CONSULTATION/ENGAGEMENT

Director Infrastructure Services
Manager Communication and Marketing
Councillors
Executive Leadership Team
Newspaper Advertisement
Bowen State High School Workshop
Community design workshop was held at Bowen PCYC on 24 March 2023
Information stalls held at Centrepont Plaza shopping centre,
Your Say Website 18 March-30 April 2023
Direct email outreach to 70 stakeholders

RISK ASSESSMENT

The following risks have been assessed in relation to this matter in accordance with Council's Risk Management Framework, inclusive of any risk mitigation currently provided through existing control measures:

Reputation: If Council choose not to support the Mullers Lagoon master plan this may lead to Community criticism following the extensive community consultation process undertaken.

TIMINGS/DEADLINES

It's proposed that the items outlined in the master plan will be considered as part of budget deliberations for inclusion in council's long term financial plan.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

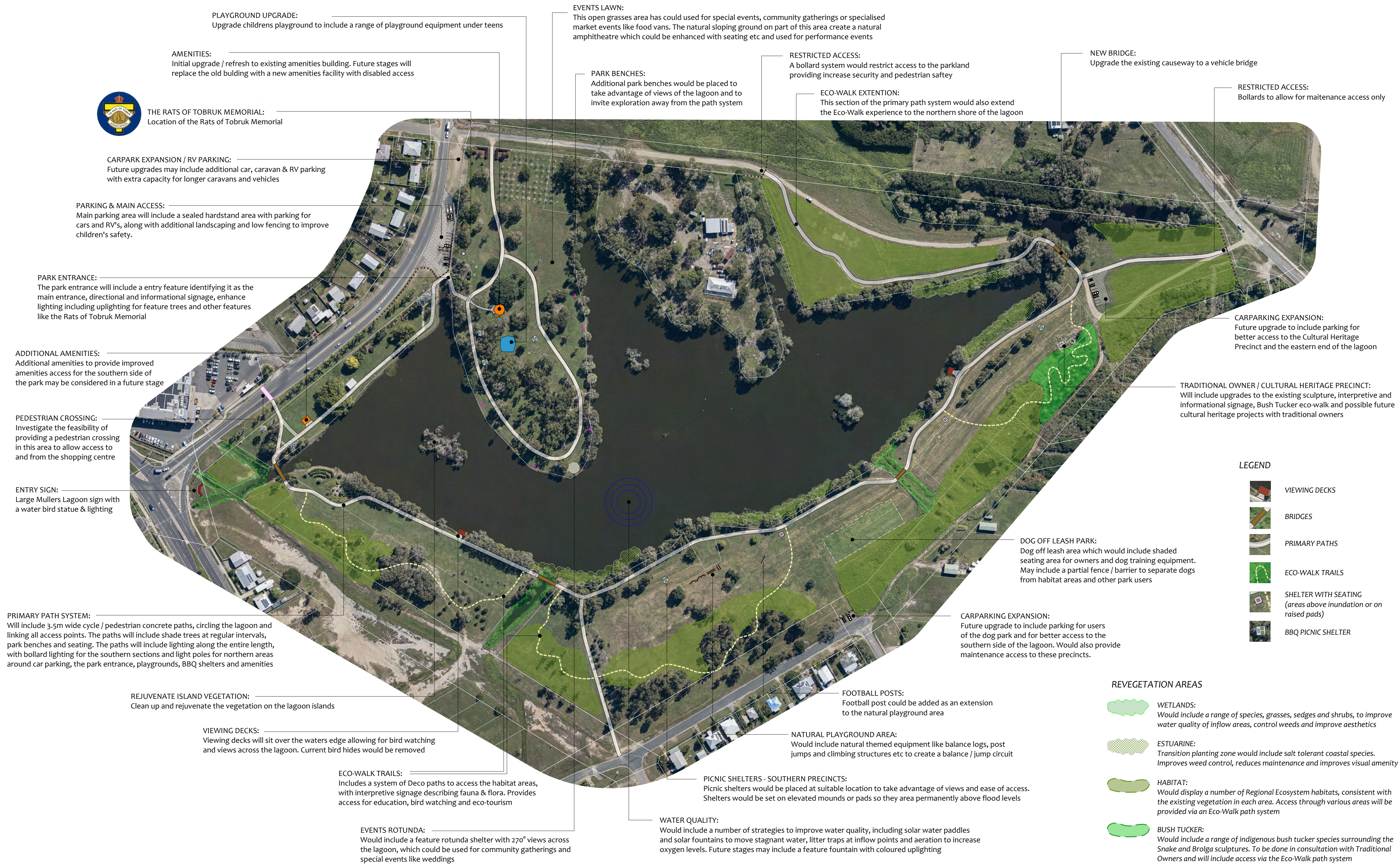
- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial, or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ALTERNATIVES CONSIDERED

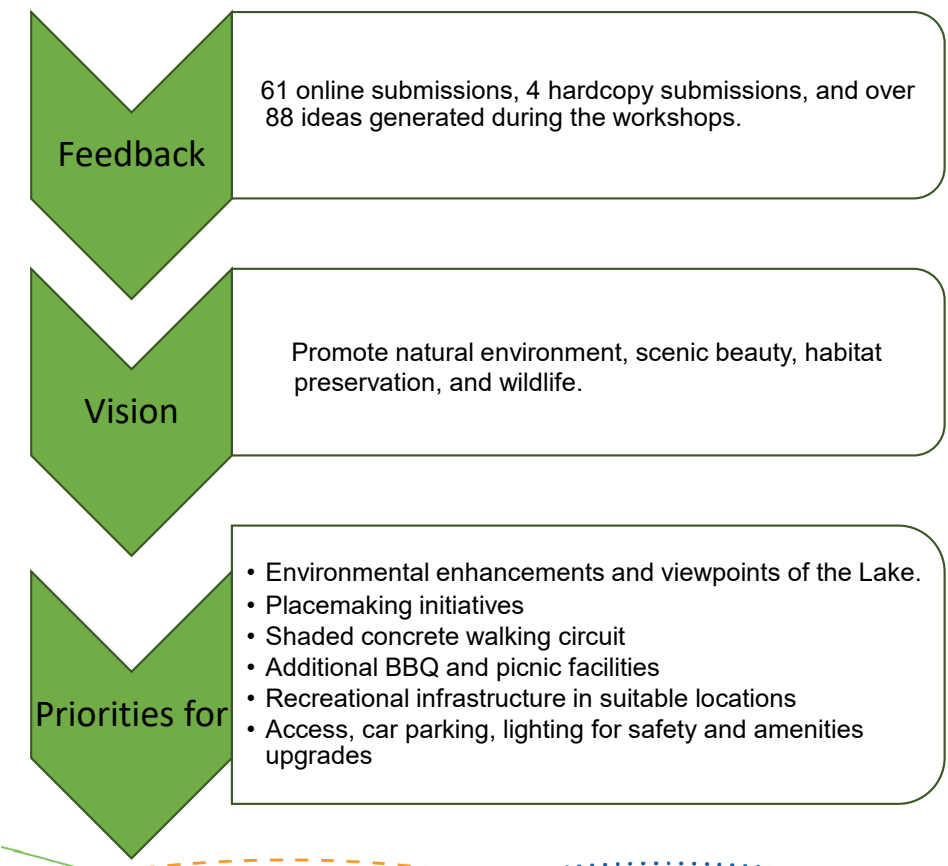
N/A

MULLERS LAGOON MASTERPLAN - KEY FEATURES



Mullers Lagoon Master Plan

Community Consultation





APPROACH

Whitsunday Regional Council has received feedback from residents in regards to the Mullers Lagoon Park Masterplan.

We asked residents about how they use the park, their vision, areas of improvement and investment priorities.

The majority of respondents recognised the environmental values of the park, including birdlife, water quality and desire for investments that support environmental enjoyment.

The consultation included collaboration with Bowen State High School (BSHS), a community design workshop, shopping centre stalls and an online survey. It was open between 18 March 2023 and 30 April 2023.

Residents submitted responses online via Your Say Whitsunday (60) and in person at community workshops and information stalls. Note results shown right are only from online surveys.

WHO GAVE FEEDBACK?

60 Online submissions received

102 Workshop ideas

NEXT STEPS

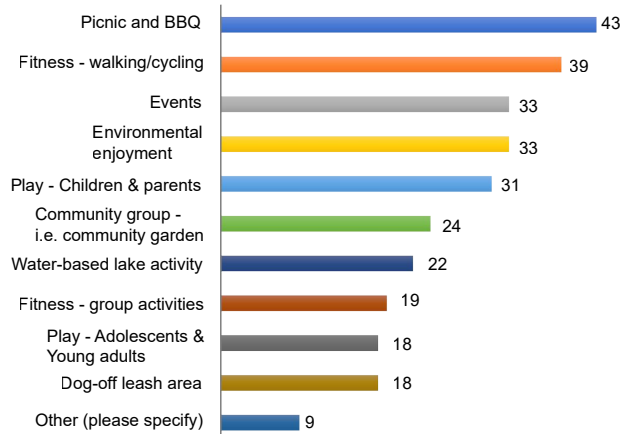
These submissions will be considered within the development of a Mullers Lagoon Park Concept Plan.

Consultation Summary

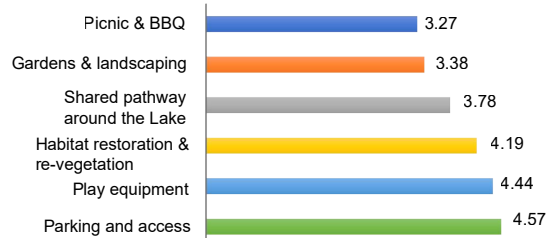
MULLERS LAGOON PARK MASTERPLAN

KEY RESULTS

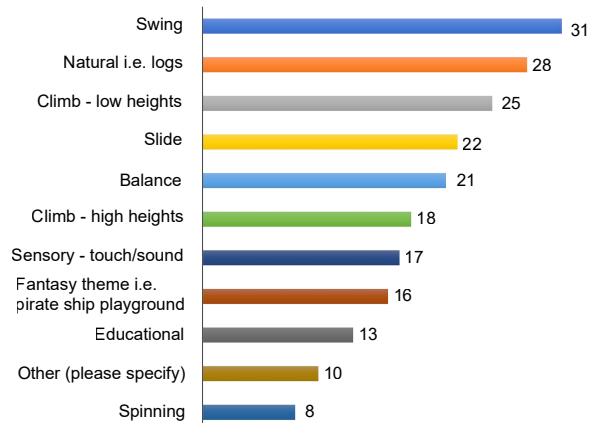
How would you and your family like to use Mullers Lagoon?



Top 5 investment priorities for Park upgrades
(lowest score being the highest priority)



What are your favourite playground components or skills?



11.3 - Shute Harbour Boat Ramp

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Craig Turner - Chief Operating Officer – Aviation and Tourism

AUTHORISING OFFICER: Warren Bunker - Chief Executive Officer

PRESENTED FOR: Decision

ATTACHMENTS

Nil

PURPOSE

The purpose of this report is for Council to consider its opportunities regarding Shute Harbour boat ramp. The ramp is currently a state asset, and the ability exists to address the recreational boating communities concerns by acquiring the ramp from the state and carrying out improvements.

OFFICER'S RECOMMENDATION

That Council:

- 1) Authorize the Chief Executive Officer to negotiate with Maritime Safety Queensland and finalise an agreement as outlined in correspondence dated 25 May 2023, to accept marine infrastructure assets at 'nil' acquisition costs located in state road reserve, Shute Harbour Boat Ramp; and
- 2) Refer to the 2024/25 financial year budget deliberations the required amount to carry out the installation of a floating pontoon.

BACKGROUND

Prior to and following the construction of the fixed walkway adjacent to the Shute Harbour boat ramp in late 2021 owned by the State of Queensland, Council received multiple complaints about its useability for recreational boating. The main complaints around the structure are its fixed nature, meaning difficulty using the walkway and retrieving vessels safely during varying tidal ranges. Whilst the State of Queensland paid for and constructed the fixed walkway, Council has an obligation to inspect and maintain, therefore Councils ratepayers fund the maintenance of approximately \$20k per annum.

Following further public complaints relating to the constructed walkway adjacent the ramp, Council officers met with representatives from Maritime Safety Queensland (MSQ) and the Department of Transport and Main Roads (DTMR) in November 2022 regarding the situation at the Shute Harbour boat ramp. Since its construction, the State has re-iterated its use of a fixed walkway as opposed to a floating structure being due to a policy position of not installing floating structures in locations exposed to strong wind or cyclonic wave action with average recurrence of 25 years or less.

Council while cognisant of the engineering reasoning provided by the State for installing a fixed structure, raised concerns about the practicality of the design due to its difficulty for recreational boaters to use. After much deliberation in November, it was agreed that a further on-site meeting in March 2023 would be held, including MSQ, DTMR, and Whitsunday Regional Council officers. The meeting was held, and it was agreed by all parties to work towards a solution on the matter.

Following the March 2023 meeting, and to further progress, Council officers asked MSQ about the possibility of the boat ramp and road reserve being transferred to Council at nil-cost so Council could deal with the facility and get the best outcome for users of the ramp. Discussions included installing a floating pontoon as opposed to a fixed structure to better service users of the Shute Harbour boat ramp.

On 25 May 2023, a letter was received from MSQ agreeing to fund the removal of the existing walkway and then transferring the boat ramp to Council at nil-cost. The letter explained that once transferred Council can develop the boat ramp and queuing arrangements as it sees fit. Further discussions also took place that once Council approval was granted, the work could be timed so that dismantling the fixed structure and the installation of the floating pontoon at the ramp could be done in sequence, without unnecessary delay. The acquisition of the asset from the State could also lead to further commercial opportunities for the Shute Harbour Marine Terminal once Grubby Bay is further developed. An initial desktop analysis has shown a positive result if the ramp facility was ever used commercially.

Once Council officers received the proposal from MSQ, a Confidential Report 7 June 2023 was presented to inform Council of the proposal. As a result, resolution OM2023/06/07.23 was carried and read as follows: *That Council authorise the Chief Executive Officer to continue to negotiate the asset acquisition including the identification of the financial implications associated with the proposed acquisition.* This resulted in a further costing exercise to be undertaken to install a floating pontoon at the Shute Harbour boat ramp. The costings considered a similar design to that of the pontoons located at the Port of Airlie and Whisper Bay (VMR). Cost estimates provided by an industry recognised quantity surveyor in August 2023 were between \$1.18 and \$1.54 million. The value of the floating structure would need to be accounted for in Councils Capital Budget next financial year to progress to the next stage.

STATUTORY/COMPLIANCE MATTERS

Local Government Act 2009

Local Government Regulation 2012

Contributed Assets Policy LSP_CORP_18

Asset Accounting Policy LSP_CORP_19

STRATEGIC IMPACTS

Advocate for the community on issues of regional importance.

Improve our transport network with a focus on meeting the economic needs for the region including road safety, road building, maintenance processes, and renewal of aging infrastructure.

Provide a fantastic experience for our community and visitors when using our open spaces, natural features, and facilities.

FINANCIAL IMPLICATIONS

Council is currently only financially responsible for maintenance at the Shute Harbour boat ramp facility of approximately \$20k per annum, DTMR cover the capital improvements.

If the asset were to be transferred to Council, the initial Capital outlay to install a 47 metre long by 2.5 wide floating pontoon would be between \$1.18 to \$1.54 million based on estimates provided by Rider Levett Bucknall Qld Pty Ltd. Whole of Life cost (25 years) including depreciation and maintenance would be in the order of approximately \$82k per annum. This increased operational expenditure may be offset by the opening of Grubby Bay

eventually, meaning the current boat ramp could be used commercially as part of the Shute Harbour Marine Terminal.

\$500k was originally included in the 23/24 financial year budget prior to negotiating the work with MSQ and DTMR. The \$500k was based on a high-level estimate prior to full costings being evaluated or negotiations taking place. In the Quarter 1 Budget Review this financial year \$100k retained and \$400k re-distributed to the 24-25 financial year.

This would mean that in order to complete the project an additional \$1.04 million would need to be allowed for in the 24/25 budget.

CONSULTATION/ENGAGEMENT

Executive Leadership Team
Department Transport and Main Roads Queensland
Maritime Safety Queensland

RISK ASSESSMENT

Refer to alternatives considered section.

TIMINGS/DEADLINES

Prior to the adoption of the 2024-2025 Capital Budget.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Option 1	The Officers Recommendation	Alleviates previous concerns raised by the boating community and provides a more practical floating pontoon. Gives Council the option to use the boat ramp commercially for the Shute Harbour Marine if Grubby Bay is developed in the future into a boat launching facility. (offsets maintenance and depreciation cost of the ramp and pontoon)	Requires an increase to next financial years Capital Budget of \$1.04 million. Increase to operating budgets by approx. \$61k (depreciation)per annum but could be offset by commercial activities at the ramp.
Option 2	Do Nothing	No Capital Financial Outlay	Continued negative feedback of the fixed walkway by the recreational boating community.

Option 3	Acquire the asset and have the current fixed walkway structure removed. Do not put anything back in its place.	DTMR would unlikely remove at their cost	No structure at all for recreational boaters to launch and retrieve boats from. The timeframe for the Grubby Bay Boat Ramp Facility is unclear.
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11.4 - 20220476 - Development Application for Development Permit - Material Change of Use - Outdoor Sport & Recreation (Archery & Multi-Sports Court) - Jasinique Dr Flametree 22RP736798 - Heatherwood Court Pty Ltd As TTE C/- Wynne Planning & Development

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: James McEvoy-Bowe - Senior Planner

AUTHORISING OFFICER: Neil McGaffin - Director Regional Strategy and Planning

PRESENTED FOR: Decision

ATTACHMENTS

1. Planning Assessment Report [11.4.1 - 7 pages]
2. Conditions of Approval [11.4.2 - 5 pages]
3. Locality & Zoning Plan [11.4.3 - 1 page]
4. Site Plan [11.4.4 - 1 page]
5. Operational Plans [11.4.5 - 4 pages]

PURPOSE

To present the assessment of the development application.

OFFICER'S RECOMMENDATION

That Council approve the Development Application for Development Permit for Material Change of Use - Outdoor Sport & Recreation (Archery & Multi-Sports Court), made by Heatherwood Court Pty Ltd As TTE, on L: 22 RP: 736798 and located at Lot 22 Jasinique Drive Flametree, subject to the conditions outlined in Attachment 2.

BACKGROUND

The adjoining site, Yangaro Boutique Luxury Resort, is subject to a Preliminary Approval for a Mainland Urban Tourist Facility approved in 2006.

APPLICATION SUMMARY

Council is in receipt of a development application for Material Change of Use for Outdoor Sport & Recreation in the form of an archery range and a multi-sports pickle-ball/tennis court. Basketball was originally proposed at the facility but has since been removed from the proposal and replaced with pickle-ball. The facility is for guests that are staying at Yangaro Boutique Luxury Resort within the Beaches Community Title Scheme on the beachfront of Funnel Bay.

The key operational elements of the proposal are:

- The facility is exclusively for the guests staying at Yangaro Boutique Luxury Resort and will not be open to the public.
- Security fencing will be installed around each court and will be locked when not in use.
- Yangaro Boutique Luxury Resort will own and maintain the facility.
- Operational hours of 7.30am to 6.00pm Monday to Saturday and 8.00am to 5.00pm on Sundays.

- The equipment will be stored in the Yangaro buildings within the Beaches at Funnel Bay precinct.
- Lighting may only be provided until 6.00pm.
- 30 guest maximum on-site usage at any one time.
- No supporting amenities are being provided (toilets, showers, drink taps etc) as guest accommodation is nearby at Yangaro. Users will be required to take all waste from site as bins are not being provided.
- 12-bay sealed parking area from Langford Road.
- The archery range is 43m x 15m and will have two targets at a maximum length of 30m.
- The tennis court will also facilitate two pickle-ball courts.
- A Standard Operating Procedure and Risk Management Plan has been prepared by the applicant to support the safe use of the archery range.

Two properly made submissions were received during the public notification.

The submitters primary concerns were noise, the proposed operating hours and the inclusion of basketball. In response to the submissions, reduced operating hours have been imposed and the basketball courts have been changed to a tennis/pickleball court. These changes significantly reduce the acoustic impact of the development on the immediate area. By mitigating the amenity impacts of the development on the surrounding area the proposal generally addresses the requirements of the Rural Residential zone.

A detailed assessment of the submissions and assessment benchmarks is provided in Attachment 2.

STATUTORY/COMPLIANCE MATTERS

Planning Act 2016

Whitsunday Regional Council Planning Scheme 2017

STRATEGIC IMPACTS

Process all statutory applications within statutory timeframes.

FINANCIAL IMPLICATIONS

An infrastructure charge of \$12,667.58 is payable in accordance with the Infrastructure Charges Resolution (No. 1) 2023. The application fee has been paid.

CONSULTATION

Manager Development Assessment

Technical Officer Engineering Assessment

Civil Engineer (Network Planning)

RISK ASSESSMENT

The decision may be appealed in the Planning & Environment Court of Queensland.

TIMINGS/DEADLINES

A decision is required by 14 December 2023.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the Human Rights Act 2019 specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the Human Rights Act 2019 identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ANALYSIS

Council has received the following Development Application, which has been assessed against the provisions of the relevant legislation as reported below.

1. Application Summary

Proposal:	Development Permit for Material Change of Use - Outdoor Sport & Recreation (Archery & Multi-Sports Court)
Landowner	Heatherwood Court Pty Ltd As TTE
Property Address:	Jasinique Drive Flametree, corner with Langford Road.
Property Description:	L: 22 RP: 736798 T: N1170/223
Area of Site:	1.872ha
Planning Scheme Zone:	Rural residential zone
Level of assessment	Impact Assessable
Overlays:	Acid Sulfate Soils Overlay Bushfire Hazard Overlay Coastal Environment Overlay Environmental Significance Overlay Flood Hazard Overlay
Existing Use:	Dwelling House
Existing Approvals:	20170699 – Development Permit for Operational Works – Temporary Setdown Area 20191231 - Development Permit for Material Change of Use - Siting Variation (Dwelling House)
Public Notification:	14 September 2023 / 9 October 2023
Submissions received:	Two
State referrals:	Nil
Infrastructure charges:	\$12,667.58

Site Details

1.1. Location

The actual site for the development is on Langford Road, next to Flametree Creek which adjoins the Esplanade.

1.2. Site description

The site is an irregular shaped allotment with frontages to Langford Road and Jasinique Drive. The southern-most end of the site contains an existing dwelling and outbuildings that gain access from Jasinique Drive.

The proposed development is at the northern end of the site. A creek meanders in and out of the site which joins the tidal area, and some mangrove colonies border the creek but are not within the subject land.

1.3. Access

Access to the development will be from a sealed crossover to Langford Road.

1.4. Surrounding uses

North – Flametree Creek and the Beaches CTS (Community Title Scheme)/Yangaro.

East – Tidal inundation area and Rural Residential premises further east.

South – Rural Residential premises.

West – Rural Residential premises.

2. Proposal Details

The proposal is for a Material Change of Use for Outdoor Sport & Recreation in the form of an archery range and a multi-sports pickle-ball/tennis court. The multi-sports court originally included basketball, however that has since been replaced with pickle-ball. The development also includes a 12-bay parking area. The facility is for guests that are staying at Yangaro Boutique Luxury Resort within the Beaches Community Title Scheme (CTS) on the beachfront of Funnel Bay. The key operational elements of the proposal are:

- The facility is exclusively for the guests and will not be open to the public.
- Yangaro will own and maintain the facility.
- The development is conditioned for operational hours of 7.30am to 6.00pm Monday to Saturday and 8.00am to 5.00pm on Sundays.
- Lighting may be provided for afternoon use to 6.00pm. Lighting, if needed, will be directed downwards and automated to switch off at 6.00pm.
- No supporting amenities are being provided (toilets, showers, drink taps etc) as guest accommodation is nearby at Yangaro. Users will be required to take all waste from site as bins are not being provided.
- The tennis court will also facilitate two pickle-ball courts.
- The archery range is 43m x 15 metres and will have two targets at a maximum length of 30 metres. Behind the archery range is Flametree Creek.

In terms of the management of the Archery aspect, the applicant advises that the archery range will be fully fenced to capture all the arrows ensuring they remain within the confines of the range. At Yangaro Resort, guests will be briefed and provided instructions for the operation of the archery range and a person who is over the age of 18 years old will be nominated as the supervisor and they will be responsible for managing the group. There also needs to be a first aid person present, if none of the participants are first aiders then the Guest Services Manager will supervise or appoint a qualified staff member to attend with the group. A Standard Operating Procedure and Risk Management Plan has been prepared by the applicant to support the safe use of the archery.

3. Planning Assessment

The application has been assessed against the relevant provisions of the *Planning Act, 2016* and the *Whitsunday Regional Council Planning Scheme, 2017*. The proposal is generally in accordance with the Planning Scheme and is recommended for approval in accordance with the drawings and documents submitted, subject to reasonable and relevant conditions (Attachment 2).

3.1. State Assessment and Referral Agency (SARA)

The application was not referable.

3.2. State Planning Policy – July 2017

The State Planning Policy (SPP) includes interim development assessment requirements to ensure that State interests are appropriately considered by local government when assessing development applications where the local government Planning Scheme has not yet appropriately integrated all of the State's interests in the SPP. As the most recent SPP (July 2017) has not been reflected in the Whitsunday Regional Council Planning Scheme, Part B of the SPP confirms that it applies to the assessment of the development application.

State Interest – Liveable Communities and Housing

Not applicable.

State Interest – Economic Growth

Not Applicable.

State Interest – Environment and Heritage

Not Applicable.

State Interest – Natural Hazards, Risk and Resilience

The site is subject to flooding and bushfire and therefore the state interest is applicable to the development. Given that no habitable structures are proposed, and the development will not operate during any natural hazard event, the development complies with the state interest.

State Interest – Infrastructure

Not applicable.

3.3. Mackay Isaac and Whitsunday Regional Plan – February 2012

The Mackay, Isaac and Whitsunday Regional Plan was established to provide the vision and direction for the region to 2031. The plan provides certainty about where the region is heading in the future and provides the framework to respond to the challenges and opportunities which may arise. The proposal is of a limited scale and is consistent with the provisions of the plan.

3.4. Whitsunday Regional Council Planning Scheme, 2017

3.4.1. Strategic Framework

The proposed development aligns with the Strategic Frameworks for the reasons identified in the Strategic Intent assessment.

3.4.2. Strategic Intent

Strategic Intent – Theme 1 – Liveable Communities and Housing

The development is for an urban purpose that is not located in an urban area. The location of the use is considered appropriate due to its necessary relationship to an adjoining use being the Yangaro Boutique Luxury Resort which achieves consistency with the theme.

Strategic Intent – Theme 2 – Economic Growth

The development supports existing tourist accommodation at Funnel Bay which is consistent with the theme.

Strategic Intent – Theme 3 – Environment and Heritage

The key ecological and core landscape values within the region will not be impacted by the proposed development. Flametree Creek adjoins the site, and the development is supported by a Riparian Corridor Plan which proposes a series of native plantings along with bank of the creek to ensure protection to the creek and to help mitigate any amenity impacts that may occur to dwellings within the Beaches CTS.

Strategic Intent – Theme 4 – Safety and Resilience to Hazards

The development does not place people or property at risk from natural hazards. The subject use of the land is appropriate for the hazards known to affect the area.

Strategic Intent – Theme 5 – Infrastructure

The proposal is supported by the regions existing infrastructure networks.

3.4.3. Overlay Codes

Acid Sulfate Soils Overlay

Minimal excavation will be required to undertake the development. Conditions of approval have been imposed requiring an acid sulfate soils management plan to be prepared prior to site works.

Bushfire Hazard Overlay

The proposed development does not create an unacceptable level of risk from bushfire. The area of the proposed development subject to the overlay has been extensively cleared of vegetation and all remaining vegetation is outside the lot boundaries. Importantly, the proposal provides direct access to the public road network via the internal driveway from the parking area. The proposal complies with the overlay.

Coastal Environment Overlay (Storm Tide and Erosion Prone Areas)

The subject site is located within the both the storm tide and erosion prone areas mapping. As the development is not for habitable development, will not be operating during extreme weather events and is of a built form appropriate for an area which experiences inundation the proposal complies with the relevant assessment benchmarks of the code.

The development site is also within the Erosion Prone Areas map. The proposal achieves the accepted requirements for the overlay as:

- The development contains only structures in the form of fencing and lighting and is therefore easily relocatable or removed.
- The whole site is mapped as erosion prone and so there are no other locations to place the development outside the erosion prone area.
- No structures are proposed other than lighting and permeable court fencing which are located as landward as practicable.

Environmental Significance Overlay (ESO)

Flametree Creek adjoins the northern boundary of the site and contains a buffer of mapped regulated vegetation. The on-ground characteristics of the site do not match the mapping as this area has been cleared over time and contains no vegetation along the northern boundary. The applicant has supplied a Riparian Corridor Planting Plan to revegetate the northern boundary of the site. The plan consists of placing native trees and shrubs along the riparian corridor for a length of approximately 66m. Given the development is replanting

a previously cleared area under the overlay, the development complies with the requirements of the overlay.

The Wildlife Habitat sub-category is also applicable to the site however the development is situated outside of the mapped Wildlife habitat.

Flood Hazard Overlay

The proposed development is not residential development and therefore will not be at an unacceptable level of risk from flooding. The applicant has advised *'based on all the available information, it can be interpolated that 1% A.E.P. flood levels near the development footprint will range between 3.32m and 3.42m AHD.'* The report goes on to advise that the site has flooding in the order of 200mm adjacent to Langford Road and up to around 500-600mm near the north-eastern portion of the proposed development site closer to Flametree Creek. As no habitable elements or structures are proposed, the development does not present an unacceptable risk to life or property.

3.4.4. Rural Residential Zone Code

The purpose of the Rural residential zone is to primarily provide for residential development on large lots. The proposal is for a recreational land use for which the zone code provides limited expressed support for. The intended purpose of the proposal is to support the existing short-term accommodation establishment within the Beaches CTS known as Yangaro. The proposal is viewed as a low intensity recreational use as it will not be open to the public and use of the facility will be infrequent.

The site contains an existing rural residential dwelling at the southern-most part of the site adjacent to Jasinique Drive. The proposed development will not impact on the existing dwelling as they are separated by approximately 240m and screened by vegetation. The closest sensitive receptors to the proposal are the dwellings in Discovery Drive at an approximate distance of 60m. Dwellings adjacent to the development on Langford Road are more than 250m from the proposal and buffered with vegetation.

The development has limited built form, and the site will be softened by landscaping placements to help keep the rural residential character of the area. The proposed landscaping will enhance the development area which has been cleared entirely and given the limited infrastructure required to facilitate the use, the development avoids adverse impacts on areas of environmental significance.

In considering the suitability of the development in the zone consideration of other land uses contemplated in the zone has been had. Other uses such as Rural, Business and Community activities are permitted within the zone provided they are small-scale and low intensity uses that are compatible with the prevailing rural residential character and amenity of the zone. The proposal is small-scale and will have the appearance of a private tennis court, archery range and car parking, with the remainder of the site untouched. Considering the distance to adjoining residences and the orientation of dwellings on Discovery Drive, a significant amenity impact is not likely and can be managed by conditions of approval.

A series of operating procedure conditions have been suggested to be imposed on the development. These include limiting the hours of operation, the use of the premises to archery and tennis/pickle ball only and a limit on the number of persons onsite at any one time to 12. These conditions will ensure the use of the premises remains low scale.

3.4.5. Development Codes

Infrastructure Code

The site is connected to reticulated water and sewer infrastructure although the development does not require any water or sewer use. The applicant advises plantings will be maintained by the caretaker of Yangaro who currently maintains all landscaping in the common property area of the Yangaro. Stormwater generated by the development area will be redirected to a grassed swale drainage system to be placed on the eastern boundary of the site. The future operational works application for the parking area has been conditioned to address stormwater quality to an acceptable level in the form of gross pollutant traps (or a similar device) to ensure stormwater from the car park does not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.

Transport and Parking Code

In accordance with Table 9.4.7.3.3 Minimum on-site parking requirements, the development is required to provide 12 on-site parking spaces. The proposal contains a parking area with direct access from Langford Road. The proposed parking area will contain 12 on-site parking spaces. Turning templates provided by the applicant's engineer demonstrates the suitability of the parking area for manoeuvrability as acceptable. 12 on-site parking spaces are a high number; however, the applicant has nominated this number.

Due to the tight configuration of the private road, multiple creek crossings and the use of golf buggies provided by Yangaro, the applicant has opted not to provide pedestrian access to the site. This is considered acceptable due to the low scale private nature of the proposal.

Landscaping Code

Conditions of approval have been imposed requiring a detailed landscaping plan to be provided with the first operational works application. The landscaping plan is to provide dense landscaping between the activities and Langford Road.

4. Public Submissions

The development application was placed on public notification between 14 September 2023 and 9 October 2023 in accordance with the relevant provisions of the Planning Act 2016. The Notice of Compliance was received on 10 October 2023. Two properly made submissions were received during this period of Public Notification.

Submissions have been received and summarised in the below table:

Issue	Comment/Condition Number
1. Noise	A submitter has raised concerns with the potential for noise and the proposed operating hours.

	Being a venue that is not open to the public and being directly associated with a small short-term accommodation facility, the use of the facility is not expected to be a frequent occurrence. Modified conditions for operating hours of 7.30am to 6.00pm Monday to Saturday and 8.00am to 5.00pm on Sundays have been imposed. The modified operating hours will reduce the use of the facility to daylight hours only. Basketball is no longer part of the application and unreasonable noise from archery and pickle-ball/tennis is unlikely. A limit on the number of persons onsite at any one time has also been restricted.
2. Lighting	A submitter has raised concerns with the proposed lighting of the court areas at night. The modified operating hours will reduce the need for the installation of lights. In case lighting is installed, conditions of approval will require all lighting to be directed downwards and have glare control to comply with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.
3. Loud Music and entertainment	A submitter has raised concern over the potential for the site to provide outside Entertainment in the form of loud amplified music. Conditions of approval have been imposed to ban such occurrences.

5. Infrastructure Charges

5.1. Adopted Infrastructure Charges Resolution

The following is a breakdown on the Infrastructure Charges for the development:

Adopted Charge					
Type of Development	Development Category	Demand Unit & Qty	Charge Rate		Adopted Charge
MCU	Other uses	1,330m2	\$22.15		\$29,459.50
MCU	Residential – 3 or more-bedroom dwelling house	1	\$31,080.00		\$31,080.00
Total Adopted Charge					\$60,539.50
Credit					
Type of Development	Development Category	Demand Unit & Qty	Charge Rate	Discount	Total Credit
Existing Lawful Use	Residential – 3 or more-bedroom dwelling house	1	\$31,080.00	100%	\$31,080.00
MCU	Other uses	1,330m2	\$22.15	30% (Water)	\$8,837.85
MCU	Other uses	1,330m2	\$22.15	27% (Sewer)	\$7,954.10
Total Credit					\$47,871.92
Total Levied Charge					\$12,667.58

1.0 ADMINISTRATION

- 1.1 The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

Plan/Document Name	Prepared By	Plan Number	Dated
Site Plan	Sabai Consulting	CD1-101	09/02/2022
Civil Engineering Report	Sabai Consulting	2131	04/02/2022
Operational Management Plan	Yangaro	N/A	N/A
Bushfire Survival Plan	Yangaro	N/A	N/A
Riparian Corridor Planting Plan	Wynne Planning & Development Pty Ltd	2022WRC021	06/09/2023

- 1.2 The following further development permits are required prior to commencement of work on site or commencement of the use:
- Operational Works;
 - Erosion & Sediment Control; and
 - Access and Parking.
- 1.3 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.
- 1.4 All conditions of this approval must be complied with in full to Council's satisfaction prior to the commencement of the use.
- 1.5 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of the commencement of the use.
- 1.6 The use of the premises is limited to Archery, Tennis and Pickleball.

2.0 CLEARING, LANDSCAPING AND FENCING

- 2.1 Any vegetation removed must be disposed of to the requirements of the Council. Transplanting, chipping or removal from site are the preferred solutions.
- 2.2 All vegetative waste cleared as part of the development of the site is to be either:
- a) stored neatly on site and shredded within sixty (60) days of clearing; or
 - b) removed off the site to an approved disposal location.
- 2.3 Any pruning works must be in accordance with AS 4373-1996 – Pruning of Amenity Tree.
- 2.4 No invasive plants (Biosecurity Act, 2014) or declared local pests (Local Law no.3) shall be planted on the site or allowed to invade the site and the site must be managed and maintained to exclude weeds.
- 2.5 To reduce the spread of weeds, all earthmoving equipment shall be free of soil and seed before being taken to the work site and again on completion of the project.
- 2.6 Any fencing to be erected by must be permeable and allow for water to pass through unimpeded.
- 2.7 With the first operational works application, a detailed Landscaping Plan is to be provided to Council. The landscaping plan is to provide for dense landscape planting between the proposed activities and Langford Road.

3.0 WATER INFRASTRUCTURE

- 3.1 The development is not permitted to connect to reticulated water infrastructure.

4.0 SEWERAGE INFRASTRUCTURE

- 4.1 The development is not permitted to connect to reticulated sewer infrastructure.

5.0 ACCESS AND PARKING

- 5.1 A Development Permit for Operational Works (Access and Parking) must be obtained prior to commencement of work on site. Any application for Operational Works (Access and Parking) must be accompanied by detailed engineering drawings demonstrating compliance with the Whitsunday Regional Council Development Manual, Australian Standard AS2890, AS1428 and this Decision Notice.
- 5.2 The external access from the pavement of Langford Road to the property boundary must be designed, constructed and maintained so as to comply with the dimensions, gradients and specifications as indicated on Whitsunday Regional Council's Standard Drawing RS-056.
- 5.3 Twelve (12) car parking spaces must be provided on site to a single coat sealed standard with full line marking prior to commencement of the use.
- 5.4 All internal accesses, driveways, circulation roads, aisles, parking bays and manoeuvring areas are to be provided generally as indicated on Vehicle Turnpaths Plan CD1-102 by Sabai Consulting dated 09/02/2022 and must be designed to comply with the Whitsunday Regional Council Development Manual and AS2890 and AS1428.
- 5.5 The external access must include provision for all drainage from within the property and along the driveway surface to be collected at or inside the property boundary and discharged by way of a pipe or other approved means to Council's drainage system.
- 5.6 Prior to commencement of use, the applicant must lodge with Council, a RPEQ engineer's design and construction certification. The certification must be addressed to Council and must certify that all External and Internal access, parking and manoeuvring areas have been designed and constructed according to the conditions of this Decision Notice AS2890, AS1428 and the Whitsunday Regional Council Development Manual.

6.0 STORMWATER AND FLOODING

- 6.1 All stormwater drainage works must be designed and constructed in accordance with the Queensland Urban Drainage Manual current at the time of development and Council's Development Manual (or equivalent replacement document current at the time of development).
- 6.2 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including Q100.
- 6.3 The applicant must demonstrate that the developed flows from the land drain to a lawful point of discharge. Natural and Developed Flows from adjoining properties are to be managed through the site and discharged to a lawful point of discharge.
- 6.4 Stormwater infrastructure for the development must include gross pollutant traps, or other appropriate water quality measures, within the system adequate to ensure stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.

7.0 ELECTRICITY AND TELECOMMUNICATIONS

- 7.1 Provide electricity and telecommunications connection to the proposed development to the requirements of the relevant authority. The application must submit to Council, either:

- (a) a certificate of supply demonstrating that existing low-voltage electricity supply is available to the use; or
- (b) a certificate of supply that the applicant has entered into an agreement with the authorized electricity supplier, Ergon, to provide electricity services to the use, payment has been received and the connection will be completed at a date in the future.

If low-voltage electricity supply is unavailable to the site then the applicant must provide a certificate of supply of the proposed electricity connection date to all future property owners prior to entering into a contract of sale for the site prior to commencement of the use.

8.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP)

- 8.1 A Development Permit for Operational Works (Erosion Prevention and Sediment Control) must be obtained prior to commencement of the use. Erosion prevention and sediment control measures must be established so as to comply with the requirements of the Whitsunday Regional Council Development Manual and the Best Practice Erosion & Sediment Control – November 2008 (IECA White Book) and the requirements of the Environmental Protection Act. The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g., turfed, concreted).
- 8.2 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.
- 8.3 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.
- 8.4 The applicant must ensure that when undertaking any on-site or external works, including any filling and extraction, appropriate dust control measures are implemented in accordance with the Environmental Protection Act 1994 and complies with the relevant air quality objectives defined in the Environmental Protection (Air) Policy 2008.

9.0 OPERATING PROCEDURES

- 9.1 General Public access is not permitted.
- 9.2 The hours of operation are limited to 7.30am to 6.00pm Monday to Saturday and 8.00am to 5.00pm on Sundays.
- 9.3 All sporting equipment must be stored off-site. No equipment is to be left on-site after use of the facility.
- 9.4 No waste is to be left at the premises at any time.
- 9.5 Operation of the facility must be in accordance with the approved Operational Management Plan and Bushfire Survival Plan. If there is any conflict between the approved Operational Management Plan and the conditions of this approval, the conditions of this approval prevail.
- 9.6 Use of the facility is restricted to the two (2) court areas only.
- 9.7 The facility cannot be used when the QFES issues a Watch and Act Warning or if the Fire danger is Extreme or Catastrophic.
- 9.8 No amplified music is permitted at any time.
- 9.9 A maximum of 12 persons are permitted on site at any one time.

- 9.10 Permitted users are only guests of the Yangaro Boutique Luxury Resort.
- 9.11 Security fencing is to be installed around the Tennis Court/Pickleball Court to prevent restrict access to permitted users only.
- 9.12 Outside of use by permitted persons or operating hours the courts are to be locked.

10.0 EARTHWORKS

- 10.1 With the first operational works application, an Acid Sulfate Soils Assessment Report and Management Plan complying with Planning Scheme Policy SC6.2.3, which includes the results of on-site testing, is to be provided.

11.0 MISCELLANEOUS

- 11.1 If any item of cultural heritage is identified during site works, all work must cease and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.

The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au

- 11.2 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 11.3 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The on site supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 11.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Langford Road or adjoining land unless written permission from the owner of that land and Council is provided.
- 11.5 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean up of any litter or waste that is a result of the subject development.

12.0 ADVISORY NOTES

- 12.1 Hours of work

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays or Public Holidays.

- 12.2 Dust Control

It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

- 12.3 Sedimentation Control

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994 and Schedule 9 of the Environmental Protection Regulation 2008 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

12.4 Noise During Construction and Noise in General

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994.

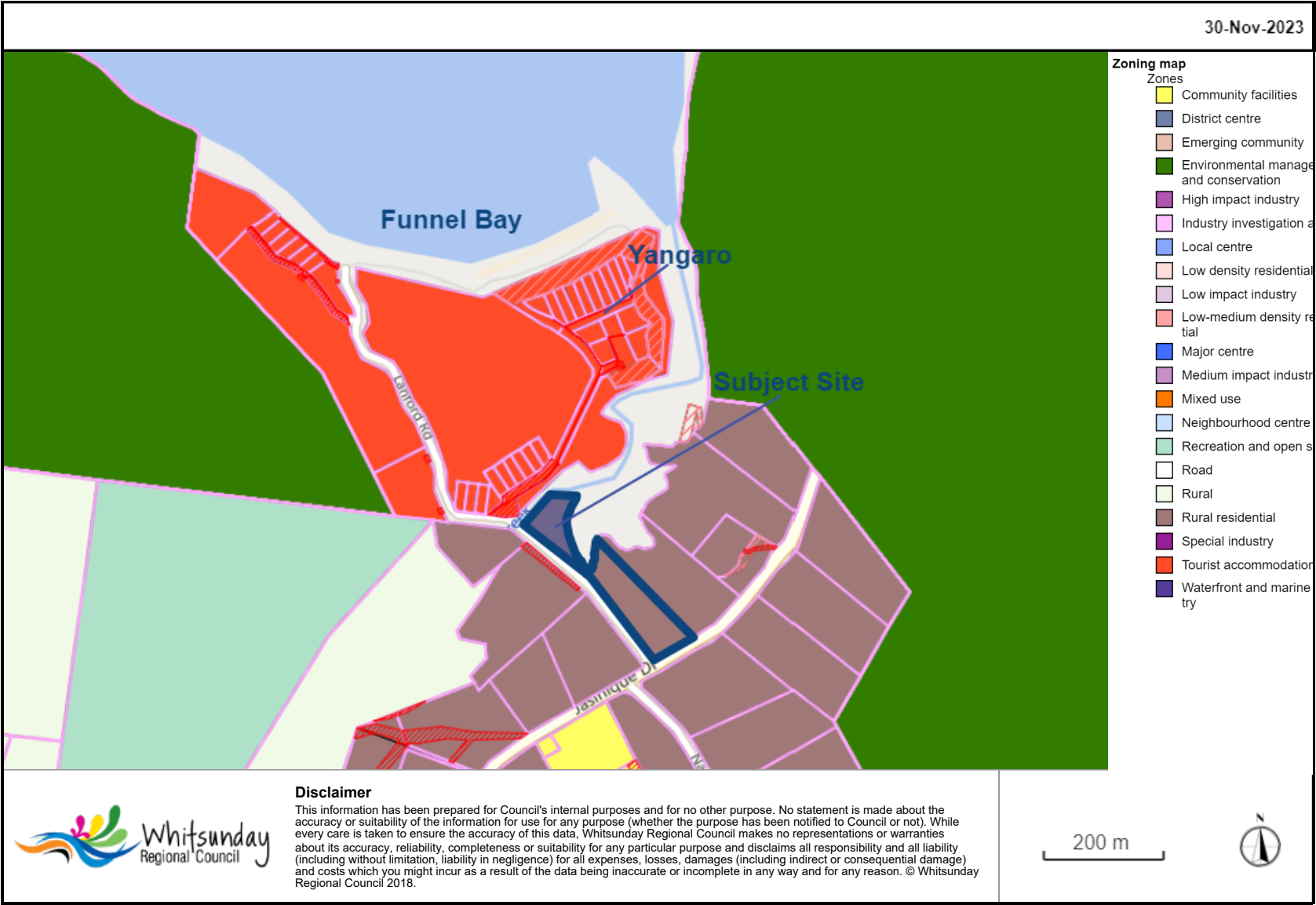
12.5 General Safety of Public During Construction

It is the project manager's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.

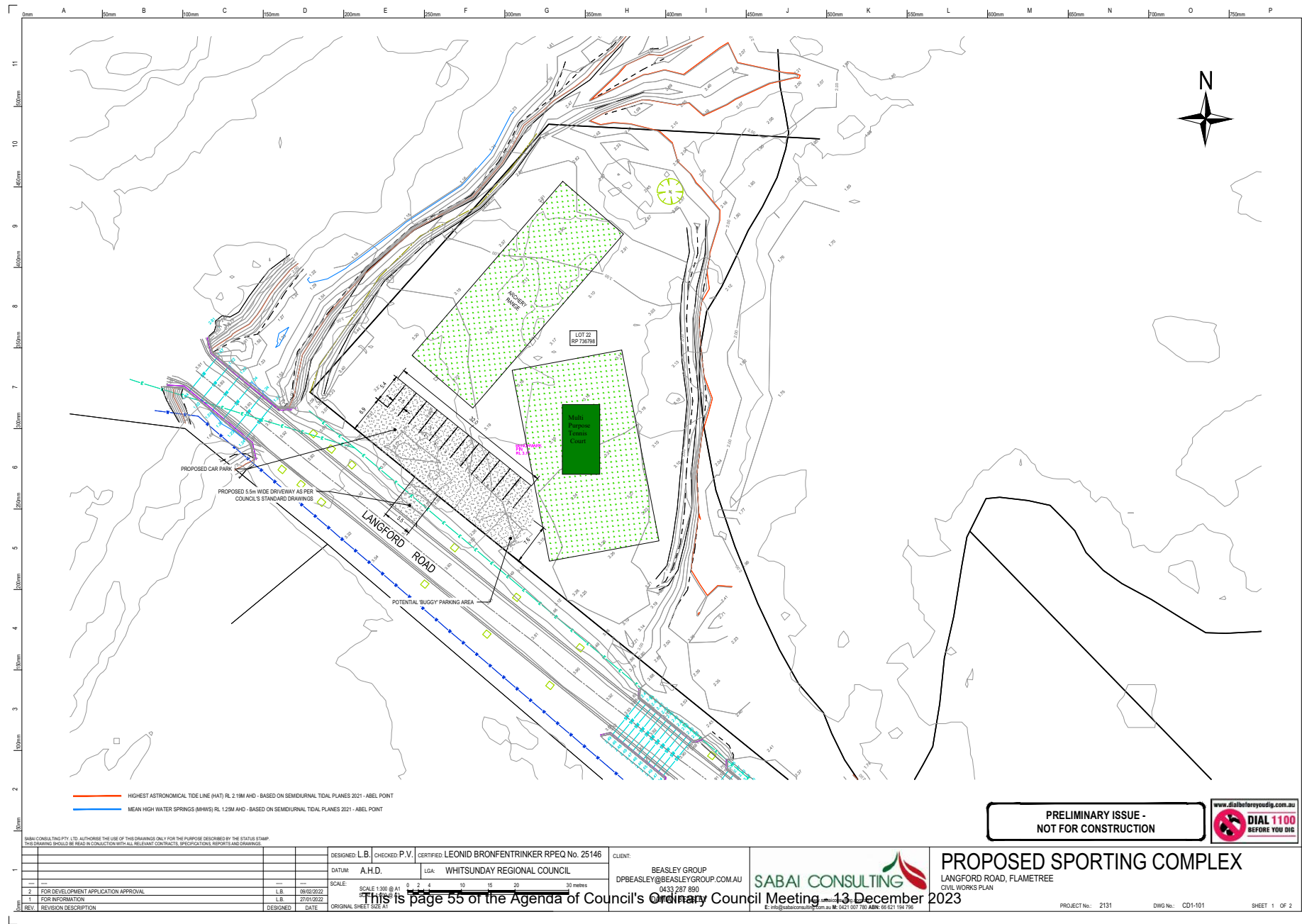
It is the principal contractor's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.

It is the responsibility of the person in control of the workplace to ensure compliance with the Work Health and Safety Act 2011. It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

12.6 Enquiries relating to the aforementioned conditions should be directed to the Regional Strategy and Planning Directorate who will direct the enquiry to the relevant officer.



Attachment 11.4.4 Site Plan





OPERATIONAL MANGEMENT PLAN

OUTDOOR SPORT AND RECREATION FACILITIES

An outdoor sport and recreational facility being an archery range and multipurpose tennis and basketball court is provided for Yangaro guests within Flametree precinct, to utilise these facilities during their stay at Flametree.

The facility will be open only to guests of Yangaro and not to the general public.

The facility will be managed by Yangaro, including the maintenance and upkeep of the facility.

The facility will be open for use between 7.30am to 9.00pm, 7 days a week. Bookings for the use of the facilities will be via management of Yangaro.

At the time of booking, management will provide the collection and return details of necessary equipment.

The equipment will be stored in the Yangaro buildings in within the Beaches at Funnel Bay precinct.

All lighting will be located and placed on site to ensure no light spill off site or to the surrounding natural environment. Lighting will be automated to switch off at 9.00pm.

Guests will be required to ensure they remove all waste and items from the facility after use and dispose of in the waste bins at their respective accommodation.

All guests utilising the facility will be required to respect the surrounding residential properties while using this facility. Any non-compliances will result in removal of guests from the facility by management of Yangaro.



BUSHFIRE SURVIVAL PLAN

PREPARE, ACT, SURVIVE

OUTDOOR SPORT AND RECREATION FACILITIES

An outdoor sport and recreational facility being an archery range and multipurpose tennis and basketball court is provided for Yangaro guests within Flametree precinct, to utilise these facilities during their stay at Flametree.

The facility will be open only to guests of Yangaro and not to the general public. The facility will be closed when QFES issues a Watch and Act Warning or that the Fire danger is Extreme or Catastrophic.

This Bushfire Survival Plan has been prepared to provide guests with action to be undertaken should a bushfire occur on or near the outdoor sport and recreation facilities.

WHAT SHOULD I DO?

LEAVE EARLY, YOUR SAFEST CHOICE



When will we leave?

The sign to leave will be smoke in the area, or as soon as you find there is a fire near you.



When will we go?

If it is safe to do so and the fire is not at your accommodation, return to your accommodation, if the fire is near the accommodation head away from the fire to a public space where emergency services can see you.



What will we take?

Drive your vehicle and possessions with you away from the site, if on foot then take your possessions with you.



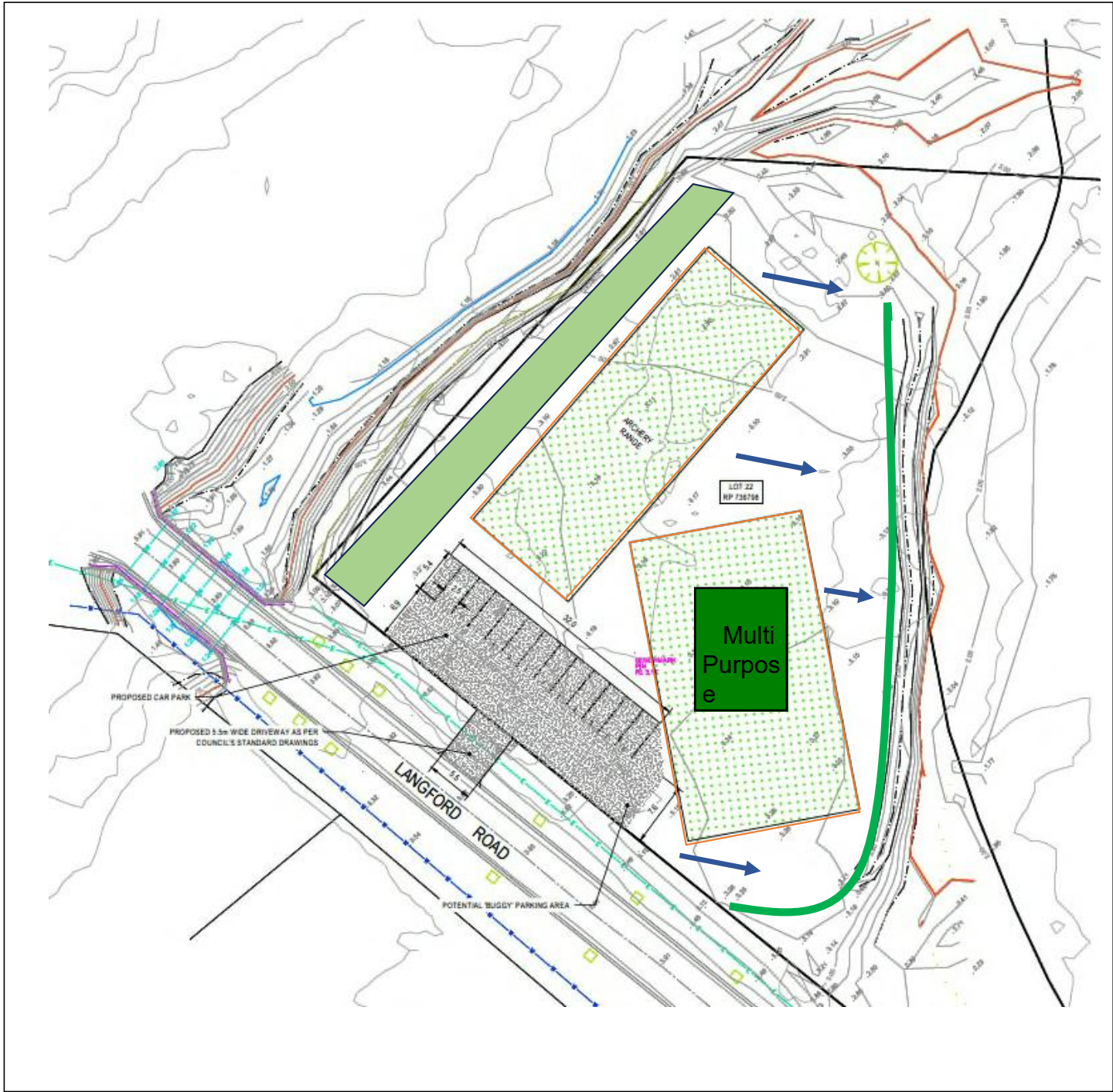
Who will we call to tell that we are leaving and that we have arrived safely?

You should contact Yangaro Management of your actions so that they know you are safe.



What should we do next?

Wait until Yangaro Management or Emergency Services advise it is safe to return or you are relocated to another location.



PROJECT: Outdoor Sport and Recreation			
Riparian Corridor Planting	LOCALITY: Flametree	LOCAL GOVERNMENT: Whitsunday Regional	DATE: 06/09/2023
PROPERTY: Lot 22 RP736798, Langford Road	DRAWN BY: KW	SHEET No: 1 of 2	FILE REFERENCE: 2022WRC021

LEGEND

SYMBOL

→ Stormwater flow direction

↪ Grass Swale Drain

□ Lawn – Grassed Areas

— Mesh Security Fencing – 3.0-3.5m high

■ Riparian Planting

Trees



Brachychiton acerifolius



Cupaniopsis anacardioides



Backhousia citriodora



Flindersia schottiana

Low Vegetation



Lomandra



Dianella caerulea



Drynaria sparsisora

NOTES**GENERAL CAUTION AND NOTES:**

These plans are not to scale, all areas are to be verified prior to the commence of the work. All services should be located prior to any works commencing.

SITE PREPARATION:

All areas identified for planting, should be clear of any existing weeds and grass and debris.

SOIL:

The use of existing soil where possible and to improve with a soil conditioner to provide a free draining planting medium.

Soil is to be ripped to eliminate compaction and then soil conditioner added.

During planting the holes are to be excavated 3 times the volume of their containers and then backfilled.

Water the installed plant to field capacity immediately after planting.

PLANTS:

All plant stock is to be free of pest and diseases. All stock is to be sun hardened with root systems that have filled out but not root bound.

All plants are to be fertilised at the time of planting with 6 month slow release fertilizer.

The trees are to be planted 2.0 metres from each other so as to not overcrowded.

The lower coverage is to be planted 1.5 metres from each other.

MULCH:

Mulching is recommended on top of the bank only during the revegetation period.

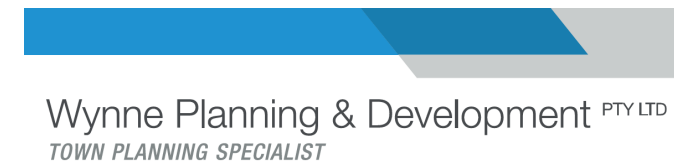
Mulch is to be provided around the plant for an equivalent depth of 100mm.

MAINTENANCE:

The completed works are to be maintained on an ongoing basis for the first 3 months of planting and to be maintained by the following minimum standards:

- Ensuring the plant only receives the right amount of water to establish and maintain a healthy and normal growth rate;
- All areas indicated on these plans are to be kept free from weeds through a program of hand pulling and herbicide spraying;
- Dead plants are to be replaced immediately with the same species;
- All lawn areas are to be kept neat and tidy at all times.

PROJECT: Outdoor Sport and Recreation			
Riparian Corridor Planting	LOCALITY: Flametree	LOCAL GOVERNMENT: Whitsunday Regional	DATE: 06/09/2023
PROPERTY: Lot 22 RP736798, Langford Road	DRAWN BY: KW	SHEET No: 2 of 2	FILE REFERENCE: 2022WRC021



11.5 - 20230769 – Development Application for Development Permit - Material Change Of Use – Short Term Accommodation – 4 Kara Crescent, Airlie Beach – L53 RP841829 - C J Rimmer C/- Wynne Planning & Development

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Ted Yong - Planner

AUTHORISING OFFICER: Neil McGaffin - Director Regional Strategy and Planning

PRESENTED FOR: Decision

ATTACHMENTS

1. Planning Assessment Report [11.5.1 - 5 pages]
2. Conditions of Approval [11.5.2 - 2 pages]
3. Plans of Development [11.5.3 - 6 pages]
4. STAs Approved by Council [11.5.4 - 1 page]

PURPOSE

To present the assessment of the development application.

OFFICER'S RECOMMENDATION

That Council approve the Development Application for Development Permit for Material Change of Use – Short Term Accommodation, made by C J Rimmer, on L: 53 RP: 841829 T: EMT B <N1529/59> and located at 4 Kara Crescent, Airlie Beach, subject to the conditions outlined in Attachment 2.

BACKGROUND

The application was not lodged following any compliance action from Council.

APPLICATION SUMMARY

The proposal is for the Short Term Accommodation of an existing three-storey dwelling that contains three bedrooms on the first floor, one bedroom on the ground level and one-bedroom granny flat on the lower ground floor. The applicant has advised that the granny flat at the lower ground floor will be locked away for personal use only and not for short term accommodation purposes. Therefore, only four bedrooms will be used for short term accommodation purposes and has been conditioned accordingly. Carparking is provided in the garage for two vehicles which meets the requirements of the Planning Scheme.

No physical changes to the existing dwelling are proposed which means the proposal will not result in a change to the visual character and amenity of the streetscape. Stringent conditions of approval are imposed to address the potential undesirable amenity impacts.

The following documents have been supplied in support of the proposal:

- Site plan & floor plan;
- Property management plan;
- Code of Conduct;
- Fire and emergency plan;
- Statutory declaration to confirm that the premises will not be operated or used as a Party House.

One submission was received during the public notification period from an adjoining landowner. The submission raises concern primarily with potential amenity impacts, specifically noise and disruptions and car parking. These concerns have been addressed through conditions of approval. A detailed assessment of the submissions and assessment benchmarks is provided in Attachment 1.

The development does not conflict with the Strategic Intent to any degree which warrants refusal. The proposal complies with the Planning Scheme and is recommended for approval in accordance with the drawings and documents submitted, subject to reasonable and relevant conditions which include compliance with a property management plan and limiting the use of the premises to four bedrooms, a maximum of eight persons (2 per bedroom) and the exclusion of the lower ground floor from short term accommodation purposes.

STATUTORY/COMPLIANCE MATTERS

Planning Act 2016
Whitsunday Regional Council Planning Scheme 2017

STRATEGIC IMPACTS

Process all statutory applications within statutory timeframes.

FINANCIAL IMPLICATIONS

The application fee has been paid in full. The development does not incur an infrastructure charge.

CONSULTATION

Manager Development Assessment
Technical Officer Engineer Assessment

RISK ASSESSMENT

The decision may be appealed in the Planning & Environment Court of Queensland.

TIMINGS/DEADLINES

A decision is required by 13 December 2023.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the Human Rights Act 2019 specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the Human Rights Act 2019 identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.

- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ANALYSIS

Council has received the following Development Application, which has been assessed against the provisions of the relevant legislation as reported below.

1. Application Summary

Proposal:	Development Application for Development Permit for Material Change of Use – Short Term Accommodation
Landowner:	C J Rimmer & K M Rimmer
Property Address:	4 Kara Crescent AIRLIE BEACH
Property Description:	L: 53 RP: 841829 T: EMT B <N1529/59>
Area of Site:	616m ²
Planning Scheme Zone:	Low density residential zone
Level of assessment	Impact Assessable
Overlays:	Landslide hazard Infrastructure
Existing Use:	Dwelling House
Existing Approvals:	None
Public Notification:	28 September 2023 / 20 October 2023
Submissions received:	One
State referrals:	None
Infrastructure charges:	None

2. Site Details

2.1. Location

The property is located at 4 Kara Crescent, Airlie Beach which is a short walk from the Airlie Beach Main Street.

2.2. Site description

The site has been developed as a residential premise.

2.3. Access

The driveway is sealed and accessed via Kara Crescent.

2.4. Surrounding uses

Surrounding uses include dwelling houses and short-term accommodation.

3. Proposal Details

The proposal is for Short Term Accommodation of an existing three-storey dwelling house that contains three bedrooms on the first floor, one bedroom on the ground level and one-bedroom granny flat on the lower ground floor. The applicant has advised that the granny flat at the lower ground floor will be locked away for personal use only and not for short term accommodation purposes. This has been conditioned accordingly.

Carparking is provided in the garage for two vehicles.

The applicant has provided documentation in response to the Short-term Accommodation Guideline, being a Code of Conduct, Property Management Plan, Statutory Declaration and Fire and Evacuation Plan for the proposed use.

4. Planning Assessment

The application has been assessed against the relevant provisions of the *Planning Act, 2016* and the *Whitsunday Regional Council Planning Scheme, 2017*. The proposal is generally in accordance with the Planning Scheme and is recommended for approval in accordance with the drawings and documents submitted, subject to reasonable and relevant conditions (Attachment 2).

4.1. State Assessment and Referral Agency (SARA)

The application was not referable.

4.2. State Planning Policy – July 2017

The State Planning Policy (SPP) includes interim development assessment requirements to ensure that State interests are appropriately considered by local government when assessing development applications where the local government Planning Scheme has not yet appropriately integrated all of the State's interests in the SPP. As the most recent SPP (July 2017) has not been reflected in the Whitsunday Regional Council Planning Scheme, Part B of the SPP confirms that it applies to the assessment of the development application. The proposal does not conflict with the SPP.

4.3. Mackay Isaac and Whitsunday Regional Plan – February 2012

The Mackay, Isaac and Whitsunday Regional Plan was established to provide the vision and direction for the region to 2031. The plan provides certainty about where the region is heading in the future and provides the framework to respond to the challenges and opportunities which may arise. The proposal is generally consistent with the provisions of the plan.

4.4. Whitsunday Regional Council Planning Scheme, 2017

4.4.1. Strategic Framework

The Strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs in the Planning Scheme area for the life of the Planning Scheme.

4.4.2. Strategic Intent

The Planning Scheme sets the policy direction to ensure that to 2036 and beyond, the Whitsundays is a prosperous, liveable, and sustainable region which will be achieved through the integration of the unique attributes and competitive advantages of each township. The region's townships and communities have a strong and proud social identity. The promotion and protection of the region's environmental values is significant to the expressed identities, including the unique scenic values, which consist of key urban gateways, views, and vistas.

The proposal does not conflict with the Strategic Intent to any degree which warrants refusal.

4.4.3. Overlay Codes

4.4.3.1. Landslide hazard

No new structures proposed, therefore the requirements of the code are not applicable to the proposal.

4.4.3.2. Infrastructure

No new structures proposed, therefore the requirements of the code are not applicable to the proposal.

4.4.4. Zone Code

4.4.4.1. Low Density Residential Zone Code

The proposal complies with the zone code. The purpose and overall outcomes of the zone provide for other accommodation activities, in this case short-term accommodation, being established within the zone where compatible with the prevailing residential character and amenity of the zone.

No physical changes to the existing dwelling are proposed which means the proposal will not result in a change to the visual character and amenity of the streetscape. To address the potential for the development to cause undesirable amenity impacts stringent conditions of approval have been imposed. Importantly, the approved use shall not be run as a party-house and strict noise and operating conditions have been imposed which are monitored by a property manager 24/7.

4.4.5. Development Codes

4.4.5.1. Multi-unit Uses Code

No additions or changes to the built form of the dwelling house are required to support the development.

4.4.5.2. Infrastructure Code

No additional infrastructure is required to support the development. The development is connected to urban infrastructure and services.

4.4.5.3. Landscaping Code

No additional landscaping is required to support the development. Sufficient landscaping placements exist within the premises.

4.4.5.4. Transport and Parking Code

The proposal triggers the requirement for two parking spaces. There is a garage which provides two car parking spaces, meeting the requirements of the code. A condition of approval has been imposed requiring a minimum of two car parking spaces to be made available onsite. The proposal is not considered to add additional vehicle movements to Kara Crescent from those already generated as a dwelling house.

5. Public Submissions

The development application was placed on public notification between 28 September 2023 and 20 October 2023 in accordance with the relevant provisions of the Planning Act 2016. The Notice of Compliance was received on 23 October 2023. One submission was received during this period of Public Notification and has been summarised in the table below:

Issue	Comment/Condition Number
1. Noise and disruptions from neighbouring STAs	The submission has raised that there are 7 STAs in close proximity of their dwelling which have had large groups of people partying with loud noise, obscene language, loitering and influx of vehicles in the streets. Within 100m from the submitter's house there are 4 STAs approved. Along Kara Crescent there are 3 STAs approved. A property manager is appointed to manage the property in accordance with the approved Property Management Plan. There is no official record of complaints in Council's file related to the property. The time limit to respond to any complaint has been increased to 30 minutes to be consistent with the Local Law.
2. Parking availability concern	The submission has raised a concern about parking availability as the property is located near the intersection of Orana Street and off-site parking is unsafe and illegal. The property manager will ensure vehicles are parked on-site, adhering to the Code of Conduct. A property manager is available to answer phone calls 24/7 and respond to any complaints immediately.
3. Operational concerns	The submission has raised concern with the subject premises having 5 bedrooms within the dwelling and therefore potentially being able to be booked separately, be available to groups and be used as a party house which can affect the amenity, health and safety of the submitter from potential increased vehicles, excessive noise, foul language, loitering and general unacceptable behaviour. The lower ground floor will not be associated with the short-term accommodation use. Stringent

	conditions of approval have been imposed to address the potential for the development to cause undesirable amenity impacts occurring within the property. The development is conditioned to the use of maximum 4 bedrooms and 8 guests. Condition of approval requires a minimum of 2 parking spaces provided entirely on the site. The proposal is not considered to add additional vehicle movements to Kara Crescent from those already generated as a dwelling house. The owner of the premises has signed a declaration that the premises will not be used as a party house. A property manager must attend to any complaint about antisocial behaviour and excessive noise within 20 minutes.
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6. Infrastructure Charges

6.1. Adopted Infrastructure Charges Resolution

There are no infrastructure charges applicable in accordance with the Infrastructure Charges Resolution (No. 1) 2023.

1. ADMINISTRATION

- 1.1 The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

Plan/Document Name	Prepared By
Holiday Home - Property Management Plan	Applicant
Holiday Home - Code of Conduct	Applicant
Holiday Home - Fire and Emergency Plan	Applicant

- 1.2 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.
- 1.3 All conditions of this approval must be complied with in full to Council's satisfaction prior to the release of the survey plan or the commencement of the use, whichever is the sooner.
- 1.4 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with at the time of sealing the survey plan or commencement of the use, whichever is the sooner.

2. BUILDING

- 2.1 The applicant is to upgrade fire safety measures to the equivalent requirements of a long-term rental property.

3. ACCESS AND PARKING

- 3.1 A minimum of two (2) car parking spaces must be maintained on site, prior to commencement of the use.
- 3.2 On-site parking spaces must be located entirely on the site, be safe and practical to use, and enable cars to enter and exit the site without endangering pedestrians or vehicles.

4. OPERATING PROCEDURES

- 4.1 Prior to commencement of the use, the applicant must advise Council of the name and contact details of the appointed local property manager who will manage the operations of the development.
- 4.2 The nominated property manager must sign and provide to Council, a Statutory Declaration affirming that at all times during the operation of the Short-term accommodation, the property manager will undertake the following actions:
- a) Display a sign including the name of the property manager and their all-hours contact phone number. The sign is to be no larger than 0.3 square meter in sign face area, professionally made and weather-proof. For a unit, this sign can be displayed on the door of the unit. For a dwelling house, the sign must be displayed where it can be clearly read by the public.
 - b) Prior to the commencement of the use, inform in writing, the occupants of every neighbouring dwelling that the property has been approved for short-term accommodation and provide contact details including a 24-hour contact number.
 - c) Establish and maintain an accommodation register, recording names and contact details of all guests and duration of stay. The register must also include details of any complaints received and a copy of the signed acceptance of the Code of Conduct document. This register is to be provided to Council on request.
 - d) Prepare a Code of Conduct which must be provided to and agreed to in writing by all adult guests prior to occupation. The Code of Conduct must include as a minimum:
 - i. The maximum permitted number of overnight guests on any one day.

- ii. A set of 'good neighbour' rules, to prevent anti-social behaviour and excessive noise after 9pm, in accordance with Schedule 1 of Environmental Protection (Noise) Policy 2019.
 - iii. Information for guests, including the 24-hour contact details of the nominated property manager, on-site carparking and waste bin arrangements.
 - iv. Rules requiring eviction or forfeiture of money in the event of a significant breach of the Code of Conduct.
 - e) To meet and greet every guest prior to occupation (in person or electronically) to explain the Code of Conduct and other applicable rules.
 - f) To have two (2) 24-hour contact number that must be answered, not with a recorded message.
 - g) To attend to any complaint about anti-social guest behaviour reported to the contact number, within 30 minutes. Agent response may include attendance by a private security firm.
 - h) To immediately evict any guests whose behaviour repeatedly breaches the Code of Conduct.
- 4.3 A maximum of eight (8) overnight guests (two (2) guests per bedroom, up to four (4) bedrooms) will be permitted to stay in short-term accommodation at any one time.
- 4.4 The granny flat on the lower ground floor level shall not be used for short-term accommodation purposes.

5. ADVISORY NOTES

- 5.1 This Development Permit does not provide any explicit or implied confirmation that the premises meets the requirements of relevant fire safety legislation, building classification, body corporate rules or insurance policies. The applicant and/or operator of the Short-term Accommodation business is to conduct their own investigations and make the necessary applications and undertake required building modifications to meet their obligations under all relevant legislation.
- 5.2 The applicant will lose any Owner/Occupier rating concession attached to a dwelling house or unit approved.
- 5.3 The applicant is to ensure that the Pool Safety Certificate for the premises is current and in compliance with legislation.

HOLIDAY HOUSE

HOLIDAY HOME - PROPERTY MANAGEMENT PLAN

PROPERTY ADDRESS: 4 Kara Crescent, Airlie Beach

PROPERTY MANAGER DETAILS:

Name: Whitsunday Holiday Rentals

Telephone Number: 0409 831 133

Email: bookings@whitsundayholidayrentals.com.au

The nominated Property Manager will:

- *Have day-to-day management of the holiday home;*
- *Specifically respond to complaints pertaining to guest behavior made by neighbours immediately.*

DETAILS OF RESERVATIONS ARRANGEMENTS:

Internet: All major booking portals including, Stayz/HomeAway, Trip Advisor, Airbnb, Expedia, Booking.com, Wotif websites.

DUTIES OF PROPERTY MANAGER

- *Supply, readily visible in the kitchen or living area of the home, the Terms & Conditions, Code of Conduct, Body Corporate By Laws (if applicable) the Property Management Plan, the Fire and Emergency Plan & Guest Compendium.*
- *Liaise with guests for the occupancy and vacation of the premises;*
- *Ensure the correct maximum number of people are staying overnight in accordance with planning approval conditions.*
- *Ensure guests are aware of the Code of Conduct, Terms & Conditions, House Rules, Body Corp By Laws.*
- *Ensure guests are aware of the Fire and Emergency Plan;*
- *Ensure the premises are clean and maintained to a high standard;*
- *Ensure bed linen is clean and replaced upon tenant vacation; and*
- *Ensure rubbish and recycling bins are put out and collected as required.*

HOLIDAY HOME - CODE OF CONDUCT

PROPERTY ADDRESS: 4 Kara Crescent, Airlie Beach

The following Code of Conduct governs tenant behavior and use of the property. The tenant agrees to follow the guidelines below, for themselves and any visitors they allow at the property:

TENANTS: A responsible adult (over 18 years of age) shall be on site at all times when children are present. No unauthorised people are permitted to stay overnight. The site is approved for a maximum of eight (8) guests (two guests per bedroom).

NOISE AND NUISANCE: The guests agree not to cause or permit nuisance at the property. This includes excessive noise, disruptive or anti-social behaviour. Noise should generally cease after 9pm.

SMOKING: No smoking is permitted within the dwelling house at any time.

VEHICLE PARKING: The tenants are free to park in the garage and in the driveway. Parking is not permitted on the front lawn nor in the street.

COUNCIL REGULATIONS: The tenants agree to all Council regulations, including noise and fire limitations.

PREMISE CONDITION AND CLEANLINESS: The guests agree to leave the premise in a clean and tidy condition upon vacating, with all fittings and chattels in their original condition and position at the beginning of stay. Guests are to advise the Property Manager of any damage or disrepair within 24 hours of this occurring. Any damage repairs or excessive cleaning that is attributable to the guests stay will be paid for by the guests.

FIRES: The guests agree not to allow any candles, open fires or similar burn unsupervised within the premise. No open fires are permitted outside at any time. Barbeque facilities may be provided and used in a safe manner.

RUBBISH DISPOSAL: The guests agree to contain all their rubbish in the bins provided.

KEYS: At the end of the agreed tenancy, guests agree to lock the premise, close all windows and return the keys to the Property Manager or secured into the lockbox provided.. Any lost or damaged keys will be replaced at the guests expense. Check in time is anytime after 2pm. Check out time is 10am. Please leave beds you have used unmade, wash the dishes and take the rubbish outside to the wheely bins near the shed.

TERMINATION OF ACCOMMODATION: If guests are found to have contravened any of the above Code of Conduct responsibilities a verbal warning will be issued. If the contravention is not rectified immediately the accommodation booking may be terminated with 2 hours' notice at the Property Manager's discretion. No refunds will be made.

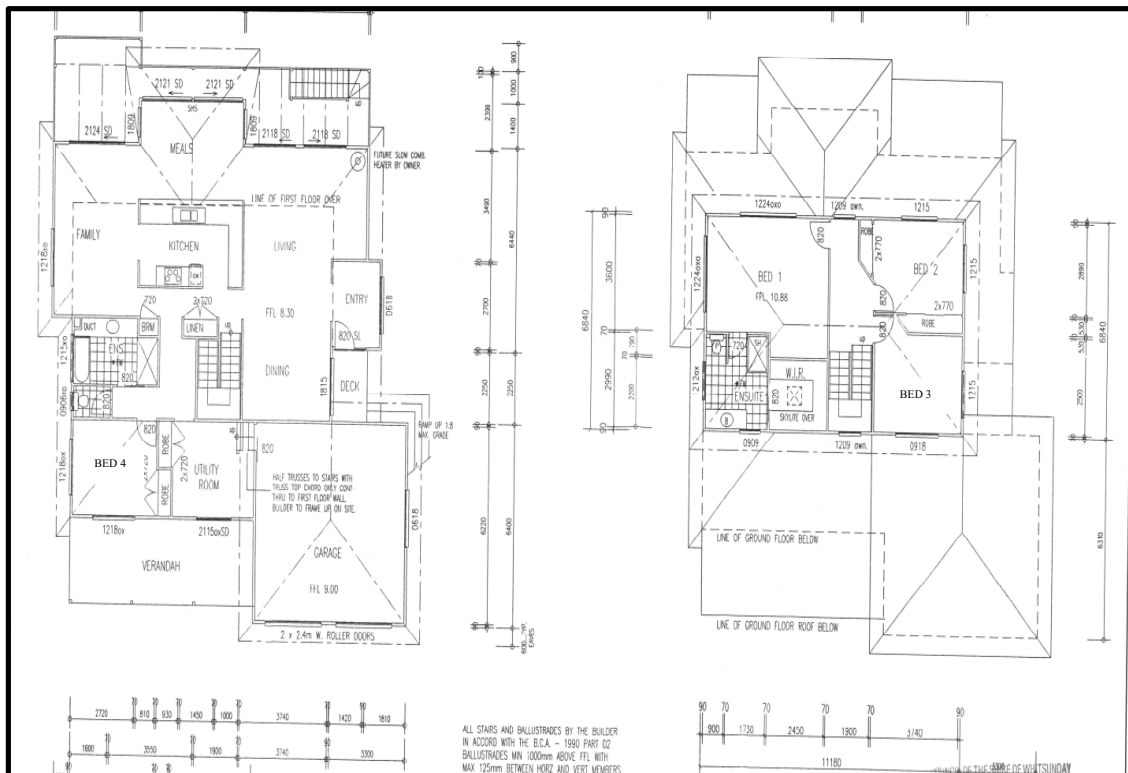
HOLIDAY HOME – SITE PLAN



Holiday House

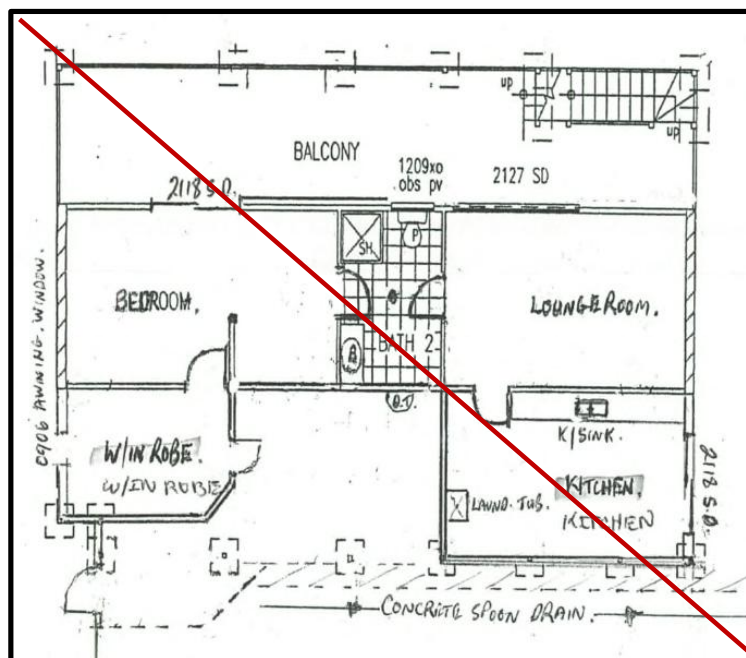
4 Kara Crescent, Airlie Beach

HOLIDAY HOME – FLOOR PLAN



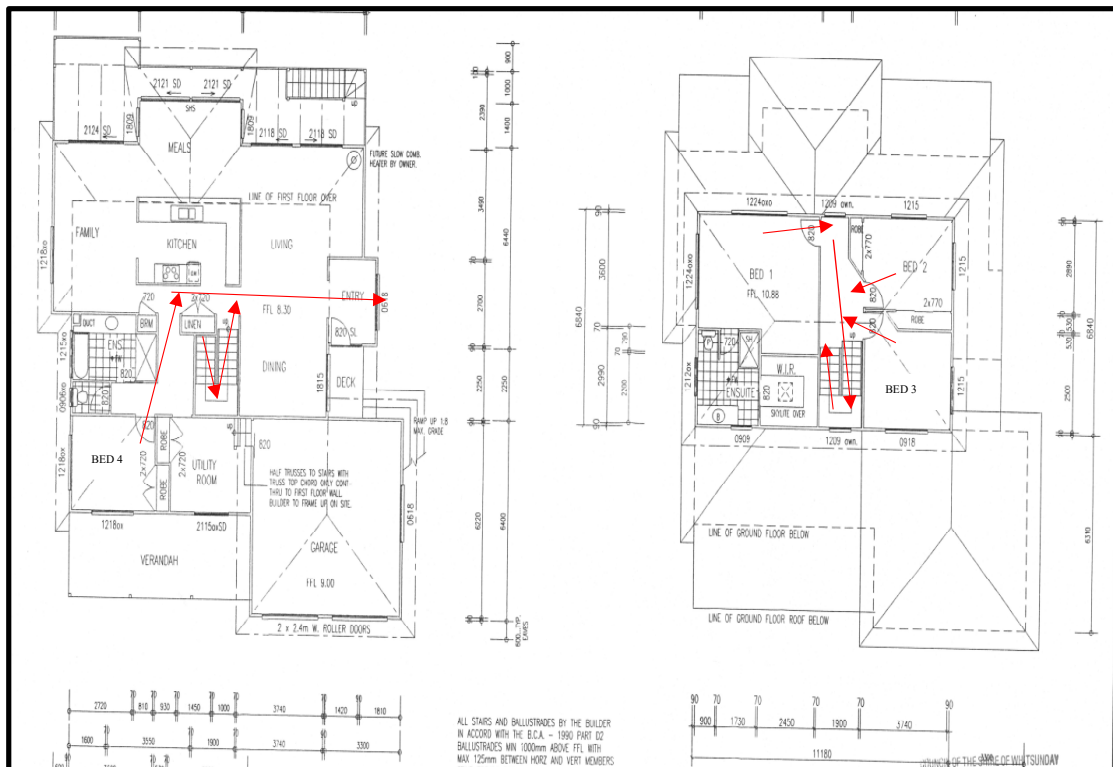
The lower ground floor is not available for short term letting.

This level will be permanently locked when short term let as it contains personal items belonging to the owner.



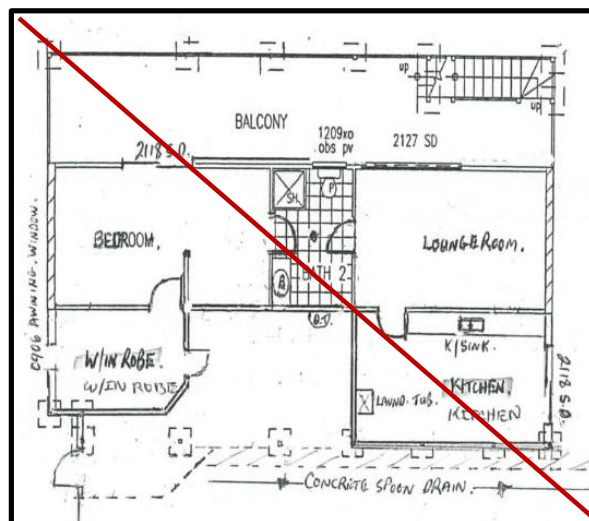
HOLIDAY HOME - FIRE AND EMERGENCY PLAN

PROPERTY ADDRESS: 4 Kara Crescent, Airlie Beach



The lower ground floor is not available for short term letting.

This level will be permanently locked when short term let as it contains personal items belonging to the owner.



**IN THE EVENT OF A FIRE, PLEASE ASSEMBLE IN THE STREET AND
TAKE DIRECTIONS FROM EMERGENCY SERVICES**

EMERGENCY CONTACT DETAILS

FOR ALL EMERGENCIES DIAL 000

Property Manager: Whitsunday Holiday Rentals - 0409 831 133

Whitsunday Police: 4948 8888

Whitsunday Regional Council: 4945 0200

Proserpine Hospital: 4813 9400

DIASASTER MANAGEMENT INFORMATION

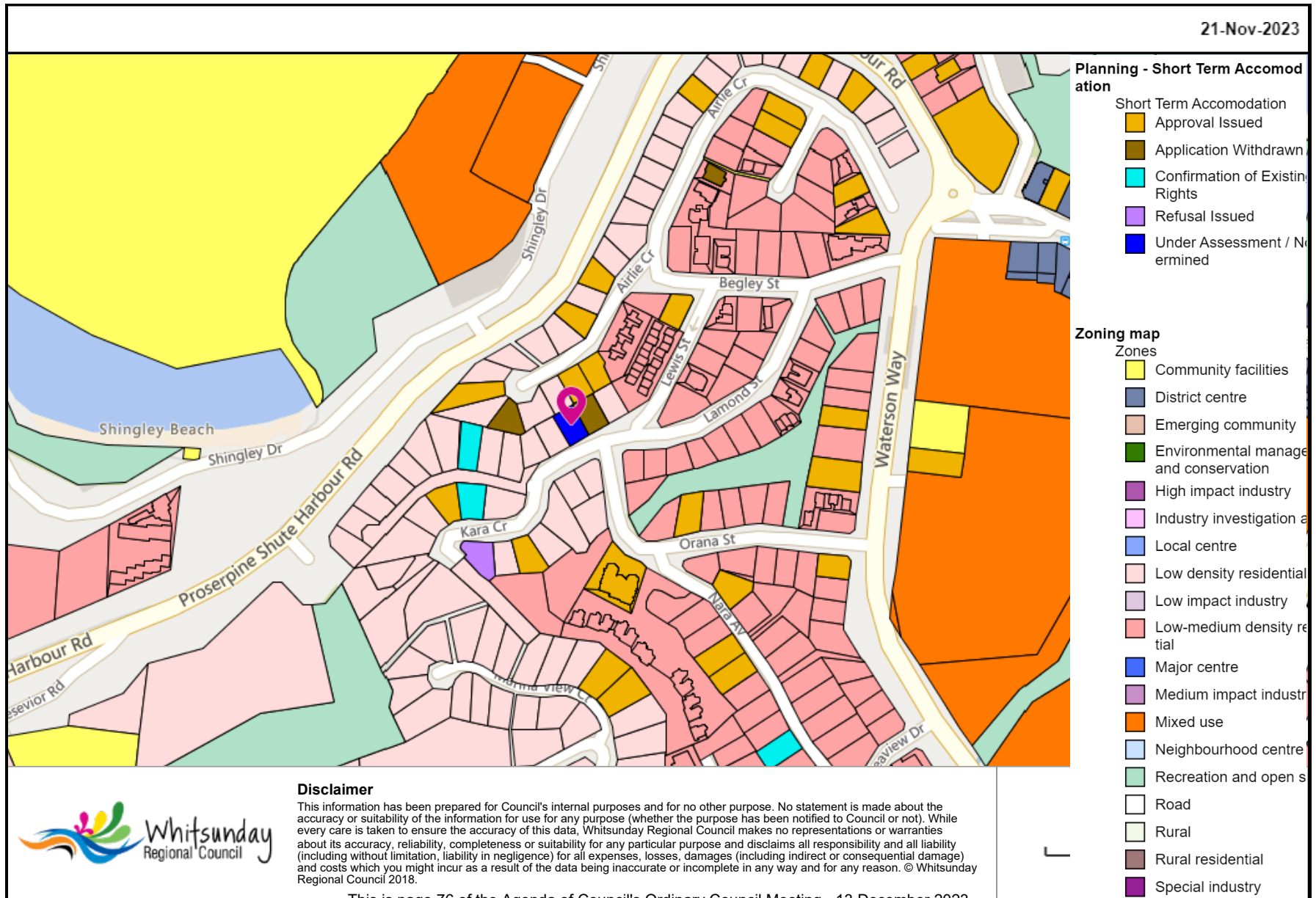
DISASTER MANAGEMENT

The Whitsunday Disaster Coordination Centre number is **1300 972 006**.

This number is only operational when the Centre has been officially opened by the Whitsunday Disaster Management Group. Whitsunday Regional Council will advise the public when this has occurred.

For the most up to date information in a disaster event 'Like' the

Other important disaster information can be found by navigating the left hand menu on Council's webpage at <https://www.whitsunday.qld.gov.au/140/Disaster-Management>.



11.6 - 20230634 - Development Application For Preliminary Approval (Variation Request) - Building Works (Height Relaxation) – 16 Bay Terrace, Shute Harbour – 1S9465 – CF Nightingale And JL Chudleigh C/- Wynne Planning And Development

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Ted Yong - Planner

AUTHORISING OFFICER: Neil McGaffin - Director Regional Strategy and Planning

PRESENTED FOR: Decision

ATTACHMENTS

1. Planning Assessment Report [11.6.1 - 5 pages]
2. Conditions of Approval [11.6.2 - 3 pages]
3. Locality & Zoning Plan [11.6.3 - 1 page]
4. Plans of Development [11.6.4 - 16 pages]

PURPOSE

To present the assessment of the development application.

OFFICER'S RECOMMENDATION

That Council approve the Preliminary Approval (Variation Request) for Building Works (Height Relaxation), made by CF Nightingale and JL Chudleigh, on L: 1 S: 9465 T: N1053/188, located at 16 Bay Terrace, Shute Harbour, subject to the conditions outlined in Attachment 2.

BACKGROUND

There is an existing development approval issued over the site for a front setback variation in 2022, for this application.

APPLICATION SUMMARY

An Impact Assessable application is required for the height variation. As one submission was received the application requires Council approval.

The proposal is for a Preliminary Approval to vary the building height of the dwelling house in the Low density residential zone on land above 15% slope. The proposed dwelling is a double-storey split house that contains three bedrooms, an open plan dining and living area, two decks, a swimming pool and two carports. The double carport with a viewing deck is situated on the upper level prior to the split sections of the dwelling and the single carport is located on the lower level.

The dwelling house has a maximum building height of 11.404m from natural ground level which is 1.404m above the 10m height limit. The height encroachment is only over a small area of building which presents outwards to the coastline and does not dominate the existing streetscape character from Whitsunday Drive and Bay Terrace.

One submission was received from two residents from the same property in Bay Terrace. The concerns raised in the submission were not related to the height encroachment but rather around the removal of trees and drainage concerns for the proposed driveway. Conditions of approval have been recommended to address the concerns.

The development does not conflict with the Strategic Intent. The proposal adheres to the low-rise built form of the neighbourhood and the overall outcome of the Low Density Residential Zone code. The proposal complies with the Planning Scheme and is recommended for approval subject to reasonable and relevant conditions.

STATUTORY/COMPLIANCE MATTERS

Planning Act 2016
Whitsunday Regional Council Planning Scheme 2017

STRATEGIC IMPACTS

Process all statutory applications within statutory timeframes.

FINANCIAL IMPLICATIONS

The application fee has been paid in full. The development does not incur an infrastructure charge.

CONSULTATION

Manager Natural Resource Management & Climate
Manager Parks & Gardens
Technical Officer Engineer Assessment

RISK ASSESSMENT

The decision may be appealed in the Planning & Environment Court of Queensland.

TIMINGS/DEADLINES

A decision is required by 13 December 2023.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the Human Rights Act 2019 specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the Human Rights Act 2019 identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ANALYSIS

Council has received the following Development Application, which has been assessed against the provisions of the relevant legislation as reported below.

1. Application Summary

Proposal:	Development Application for Preliminary Approval (Variation Request) - Building Works (Height Relaxation)
Landowner	CF Nightingale and JL Chudleigh
Property Address:	16 Bay Terrace SHUTE HARBOUR
Property Description:	L: 1 S: 9465 T: N1053/188
Area of Site:	675m ²
Planning Scheme Zone:	Low density residential zone
Level of assessment	Impact assessable
Overlays:	Acid sulfate soils Bushfire hazard Coastal protection Environmental significance Infrastructure Landslide hazard
Existing Use:	Vacant land
Existing Approvals:	20210759 – Development Application for Development Permit for Material Change of Use for Dwelling House (Primary & Secondary Frontage Setback Variation) – approved on 08/03/2022
Public Notification:	31/08/2023 / 13/10/2023
Submissions received:	One (1)
State referrals:	Nil
Infrastructure charges:	Nil

2. Site Details

2.1. Location

The property is located at 16 Bay Terrace, Shute Harbour in close proximity to the Shute Harbour Marine Terminal.

2.2. Site description

The site is a vacant, sloping downwards greater than 15% towards the east of the property.

2.3. Access

The lot has two access driveways, one through Whitsunday Drive and another from Bay Terrace.

2.4. Surrounding uses

Surrounding uses include dwelling houses, Shute Harbour Marine facilities, recreation and open space and Shute Bay.

3. Proposal Details

The proposal is for a Preliminary Approval to vary the building height of the dwelling house in the Low density residential zone. The intent of the application is to allow a dwelling house on high slope be built above the height limit of 10m.

The proposed dwelling is a double-storey split level house that contains three bedrooms, an open plan dining and living area, two decks, a swimming pool and two carports. The double carport with a viewing deck is situated on the upper level at Whitsunday Drive. Other sections of the dwelling and the single carport are located on the lower level at Bay Terrace. The dwelling house has a maximum building height of 11.4m. The intrusion is over a length of approximately 3 m with the maximum intrusion being 1.4 m. As the land slopes, the southern side of the house only has an approximate 300 mm height intrusion above the 10 m limit. The intrusion is minor.

One submission was received during the mandatory 30 business days of Public Notification.

4. Planning Assessment

The application has been assessed against the relevant provisions of the Planning Act, 2016 and the Whitsunday Regional Council Planning Scheme, 2017. The proposal is generally in accordance with the Planning Scheme and is recommended for approval in accordance with the drawings and documents submitted, subject to reasonable and relevant conditions (Attachment 2).

4.1. State Assessment and Referral Agency (SARA)

The application was not referrable.

4.2. State Planning Policy – July 2017

The State Planning Policy (SPP) includes interim development assessment requirements to ensure that State interests are appropriately considered by local government when assessing development applications where the local government Planning Scheme has not yet appropriately integrated all of the State's interests in the SPP. As the most recent SPP (July 2017) has not been reflected in the Whitsunday Regional Council Planning Scheme, Part B of the SPP confirms that it applies to the assessment of the development application. The proposal complies with SPP.

4.3. Mackay Isaac and Whitsunday Regional Plan – February 2012

The Mackay, Isaac and Whitsunday Regional Plan was established to provide the vision and direction for the region to 2031. The plan provides certainty about where the region is heading in the future and provides the framework to respond to the challenges and opportunities which may arise. The proposal is generally consistent with the provisions of the plan.

4.4. Whitsunday Regional Council Planning Scheme, 2017

4.4.1. Strategic Framework

The Strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs in the Planning Scheme area for the life of the Planning Scheme.

4.4.2. Strategic Intent

The Planning Scheme sets the policy direction to ensure that to 2036 and beyond, the Whitsundays is a prosperous, liveable, and sustainable region which will be achieved through the integration of the unique attributes and competitive advantages of each township. The region's townships and communities have a strong and proud social identity. The promotion and protection of the region's environmental values is significant to the expressed identities, including the unique scenic values, which consist of key urban gateways, views, and vistas.

The proposal is consistent with Theme 1 – Liveable communities and housing which provides that accommodation activities can be located within the Shute Harbour township and does not conflict with the remaining themes.

4.4.3. Overlay Codes

The development is for a preliminary approval for building works, no overlay assessment required.

4.4.4. Zone Code

4.4.4.1. Low Density Residential Zone Code

The proposal generally complies with all Overall Outcomes of the Zone, except Overall Outcome (c) that sets the building height of the zone. The topography of Whitsunday Drive locality is predominantly very steep with the land dropping sharply away from the road. Having the split-level design, the proposal projects as a double carport to Whitsunday Drive with the dwelling hidden by the slope. From Bay Terrace, the dwelling will appear as a 2 storey house with carpark under the house, with a built form in keeping with the area. Therefore, the proposal is consistent with the built form of the neighbourhood and the overall outcome of the Code.

4.4.5. Development Codes

4.4.5.1. Dwelling house code

The proposal has demonstrated compliance with the Performance Outcomes of PO4 of the Dwelling house code. Only a small section of the dwelling is above the nominated height limit with the bulk of the structure under 10 metres. The proposal will appear as a double carport when viewed from Whitsunday Drive and a 2 storey house when viewed from Bay Terrace. Therefore, the proposal does not dominate the existing streetscape character and is consistent with PO4(c) of the same Code.

The nearest residential property is a vacant lot that is approximately 4m from the subject boundary and 15.3m from the outermost projection of the proposed roofing. The proposal will not overshadow dwellings or obstruct the outlook of neighbours along Bay Terrace as their properties are located at the eastern side of the road and sloping downwards into Shute Bay. Therefore, the proposal meets PO4 (a) and (b) of the Code.

5. Public Submissions

The development application was placed on public notification between 31 August 2023 and 13 October 2023 in accordance with the relevant provisions of the Planning Act 2016. The Notice of Compliance was received on 13 October 2023. One submission was received during this period of Public Notification and has been summarised in the table below.

Issue	Comment/Condition Number
1. Removal of tree concerns	The submission raised concern over the potential removal of a Eucalyptus tree located at the end of the cul-de-sac for the proposed driveway on Bay Terrace as it provides for landscaping, shade from the western afternoon sun, screening from the South of the submitter's property and potentially lead to destabilisation of the steep slope. The development proposal is only seeking the approval for a dwelling house to be built at maximum height of 11.404m above NGL. Matters pertaining vegetation and slope stability are not Planning benchmarks for a Preliminary Approval for Building Works. Notwithstanding, should the removal of the Bloodwood tree on the road reserve be required a condition has been included that a replacement with a suitably matured street tree along the property's nature strip is provided. Site work for the building approval will be subject to a landslide risk hazard assessment.
2. Drainage concerns	The submission raised a concern over the potential for flooding in the cul-de-sac at the proposed driveway on Bay Terrace due to limited details on how the driveway will be constructed across Council's open drainage. Matters pertaining drainage and stormwater are not a Planning benchmark for a Preliminary Approval for Building Works. A Road Works Permit will be required prior to any construction works of the driveway.
3. Erosion control and vegetative waste disposal concerns	The submission raised concerns over the potential for erosion issues from excavating for the driveways and vegetative waste removal, due to the absence of details in the proposal.

	Matters pertaining erosion control and vegetation removal are not Planning benchmarks for a Preliminary Approval for Building Works. A Road Works Permit will be required prior to construction works on the driveway which will require satisfactory erosion control measures to be addressed.
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6. Infrastructure Charges

6.1. Adopted Infrastructure Charges Resolution

There are no infrastructure charges applicable in accordance with the Infrastructure Charges Resolution (No. 1) 2023.

1.0 ADMINISTRATION

- 1.1 The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

Plan/Document Name	Prepared By	Plan Number	Dated
Cover Sheet	BAA Studio Architecture	Cover Rev A	01/06/2023
General Notes	BAA Studio Architecture	Title Rev D	01/06/2023
Site Plan	BAA Studio Architecture	BA00 Rev H	01/06/2023
Lower Level Carport Plan	BAA Studio Architecture	DA01 Rev E	01/06/2023
Ground Floor Plan	BAA Studio Architecture	DA02 Rev H	01/06/2023
First Floor Plan	BAA Studio Architecture	DA03 Rev J	01/06/2023
Upper Level Carport Plan	BAA Studio Architecture	DA04 Rev F	01/06/2023
Roof Plan	BAA Studio Architecture	DA05 Rev F	01/06/2023
East Elevation	BAA Studio Architecture	DA06 Rev F	01/06/2023
North Elevation	BAA Studio Architecture	DA07 Rev H	18/08/2023
West Elevation / Section B	BAA Studio Architecture	DA08 Rev D	01/06/2023
Street Elevation	BAA Studio Architecture	DA09 Rev E	01/06/2023
South Elevation	BAA Studio Architecture	DA10 Rev E	01/06/2023
Section A	BAA Studio Architecture	DA11 Rev F	01/06/2023
Section C	BAA Studio Architecture	DA12 Rev D	01/06/2023
Section D	BAA Studio Architecture	DA13 Rev B	01/06/2023

- 1.2 The following further development permits are required prior to commencement of work on site or commencement of the use:

- Plumbing and Drainage Works;
- Building Works;

All Plumbing and Drainage Works Development Permits must be obtained prior to the issue of a Building Works Development Permit.

- 1.3 Where a discrepancy or conflict exists between the written conditions of this approval and the approved plans, the requirements of the written condition(s) will prevail.
- 1.4 The applicant shall demonstrate and provide evidence that compliance with all conditions of this development approval and any other subsequent development approvals as a result of this development approval have been complied with.

2.0 VEGETATION

- 2.1 The removal of the Bloodwood tree at the corner of the cul-de-sac shall be replaced with a suitably matured street tree along the property's nature strip.

3.0 ACCESS

- 3.1 A Road Works Permit must be obtained prior to any works to construct a driveway access.

4.0 WATER INFRASTRUCTURE

- 3.1 The development must be connected to Council's water network prior to commencement of the use.

5.0 SEWERAGE INFRASTRUCTURE

- 4.1 The development must be connected to Council's water network prior to commencement of the use.

6.0 MISCELLANEOUS

- 5.1 If any item of cultural heritage is identified during site works, all work must cease and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.

The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au

- 5.2 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the developer.
- 5.3 Any building materials, equipment and the like must be appropriately tied down, placed indoors and secured on site at the time of preparation for cyclone events. The on-site supervisor is to ensure that all contractors/employees take the necessary steps to secure the construction site in the event of a cyclone.
- 5.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Whitsunday Drive or Bay Terrace or adjoining land unless written permission from the owner of that land and Council is provided.
- 5.5 It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean up of any litter or waste that is a result of the subject development.

7.0 ADVISORY NOTES

6.1 Hours of work

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994, which prohibits any construction, building and earthworks activities likely to cause nuisance noise (including the entry and departure of heavy vehicles) between the hours of 6.30 pm and 6.30 am from Monday to Saturday and at all times on Sundays or Public Holidays.

6.2 Dust Control

It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.

6.3 Sedimentation Control

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994 and Schedule 9 of the Environmental Protection Regulation 2008 to prevent soil erosion and contamination of the stormwater drainage system and waterways.

6.4 Noise During Construction and Noise in General

It is the developer's responsibility to ensure compliance with the Environmental Protection Act 1994.

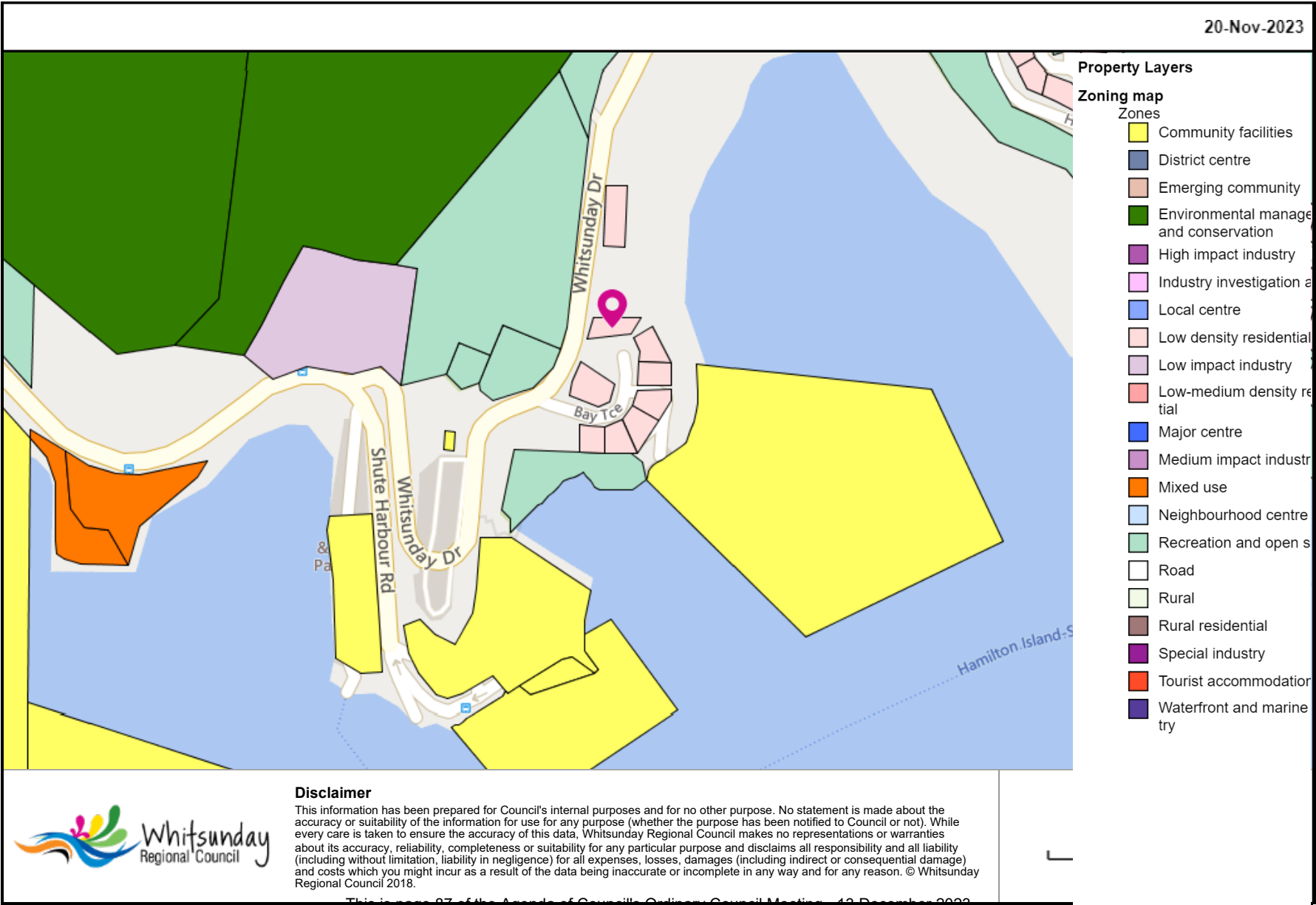
6.5 General Safety of Public During Construction

It is the project manager's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.

It is the principal contractor's responsibility to ensure compliance with the Work Health and Safety Act 2011. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.

It is the responsibility of the person in control of the workplace to ensure compliance with the Work Health and Safety Act 2011. It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

- 6.6 Enquiries relating to the aforementioned conditions should be directed to the Development Services Directorate who will direct the enquiry to the relevant officer.
- 6.7 The approved development is to comply with Council's Local Laws and ensure any required licences/ permits are obtained prior to commencement of the use or works.



16 BAY TERRACE, SHUTE HARBOUR



ARTIST IMPRESSION ONLY

© Copyright BAAHOUSE + BAASTUDIO. All rights reserved. This drawing must not be reproduced without permission from BAAHOUSE + BAASTUDIO. All dimensions and levels to be checked by the Contractor and verified before work commences. Dimensions must not be scaled from this drawing.			LEGEND AW AWNING WINDOW BAL BALUSTRADE BAL_G BALUSTRADE GLASS B BENCH BDY BOUNDARY BNC BARGE CLIPPING BLK_SW BLOCK WALL STONE FINISH BW BLOCK WALL BO BEAM OVER CH CIRCLE HOLLOW SECTION COL COLUMN CONC CONCRETE FLOOR		CPD CUPBOARD CPT CARPET FLOORING COK COOKTOP DDH DROP DOWN BENCH DOO DOUBLE-HUNG WINDOW DF DOOR FRAME DRY DRYER PTY DISHWASHER FC FC CLADDING FP FEATURE PANEL WH WASHING MACHINE G GATE IB ISLAND BENCH		LS LANDSCAPING MRS METAL ROOF SHEET OHC OVERHEAD CUPBOARD PV PAVES FLOORING PA PLASTER BOARD PG POOL GATE W WARDROBE REF FRIDGE RG ROOF GUTTER S SINK SHR SHOWER		SMS STEEL HOLLOW SECTION TD TIMBER DECKING TF TIMBER FEATURE TILE TILE FLOORING TOP OF WALL TPB TIMBER POST TUB LAUNDRY TUB WB WEATHERBOARD WC WATER CLOSET WM WASHING MACHINE V VANITY BASIN VM VERTICAL METAL CLADDING		CLIENT CAM NIGHTINGALE & JANICE CHUDLEIGH ADDRESS 16 BAY TERRACE, SHUTE HARBOUR PROJECT PROPOSED HOUSE ARCHITECT'S NAME: CLAUS EJLERTSEN		BAAHOUSE + BAASTUDIO PTY LTD ACN 625 435 592 t: 0409 577 705 e: info@baastudio.com.au w: baastudio.com.au		BAASTUDIO architecture BUILDING AESTHETIC ARCHITECTURE		DRAWN	CHECKED	DATE	SCALE @ A3	BAA PROJ NO	REVISION	DRAWING NO.
	REV.	DATE	DESCRIPTION																				
		A	01-06-2023	DA SET																			
		-	09-02-2023	BA SET																			

16 BAY TERRACE, SHUTE HARBOUR

STAGE 2 (DA) DEVELOPMENT APPROVAL	
SHEET NO.	DRAWING
DA00	PROPOSED SITE PLAN
DA01	LOWER LEVEL CARPORT PLAN
DA02	GROUND FLOOR PLAN
DBA03	FIRST FLOOR PLAN
DA04	UPPER LEVEL CARPORT PLAN
DA05	ROOF PLAN
DA06	EAST ELEVATION
DA07	NORTH ELEVATION
DA08	WEST ELEVATION/SECTION B
DA09	STREET ELEVATION
DA10	SOUTH ELEVATION
DA11	SECTION A
DA12	SECTION C
DA13	SECTION D

SITE DETAILS:	
16 BAY TERRACE, SHUTE HARBOUR	
RPD:: LOT 1 / S9465	
LOCALITY:	SHUTE HARBOUR
LOCAL AUTHORITY:	WHITSUNDAY REGIONAL COUNCIL
AREA:	675m ²

PROPOSED GFA:		SITE COVER: %
FIRST FLOOR:	145m ²	SITE AREA: 675m ² NEW HOUSE COVER: 250m ² inc. covered outdoor
FIRST FLOOR DECKS:	22m ²	
GROUND FLOOR:	87m ²	
GROUND FLOOR DECKS (EX. POOL)	22m ²	
UPPER LEVEL CARPORT:	36m ²	
LOWER LEVEL CARPORT:	56m ²	SITE COVER: 34%
CARPORT DECKS:	21m ²	
TOTAL:	389m ²	

DESIGNED IN ACCORDANCE WITH N.C.C. + AUS STANDARDS

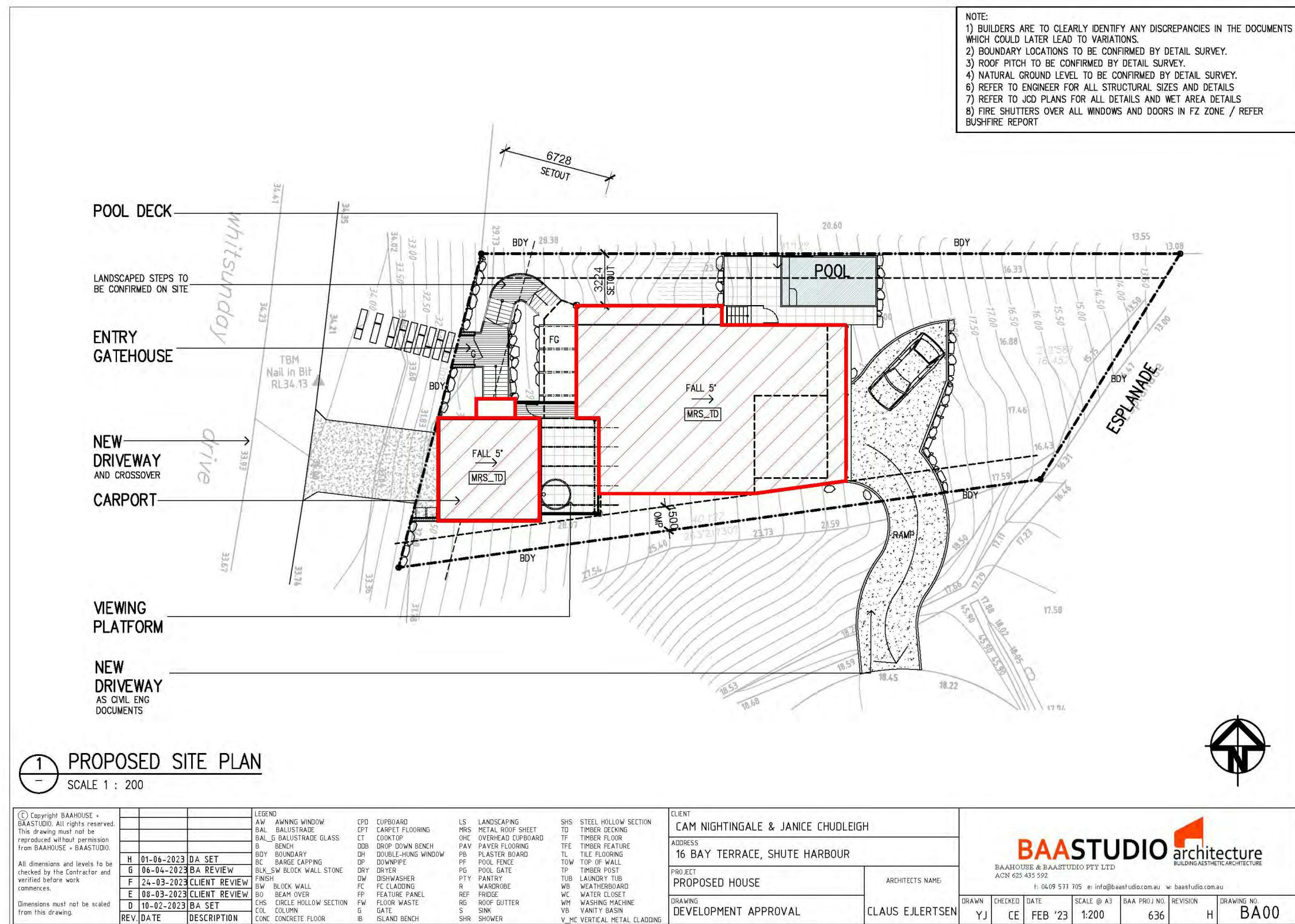
-ALL MATERIALS & WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE FOLLOWING CODES EXCEPT WHERE NOTED OTHERWISE:
AS.1684-2010 TIMBER FRAMING CODE
AS.1720 TIMBER STRUCTURES
AS.3600 CONCRETE STRUCTURES
AS.3700 MASONRY STRUCTURES
AS.4100 STEEL STRUCTURES

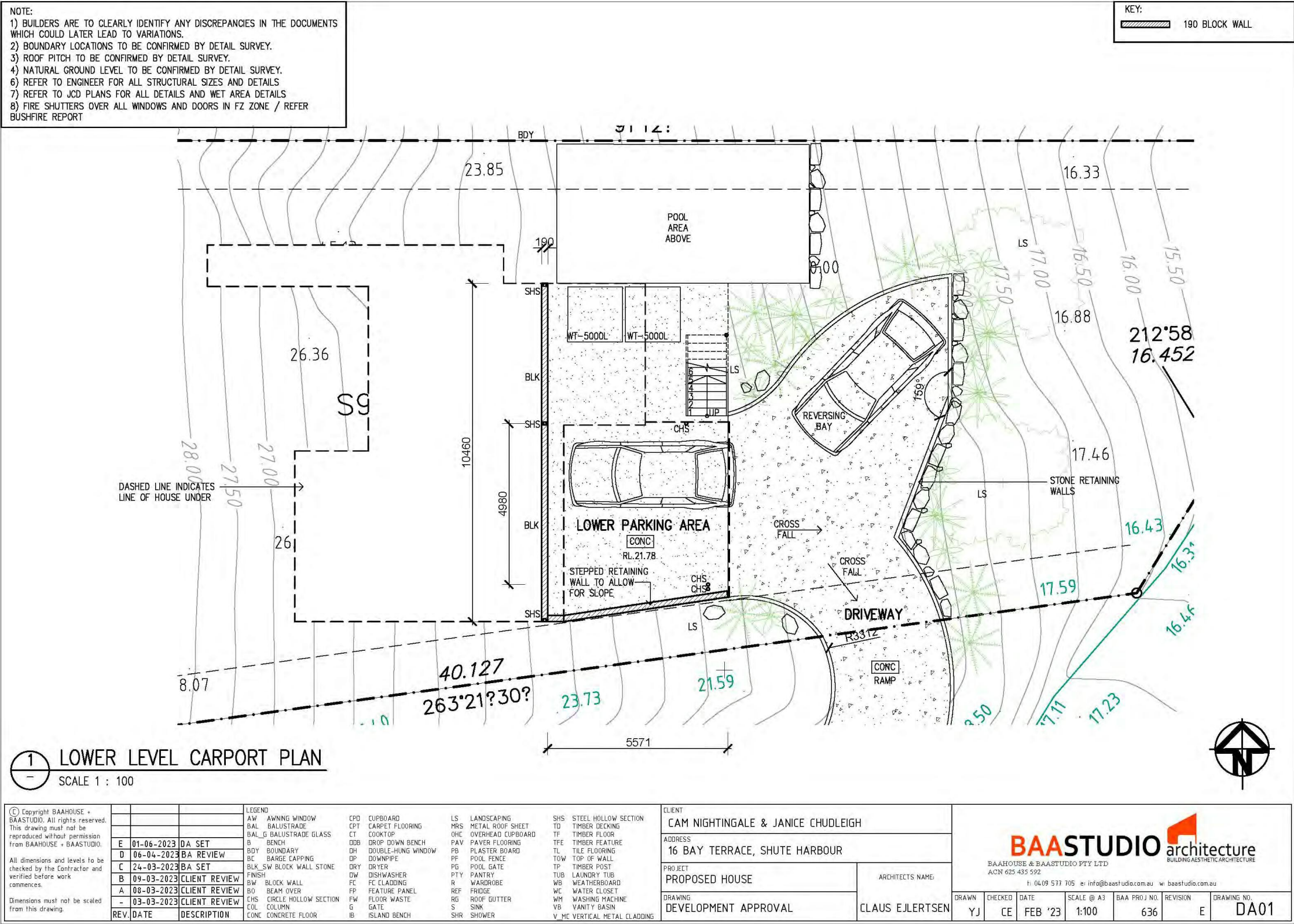
ALL WORK TO COMPLY WITH BUILDING CODE OF AUSTRALIA (NCC)2019 VOLUME 2 (AMENDMENT 1)
-SMOKE ALARMS TO COMPLY WITH CLAUSE 3.7.2 (REFER ELECTRICAL PLAN)
-STAIRS TO COMPLY WITH CLAUSE 3.9.1
-BALUSTRADES TO COMPLY WITH 3.9.2
-ALL WET AREAS TO COMPLY WITH 3.8.1
-WC DOORS TO COMPLY WITH 3.8.3
-LIGHTING TO COMPLY WITH 3.8.4
-VENTILATION TO COMPLY WITH 3.8.5
-TERMITE PROTECTION TO COMPLY WITH AS3660.1
-SUB-FLOOR VENTILATION TO COMPLY WITH CLAUSE 3.4.1
-THE REMOVAL OF ASBESTOS TO COMPLY (NOHSC: 2002)
-AS.3740-210 WATERPROOFING
-GLAZING TO COMPLY WITH AS1288-2006 + AS2047-2014
-PLUMBING AND DRAINAGE TO COMPLY WITH AS3786-2014
-SWIMMING POOLS TO COMPLY WITH AS1926
-ROOF TILING TO COMPLY WITH AS 2050-2018
-RESIDENTIAL SLABS FOOTINGS AS 2870-2011

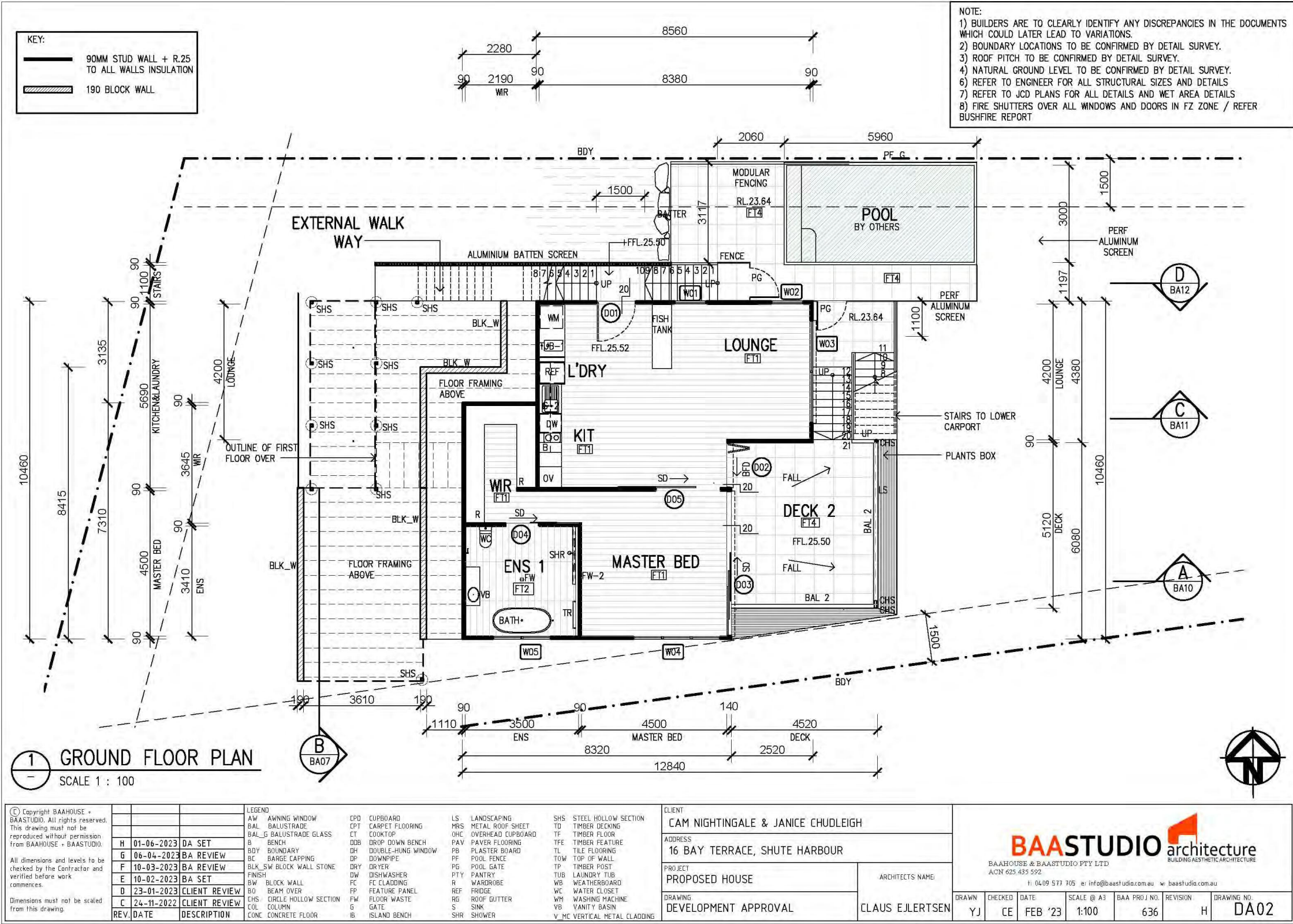
GENERAL NOTES

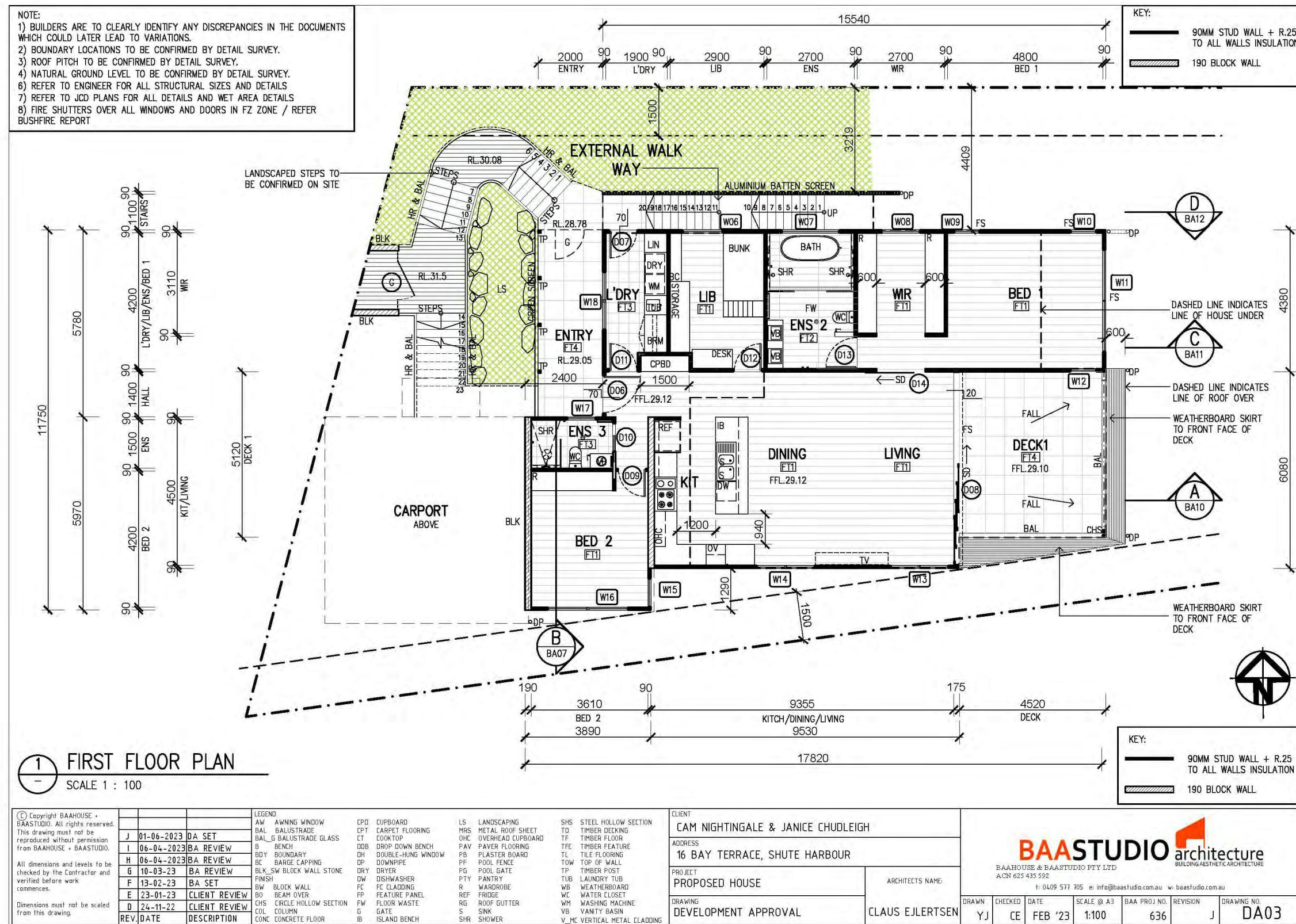
- 1) ALL DIMENSIONS TO BE CONFIRMED ON SITE
- 2) REFER STRUCTURAL ENGINEER'S DRAWINGS FOR DETAILS OF ALL REINFORCED CONCRETE SLABS, FOOTINGS, RETAINING WALLS, STRUCTURAL STEEL, TIMBER FRAMING, TIE-DOWN & BRACING
- 3) ALL SAW CUT JOINTS IN SLABS DETERMINED BY ENGINEER
- 4) ALL MAIN SEWER/STORMWATER LOCATION TO BE CONFIRMED ONSITE
- 5) ALL FINISHED FLOOR & STAIR SURFACES TO BE NON SLIP
- 6) AAA RATINGS IN ACCORDANCE WITH AS/NZS 6400 STANDARDS.
- 7) NEW STORM WATER TO CONNECT TO EXISTING LAWFUL POINT OF STORM WATER DISCHARGE
- 8) CONNECT NEW SEWERAGE TO EXISTING SEWERAGE LINE AS PER COUNCIL REGULATIONS
- 9) BUILDERS ARE TO CLEARLY IDENTIFY ANY DISCREPANCIES IN THE DOCUMENTS WHICH COULD LATER LEAD TO VARIATIONS.
- 10) BOUNDARY LOCATIONS TO BE CONFIRMED BY SURVEY DRAWINGS
- 11) ALL ONSITE PLUMBING TBC.PLUMBING TO BE COORDINATED WITH STRUCTURAL ENGINEER TO ALLOW FOR SERVICES AND PENETRATIONS INFLOORS AND TO MAKE SURE ENOUGH HEIGHT IS ALLOWED SO IT DOESN'T AFFECT CEILING HEIGHTS
- 12) CONFIRM WITH PLUMBING ALL LOCATIONS AND SIZES REQUIRED FOR RAINWATER AND DOWNPIPES PRIOR TO INSTALLATION
- 13) ALL PLUMBING SERVICES BETWEEN FLOOR STRUCTURE TO BE LOCATED BY PLUMBER AND SIGNED OFF BY ENGINEER IF ANY HOLES ARE REQUIRED IN FLOOR JOISTS.

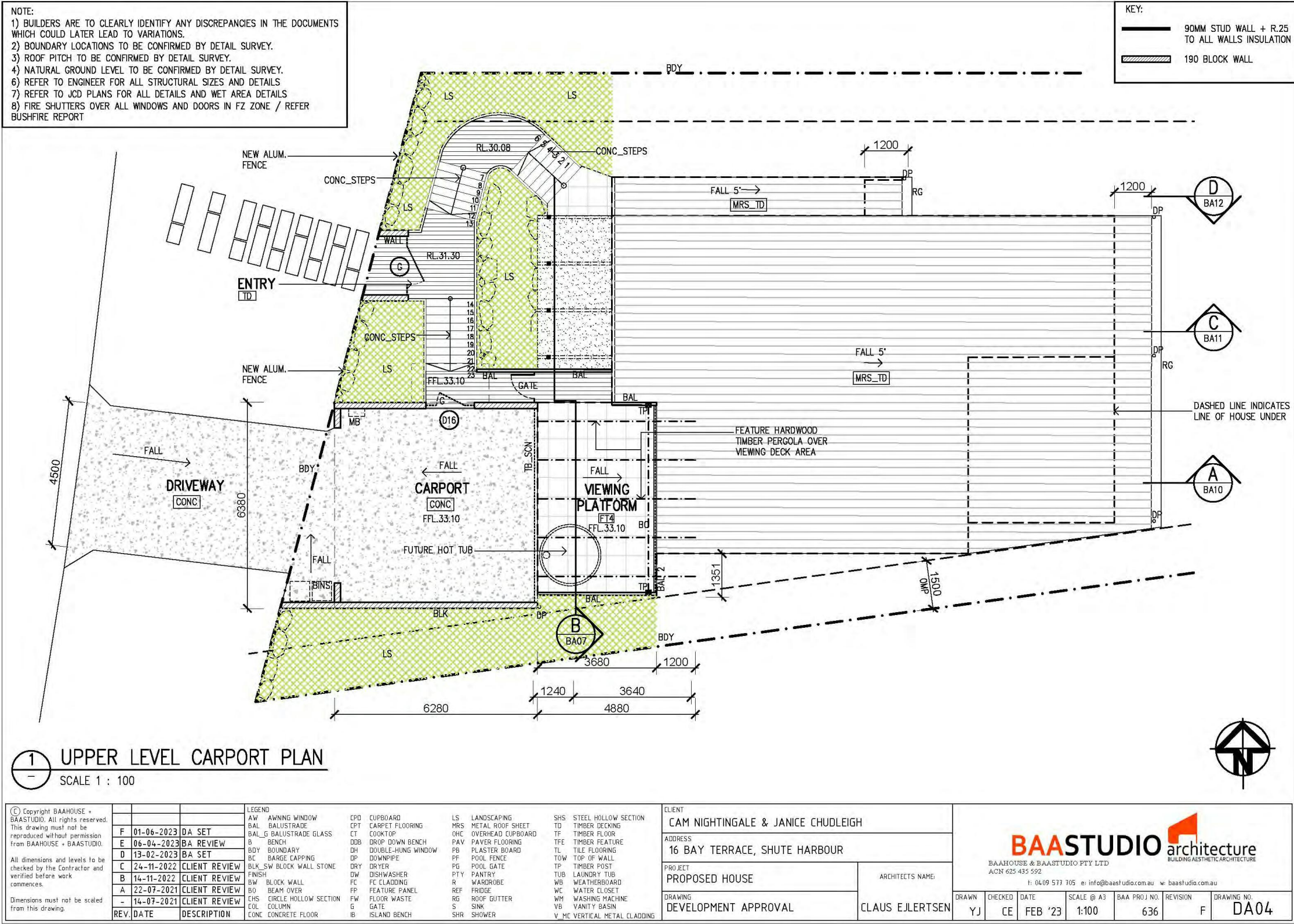
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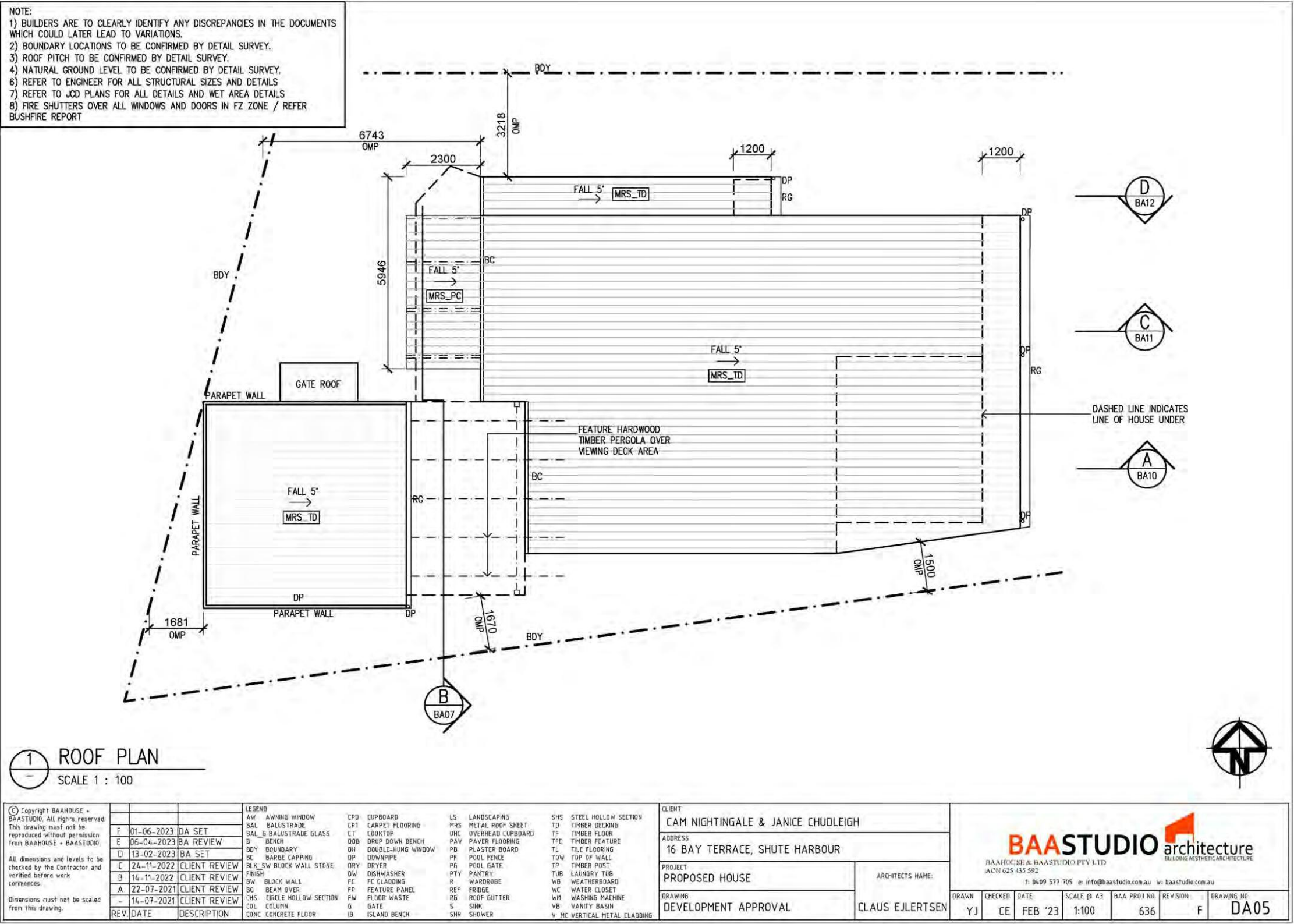


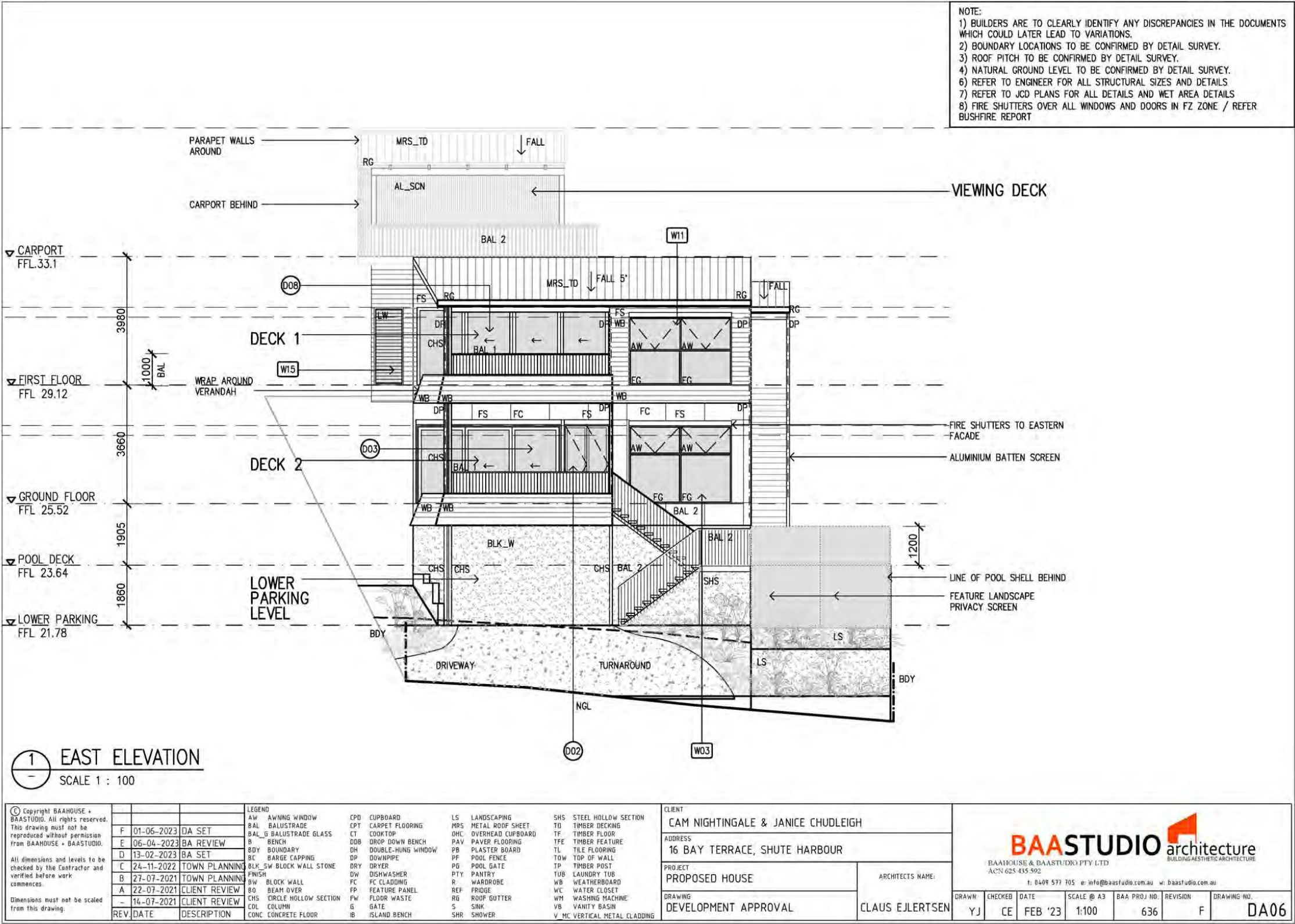


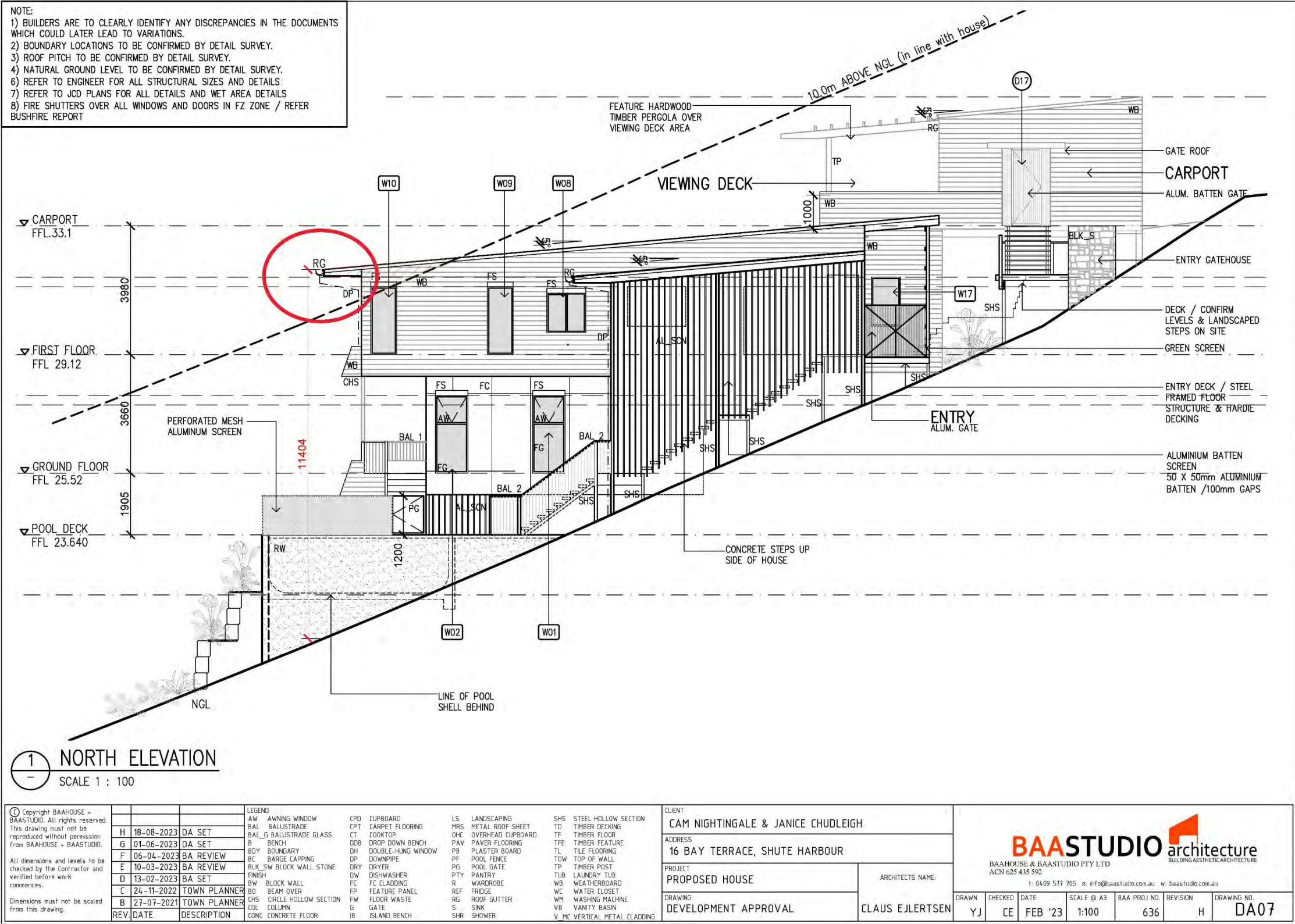


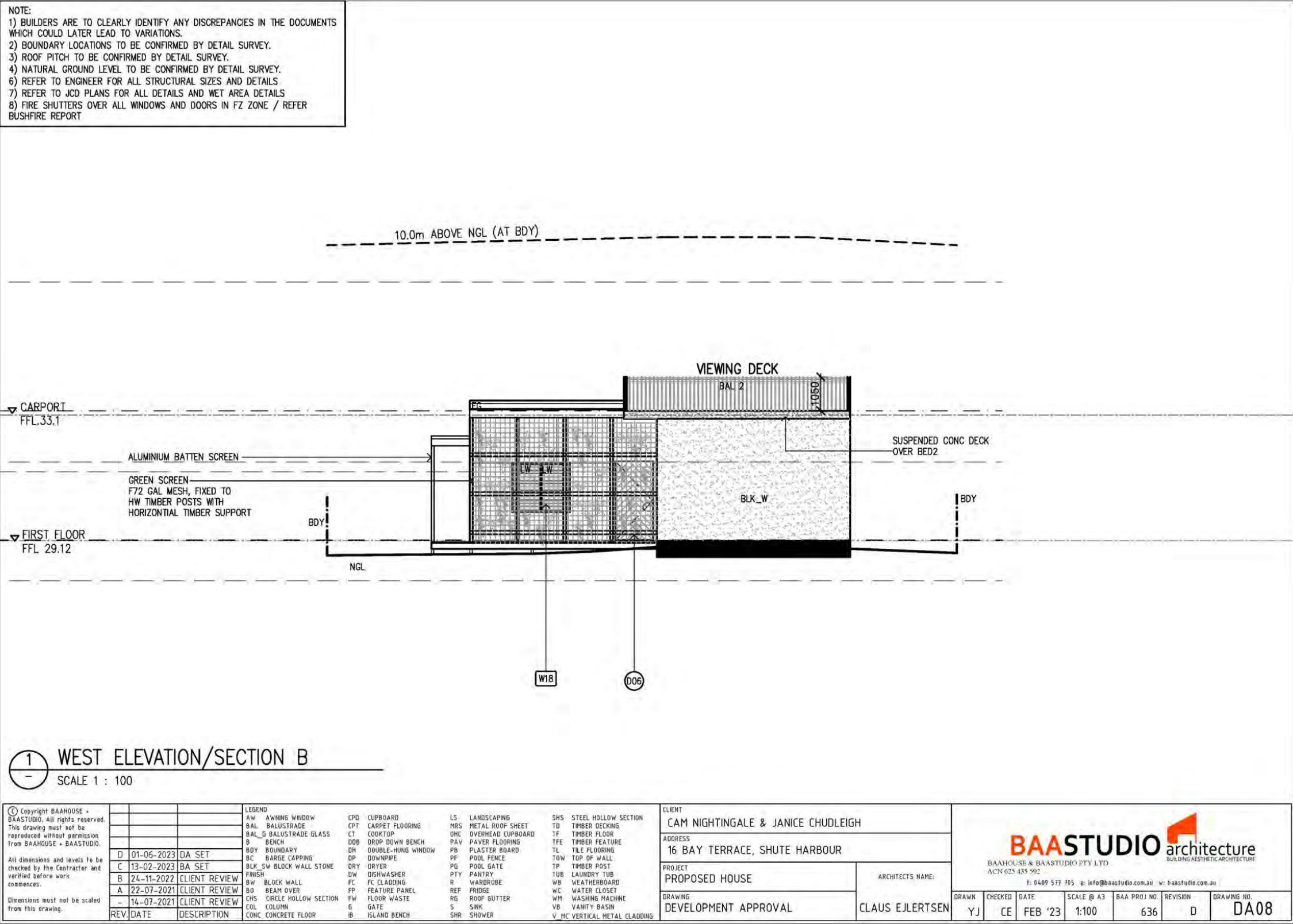


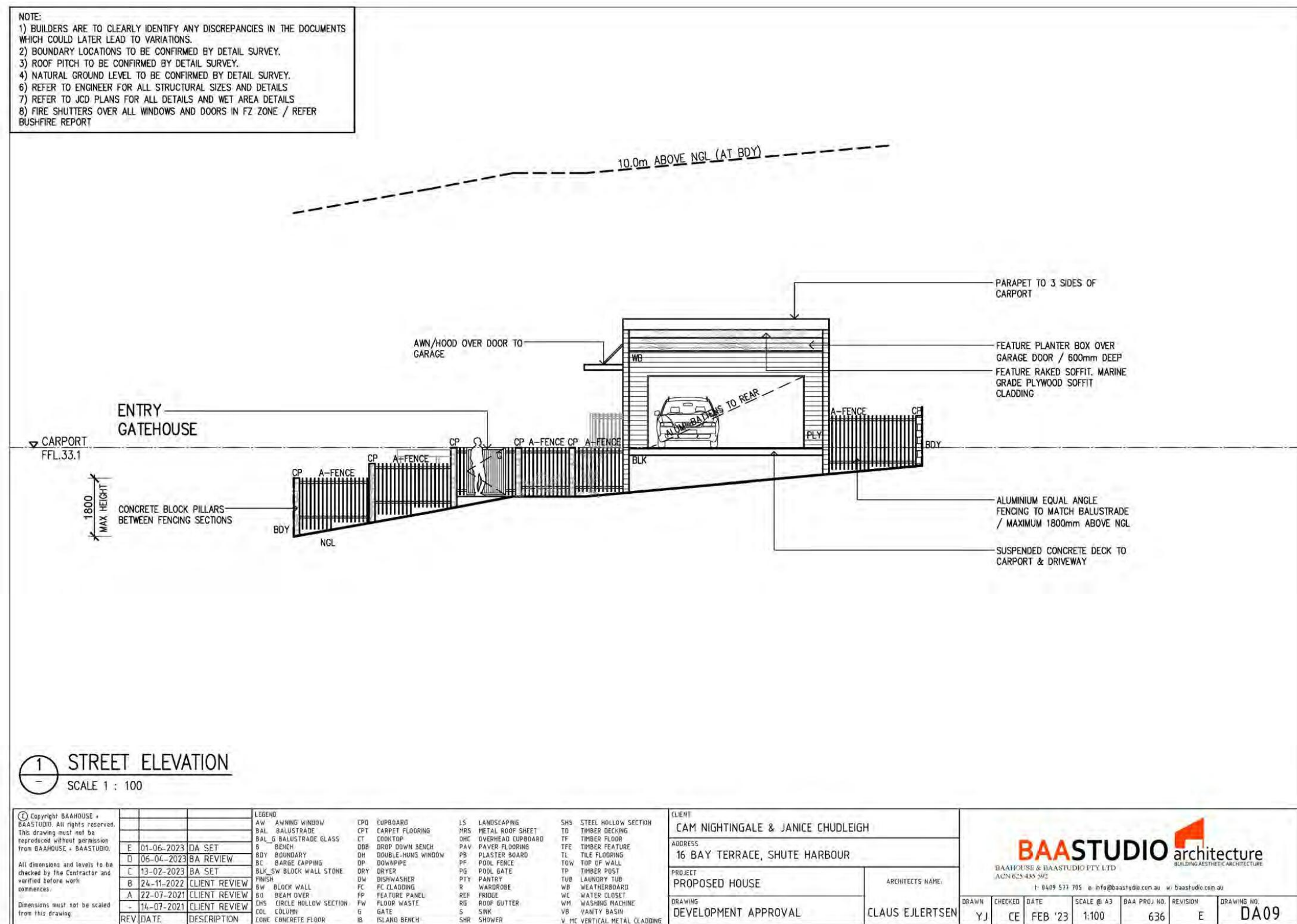


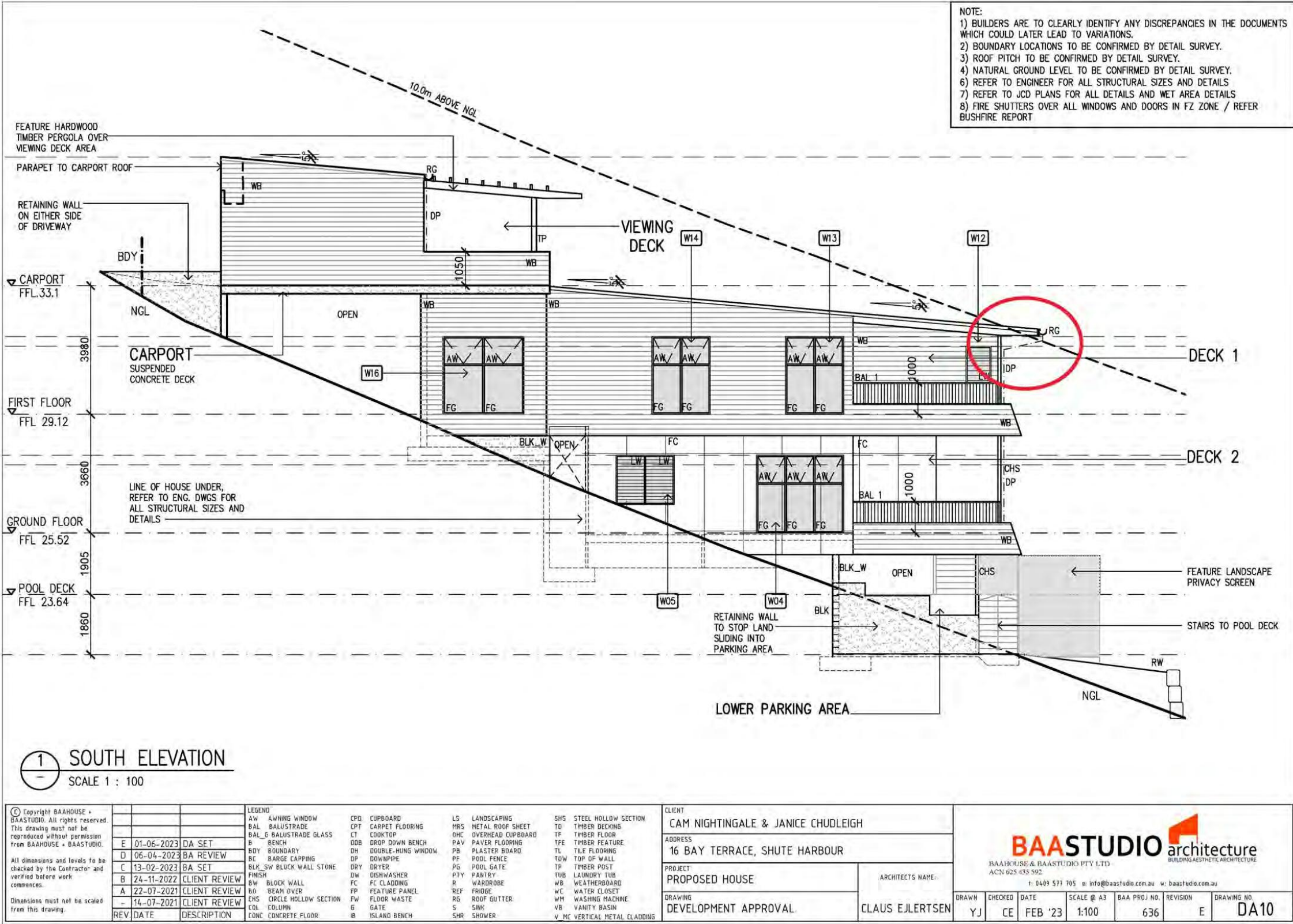


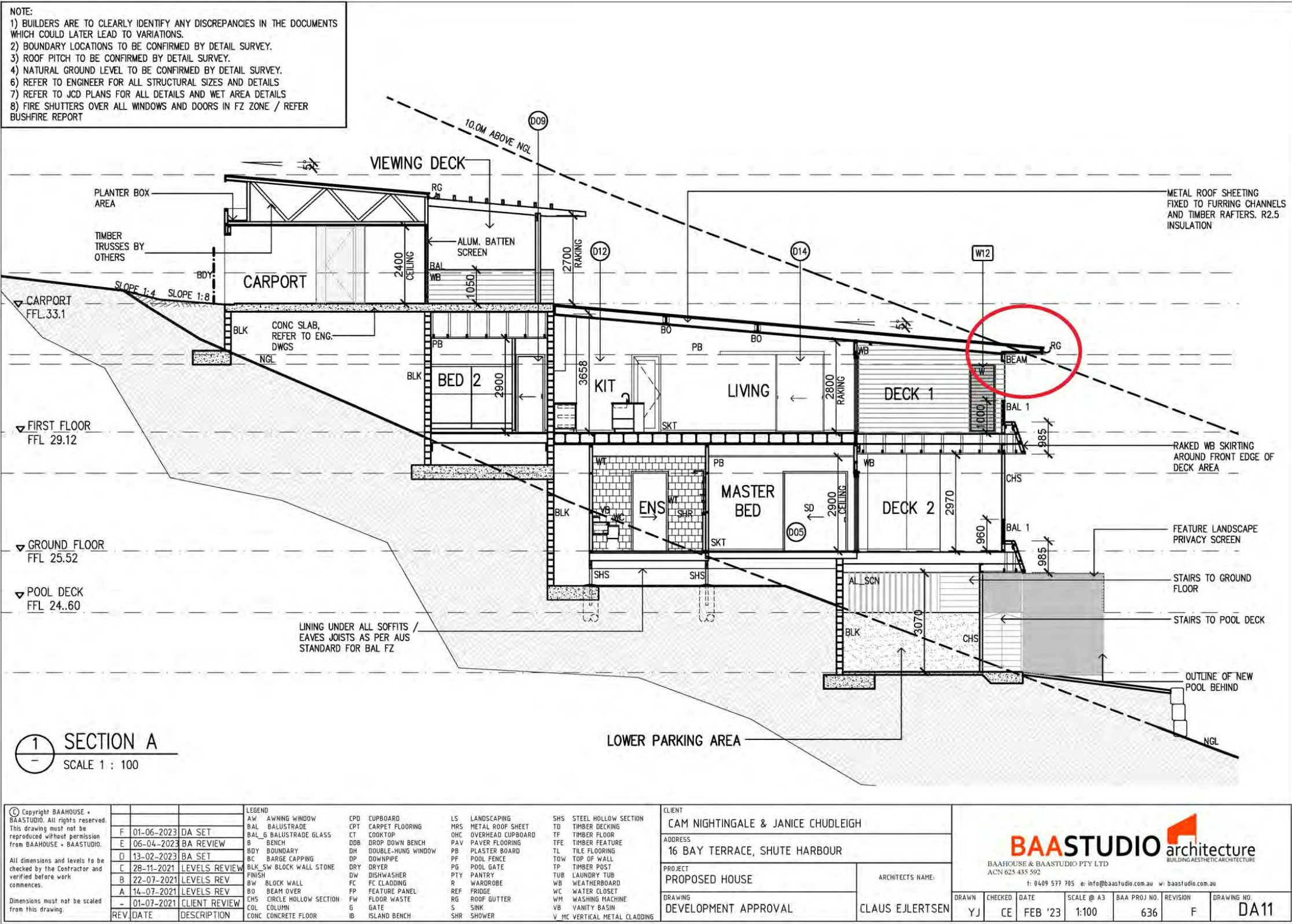


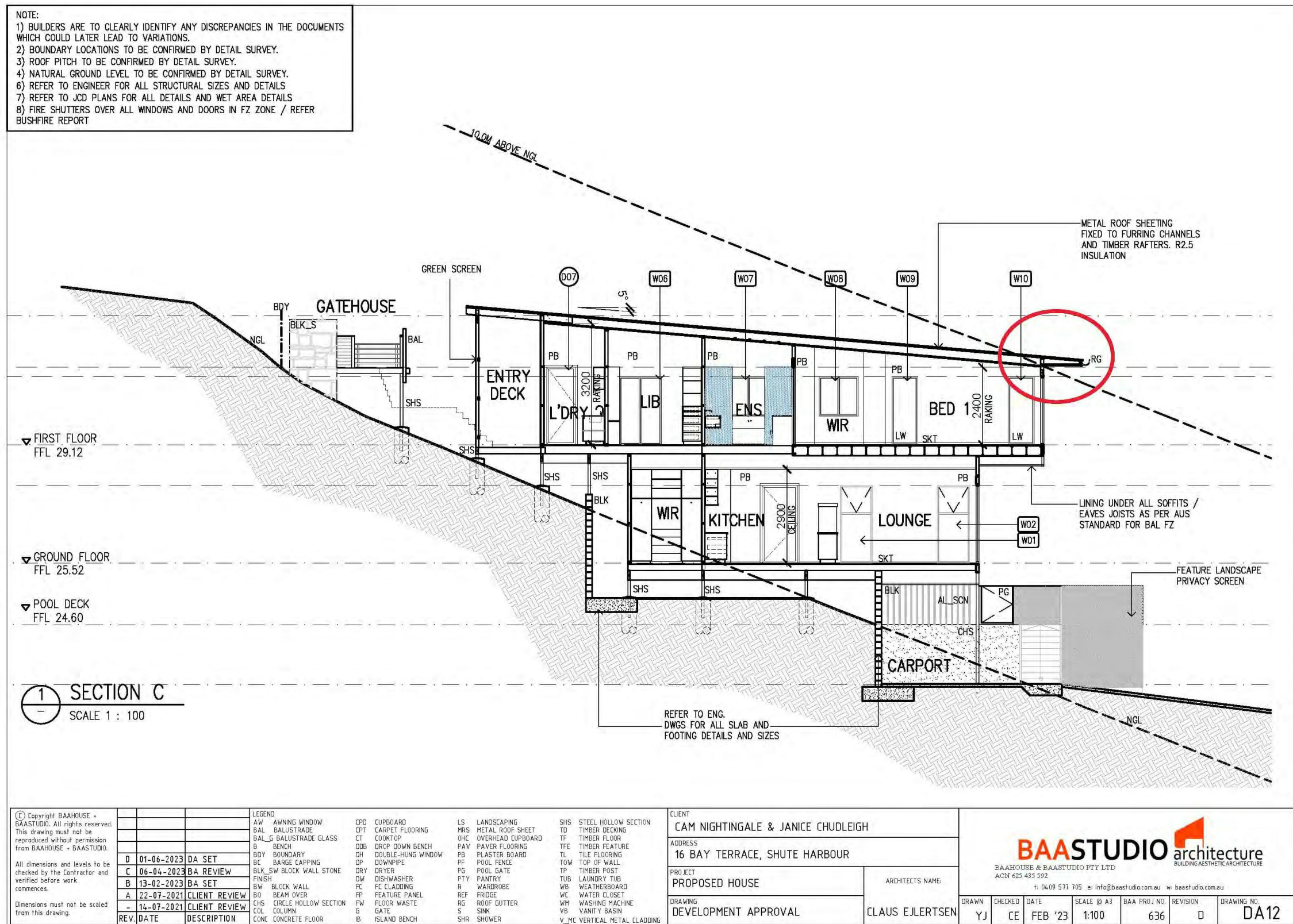


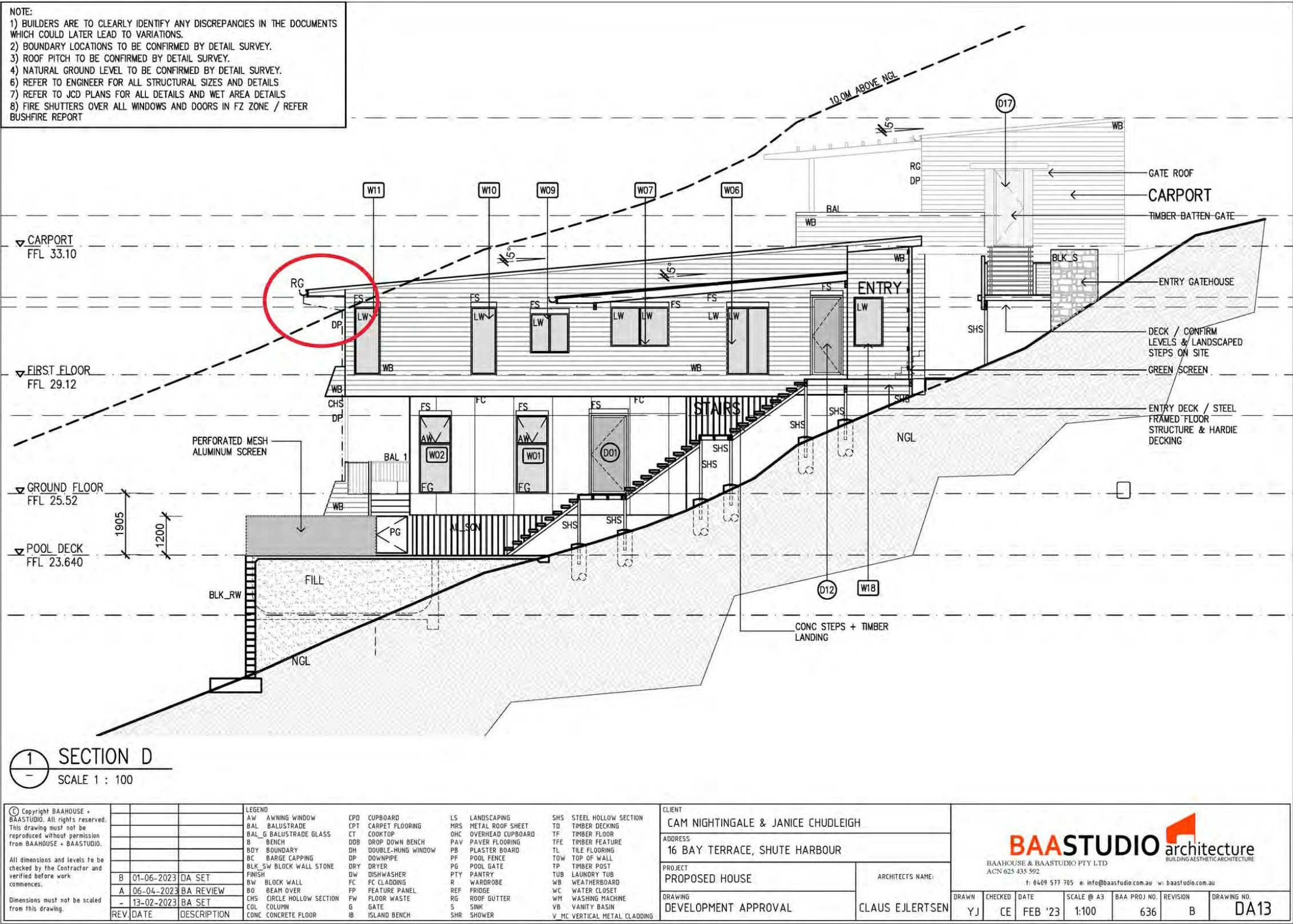












11.7 - Infrastructure Agreement - 18 Port Drive, Airlie Beach - Lot 115 on SP260215 - Port of Airlie

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Matthew Twomey - Manager Development Assessment

AUTHORISING OFFICER: Neil McGaffin - Director Regional Strategy and Planning

PRESENTED FOR: Decision

ATTACHMENTS

1. Site Plan [11.7.1 - 1 page]
2. Car Park Layout [11.7.2 - 1 page]
3. Infrastructure Agreement - 18 Port Drive Airlie Beach - Lot 115 on SP 260215 [11.7.3 - 25 pages]

PURPOSE

To present to Council a request to enter into an Infrastructure Agreement (IA).

OFFICER'S RECOMMENDATION

That Council delegate to the Chief Executive Officer to execute the Infrastructure Agreement at 18 Port Drive, Airlie Beach – Lot 115 on SP260215.

BACKGROUND

In December 2019, Council received a development application for a material change of use preliminary approval (variation request) for the development of a resort complex on Lot 115 on SP260215, 18 Port Drive, Airlie Beach.

The proposed development is intended to comprise a hotel containing 102 accommodation units catering particularly for group travel, e.g., family groups, tour groups, sporting groups, etc and ancillary facilities, including restaurant and bar. The proposed building comprises of four storeys with a maximum height of 18.8m.

The proposal provides 54 onsite car parking spaces along with two mini bus spaces. It has not been sufficiently demonstrated this number of car parking spaces is adequate. It is considered 73 car parking spaces are required. The application remains under assessment.

DISCUSSION/CURRENT ISSUE

The Proponent has requested Council enter into an IA to address the short fall in onsite car parking for the development. The IA provides that development must not commence until at least 50 public car parking spaces have been constructed on Lot 117 SP232115, 4 – 8 Port Drive, Airlie Beach. A 173-space car park has already received Council approval on the property, however, there has been no commitment to its construction.

The provision of at least 50 public car parking spaces (as a first stage) is viewed as a worthy public benefit of 31 car parking spaces, with 19 fulfilling the remainder of the carparking demand for the Resort Complex. Additional public vehicle parking will go towards alleviating parking issues during peak periods.

The site is within a short distance to the proposed development, at around 160m and will enable overflow parking to be provided close by.

STATUTORY/COMPLIANCE MATTERS

Planning Act 2016

STRATEGIC IMPACTS

Process all statutory applications within statutory timeframes.

FINANCIAL IMPLICATIONS

The proponent is required to pay Council's costs of the preparation, negotiation and execution of the Infrastructure Agreement in the amount of \$5,000.

CONSULTATION/ENGAGEMENT

McCullough Roberston Lawyers

RISK ASSESSMENT

The infrastructure agreement document appropriately mitigates risk and includes necessary dispute resolution provisions to remedy any breach.

TIMINGS/DEADLINES

A decision on the infrastructure agreement is required prior to deciding the development application.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Refuse the request to enter an IA	The request is refused, and the application is to be decided by Council on the number of car parking spaces provided within the development site.	Nil.	The opportunity to provide additional public car parking within Port of Airlie is not realised.

Attachment 11.7.1 Site Plan

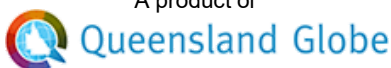
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20°16'20"S 148°43'36"E



20°16'29"S 148°43'25"E

20°16'29"S 148°43'36"E



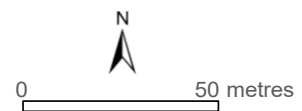
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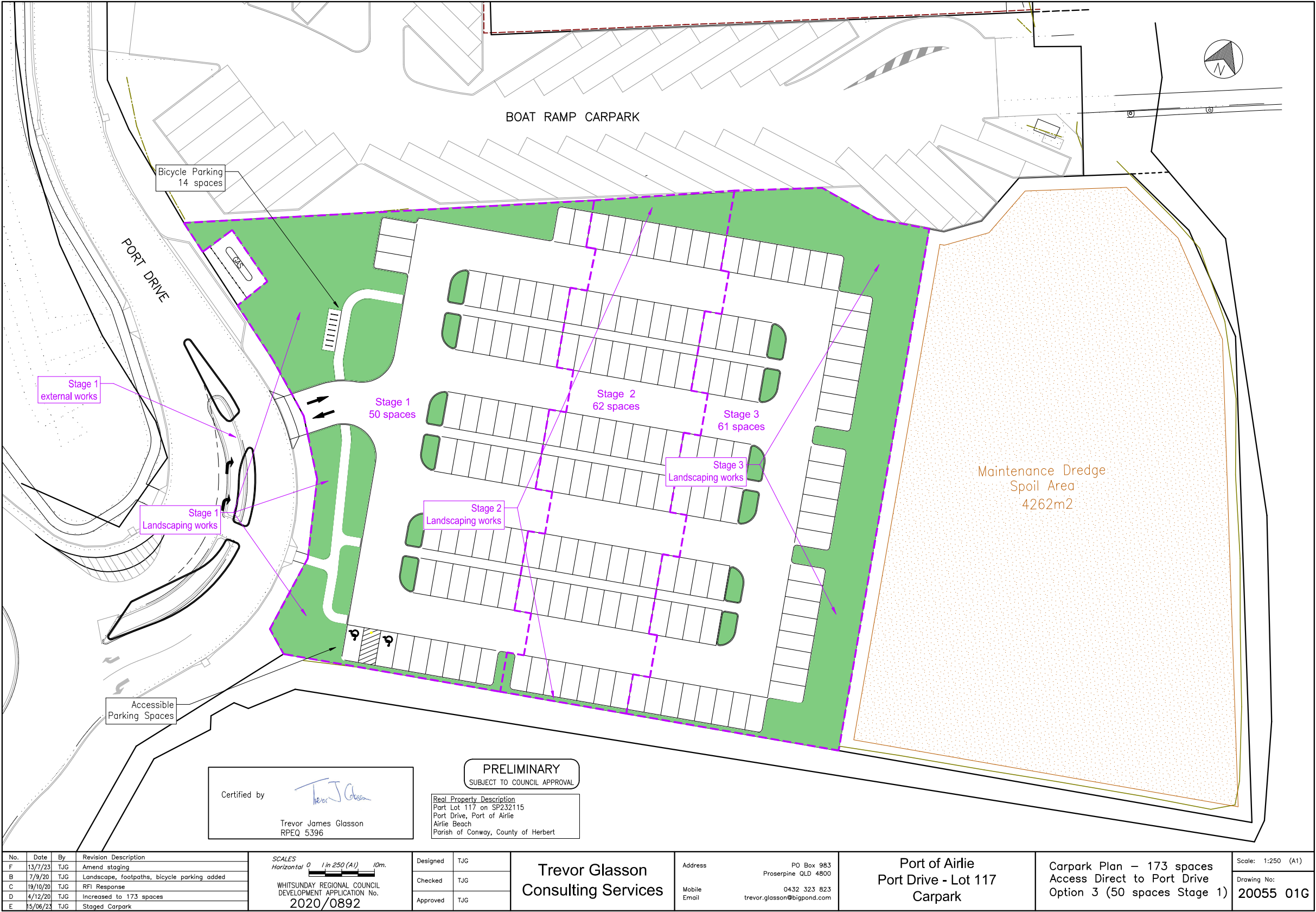
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**Queensland
Government**
Department of Resources



Infrastructure agreement

Whitsunday Regional Council

Meridien Airlie Beach Pty Ltd ACN 101 370 763 (Receivers and Managers appointed) (in Liquidation) and Meridien AB Pty Ltd ACN 101 370 772 (Receivers and Managers appointed) (in Liquidation)

18 Port Drive, Airlie Beach – Lot 115 on SP260215

Version: 1

Table of contents

1	Definitions and interpretation-----	1
1.1	Definitions	1
1.2	Undefined word	4
1.3	Interpretation	4
2	Infrastructure agreement -----	5
2.1	Infrastructure agreement under the Planning Act	5
2.2	Application of the infrastructure agreement	5
2.3	Proponent's successors	6
2.4	Relationship to an Owner	6
2.5	Relationship to an Application	6
2.6	Relationship to an Approval	6
2.7	Relationship to an instrument for an Infrastructure Contribution	6
2.8	Change to planning instruments	6
2.9	Special Conditions	7
2.10	Restrictions relating to conversion applications	7
3	Operation of the infrastructure agreement -----	7
3.1	Commencement of the infrastructure agreement	7
3.2	Termination	7
3.3	Lapsing of the infrastructure agreement	7
4	Development Obligations -----	7
5	Change to Development Entitlements-----	7
5.1	No effect on this document	7
5.2	Variation, termination or replacement of this document	8
6	Dealing in respect of the Development Land -----	8
6.1	Reconfiguring of the Development Land	8
6.2	Dealing with the Development Land	8
6.3	Change of ownership of the Development Land	8
7	Dealing in respect of this document -----	9
7.1	Dealing by a Proponent	9
7.2	Dealing by Council	9
8	Default of a Development Obligation -----	9
8.1	Application of this clause	9
8.2	Notice of default	9

8.3	Compliance with a Default Notice	10
9	Dispute resolution generally -----	10
9.1	Application of this clause	10
9.2	Notice of a dispute	10
9.3	Resolution of a dispute	10
9.4	Determination of an unresolved dispute	10
10	Receivership of the Proponent -----	11
10.1	No personal liability	11
11	Force Majeure -----	11
11.1	Notice of Force Majeure	11
11.2	Suspension of an obligation	11
11.3	Removal or amelioration of Force Majeure	11
11.4	Dispute resolution process to apply	12
12	Time -----	12
12.1	Time of the essence	12
12.2	Extension of time	12
13	Further action -----	12
13.1	Action to give effect to this document	12
13.2	Further action if a clause is invalid, illegal or unenforceable	12
14	Notice -----	12
14.1	Method of giving notice	12
14.2	When is notice given	13
15	Change of the details of a party -----	13
16	Privacy -----	13
17	Costs -----	14
18	Electronic execution -----	14
18.1	Acknowledgement	14
19	General -----	14
19.1	Amendments	14
19.2	Counterparts	14
19.3	No merger	14
19.4	Entire agreement	15
19.5	No waiver	15
19.6	Governing law and jurisdiction	15
19.7	Severability	15

Schedule 1	-----16
Reference schedule	16
Schedule 2	-----18
Development Obligations	18
Annexure A	-----20
Car Park Approval	20

Infrastructure agreement

Dated

Parties

Council	Whitsunday Regional Council of 83-85 Main Street, Proserpine, Queensland 4800
Proponent	Meridien Airlie Beach Pty Ltd ACN 101 370 763 (Receivers and Managers appointed) (in Liquidation) and Meridien AB Pty Ltd ACN 101 370 772 (Receivers and Managers appointed) (in Liquidation) c/- MG Corporate Reorganisation Services Pty Ltd (ATF) trading as Macquarie Gordon & Co ABN 81 915 414 458, St James Trust Building, Suite 320, Level 3, 185 Elizabeth Street, Sydney NSW 2000

Background

- A The Car Park Land benefits from the Car Park Approval.
- B The Proponent has lodged the Prescribed Application in relation to the Development Land with Council.
- C The development of the Car Park Land in accordance with the Car Park Approval will benefit the public and increase the car parking capacity in the area that can be utilised by the Proposed Development.
- D As a result, the Proponent is prepared to bring forward the development of the approved car park under the Car Park Approval.

1 Definitions and interpretation

1.1 Definitions

In this document unless a contrary intention appears, the following terms have the meaning below:

Term	Definition
Application	means an application for an Approval, and includes a document submitted for the Application before the determination of the Application.
Approval	means a consent, permit, licence, certificate, authorisation, registration, membership, allocation or approval under a law and includes a development approval.
Approval Authority	means an Authority under a law having the function to decide an Approval.

Term	Definition
Authority	means a government, semi-government, local government, statutory, public, ministerial, civil, administrative, fiscal or judicial body or other entity or body with relevant power or authority.
Business Day	has the meaning in the <i>Acts Interpretation Act 1954</i> (Qld).
Car Park Approval	means the Approval stated in Item 9 of Schedule 1 and attached as Annexure A.
Car Park Land	means the land stated at Item 5 of Schedule 1.
Claim	means an allegation, debt, cause of action, liability claim, proceeding, suit or demand of any nature at law or otherwise, whether present or future, fixed or unascertained, actual or contingent.
Commencement Date	means the date stated in Item 2 of Schedule 1, or if no date is stated, means the date when the last party executes this document.
Council	means the Authority stated in Item 3 of Schedule 1.
Deal	means to sell, transfer, assign, mortgage, charge, secure, encumber or otherwise deal with the matter for which the term is used.
Development Entitlement	means the entitlement of the Proponent to develop the Development Land under the Prescribed Approval.
Development Land	means the land stated at Item 4 of Schedule 1.
Developable Lot	means either of the following: (a) a lot comprising the Development Land at the Commencement Date; and (b) a lot forming part of the Development Land which is not a Developed Lot.
Developed Lot	means a lot forming part of the Development Land which: (a) is provided with the infrastructure and services necessary to enable its use in accordance with the Development Entitlement; and (b) is not further intended to be the subject of any of the following Applications: (i) a material change of use; or (ii) reconfiguring a lot.
Development Obligation	means an obligation to be performed and fulfilled by a party under this document.
Dispute Notice	has the meaning given to it in clause 8.
Financial Contribution	means the provision of a monetary sum for infrastructure.
Force Majeure	means an event: (a) being a Commonwealth or State government decree, an act of God, industrial disturbance, act

Term	Definition
	of public enemy, war, international blockade, public riot, lightning, flood, earthquake, fire, storm or other physical or material restraint;
	(b) which is not within the reasonable control of the party claiming Force Majeure; and
	(c) which could not have been prevented by that party exercising a standard of knowledge, foresight, care and diligence consistent with that of a prudent and competent person under the circumstances.
Government Agency	means: (a) a government or government department or other body; (b) a governmental, semi-governmental or judicial person; or (c) a person (whether autonomous or not) who is charged with the administration of a law.
Infrastructure Charges Notice	means a notice given under section 119(2) of the Planning Act in relation to the Prescribed Approval, as may be amended in accordance with the Planning Act and includes any notice referred to in section 301(1) of the Planning Act.
Infrastructure Contribution	means a contribution for infrastructure under this document which may be in the form of the following: (a) a Financial Contribution; (b) a Land Contribution; (c) a Work Contribution.
Land Contribution	means the provision of land, including an easement, for infrastructure.
Local Government	means a local government under the Local Government Act.
Local Government Act	means the <i>Local Government Act 2009</i> (Qld).
Mediation Rules	means the Resolution Institute Mediation Rules.
Notice	means a document to be given by a party, or a person under this document.
Owner	has the meaning under the Planning Act.
Personal Information	has the meaning in the <i>Information Privacy Act 2009</i> (Qld).
Planning Act	means the <i>Planning Act 2016</i> (Qld).
Planning Scheme	means the Whitsunday Regional Council Planning Scheme 2017.
Prescribed Application	means the Application stated in Item 7 of Schedule 1, and includes a document submitted for the Application before the determination of the Application.

Term	Definition
Prescribed Approval	means an Approval for the Prescribed Application or a subsequently modified Approval.
Proponent	means the entity stated in item 3 of Schedule 1.
Proposed Development	means the development of the Development Land provided for in the Prescribed Application and includes any subsequently obtained development permits for material change of use and development authorised under any variation approval as accepted development.
Receiver	means Angus Carnegie Gordon of the Receiver Firm and includes any receiver, manager, or receiver and manager appointed at any time in the future.
Receiver Firm	means Macquarie Gordon & Co.
Related Person	means a partner, director, officer, employee, agent or adviser of the Receiver or Receiver Firm.
Resolution Institute	means the Resolution Institute ACN 008 651 232, a company limited by guarantee, and any successor organisation.
Schedule	means a schedule to this document.
Special Conditions	means any conditions stated at Item 11 in Schedule 1.
Transferee	has the meaning given to it in clause 6.2(c).
Work Contribution	means the provision of work, including any materials, for infrastructure.

1.2 Undefined word

If a word is not defined in this document, unless the context or subject matter otherwise indicates or requires, the word is to have a meaning given to it by the following:

- (a) the Planning Act;
- (b) the Planning Scheme if the word is not defined in the Planning Act; or
- (c) the Macquarie Dictionary if the word is not defined in the Planning Act or the Planning Scheme.

1.3 Interpretation

In this document, unless the context otherwise requires:

- (a) a reference to the word dollar or \$, is a reference to a dollar of Australian currency and an amount payable is payable in Australian dollars;
- (b) a reference to the word includes, or to an example or particularisation of a clause, does not limit the meaning of a word to which the clause relates to a matter of a similar kind;
- (c) a reference to a party made up of more than one person, is a reference to all of those persons separately so that:

- (i) an obligation of a party binds them jointly and each of them individually; and
 - (ii) a right of a party benefits them jointly and each of them individually;
- (d) a reference to a period of time which is to be calculated by regard to a day or an event, is to exclude the day or the day of the event;
- (e) a reference to the word sell, includes transfer, dispose of and alienate but excludes a mortgage, licence, grant of an easement and a lease other than a lease for a term including an option exceeding five years;
- (f) a reference to a successor in title of land, includes the following:
 - (i) a person deriving title to the land through or under the Owner of the land;
 - (ii) a mortgagee which takes possession of the land;
- (g) a reference to a clause, schedule, annexure or party is a reference to a clause of, and a schedule, annexure or party to, this document and references to this document include any schedules or annexures;
- (h) a reference to a party to this document or any other document or agreement includes the party's successors, permitted substitutes and permitted assigns;
- (i) if a word or phrase is defined, its other grammatical forms have a corresponding meaning;
- (j) a reference to a document or agreement (including a reference to this document) is to that document or agreement as amended, supplemented, varied or replaced;
- (k) a reference to this document includes the agreement recorded by this document;
- (l) a reference to legislation or to a provision of legislation (including subordinate legislation) is to that legislation as amended, re-enacted or replaced, and includes any subordinate legislation issued under it;
- (m) if any day on or by which a person must do something under this document is not a Business Day, then the person must do it on or by the next Business Day;
- (n) a reference to a person includes a corporation, trust, partnership, unincorporated body, government and local authority or agency, or other entity whether or not it comprises a separate legal entity; and
- (o) a reference to 'month' means calendar month.

2 Infrastructure agreement

2.1 Infrastructure agreement under the Planning Act

This document is an infrastructure agreement under section 158 of the Planning Act.

2.2 Application of the infrastructure agreement

- (a) This document:

- (i) applies to the Development Land; and
- (ii) all development comprising the Proposed Development.
- (b) This document applies to the Car Park Land only to the extent that this document requires the Proponent to discharge Development Obligations with respect to that land.

2.3 Proponent's successors

- (a) A Development Obligation is taken to be given on behalf of the Proponent and binds the successors of the Proponent.
- (b) A Development Obligation is and remains personal to the Proponent other than as expressly provided in this document.

2.4 Relationship to an Owner

- (a) A Development Obligation attaches to the Development Land and is binding on the Owner of the Development Land and the Owner's successor in title of the Development Land under the Planning Act.
- (b) A Development Obligation is not affected by a change in the ownership of the Development Land or a part of the Development Land other than as expressly provided in this agreement.

2.5 Relationship to an Application

- (a) Any future Application for the Development Land must comply with this document to the extent it relates to the Proposed Development.
- (b) An Approval Authority in deciding the Prescribed Application for the Development Land is, to the extent permitted by the Planning Act, permitted to have regard to a relevant matter in this document.

2.6 Relationship to an Approval

This document is to prevail if a Development Obligation is inconsistent with an Approval for the Development Land.

2.7 Relationship to an instrument for an Infrastructure Contribution

- (a) This document is not intended to limit the nature or type of an instrument for an Infrastructure Contribution which an Authority may lawfully give for the development of the Development Land.
- (b) This document is to prevail to the extent of any inconsistency with an Approval or instrument for an Infrastructure Contribution, including without limitation, any Infrastructure Charges Notice.

2.8 Change to planning instruments

This document prevails if there is a change to any planning instrument or other applicable law after the Commencement Date which affects any Development Obligation.

2.9 Special Conditions

- (a) This clause applies if any Special Conditions are stated in Item 11 of Schedule 1.
- (b) The Special Conditions prevail over any other clause in this document to the extent of any inconsistency.

2.10 Restrictions relating to conversion applications

- (a) Clause 2.10(b) applies to a non-trunk Infrastructure Contribution for the Proposed Development required to be provided by the Proponent under this document or an Approval.
- (b) The Proponent must not take any action under the Planning Act to convert development infrastructure from non-trunk infrastructure to trunk infrastructure under section 139(1) of the Planning Act.

3 Operation of the infrastructure agreement

3.1 Commencement of the infrastructure agreement

- (a) This document commences on the Commencement Date.
- (b) The Development Obligations commence when an Approval for the Prescribed Application is granted, and the Prescribed Approval takes effect.

3.2 Termination

This document terminates on the Business Day after the Proponent discharges its Development Obligations under this document.

3.3 Lapsing of the infrastructure agreement

- (a) A Development Obligation must only be performed if the Proposed Development of the Development Land is undertaken.
- (b) This infrastructure agreement terminates if the Prescribed Approval lapses or is cancelled under the Planning Act.

4 Development Obligations

The Proponent must comply with the Development Obligations in Schedule 2 by the time specified in Schedule 2.

5 Change to Development Entitlements

5.1 No effect on this document

The Development Obligations in this document do not change if the Prescribed Approval is changed.

5.2 Variation, termination or replacement of this document

The parties may agree to vary, terminate or replace this document in order to ensure the Development Obligations reflect any changed Development Entitlement.

6 Dealing in respect of the Development Land

6.1 Reconfiguring of the Development Land

- (a) If the Development Land is subject to a reconfiguring of a lot to create a Developed Lot, then a Development Obligation no longer:
 - (i) remains attached to the Developed Lot; and
 - (ii) binds the Owner of the Developed Lot.
- (b) If the Development Land is subject to a reconfiguring of a lot to create a Developable Lot, then a Development Obligation:
 - (i) remains attached to the Developable Lot; and
 - (ii) binds the Owner of the Developable Lot.

6.2 Dealing with the Development Land

- (a) The Proponent may Deal with a Developed Lot without the consent of Council.
- (b) The Proponent is not to Deal with a Developable Lot unless the Proponent gives to the person the subject of the Dealing a Notice which states the following:
 - (i) that the Developable Lot is subject to this document;
 - (ii) that there may be a Development Obligation which is unperformed and unfulfilled;
 - (iii) that a Development Obligation attaches to the Developable Lot and binds a future Owner; and
 - (iv) that the Owner of the Developable Lot is liable to Council to perform and fulfil a Development Obligation which remains unperformed and unfulfilled.
- (c) The Proponent is not to sell a Developable Lot to another person (**Transferee**) unless the Proponent and Transferee execute, at their cost, a deed prepared by Council in which the Transferee becomes contractually bound to Council to perform and fulfil any Development Obligation that is unperformed and unfulfilled.
- (d) Clause 6.2(c) does not prevent the Proponent from entering into an agreement for the sale of a Developable Lot which is conditional upon compliance with the matters stated in clause 6.2(c) prior to completion of the sale of the Developable Lot.

6.3 Change of ownership of the Development Land

- (a) If the ownership of a Developed Lot changes, a Development Obligation is not binding on the Owner's successors in title of the Developed Lot.

- (b) If the ownership of a Developable Lot changes in accordance with clause 6.2, a Development Obligation:
 - (i) remains binding on a Proponent except to the extent provided for in a deed between the Proponent, the Transferee and Council executed in accordance with clause 6.3(a); and
 - (ii) is binding on the Transferee as the Owner's successor in title of the Developable Lot.

7 Dealing in respect of this document

7.1 Dealing by a Proponent

- (a) The Proponent is not to, other than in accordance with the consent of Council:
 - (i) vary an interest, right or obligation under this document; or
 - (ii) sell, transfer or assign an interest, right or obligation under this document.
- (b) If the Proponent does not comply with clause 7.1(a), the Proponent must perform and fulfil a Development Obligation which has not been performed and fulfilled within a reasonable period having regard to the nature of the Development Obligation, or at such other time which is stated in a Notice given by Council to the Proponent, even if the time otherwise appointed for the performance and fulfilment of the Development Obligation has not arrived.

7.2 Dealing by Council

Council may, without the Proponent's consent, assign to an Authority or entity an interest, right or obligation under this document in the following circumstances:

- (a) a Council function is taken over by the Authority or entity; or
- (b) Council otherwise determines acting in the public interest that it is desirable for this to happen.

8 Default of a Development Obligation

8.1 Application of this clause

This clause applies if the Proponent fails to perform and fulfil a Development Obligation.

8.2 Notice of default

Council is to give to the Proponent a Notice which states the following (**Default Notice**):

- (a) specifying in reasonable detail a default by the Proponent under this document;
- (b) requesting the Proponent rectify the default within the period specified in the notice, which period must be reasonable; and
- (c) specifying in reasonable detail the action which the Proponent is required to take to perform and rectify the default.

8.3 Compliance with a Default Notice

The Proponent must comply with any Default Notice issued by Council under clause 8.2 within the time specified in the Default Notice.

9 Dispute resolution generally

9.1 Application of this clause

This clause applies to a dispute about the performance and fulfilment of this document.

9.2 Notice of a dispute

- (a) A party may give to the other party to the dispute a Notice which states the following **(Dispute Notice)**:
 - (i) the dispute;
 - (ii) that the dispute is to be resolved under clause 9.
- (b) A party which gives a Dispute Notice is to continue to perform and fulfil its obligations but is not required to finish the disputed matter unless the party giving the Dispute Notice indemnifies the other party against a Claim or the costs for finishing the disputed matter if the dispute is not resolved in favour of the indemnifying party.

9.3 Resolution of a dispute

- (a) The parties must endeavour to settle any dispute in connection with this document by:
 - (i) meeting to discuss the dispute and its determination; or
 - (ii) referring the dispute to mediation.
- (b) Any mediation is to be conducted by a mediator who is independent of the parties and, either:
 - (i) appointed by agreement between the parties; or
 - (ii) failing agreement between the parties, by a person appointed by the Chair of the Resolution Institute or the Chair's designated representative.
- (c) Unless otherwise agreed, the Mediation Rules apply to the mediation.
- (d) The parties are to bear equally the cost of a mediator including the cost of the appointment.
- (e) It is a condition precedent to the right of either party to commence arbitration or litigation, other than for interlocutory relief, that they have first endeavoured to settle the dispute under clause 9.3(a).

9.4 Determination of an unresolved dispute

If the parties are unable to resolve a dispute by discussion or mediation, a party may commence a Claim for the determination of the dispute.

10 Receivership of the Proponent

10.1 No personal liability

- (a) Council agrees that:
 - (i) the Receiver has been appointed as the receiver and manager of the Proponent and executes this document in his capacity as receiver and manager;
 - (ii) the Receiver is not liable personally or in any other capacity for any of the obligations of the Proponent under or in respect of this document or otherwise;
 - (iii) nothing in this document (whether express or implied) will render the Receiver liable in any way (whether in his capacity as receiver and manager, personally or otherwise);
 - (iv) none of the Related Persons will be liable personally or in any other capacity for any of the obligations of the Proponent under or in respect of this document or otherwise;
 - (v) nothing in this document (whether express or implied) will render the Related Persons liable under this document in any way; and
 - (vi) Council releases the Receiver and each Related Person from any Claim (whether arising prior to or after execution of this document) arising out of or in any way related to this document.

11 Force Majeure

11.1 Notice of Force Majeure

If a party is unable by reason of Force Majeure to perform and fulfil an obligation, the party is to, as soon as is reasonably practicable after the Force Majeure, give to the other parties a Notice which states the following:

- (a) that Force Majeure is in existence;
- (b) full particulars of the Force Majeure.

11.2 Suspension of an obligation

An obligation of a party so far as it is affected by Force Majeure is suspended during the following:

- (a) the continuance of Force Majeure;
- (b) a further period which is reasonable in the circumstances.

11.3 Removal or amelioration of Force Majeure

The party giving a Notice of Force Majeure is to, as soon as is reasonably practicable, use its best endeavours to remove the Force Majeure or ameliorate its effect.

11.4 Dispute resolution process to apply

If the parties are unable to agree on the existence of a party's Force Majeure or the period during which an obligation is suspended during the continuance of Force Majeure the dispute is to be resolved under clause 9.

12 Time

12.1 Time of the essence

Time is, in all cases, of the essence.

12.2 Extension of time

The parties may agree to extend a time stated in this document by giving to each other a Notice which states the extended time.

13 Further action

13.1 Action to give effect to this document

A party is to do at its cost everything reasonably necessary to effect, perfect or complete this document and a transaction incidental to this document.

13.2 Further action if a clause is invalid, illegal or unenforceable

The parties are to use their best endeavours including the preparation, negotiation and execution of a further document to ensure that the object of a clause or part of a clause which is held by a court to be invalid, illegal or unenforceable is substantially achieved.

14 Notice

14.1 Method of giving notice

A notice, consent or communication under this document is only effective if it is:

- (a) in writing;
- (b) addressed to the person to whom it is to be given, to the address nominated in Item 3 of Schedule 1; and
- (c) given as follows:
 - (i) delivered by hand to that person's address;
 - (ii) sent to that person's address by prepaid mail or by prepaid airmail, if the address is overseas;
 - (iii) sent by email to that person's email address and the sender receives an email receipt or other written or verbal confirmation from the recipient to the sender which indicates that the email was received at the email address of the recipient.

14.2 When is notice given

- (a) A notice, consent or communication given under clause 14.1(a) is given and received on the corresponding day set out in the table below. The time expressed in the table is the local time in the place of receipt.

If a notice is	It is given and received on
Delivered by hand or sent by email	(a) that day, if delivered or sent by 5.00pm on a Business Day; or (b) the next Business Day, in any other case.
Sent by post	(a) three Business Days after posting, if sent within Australia; or (b) seven Business Days after posting, if sent to or from a place outside Australia.

- (b) Council may prove the giving of a Notice by the chief executive officer of Council certifying that a Notice has been given.

15 Change of the details of a party

A party may change the address, contact details and the person to whose attention a Notice is to be brought by giving to each other party a Notice which states the following:

- (a) the changed details; and
- (b) that the change is to take effect from a date which is at least five Business Days after the Notice is given to each other party.

16 Privacy

- (a) The Proponent acknowledges and agrees that Council may use and disclose Personal Information as authorised or required by law, including under the Planning Act.
- (b) Without limiting the generality of clause 16(a), Council may disclose Personal Information contained in this document in accordance with the Planning Act, including for the purposes of maintaining a register, making documents prescribed by the Planning Regulation available for inspection or purchase or providing a planning and development certificate.
- (c) By executing this document, the Proponent confirms that the Proponent has obtained all necessary consents and made all necessary disclosures and notifications to ensure that:
- (i) the Proponent has the right to disclose to Council all Personal Information contained in this document; and
 - (ii) Council has the right to use and disclose that personal information as authorised or required by law.

17 Costs

The Proponent must pay Council's costs of the preparation, negotiation and execution of this document in the amount of \$5,000 (exclusive of GST), in accordance with an invoice issued by Council.

18 Electronic execution

18.1 Acknowledgement

- (a) The parties acknowledge and agree that:
 - (i) this document, including any counterpart, may be electronically signed, including through the use of software or a platform for the electronic execution of documents (**electronically signed**);
 - (ii) any electronic signatures on this document are intended to bind the party signing the document and to have the same legal force and effect as if the document was signed in wet ink;
 - (iii) where this document has been electronically signed and printed:
 - (A) the printed copy is an original; and
 - (B) the parties agree to do all things reasonably requested by the other party (such as obtaining consents, signing and producing documents signed in wet ink) to enable that party to register this document with a Government Agency.
- (b) For completeness:
 - (i) this document may include counterparts signed either by wet ink, electronically or both and all counterparts together make one instrument; and
 - (ii) exchange of this document will occur upon each party delivering up signed counterparts to the other authorising exchange, including in electronic form and by email.

19 General

19.1 Amendments

This document may only be amended by written agreement between all parties.

19.2 Counterparts

This document may be signed in any number of counterparts. All counterparts together make one instrument. Counterparts may be provided by email copies as proof of execution.

19.3 No merger

The rights and obligations of the parties under this document do not merge on completion of any transaction contemplated by this document.

19.4 Entire agreement

- (a) This document supersedes all previous agreements about its subject matter and embodies the entire agreement between the parties.
- (b) To the extent permitted by law, any statement, representation or promise made in any negotiation or discussion has no effect except to the extent expressly set out or incorporated by reference in this document.

19.5 No waiver

- (a) The failure of a party to require full or partial performance of a provision of this document does not affect the right of that party to require performance subsequently.
- (b) A single or partial exercise of or waiver of the exercise of any right, power or remedy does not preclude any other or further exercise of that or any other right, power or remedy.
- (c) A right under this document may only be waived in writing signed by the party granting the waiver, and is effective only to the extent specifically set out in that waiver.

19.6 Governing law and jurisdiction

- (a) Queensland law governs this document.
- (b) Each party irrevocably submits to the exclusive jurisdiction of the Queensland courts and courts competent to hear appeals from those courts.

19.7 Severability

A clause or part of a clause of this document that is illegal or unenforceable may be severed from this document and the remaining clauses or parts of the clause of this document continue in force.

Schedule 1

Reference schedule

Item	Item Description	Item Particulars
1	Agreement name	18 Port Drive, Airlie Beach – Lot 115 on SP260215
2	Commencement Date	<i>(If no date is inserted, the Commencement Date is the date the last party signs this document.)</i>
3	Parties Council Proponent	Whitsunday Regional Council Address: 83-85 Main Street PROSERPINE QLD 4800 Postal Address: PO Box 104 PROSERPINE QLD 4800 Telephone: 1300 972 753 Email: info@wrc.qld.gov.au Address notices to: Director – Regional Strategy and Planning Meridien Airlie Beach Pty Ltd ACN 101 370 763 (Receivers and Managers appointed) (in Liquidation) and Meridien AB Pty Ltd ACN 101 370 772 (Receivers and Managers appointed) (in Liquidation) Address: c/- MG Corporate Reorganisation Services Pty Ltd (ATF) trading as Macquarie Gordon & Co ABN 81 915 414 458, St James Trust Building, Suite 320, Level 3, 185 Elizabeth Street SYDNEY NSW 2000 Postal Address: PO Box A73 SYDNEY SOUTH NSW 1235 Telephone: (02) 9261 4848 Email: gus.gordon@macquariegordon.com.au Address notices to: Angus Gordon
4	Development Land	Address: 18 Port Drive Airlie Beach QLD Real property description: Lot 115 on SP260215
5	Car Park Land	Address: 4-8 Port Drive Airlie Beach QLD Real property description: Lot 117 on SP232115

Item	Item Description	Item Particulars
6	Owner of the Development Land	Name: Meridien Airlie Beach Pty Ltd (Receivers and Managers appointed) (in Liquidation) ACN 101 370 763 and Meridien AB Pty Ltd (Receivers and Managers appointed) (in Liquidation) ACN 101 370 772 Address: c/- MG Corporate Reorganisation Services Pty Ltd (ATF) trading as Macquarie Gordon & Co ABN 81 915 414 458, St James Trust Building, Suite 320, Level 3, 185 Elizabeth Street, Sydney NSW 2000 PO Box A73 SYDNEY SOUTH NSW 1235 Owner's consent Attached: ☐ Yes ☒ No – The Proponent is the Owner of the Development Land. <i>(The written consent of the Owner of the Development Land must be included in Annexure E of this document if the Owner of the Development Land is not the Proponent)</i>
7	Prescribed Application	Description: Development application for preliminary approval (including a variation request) for material change of use - resort complex Reference number: 20191425
8	Prescribed Approval (if any)	Date of Decision Notice: N/A as at Commencement Date Description: N/A as at Commencement Date Reference number: N/A as at Commencement Date <i>(The Prescribed Approval includes any development approval given in respect of the Prescribed Application, and includes any variation of the Prescribed Approval and any subsequent development approvals given in relation to the Prescribed Approval [e.g. a development approval for operational work or building work.]</i>
9	Car Park Approval	Date of Decision Notice: 13 April 2021 Description: Development permit for a material change of use – parking station with respect to Lot 117 Reference number: 20200892
10		<i>(The Car Park Approval includes any change or variation of the Car Park Approval and any subsequent development approvals given in relation to the Car Park Approval [e.g. a development approval for operational work or building work.]</i>
11	Special Conditions	N/A

Schedule 2

Development Obligations

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Type of Infrastructure Contribution (e.g. Work Contribution, Land Contribution or Financial Contribution)	Specification of the Infrastructure Contribution	Timing of the Infrastructure Contribution	Party responsible for providing the Infrastructure Contribution
1.1	Work Contribution	The Proponent must construct and make available to the public at all times (unless otherwise agreed by Council) at least 50 car parks on the Car Park Land as shown on the plan at Annexure B and in accordance with the Car Park Approval.	Before the commencement of the first material change of use for the Proposed Development.	Proponent

Execution

EXECUTED as a Deed

Signed, sealed and delivered by
Whitsunday Regional Council on / /2023
by:

^ _____
Council's delegate under section 236 *Local
Government Act 2009* (Qld)

^ _____
Full name of Council's Delegate

Signed, sealed and delivered by Meridien Airlie
Beach Pty Ltd (Receivers and Managers appointed)
(in Liquidation) ACN 101 370 763 and Meridien AB
Pty Ltd (Receivers and Managers appointed) (in
Liquidation) ACN 101 370 772 on
/ /2023 by:

^ _____
Receiver

^ _____
Full name of Receiver

Annexure A

Car Park Approval

Annexure B

Car Park Plan

11.8 - Sole Source Supplier Listing - 2023/2024

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Peter Shuttlewood - Executive Manager Procurement, Property & Fleet

AUTHORISING OFFICER: Jason Bradshaw - Director Corporate Services

PRESENTED FOR: Decision

ATTACHMENTS

1. 2023-2024 FY Sole Supplier Register [11.8.1 - 4 pages]

PURPOSE

To present Council with the updated listing of Sole Suppliers for consideration and approval in accordance with section 235 of the Local Government Regulation 2012.

OFFICER'S RECOMMENDATION

That Council:

- a) Resolves in accordance with section 235(a) and 235(b) of the Local Government Regulation 2012 that it is satisfied that the nominated suppliers listed in **Attachment 1** of the Report are Sole Suppliers and that they be added to the Sole Supplier Register for the 2023/24 financial year; and
- b) Delegate authority to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* to enter into contracts, negotiate, finalise, and execute any and all matters associated with or in relation to Sole Suppliers subject to Council's normal procurement policies and practices.

BACKGROUND

The Local Government Regulation 2012 'the Regulation' requires written quotations or tenders be invited for procurement of works or the supply of goods or services that are greater than \$15,000 (medium sized contracts) or \$200,000 (large sized contracts), respectively. Council's Procurement Policy contains provisions or guidelines for obtaining quotes for less than \$15,000.

The Regulation acknowledges that there are instances when it is not always possible to meet these procurement guidelines in the market and therefore it provides a number of exceptions, including the following under Sections 235(a) and 235(b): -

- a) s235(a) – "The local government resolves it is satisfied that there is only one supplier who is reasonably available."; and
- b) s235(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".

There may still be occasions where it will be necessary to present an individual Council report during the year if an unforeseen need arises for a Sole Supplier. To be listed as a Sole Supplier, Council officers must provide evidence that the supplier is the only supplier that can reasonably provide a particular good or service required. The emphasis is on the word "reasonably".

The purchase of goods and services from a sole source to support the service and maintenance of existing assets from an original equipment manufacturer who has proprietary rights can also be deemed a sole supplier.

The commentary to Section 235(a) and 235(b) of the Regulation states that this section might be applied where Council wishes to upgrade a proprietary computer software program to add functionality. There is generally only one possible supplier and the calling of tenders or quotes “would be a manifest waste of time and resources”. This interpretation of the legislation has also been used to support and validate the inclusion of a number of sole supplier recommendations with regards to ICT software.

Section 235(a) and 235(b) of the Regulation allows an exemption to inviting written quotes or tenders where Council resolves that there is only one sole/ unique supplier or a specialised supplier who is reasonably available to meet operational needs.

Sole Suppliers are used in instances where only one supplier is available due to specialised or unique services, or where services are confidential in nature that makes it disadvantageous or impractical to undertake a competitive procurement process.

DISCUSSION/CURRENT ISSUE

On 7 June 2023 Council adopted the current Sole Supplier listing in accordance with Section 235 the Regulations. It is a decision for Council to review the listing and remove or add suppliers on a regular basis. Attachment 1 – Sole Supplier Register includes the following changes:

- a) New Suppliers:
 - i) Australian Radio Network Pty Limited - Covering Star FM, 4MK and KIX Country Radio.
 - ii) BATESNTHOMAS Superannuation Pty Ltd T/As News Whitsunday – Newspapers and Magazines for Cannonvale Library.
 - iii) JJ and Me Nugent (Nugents Central Newsagency) – Library and Stationary supplies for Collinsville Library.
 - iv) Schindler Lifts Australia Pty Ltd – Warranty servicing, maintenance, and repairs for the PEC lift.
 - v) The trustee for The Scholz Family Trust T/As Xsite Constructions Pty Ltd – Local social media influencer to increase tourism at Lake Proserpine.
- b) Removed Suppliers:
 - i) Bowen Resources Pty Ltd – no longer operating.
 - ii) Nintex Pty Ltd – Council no longer use the ProMapp software.

There are a number of current or proposed engagements which Council is required to engage suppliers where the stipulated legislated process for seeking quotes or tenders is not practical due to warranty, intellectual property or maintenance requirements.

The nomination of the listed suppliers as Sole Suppliers is for term of twelve months and provides Council with the capacity to engage suppliers where it would be impractical or where others do not exist, whilst satisfying Councils legislative responsibilities.

Council has collated a listing of sole suppliers which have currently been assessed as requirements to ensure the effective operations of Council.

Council officers will present regular reports on the Sole Supplier Register listing to update and/or remove suppliers should they no longer be required, or no other suppliers enter the market.

STATUTORY/COMPLIANCE MATTERS

Section 235 Local Government Regulation 2012
Section 104 *Local Government Act 2009*

STRATEGIC IMPACTS

Lead and improve the organisation's procurement, property, and fleet functions across the organisation, including managing the centralised and specialised services to enable and achieve the operational and long-term objectives of Council.

Support the organisation in ensuring appropriate compliance with legislation and to support the elected council in its decision-making processes and obligations as a local government.

FINANCIAL IMPLICATIONS

The procurement under these arrangements will be undertaken as provided for in the budget and against operational areas as allocated. Any new arrangements will be subject to revised budget changes.

CONSULTATION/ENGAGEMENT

Contracts Coordinator
Contracts Officer

RISK ASSESSMENT

Risk assessments have been undertaken in the formation of this list noting that some procurement for proprietary systems and services will be subject to ongoing risk assessment and mitigation.

TIMINGS/DEADLINES

The listing of sole and specialist suppliers will be reviewed regularly to ensure ongoing and current arrangements are maintained.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.

- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial, or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ALTERNATIVES CONSIDERED

Given the specialist nature of the procurements there are limited other options outside of recurrent and ongoing procurement process which are inefficient and as such these have not been considered.

Whitsunday Regional Council 'Sole Supplier' Register							
In accordance with the Local Government Regulation 2012 - Chapter 6 section 235 A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if— (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or (c) a genuine emergency exists; or (d) the contract is for the purchase of goods and is made by auction; or (e) the contract is for the purchase of second-hand goods; or (f) the contract is made with, or under an arrangement with, a government agency.							
LG Regulation Section	Exemption	Contract Number (if applicable)	Resolution Number	Supplier Name	ABN	Description of Product/ Service	Justification for Sole Supplier
235 (a)	Sole Supplier		OM2021/12/08.10	12d Solutions Pty Ltd	43 101 351 991	Drafting software.	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/06/30.09	ABB Australia Pty Ltd	68 003 337 611	Instrumentation (e.g. flow switches, pressure sensors, vibration sensors, etc.) & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier	500.2022.0062	OM2021/06/30.09	Advanced Aquarium Technologies Pty Ltd	52 105 692 028	Maintenance and fish supply - Whitsunday Coast Airport.	Supplier and maintenance of aquarium.
235 (a)	Sole Supplier		OM2022/12/14.12	Animal Control Technologies (Australia) Pty Ltd	25 137 868 449	Antoff Pesticide to treat Yellow Crazy Ant infestation in the Whitsunday Region. We require approximately 1,800kg of Antoff per year. A 12.5kg pail is approximately \$325.00.	Animal Control Technologies have patented the Antoff formula and are the sole provider. Antoff is the most effective pesticide to treat Yellow Crazy Ants.
235 (a)	Sole Supplier		OM2021/06/30.09	Aurua Group		Decanter actuator & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2021/12/08.10	Aurora Information Technology	97 072 511 374	Library system.	Proven Library Management System - not included as part of ERP Roadmap 2017.
235 (a)	Sole Supplier		OM2022/12/14.12	Aus Assist Pty Ltd (Council Direct)	51 632 713 243	Council Direct is an advertiser specific to local government.	Council Direct is an advertiser specific to local government.
235 (a)	Sole Supplier		OM2022/12/14.12	Australian Laboratory Services Pty Ltd	84 009 936 029	Legionella Plus TPC – Potable Waters Testing – used for Legionella testing for particular clients. ALS Environmental Townsville are the only NATA (National Association of Testing Authorities) accredited laboratory in North Queensland offering this service.	Legionella Plus TPC – Potable Waters Testing – used for Legionella testing for particular clients. ALS Environmental Townsville are the only NATA (National Association of Testing Authorities) accredited laboratory in North Queensland offering this service.
235 (a)	Sole Supplier		NEW	Australian Radio Network Pty Limited	95 065 986 987	ARN Radio Network, covering Star FM, 4MK and KIX Country Radio.	The ARN Network covers a broad range of stations, allowing us to target a wide demographic through radio advertising. We primarily use their Star FM and 4MK networks. The individual networks also have unique range of listeners, meaning we can target a specific audience and age range in a more direct approach. Star and 4MK have an audience that reaches North past Airlie Beach, South towards St Lawrence and through the Pioneer Valley, out to the Bowen Basin and around the Whitsunday Islands. These networks also allow us to reach listeners which are unavailable through other local radio stations, such as the over 50's market.
235 (a)	Sole Supplier		OM2021/12/08.10	AVCRM Products Pty Ltd	87 606 130 867	Manages RPAS (remotely piloted aircrafts) operations onsite and in the office with RPA Manager.	CASA compliance. Existing solution within Council.
235 (a)	Sole Supplier		OM2021/06/30.09	Avdata Pty Ltd	25 008 556 723	Flight data billing and charging - Whitsunday Coast Airport. Avdata's systems monitor water and waste for management and billing purposes. Currently Avdata provide the Water Management System for our bulk water supply standpipes in Bowen, Cannonvale, Collinsville and Proserpine. Avdata maintains a database of keyholders permitted to use this facility and updates this information in the controller. Avdata receives and stores usage data from water supply points and makes the collated information available to the facility owner via a secure website login. Avdata also provide the Water Management System for the Septage receival facility at the Bowen Sewage Treatment Plant.	Airport industry recognised specialist. They are also a Water and Sewerage specialist supplier for maintenance and support. Avdata is used by other multiple councils as well as their standardised choice, which allows potential future opportunities of support between councils. As we have the units standardised across three areas of council, water, sewerage and airports. It would be cost prohibitive to go with a different provider as it would add unnecessary extra costs to the community.
235 (a)	Sole Supplier		OM2021/12/08.10	Axon Public Safety Australia Pty Ltd	34 610 970 342	Used to distribute CCTV evidence to State Government Agencies.	CCTV transferred to State Government Agencies.
235 (a)	Sole Supplier		OM2022/12/14.12	Before You Dig Australia Ltd	91 089 413 650	Service to provide a single location for the public, contractors and staff the obtain information for underground services in a particular location before commencing earthworks. Service is designed to improve safety and avoid disruptions to services.	In February 2022, the Dial Before You Dig (DBYD) state entities were transformed into one single organisation to become Before You Dig Australia (BYDA). The service remains the same, but consolidates the administrative functions performed by each state for efficiency, providing a lower cost service.
235 (a)	Sole Supplier		OM2021/12/08.10	Bentley Systems, Incorporated	VAT # IE 9729353D	Drawing pipelines - water.	
235 (a)	Sole Supplier		OM2021/12/08.10	Book Easy Pty Ltd	68 122 744 209	Comprehensive reservations and bookings management system adopted by over 150 national parks, visitor and booking centres and specialised tourism services, distributing thousands of products globally.	System utilised by Tourism Whitsunday for local accommodation providers.
235 (a)	Sole Supplier		OM2022/12/14.12	Bowen Pet Motel	17 434 589 860	Pound Services - Bowen/ Collinsville Region	Bowen Pet Motel is the only kennel service in the Bowen and Collinsville Region.
235 (a)	Sole Supplier		OM2021/06/30.09	Burkert		Solenoids & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2023/06/07.5	The Trustee for MPH Unit Trust T/As Captivate Connect	60 946 539 511	Maintenance of existing on hold message platform. Scripting and Production of on hold messages and IVRs (phone systems)	Phone system (Telstra TIPT) specified WRC use Captivate Connect since conenction was compatible with their products. We have had a partnership since 2016. Captivate has produced content for all Council phone systems (customer service, PEC, Lake Proserpine, Airport, Pools and Shute Harbour)
235 (a)	Sole Supplier		OM2021/12/08.10	Channel 7 Mackay	75 009 684 020	Used for marketing and advertising.	Only local television station.
235 (a)	Sole Supplier		OM2021/12/08.10	Cloud A2K	86 631 344 548	Recognised Plan (PDF) Indelible Approval stamp software.	Existing solution within Council.
235 (a)	Sole Supplier		OM2022/12/14.12	Core Publishing and Events Pty Ltd (Whitsunday Life and Core Magazine)	84 151 158 708	News and advertorial service	Whitsunday Life - one of two local newspapers circulating in region – we advertise in both and therefore don't get quote for each. We have set council rates for classified advertising.
235 (a)	Sole Supplier		OM2021/12/08.10	CR Kennedy & Co Pty Ltd	50 008 458 884	GPS unit software	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/12/08.10	CV Check Limited	25 111 728 842	Online provider of Police Checks, Qualifications, Referee and Assessment tools.	Council is required to conduct a number of pre-employment checks for candidates during the recruitment process. The HRP Project is rolling out further modules of the One Council system which is able to integrate the Recruitment Module with the CVCheck system, automating the process for undertaking the checks.
235 (a)	Sole Supplier		OM2022/12/14.12	CyberCX Pty Ltd	90 629 363 328	Cyber security services including managed SIEM and SOC, phriendly phishing training, security strategy, reporting, recommendations, advice and support the IT team to implement security measures / provide cyber security and data protection expertise to keep Council data and systems safe from potential exploits of systems.	CyberCX vendor has been engaged in completing a recommendations report and assisting / upskilling our IT staff to implement 50% of the plan to date. Cyber security is a high risk high profile area with limited capable vendors in the market. Working with different vendors in the security space exposes Council to greater risk with more external people knowing Council's systems and potentially exploiting vulnerabilities in our systems.
235 (a)	Sole Supplier		OM2021/12/08.10	Datafuel Financial Services Pty Ltd	25 003 042 199	Current fuel management system at Depots, Foxdale Quarry and mobile fuel trailers.	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/12/08.10	Dial Before You Dig (Qld) Ltd	34 464 054 437	Online access to underground infrastructure.	WH&S and Infrastructure Risk Mitigation - Australian Infrastructure Information.
235 (a)	Sole Supplier		OM2021/12/08.10	DocuSign	27 308 800 598	Electronic document signature system.	Integration with One Council ERP system.
235 (a)	Sole Supplier		OM2023/06/07.5	Edge Digital Technology Pty Limited	47 000 499 730	Edge Digital Technology Pty Ltd: Service Contract for our Digital Cinema Projector within the Proserpine Entertainment Centre, including remote support, in-person servicing and de-bugging, preventative maintenance and system updates. These services are required to ensure the ongoing operation of our cinema projector with minimal down time and additional expense.	There are four of these projectors in the country, and Edge Digital Technology Pty Ltd are the service providers for all of these within Australia. There are no compatible alternatives available to us.
235 (a)	Sole Supplier		OM2021/06/30.09	Emerson Electric Co.		Valves, actuators, regulators, positioners & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2021/06/30.09	Endress & Hauser Australia Pty Ltd	47 095 963 134	Instrumentation (e.g. flowmeters, nutrient analysers, turbidity analysers, etc.), reagents & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.

Whitsunday Regional Council 'Sole Supplier' Register							
In accordance with the Local Government Regulation 2012 - Chapter 6 section 235 A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if— (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or (c) a genuine emergency exists; or (d) the contract is for the purchase of goods and is made by auction; or (e) the contract is for the purchase of second-hand goods; or (f) the contract is made with, or under an arrangement with, a government agency.							
LG Regulation Section	Exemption	Contract Number (if applicable)	Resolution Number	Supplier Name	ABN	Description of Product/ Service	Justification for Sole Supplier
235 (a)	Sole Supplier		OM2023/06/07.5	Envirostream Australia Pty Ltd	41 617 582 420	WRC have a "Battery Recycle Stewardship Programme" with B-Cycle – Australia's official product Stewardship Scheme for batteries. This scheme is supported by the Commonwealth and all State and Territory Governments and authorised by the ACCC. B-Cycling keeps batteries out of the landfill, so fewer toxic materials end up in our ecosystem. Reusing the materials in every battery means that we need to mine less from the earth and can conserve our natural resources. Nearly all batteries can be reused. Giving new life to finite nature materials like lithium, cobalt and manganese means we can safeguard Australia's resource and energy security and have enough future generations. Getting used batteries out of your home means you protect our family and the environment from toxic materials.	Household Battery Recycling – Supplier who collects, sorts and recycles the batteries (accredited with the B-Cycle Battery Stewardship) The stewardship has several accredited service providers but only 2 of which are suitable to meet the requirements of this scheme, i.e., they are collectors, sorters and recyclers. They co-ordinate the strict transportation of the batteries, provide supply of the battery boxes, battery liners, accept other types of batteries that are often in the boxes as the public do not always follow the criteria of which batteries are acceptable on the scheme and co-ordinate the rebate through B-Cycle on our behalf. Envirostream have been our preferred household battery recycler since WRC were awarded a portion of Grant Funding towards battery recycling as part of the "Regional Recycling Transport Assistance Package 2019". At the time of the grant submission Envirostream were the only accredited service provider option to council. During the grant funded time, council invested in 12 Battery Receptacles to be placed at various drop off points in the region. These units have been in place since 2020 and continue in place today. These units are all branded with our current supplier and there would be a substantial cost involved to change these units.
235 (a)	Sole Supplier		OM2021/12/08.10	Exclaimer Ltd.	VAT GB 258 2833 80	Email Signature solution.	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/12/08.10	Eye On It	92 614 745 256	Part of Telstra TIPT solution	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/12/08.10	Framme	66 970 195 965	Strategic Finance accounting package.	Established chart of accounts reporting software.
235 (a)	Sole Supplier		OM2021/12/08.10	Freshworks Inc	33-1218825	Support ticket Management - currently only utilised for IT Support, Request and Change Management.	Proven Support, Request & IT Change Management application, including vendor management and solution information. Historical data.
235 (a)	Sole Supplier		OM2021/12/08.10	Fulcrum		Create custom forms and deploy to mobile devices for fast, efficient, and reliable mobile data collection.	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/12/08.10	Genesis Accounting	26 109 712 325	Subscription for GST Add In module associated with LG Solutions €™ Fees & Charges cloud application.	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/12/08.10	Go Daddy	USA	whitsundaycoastairport.com.au	Legacy solution within Council.
235 (a)	Sole Supplier		OM2023/06/07.5	Granicus Australia Pty Ltd	60 648 475 101	Our Online Engagement Portal, Yoursay Whitsunday, is the central hub for projects requiring public consultation or involving construction awareness. It hosts a database of all historic and current consultation projects, consultation summary reports, tools, fact sheets and imagery. In addition to projects, it holds account profiles of users, including contact details, their project interests, preferences that identify when we should notify them and their historic interactions consultation projects.	1. We have a body of information associated with 129 historic and current consultation projects stored on their server that is important to maintain for consultation and government transparency. Our contract with them commenced June 2016 and has been ongoing since this date. 2. We have over 1,700 registered accounts for community members linked to our Yoursay portal, with each person identifying their project interests, contact details and preferences that identify when we should notify them for consultation projects. 3. We have a range of advertising, branding and merchandise that have historically promoted the Yoursay portal, which the community is becoming more familiar with as the central point for making submissions with Council. Significant amount of merchandise and signage are stocked to continue to promote Yoursay into the future. 4. Due to the above, the costs and reputation impacts to change to another provider would far outweigh any more competitive quote that could be provided. Their consultation tools are very effective in supporting our consultation projects and have provided excellent customer service since our program inception.
235 (a)	Sole Supplier		OM2021/06/30.09	Grant Broadcasters Pty Ltd	65 000 667 470	Target marketing based on audience demographic and reach.	Industry specialist with engagements with Tourism Whitsunday.
235 (a)	Sole Supplier		OM2021/12/08.10	GrantGuru - GrantReady	29 391 943 079	Our GrantGuru solution provides grants support to: 1. Your Council Staff to find grants that they can apply for, through a private GrantGuru Council site, for which we will give you special login access for designated users (unlimited number); 2. Businesses within your local government area, through a customised public facing portal; and 3. Community groups and non-profits, through the same portal as business.	Economic Development - Existing solution within Council.
235 (a)	Sole Supplier		OM2021/06/30.09	Grundfos		Dosing pumps & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier	500.2022.0058	OM2022/06/08.5	Harbour Software Pty Ltd	49 600 363 880	DocAssembler is a flexible agenda and minutes solution, currently used for document collaboration for Council Meetings.	Existing solution within Council.
235 (a)	Sole Supplier		OM2022/12/14.12	I D G Communications Pty Ltd (Mackay Broadcasters - Star 101.9 and 4MK)	14 001 592 650	Radio advertisements	Has a different primary demographic for their listeners, so we choose our supplier based on the campaign type
235 (a)	Sole Supplier		OM2021/12/08.10	Ibis Information Systems	31 086 318 818	Rates modelling solution.	Existing solution within Council.
235 (a)	Sole Supplier		OM2022/12/14.12	IDEXX Laboratories Pty Ltd	31 063 154 352	Colilert 18 Reagent HPC Reagent for Quanti-Tray Enterolert Reagent Quanti-Tray 2K Vessels with Sodium thio Anti-Foam Solution IDEXX provides easy-to-use water microbiological tests that are the fastest and most accurate tests for minimizing the risk of compromised public health. The IDEXX tests are recognised by the Water regulatory bodies in Australia.	IDEXX provides easy-to-use water microbiological tests that are the fastest and most accurate tests for minimizing the risk of compromised public health. The IDEXX tests are recognised by the Water regulatory bodies in Australia.
235 (a)	Sole Supplier		OM2021/06/30.09	IFM Efector Pty Ltd	48 083 423 938	Instrumentation (e.g. flow switches, pressure sensors, vibration sensors, etc.) & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2022/06/08.5	Inner Range Pty Ltd	26 007 103 933	Access control Systems, Intruder alarms	Council have Inner range systems installed throughout all of their corporate buildings and require technical support through from the provider.
235 (a)	Sole Supplier		OM2021/06/30.09	Innovative Filtration Solutions Pty Ltd	70 618 346 428	Dewatering screw press & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2022/12/14.12	Institute of Public Works Engineering Australasia Limited	42 087 934 898	Subscriptions to Public Works E-books and Nams etc	The IPWEA is on online Portal/Knowledge Centre used for staff training with workshops seminars and conferences which are issued randomly throughout the year for staff to attend.
235 (a)	Sole Supplier		OM2022/12/14.12	Institute of Public Works Engineering Australasia Queensland Ltd	84 244 523 855	Public Works Technical Subscription for Standard Drawings and membership. Professional association for infrastructure asset management and professionals who deliver public works and engineering services. Membership services include educational programs, conferences, technical publications, ADAC standards and peer networking both nationally and internationally.	Subscription to the Public Works Technical Subscription that includes Queensland Urban Drainage Manual, Lower Order Roads and Guidelines, Standard Drawings, Supervisors Handbook and Temporary Traffic Management Tool. The IPWEAQ is an online Portal/Knowledge Centre used for Staff Training with Workshops Seminars and Conferences which are issued randomly throughout the year for staff to attend. Annual Registraton of staff/members and online subscriptions are also paid by Council annually. The Institute of Public Works Engineering Australasia Ltd (IPWEA) is a peak membership association with many local governments as members. The IPWEA has formulated the ADAC (As Designed as Constructed) data specification platform which enables the efficient capture and storage of civil infrastructure asset data. It is open source and adopted widely by councils and utilities across Australia. ADAC is the industry standard for public works infrastructure.
235 (a)	Sole Supplier	500.2019.0108	OM2022/12/14.12	Intersystems (Asia Pacific) Pty Ltd	98 072 278 552	Flight information Data (FIDs) for Airport	Supplier of flight tracking information for aircraft movement in and out of PPP
235 (a)	Sole Supplier		OM2021/12/08.10	Invanion RapidPlan Pty Ltd	51 162 436 142	Software for the creation of professional traffic plans.	Legacy solution within Council.

Whitsunday Regional Council 'Sole Supplier' Register							
In accordance with the Local Government Regulation 2012 - Chapter 6 section 235 A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if— (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or (c) a genuine emergency exists; or (d) the contract is for the purchase of goods and is made by auction; or (e) the contract is for the purchase of second-hand goods; or (f) the contract is made with, or under an arrangement with, a government agency.							
LG Regulation Section	Exemption	Contract Number (if applicable)	Resolution Number	Supplier Name	ABN	Description of Product/ Service	Justification for Sole Supplier
235 (a)	Sole Supplier		OM2021/12/08.10	IPlatinum	36 002 322 910	The iArchive product that provides data extraction from the legacy Authority solution into a centralised database that Council accesses.	Part of original T1 project 2017.
235 (a)	Sole Supplier		OM2022/12/14.12	Island FM Whitsundays	61 285 700 216	Radio advertisements	Only local Whitsunday radio – there is GEM Fm in Bowen but it is a Bowen only station
235 (a)	Sole Supplier		OM2021/12/08.10	I2 Global ANZ Limited	68 862 858 673	efax services.	Legacy solution within Council.
235 (a)	Sole Supplier		OM2022/12/14.12	Jangga Operations Pty Ltd	33 159 813 751	Jangga Operations have an Indigenous Land Use Agreement with Council and from time to time need to provide Cultural Heritage Training and provide Cultural Heritage Survey Works.	Jangga Operations are responsible for the supply of Cultural Heritage Training and Surveys on Jangga Land in accordance with ILUA. No other indigenous agency can provide this training on Jangga Land.
235 (a)	Sole Supplier		OM2021/06/30.09	Krohne Australia Pty Ltd	78 079 700 066	Instrumentation (e.g. flowmeters) & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2021/06/30.09	KSB Australia Pty Ltd	29 006 414 642	Submersible pumps & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2022/12/14.12	Landfile Consultancy Pty Ltd T/A Insight GIS	80 059 212 798	Licensing, support, spatial datasets and professional services for the MapInfo GIS spatial product suite and FME spatial automation suite. The MapInfo product suite includes MapInfo, Discover3D, SSA and TrueView.	In 2021, Trillium Software Pty Ltd announced all local government licensing arrangements and support in Australia were going to be handled by Landfile Consultancy Pty Ltd T/A Insight GIS as the sole distributor for the MapInfo product suite. Due to the three year contract renewal being negotiated with Trillium Software Pty Ltd around the time of the handover, the licensing is paid to Trillium Software for MapInfo and SSA (\$55,000), but all support, services and licensing for TrueView (was created as a separate agreement prior) are provided by Landfile Consultancy Pty Ltd T/A Insight GIS. All contract renewals in the future will be through Landfile Consultancy Pty Ltd T/A Insight GIS. Other spatial product suites exist, however this will require a significant change to the organisation, conversion of existing data and re-training of the GIS team to learn a new product. LG Assist is an advertiser specific to local government.
235 (a)	Sole Supplier		OM2022/12/14.12	LG Assist ANZ Pty Ltd	75 632 529 545	LG Assist is an advertiser specific to local government.	Industry specialist.
235 (a)	Sole Supplier		OM2021/06/30.09	Lime Intelligence Pty Ltd	73 642 088 346	Monthly flight data and commercial data tracking system.	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/12/08.10	Livepro Australia Pty Ltd	92 095 140 775	Annual license cost for 3 users.	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/12/08.10	Mailchimp USA		Mailchimp plan for integration in the new website.	Existing solution within Council.
235 (a)	Sole Supplier		OM2021/06/30.09	Merck Pty Ltd	80 001 239 818	Laboratory equipment, reagents, and technical support for this equipment.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2022/12/14.12	MessageNet Pty Ltd	97 082 712 589	SMS messaging system that integrates with applications such as the Aurora Library system.	In 2008, the Libraries requested to add SMS messaging functionality from the Aurora Library system. The only current SMS platform that will integrate with the Aurora Library management system is MessageNet. Other options can be investigated for a development fee.
235 (a)	Sole Supplier		OM2021/12/08.10	Namecheap	USA	Jobs board application component.	Existing solution within Council.
235 (a)	Sole Supplier		NEW	BATESNTHOMAS Superannuation Pty Ltd T/As News Whitsunday	77 619 019 564	Purchase of newspapers & magazines for the Cannonvale Library	Only newsgent in the area
235 (a)	Sole Supplier		OM2022/12/14.12	NewsCorp (Courier Mail and The Australian)	25 617 620 196	News and advertorial service	We only advertise for specialised tenders to reach a specific target market
235 (a)	Sole Supplier		NEW	JJ and Me Nugent (Nugents Central Newsagency)	41 427 455 385	Purchase of newspapers & magazines for the Collinsville Library	Only newsgent in the area
235 (a)	Sole Supplier		OM2021/12/08.10	OneMusic Australia	42 000 016 099	Reader - Ability to assess environmental impacts reported by clients utilising the software to lodge assessable studies.	Existing solution within Council.
235 (a)	Sole Supplier		OM2022/12/14.12	Otis Elevator Company Pty Ltd	56 002 873 065	Maintenance and servicing of lift at Shute Harbour	Original installer
235 (a)	Sole Supplier		OM2021/12/08.10	Outback Imaging Pty Ltd	18 102 594 883	Scanners are used in HR/Payroll Bowen and Proserpine.	Hardware supported software.
235 (a)	Sole Supplier		OM2021/12/08.10	OzRunways	83 145 926 941	Provides planning, briefing, flight plan filing and moving map navigation with the ultimate in situational awareness.	CASA Recommended app for Remotely Piloted aircraft.
235 (a)	Sole Supplier		OM2021/12/08.10	Pacesetter Services Pty Ltd	80 955 178 191	200 Reports for Authority.	Part of Authority & TechOne solutions.
235 (a)	Sole Supplier		OM2022/06/08.5	Prospect Group Pty Ltd	61 082 593 315	Web hosting of flood warning cameras. Monthly fee of \$80 per camera with 5 currently installed, soon to be 6.	
235 (a)	Sole Supplier		OM2022/12/14.12	Queensland Regional Broadcasters Pty Ltd	39 122 696 753	Radio advertisements	Has a different primary demographic for their listeners, so we choose our supplier based on the campaign type
235 (a)	Sole Supplier		OM2022/12/14.12	Re.cycle Operations (Mackay) Pty Ltd	52 602 778 147	Re. Cycle processes commingled recycling through our Material Recovery Facilities. Re. Cycle develops, operates, and maintains our industry leading Material Recovery Facilities (MRFs) which process 'yellow bin' Re. Cycle processes kerbside co-mingled waste to recover and effectively extend the life of materials into products such as Cardboard, Mixed Paper, Ferrous metals, Non-ferrous metals, HDPE, PET Plastics and Glass. Recyclable Waste Disposal Location is Re. Cycle MRF in Mackay – this is where all our kerbside recyclables and recyclables from transfers stations are transported to for recovery. This site is our official disposal location as per our Waste and Recycling Collections Contract and is the one of two locations in the region. The other location is Townsville. The MRF is operated under contract with Mackay Regional Council and also accepts all kerbside recycling from Isaac Regional Council.	No other company for Materials Recovery Centre for our mixed recycling in the area.
235 (a)	Sole Supplier		OM2021/12/08.10	RMS	63 003 164 243	Booking system for Caravan Parks.	Legacy POS solution.
235 (a)	Sole Supplier		OM2021/06/30.09	Roto Pumps Limited	83 361 774 477	Dosing pumps & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2021/06/30.09	Rotork Australia Pty Ltd	56 006 859 598	Actuators & positioners & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2022/06/08.5	SafetyCulture Pty Ltd	16 089 180 049	I Auditor (Inspection and Job management software)	I Auditor is an existing system implemented within Council.
235 (a)	Sole Supplier		OM2021/12/08.10	SAI Global Pty Ltd	67 050 611 642	Providers of Australian and International Standards.	Sole provider of licenced products being Australian Standards.
235 (a)	Sole Supplier		OM2022/12/14.12	SANZAP Pty Ltd (Solus)	54 609 391 380	Annual software and supprt for eKiosks located at the Bowen, Cannonvale and Proserpine Libraries. Introduction of a Mobile Library App.	Both the eKiosks (legacy item) and Mobile Library App (proposed software) are full integrated with the Aurora Library Management Systems LCF APIs. SOLUS are the only 3rd party vendor that has developed and implemented Aurora LCF APIs.
235 (a)	Sole Supplier		OM2021/06/30.09	Schneider Electric (Australia) Pty Ltd	42 004 969 304	Variable speed drives & associated equipment & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		NEW	Schindler Lifts Australia Pty Ltd	19 005 838 773	Servicing, Maintenance and Repair services to one Schindler Lift lift located at the Proserpine Entertainment Centre.	Council Currently own and operate a Schindler lift at the Proserpine Entertainment Centre. There is currently no other suppliers that are able to provide and warrant servicing, Repairs and maintenance to this product. It is proposed that Council engage with Schindler directly for Maintenance and repairs to this lift.
235 (a)	Sole Supplier		OM2021/12/08.10	Seavus - Synami	USA	PayPal	Viewer for MS Project files - more cost effective than purchasing MS Project for users only required to view MS Project files.
235 (a)	Sole Supplier		OM2022/12/14.12	Seek Limited	46 080 075 314	Seek recruitment advertising	Seek is the leading recruitment advertiser. The advertiser is also integrated within the T1 solution
235 (a)	Sole Supplier		OM2021/06/30.09	Sew-Eurodrive Pty Ltd	27 006 076 053	Motors & gearboxes & technical support for this equipment, including training	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier	SDWRC30006521	OM2021/12/08.10	Smith Detection (Australia) Pty Ltd	66 088 868 062	Providers of X-ray scanning equipment for use in transport/transit facilities.	Existing equipment in place at Whitsunday Coast Airport and required for service, repairs and maintenance.
235 (a)	Sole Supplier		OM2022/12/14.12	Southern Cross Austereo Pty Ltd (Triple M & HIT FM)	78 109 243 110	News and advertorial service	We only advertise for specialised tenders to reach a specific target market

Whitsunday Regional Council 'Sole Supplier' Register							
In accordance with the Local Government Regulation 2012 - Chapter 6 section 235 A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if— (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or (c) a genuine emergency exists; or (d) the contract is for the purchase of goods and is made by auction; or (e) the contract is for the purchase of second-hand goods; or (f) the contract is made with, or under an arrangement with, a government agency.							
LG Regulation Section	Exemption	Contract Number (if applicable)	Resolution Number	Supplier Name	ABN	Description of Product/ Service	Justification for Sole Supplier
235 (a)	Sole Supplier		OM2023/06/07.5	TAMS Group Qld Pty Ltd	64 052 266 912	1. Development of offshore infrastructure maintenance agreement specification based on operations and maintenance (O&M) manuals and best practice for this type of infrastructure; and 2. Carry out early works critical defects on the offshore structure to make safe and in case of any major weather events.	TAMS Group Qld Pty Ltd were the original subcontractor on the Shute Harbour Redevelopment Project for all the offshore activity. They provided the current O & M manuals for the site and therefore best placed to compile the offshore infrastructure maintenance specification of the equipment to ensure proper and scheduled maintenance is conducted to prolong the life of the infrastructure. As they carried out the original construction of the offshore infrastructure as the subcontractor for Vassallo they have great knowledge and understanding of the design restraints of the infrastructure and have previously returned to site to rectify defects and provide advice. Their expert advice and experience would be a benefit to have these early works critical defects completed in a timely manner. This was all discussed at the Shute Harbour PCG Meeting conducted on 29th May 2023 with all attendees in agreeance that this was the best and advantageous outcome moving forward.
235 (a)	Sole Supplier		OM2022/12/14.12	Technology One Ltd	84 010 487 180	Additional support, professional services and licenses for modules within the existing ERP OneCouncil system as approved by the ICT Steering Committee. Support and licensing for existing legacy records management (ECM) and public development assessment portal (DA Track) systems.	In 2009 the Technology One ECM records and document management system was procured through a contract arrangement. Later in 2014 the ICON website and DA Track solution was awarded, then a few years later was acquired by Technology One. The DA Track solution integrates information from both ECM and the Authority system to display the requirements for public development assessment notification. In 2018 Technology One was successfully awarded a 5 year contract for their ERP system OneCouncil. Since that time each year major upgrades are completed on the SaaS solution and as a result new functionality is introduced, with some new modules that were not available at the time the original contract was drawn up. To take advantage of some of this new functionality Council has purchased and implemented some additional modules to extend the processes from manual to system based.
235 (a)	Sole Supplier		OM2021/06/30.09	Thermo Fisher Scientific Australia Pty Ltd	52 058 390 917	Instrumentation, lab equipment & reagents & technical support for this equipment, including training	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2021/12/08.10	Time Doctor		Time tracking software to help your team be more productive while working from home.	HR - Covid restrictions. Procured under BCP conditions.
235 (a)	Sole Supplier		OM2021/12/08.10	Trillium Software Pty Limited	72 070 811 013	Local Government Enterprise Program for MapInfo products - includes Foundation Pack, Spectrum Enterprise Pack, MapInfo Discover 3D bundle, Vertical Mapper and Integrations into Authority and ECM.	Many applications integrate with MapInfo data - it is the sole source of Council's GIS repository. Historical information saved in MapInfo files.
235 (a)	Sole Supplier		OM2021/12/08.10	Twilio		Allows SMS messages to be sent from OneCouncil.	Twilio is the messaging provider for Technology One - One Council system. This product is used to send messages to applicants during the recruitment process and employees regarding training events or other information, and reminders from the HRP system. There are costs savings in utilising the product which is already set up to integrate with the HRP system.
235 (a)	Sole Supplier		OM2023/06/07.5	Moss Family Trust T/As Uninet Enclosure Systems	71 478 780 512	* Pre-Season - Supply & Delivery of the Nets. * Onsite establishment of the Nets. * Establish anchor points. * Implement Net anchorage including ropes, fittings, pulleys and floats. * Net Cleansing & Maintenance * Removal of waste and debris as required. * Repair tears and damages to the Nets. * Post Season – Removal of the nets and anchorage points. * Re-Establish beach site to original state.	The product and material which Uninet provides comes in different sizes and importantly is equipped to suit configurations of variations in beach profiles. The two (2) systems both Fixed and Full is utilised throughout the beaches. The choice of either systems enable Council to implement the preferred system most suited to the topography and tidal variations. The strength and intensity of the current is a determining factor to the preferred system. In the event the net is extensively damaged, a replacement net is provided and installed by the supplier. There are numerous Councils which are engaged in the Uni-net Enclosure System, this includes Townsville, Cairns, Sunshine Coast, Gladstone, Gold Coast, Southport and Whitsundays.
235 (a)	Sole Supplier		OM2021/06/30.09	Vega (Marcon Agencies)		Instrumentation (e.g. flow switches, pressure sensors, vibration sensors, etc.) & technical support for this equipment, including training.	Water and Sewerage specialist supplier for maintenance and support.
235 (a)	Sole Supplier		OM2021/12/08.10	Velpic		Velpic is a Learning Management System (LMS) that hosts online training modules.	Velpic is the LMS that is supported by One Council. Council does not currently use an LMS but will require an online training platform when the Learning & Development Module is implemented.
235 (a)	Sole Supplier		OM2021/12/08.10	Vroom Vroom Vroom Pty Ltd.	19 050 417 037	Vroom Group own and operate online travel agencies (OTAs) in the car rental, motorhome, excess insurance, and car parking verticals globally. They are headquartered in Brisbane, Australia with regional operations based out of Singapore and the Philippines.	Provide a central point for Car hire engagement for tourism areas. Will be listed on WCA website.
235 (a)	Sole Supplier		OM2022/12/14.12	Water Industry Operators Association of Australia (WIOA)	27 302 677 808	Corporate Membership – Water Industry Operators Association of Australia (WIOA) The Water Industry Operators Association of Australia (WIOA) is the Peak Body nationally for people in operational roles in the water industry. With an expanding national membership base, WIOA facilitates the collection, development and exchange of quality operational information with its members and water industry stakeholders. The Association has over 4,400 members and produces several publications, develops technical resources, and conducts conferences, exhibitions, seminars and other events focused on "operators" annually. Members come from both the Private or Public Sector, and from every operational sector of the water industry. Along with treatment plant, networks and other operators, we have members from a variety of roles including operations management, engineering, urban design and planning, science, research, academia and energy.	Only national group for people in operational roles in the water industry. Other groups are at a state or local level only.
235 (a)	Sole Supplier		OM2022/12/14.12	Whitsunday News Newspaper	72 816 597 410	News and advertorial service	Whitsunday Life - one of two local newspapers circulating in region – we advertise in both and therefore don't get quote for each. We have set council rates for classified advertising and feature ads.
235 (a)	Sole Supplier		NEW	The trustee for The Scholz Family Trust T/As Xsite Constructions Pty Ltd	21 317 301 414	Social media influencer to increase brand awareness and encourage visitors to Lake Proserpine. Video 1 x 1 minute in length Matt to attend the kids fishing day at Lake Proserpine to appear in, and film fishing lessons with kids who receive a fishing rod as part of a giveaway run by Council. Video 2 x 1 minute Barramundi fishing guide for beginners – Matt to film on location and include his tips on equipment and ideal conditions to get you started with Barramundi Fishing at Lake Proserpine. Video 3 – 1 minute Video on the story of the golden barra – content to be workshoped.	We are looking to engage local fisherman Matthew Scholz who is a content creator/influencer who regularly fishes at Lake Proserpine to catch Barramundi. Matt's social media pages operate under the name of Pelagic Pursuit and he has a YouTube following of 74.5k, Instagram following of over 70k and 8.3k followers on Facebook. We wish to engage Matt as he's based in the Whitsundays, has a large social media following that reaches locals, interstate and international fishing enthusiasts and travellers. Matt is unrivalled in the Whitsundays in terms of his combination of Barra fishing experience and large social media following. We require his services to create three social media videos to be shared on Matt's social media pages and WRC social media pages with the intention of increasing brand awareness and to reach a specific niche group to encourage people to visit Lake Proserpine. By Matt sharing the videos on his social media pages, and appearing in the videos, the level of exposure for Lake Proserpine will be exponential.
235 (a)	Sole Supplier		OM2021/12/08.10	Yell IT	30 606 981 533	Security training software.	Security awareness training tool for all staff with an expected life of 2 years.
235 (a)	Sole Supplier		OM2021/12/08.10	Yodeck.com		Behind Council TV display control system.	Existing solution within Council.

11.9 - New Library Policies

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Robyn Batman - Team Leader - Bowen, Collinsville & Proserpine Libraries

AUTHORISING OFFICER: Julie Wright - Director Community Services and Facilitation

PRESENTED FOR: Decision

ATTACHMENTS

1. Library Collection Development Policy [11.9.1 - 28 pages]
2. Children and Young People in the Library Policy [11.9.2 - 3 pages]

PURPOSE

Outline the necessity of Council approved library policies that cover the development of the library collection and dealing with children and young people in the library.

OFFICER'S RECOMMENDATION

That Council:

1. Adopt the Library Collection Development Policy (Attachment 1).
2. Adopt the Children and Young People in the Library Policy (Attachment 3).

BACKGROUND

As a response to the recent uptake in challenges to library collections predominantly targeting LGBTQIA+ and sex education library materials in public libraries across Australia and as close to home as Mackay Regional Council, a robust and outward-facing Library Collection Development Policy (Attachment 1) is vital to assist library staff when dealing with these challenges when they arise.

With the increasing use of the libraries by families a Children and Young People in the Library Policy (Attachment 3) was developed to assist both the library staff and public when it comes to dealing with challenges to the suitability of some resources as well as children and young people attending the library on a daily basis.

DISCUSSION/CURRENT ISSUE

The Whitsunday Regional Libraries do not have a Library Collection Development Policy. This policy will ensure the library's collections meet the current and future informational, educational, recreational, and cultural needs of its customers and the Whitsunday community on an equitable basis. As well as serve as a guide to the principles followed by which the library's collections are selected, maintained, developed, deselected and to inform both Council and the community of these principles. By adopting the Library Collection Development Policy, Council will be supporting the management of a valuable Council asset for the benefit of the whole community.

Whitsunday Regional Libraries strive to provide welcoming, inclusive, and safe spaces for all and targeted resources and programs to meet the needs of children and young people. Through the adoption of a Children and Young people in the Library Policy that outlines how to deal with access to resources, unattended children, school aged children during school

hours and working with children checks, we can ensure the safety of customers and staff and the enjoyment of the library by everyone.

STATUTORY/COMPLIANCE MATTERS

Local Government Act 2009

Local Government Regulation 2012

Copyright Act 1968

Classification (Publications, Films and Computer Games) Act 1995

Libraries Act 1998

Child Protection Act 1999

Working with Children (Risk Management & Screening) Act 2000

STRATEGIC IMPACTS

Provide fun, welcoming spaces that connect and engage the community through a variety of innovative resources, programs and activities.

FINANCIAL IMPLICATIONS

Nil included within the 2023/24 Budget.

CONSULTATION/ENGAGEMENT

Director Community Services and Facilitation

RISK ASSESSMENT

Possible safety issues for both staff & public should the Policies not be adopted for implementation.

TIMINGS/DEADLINES

30 June 2024

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

This decision does not limit identified human rights.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Option 2	Not adopted	Nil	Negative impact on staff and the community when dealing with issues regarding the collection, as well as children and young people in the library.



Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

COUNCIL POLICY			
Date Adopted by Council		Council Resolution	
Effective Date		Next Review Date	
Responsible Officer(s)	Robyn Batman	Revokes	

Purpose

1. The purpose of this Policy is to:
 - 1.1. Ensure that the Library's collections meet the current and future informational, educational, recreational and cultural needs of its customers and the Whitsunday region's community on an equitable basis;
 - 1.2. Serve as a guide to the principles followed by which the Library's collections are selected, maintained, developed and deselected, and to inform the community and the Council of these principles;
 - 1.3. Define the responsibilities for the management of the Library's collections;
 - 1.4. Provide library collections to support Council's vision and mission and
 - 1.5. Support management of the valuable asset of the collection for the benefit of the whole community.

Scope

The Policy is applicable to the physical and digital library collections under the management of the Library.

Applicable Legislation

The Policy refers to *Copyright Act 1968* and *Classification (Publications, Films and Computer Games) Act 1995*.

Policy Statement

2. Policy

2.1. Guiding principles

The following principles underpin the Policy. These principles are informed by and committed to the principles of intellectual freedom and access as described in the Statement of Free Access to Information by ALIA and the IFLA Public Library Manifesto 2022. The Policy also draws on a wide range of broader documents, refer to Related Documents section (page 10).

- 2.1.1. Access – Our libraries will provide free, adequate and convenient access to all resources.
- 2.1.2. Equity – Our libraries' collection will reflect the spectrum of community views to support the information and recreation needs of the whole community, inclusive of differences in gender, sexuality, age, disability, ethnic origin or economic status. The Library will provide resources that respond to specific needs of the community, including those of





Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

CALD, First Nations, and LGBTQIA+ communities, those who cannot visit the library in person and those requiring accessible formats.

- 2.1.3. Participation – Our libraries actively encourage community participation and feedback.
- 2.1.4. Human rights – Our libraries recognise that access to information and ideas through books and other formats is a basic human right.
- 2.1.5. Cultural relevance – Our libraries will collect resources which support the library-related needs of all sections of our communities including support for the creation and sharing of local content and stories.
- 2.1.6. Quality and range – Our libraries will provide a wide range of materials with a strong focus on quality in terms of content and presentation.
- 2.1.7. Information and learning – Our libraries will support lifelong learning with the provision of up-to-date and accessible library resources in a variety of formats including the support of early literacy and the development of a love of reading.

2.2. Purpose and scope of the collection

The Library's collection supports the information, educational, recreational and cultural needs of our diverse communities by:-

- 2.2.1. Ensuring free equitable access to a variety of quality, relevant and current information, and literature resources, including physical and 24 hour digital access via user friendly catalogue and app;
- 2.2.2. Presenting a diversity of views and values to encourage critical and ethical thinking;
- 2.2.3. Encouraging independent and recreational reading, listening, and viewing;
- 2.2.4. Fostering an appreciation of literature and reading;
- 2.2.5. Being accountable and relevant and
- 2.2.6. For the collections aims, content and scope (refer Appendix 1 – The Collections).

3. Community

The Policy is designed to serve the specific and diverse needs of the Whitsunday community, both current and projected.

3.1. Population profile

The Whitsunday Region is located on the traditional lands of the Ngaro, Giya, Juru and Biri Nations and covers a land area of 23,819 km² with a geography that scatters approximately 38,580 (ABS ERP 2022) residents across 5 unique townships of Bowen, Airlie Beach, Cannonvale, Collinsville and Proserpine.

3.2. Active consultation

In addition, the Library actively consults with the community through:-

- 3.2.1. Codesign: Library staff, through daily and more formal contact with library patrons, gain insight into the needs of various communities. This approach focuses on listening to our patrons without guiding towards a specific question or agenda;





Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

- 3.2.2. Surveys: Customer Satisfaction Surveys are conducted regularly to elicit responses from library patrons regarding their wants and needs, likes and dislikes regarding library services, collections and programs;
- 3.2.3. Website and social media: The Library's website, through the online catalogue and app, encourages library patrons to submit suggestions for new resources. These suggestions are an important tool for selection choices. Council social media platforms play an integral role in promoting collections and stimulating interest within the community and
- 3.2.4. Circulation Data: The Library Management System identifies library material that is increasing or decreasing in popularity. This is used to identify over or under invested collections.

3.3. Censorship

- 3.3.1. It is not the role of the Library or its staff to censor items, except where material is classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995*.
- 3.3.2. Publications which have a defamation writ taken out against them will be withdrawn from the shelves.
- 3.3.3. Families and parental responsibility
It is the responsibility of parents or guardians to monitor the suitability of both physical and online library resources used by their children.

It is not the responsibility of the Library or its staff to exercise a supervisory or restrictive role in determining which library resources children or young people may use or access except where legal restrictions apply.

While the placement of material throughout the physical collection and the provision of access to online resources is carried out by library staff on the basis of professional knowledge and evaluation, this should be used as a guide only.

4. Acquisitions and Procurement

4.1. Selection principles

- 4.1.1. Acquisitions will be guided by our community.
- 4.1.2. Library staff will collect material of importance to the local community, with consideration for local creators.
- 4.1.3. Library staff will ensure that our collection is accessible.
- 4.1.4. Library staff will provide a collection which reflects the spectrum of community viewpoints.
- 4.1.5. The Libraries' collection will reflect all sections of our community.
- 4.1.6. The Libraries' collection will be in a broad range of formats.
- 4.1.7. Materials prohibited by law will not be included in the collection.





Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

- 4.1.8. Materials will not be rejected on moral, political, racial or religious grounds if they otherwise meet selection criteria.
- 4.1.9. Sustainable practices are followed in the acquisition of collection items and in the disposal of deselected material.

4.2. Selection criteria

The Library has a number of distinct collections to cover needs for:-

- 4.2.1. Readership e.g. age, language;
- 4.2.2. Topic/subject e.g. fiction, parenting material, indigenous materials, local history and
- 4.2.3. Format or material type e.g. large print, DVDs.

The purpose of selection criteria is to ensure that items included in the collection meet high standards of quality in both content and presentation (refer Appendix 1 – The Collections).

Selectors use the following criteria in choosing materials:-

- 4.2.4. Relevance and current community demand;
- 4.2.5. Popular interest;
- 4.2.6. Currency and accuracy of content;
- 4.2.7. Publication date;
- 4.2.8. Promotes DEI content and audiences;
- 4.2.9. Contemporary significance;
- 4.2.10. Enduring value;
- 4.2.11. Readability and style;
- 4.2.12. Extent of publicity and promotion;
- 4.2.13. Significance of subject matter, permanence, or timeliness of subject;
- 4.2.14. Local interest (author or subject);
- 4.2.15. Relationship and importance to the entire collection;
- 4.2.16. Circulation of similar materials;
- 4.2.17. Quality of presentation appropriate to the content and audience;
- 4.2.18. Suitability of format;
- 4.2.19. Price and availability;
- 4.2.20. Reviews in the professional and popular media and/or
- 4.2.21. Professional or literary reputation of the author, publisher or producer.

Where all other selection criteria are equal, material published or produced in Australia will be purchased with the exception of:-

- 4.2.22. Self-published works unless of a significant local relevance;
- 4.2.23. Textbooks or curriculum-based materials except when they meet the selection criteria and have broad community appeal;
- 4.2.24. Specialised, technical or academic publications;
- 4.2.25. Materials prohibited by law or
- 4.2.26. Rare or second-hand material unless of local historical significance.





Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

4.3. Selection methods

Selection based on the above listed criteria should be sourced from or confirmed as relevant by utilising recognised, or authoritative sources, or via community consultation:-

- 4.3.1. Publisher's websites;
- 4.3.2. Supplier aided selection tools or visits;
- 4.3.3. Commercial displays and websites;
- 4.3.4. Professional selection services;
- 4.3.5. Book reviews;
- 4.3.6. Bibliographies;
- 4.3.7. Circulation statistics;
- 4.3.8. Reputable journals and selection aids;
- 4.3.9. Suggestions for purchase or other community input and/or
- 4.3.10. Staff stock requests.

4.4. Standards for electronic collections expenditure

The library service is committed to providing electronic and digital collections and resources that meet the needs of the community. Electronic collections are accessible through an online public access catalogue 24 hours per day, seven days per week.

Calculation – Library service expenditure on Electronic Collections expressed as a percentage of total library service Collections Expenditure.

Expenditure on Electronic Collections	10% to 25%
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** Queensland Public Library Standards and Guidelines – 1 July 2020*

4.5. Budget

The relevant Library Team members are responsible for and must approve expenditure from the library budget in line with their financial delegations. Where budget limitations affect selection, priority is given to meeting the relevant needs at the time.

Resources will be procured from the most cost-effective supplier, after review of the reliability, convenience and service offered by the supplier.

The procurement of library materials complies with Council's Procurement Policy, in accordance with Council's principles of transparency and sound financial management and State Library of Queensland Service Level Agreement (SLQ SLA).

4.6. Donations

Unsolicited donations and gift materials are accepted on the understanding that they become the property of the Library. The Library reserves the right to use or dispose of the materials as deemed appropriate and items will only be added to the collection if they meet the relevant selection criteria.





Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

5. Collection Management

The Policy will provide a directive for the expenditure of the Library Boards' grant to Council to support the development of its Library Collection. The Library aims, at all times, to maintain a well-balanced, current and functional collection. The collection requires continuous revision and evaluation to ensure that it is relevant to local community needs and is in good physical condition.

5.1. Standards for collection usage

The library service provides collections that meet the information, education, recreation and cultural needs of the community, and support the development of lifelong learning. Library collections represent the widest possible coverage of subjects, formats and genres to cater for the diverse needs of the whole community, while adapting to emerging trends and formats as appropriate.

Calculation – Total annual library service Collection usage divided by population.

Usage of the Collection per capita	5.0 to 8.0
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* Queensland Public Library Standards and Guidelines – 1 July 2020

5.2. Standards for collection size

Guidelines issued by the State Library of Queensland (SLQ) indicate collections should be large enough to meet community needs, with proportions for adults and children relating to community demographics.

The minimum Physical Collection Size is 1,000 items per library facility.

Calculation – Total number of physical collection items divided by population.

Physical Collection items per capita	0.85 to 1.5
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* Queensland Public Library Standards and Guidelines – 1 July 2020

5.3. Standards for collection age

Library service collections require adequate and regular inflow of new titles to ensure their currency, accuracy, quality, appeal, and to assist in meeting changing community interests, trends and demands. Worn, incomplete and outdated materials are discarded as part of a regular evaluation program.

Calculation – Total library service acquisitions for the past 5 years divided by the total number of current physical items expressed as a percentage.

Physical Collection items purchased within the last 5 years	48% to 55%
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* Queensland Public Library Standards and Guidelines – 1 July 2020





Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

5.4. Evaluation of the collection

Library staff evaluate the effectiveness and success of the library collections through analysis of performance data, community, and staff feedback. Library staff also measure the success of the collection by analysing the following:-

- 5.4.1. Circulation data i.e. loans, returns and reservations;
- 5.4.2. Turnover statistics including percentage of items borrowed within a year of acquisition;
- 5.4.3. Online/digital usage and availability;
- 5.4.4. Age of collection;
- 5.4.5. Acquisition and discard rates and
- 5.4.6. Delivery time from supplier to shelf.

Evaluation reports are periodically generated to provide data useful to maintaining collection currency, condition, and relevance.

5.5. Deselection principles

Deselection or weeding refers to the planned removal of materials from the collection. Deselection is a logical consequence of collection evaluation. Deselection shall take place during stocktaking or ad-hoc throughout the year. Deselected materials shall be deleted.

5.6. Deselection criteria

The following criteria are considered in the deselection process:-

- 5.6.1. Item in poor physical condition;
- 5.6.2. Item is obsolete (superseded by a new edition, better source, more accurate information);
- 5.6.3. Insufficient use (including borrowing);
- 5.6.4. Age;
- 5.6.5. Items where the subject matter is no longer of current interest;
- 5.6.6. Unnecessary duplicate copies;
- 5.6.7. Licensing issues;
- 5.6.8. Relevance to the needs and demands of the community;
- 5.6.9. Item circulation and end of useful life (e.g. over 50 loans);
- 5.6.10. Online availability and/or
- 5.6.11. Capacity of library spaces.

It is acknowledged that these criteria may not be equally relevant for all collections. Such as, North Queensland Collection / Zonta Collection are exempt from standard deselection criteria.

Magazines and periodicals may be deselected when new issues are received, noting that magazines are generally kept for 12 months only.

5.7. Responsibility for deselection

Nominated Library staff are responsible for deselection.





Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

5.8. Disposal guidelines

Discarded material, including unsolicited donations, in poor physical condition, out-of-date or containing inaccurate information, will be disposed of while abiding to sustainability principals, and will be recycled where possible.

Discarded material, including unsolicited donations, in decent condition may be:-

- 5.8.1 Included in Library book sale;
- 5.8.2 Donated to community groups, social or civic organisations or
- 5.8.3 Given away at community events.

5.9. Replacement items

Titles missing or withdrawn or deleted from the library's collection are not automatically replaced. The decision to replace items is based on the following criteria:-

- 5.9.1. The item is still available for purchase ;
- 5.9.2. Availability of other copies or editions in the collection including electronically;
- 5.9.3. Community interest/ongoing demand;
- 5.9.4. Adequacy of coverage in the subject area ;
- 5.9.5. Cost and availability;
- 5.9.6. Usage of previous copy/ies;
- 5.9.7. Part of series and
- 5.9.8. Currency.

5.10. Complaints or challenges

Patrons may from time to time bring to the attention of library staff material they think should not be part of the library collection.

It should be noted that the Library has a right and duty to keep on its shelves a representative selection of materials. These materials will cover topics of interest to its readers which are not prohibited by law and may include a range of opinions and controversial subjects.

If a complaint arises regarding library resources the following steps shall be taken:

- 5.10.1. The complainant will initially discuss the matter with the relevant Library Team member and resolution of the issue is sought at this level;
- 5.10.2. If the matter cannot be resolved at the initial discussion, the complainant is asked to document their concerns on the appropriate form "Request for Reconsideration of Library Resource", No further action will be taken until the form is returned;
- 5.10.3. A resolution to the matter will be sought in line with Council's General Complaints Management Policy and
- 5.10.4. A written response will be provided by the relevant Library Team member with provision made for discussion with the complainant if requested.





Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

5.11. Review of the collection

A stocktake of the Library collection is undertaken every three years or when resources permit. Stocktaking is undertaken to ensure that the database and collections are as closely matched as possible and ensures the ongoing accuracy and integrity of the collections.

Definitions

ABS refers to the Australian Bureau of Statistics

ALIA refers to Australian Library and Information Association

CEO refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*

Children and Young People refers to members and patrons under 18 years of age

Council refers to the Whitsunday Regional Council

Employee refers to any employee, contractor, volunteer etc. of the Council

IFLA refers to International Federation of Library Associations and Institutions

LGA refers to Local Government Area

Library refers to the Whitsunday Regional Libraries

Policy refers to the Library Collection Development Policy

SLA refers to Service Level Agreement

SLQ refers to State Library of Queensland





Library Collection Development Policy

Community Services and Facilitation
[Policy Number]

Related Documents

[Statement on free access to information by the Australian Library and Information Association](#)
[IFLA Public Library Manifesto 2022](#)
[Council Procurement Policy](#)
[Queensland Public Library Standards and Guidelines](#)
[ALIA/APLA Standards and Guidelines for Australian Public Libraries](#)
[Council General Complaints Management Policy](#)
[Aboriginal and Torres Strait Islander Library, Information and Resource Network \(ATSILIRN\) Protocols for Libraries, Archives and Information Services](#)
[Australian Classification Guidelines](#)
[ALIA Statement on Information Literacy for All Australians](#)
[Library Access to Computers, Internet and WiFi in Council Libraries Policy](#)
[Council Human Rights Policy](#)
[Library Visitor Conditions of Entry Policy](#)

The Library wishes to acknowledge those libraries that have made their collection development policies freely available. Current research and the collection policies of other public libraries were also considered in the development of this policy.

Human Rights Compatibility Statement

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

Appendices

Appendix 1 – The Collections





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Appendix 1 – The Collections

Adult Collections

These collections have been developed to meet the specific cultural, information and recreational needs of the adult and young adult community.

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Adult Fiction	To provide access to current adult fiction and selected classic works to accommodate a broad variety of reading interests The Adult Fiction collection is complemented by the Library's online resources	- Current fiction and selected classics - Generally, single copies only are purchased, however, duplication of titles may be considered when demonstrated demand dictates - Material with the emphasis on the general, non-professional reader - Popular genres e.g. detective and mystery stories, historical fiction, suspense fiction, family sagas, love stories, science fiction, fantasy, etc. - Popular series titles - Comprehensive selection of titles by major Australian authors - National and international award-winning novels	Material is out of date, out of print, published in an unsuitable format, too expensive, yet to be published in Australia	For loan
Adult Non-Fiction	To provide access to current and accurate informational resources for enjoyment, leisure, recreational reading,	- Current, popular materials and standard works in broad subject categories - Material covering subjects of high interest or emerging issues	Material is out of date, out of print, published in an unsuitable format, too expensive, yet to be published in Australia	- For loan - To ensure equity of access the library reserves the option





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
	life-long learning, and information provision The Adult Non-fiction collection is complemented by the library's online resources	- Materials with the emphasis on the general, non-professional reader - Materials that originate from, or refer to, Australia - Generally, single copies only are purchased, however, duplication of titles may be considered when demonstrated demand dictates	- There are already suitable alternative titles in the collection on the subject - The item is a textbook or prescribed text not considered to be the most appropriate information resource for the subject area - The item is of a highly technical or specialised nature which is unlikely to be widely used - Material is a multi-volume set unsuitable for a lending collection	to limit the number of titles which may be borrowed from a subject area identified as in high demand
Large Print	To meet the needs of members of the community unable to read normal size print	- Current material and selected classics - Popular fiction and some high demand non-fiction subject categories - Material with the emphasis on the general, non-professional reader - The collection may complement the Adult Non-Fiction and Adult Fiction collections by supplementing titles in these collections thus creating greater availability of popular works	- Material is out of date, out of print, published in an unsuitable format, too expensive, yet to be published in Australia - Generally, requests for purchase are not accepted for this collection	For loan





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
		- A selection of titles by major Australian authors - Generally, single copies only are purchased, however, duplication of titles may be considered when demonstrated demand dictates		
Graphic Novels and Comics	To provide reading material in this popular and alternative format to add to the diversity of the collection	- Monographs, stand-alone titles and collected editions - High quality format - Award winners (Australian and worldwide) - Popular genres and series - Popular series titles	- A comic which is published as a serial - Material is out of date, out of print, published in an unsuitable format, hard to source or too expensive, or not yet published in Australia	For loan
Circulated Adult Miscellaneous Items	This collection is intended to provide recreational, educational, or information materials in various formats	Kits, board games, game cartridges or disks	Items out of date, out of print, in an unsuitable format, too expensive, not available in Australia	For loan in some branches
Non-Circulated Adult Miscellaneous Items	This collection is intended to provide recreational, educational, or informational materials in various formats or supplement collection	Kits, consumables, in-branch resources that fall outside of these collections e.g. knitting tools	Items out of date, out of print, in an unsuitable format, too expensive, not available in Australia	Not for loan





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Junior Collections

These collections have been developed to meet the specific cultural, information and recreational needs of young people under the age of 13.

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Junior Fiction	To provide access to current junior fiction and selected classical works to accommodate a broad variety of interests The age group served by this collection spans the years from 8 to 12 years	• Story books containing illustrations that enhance the text • Award winners (Australian and worldwide) • Popular and best-seller titles • Popular series titles • Children's classics	• Material is out of date, out of print, published in an unsuitable format, too expensive, yet to be published in Australia	• For loan
Junior Non-Fiction	To provide the community with access to current and accurate information resources It is complemented by the library's online resources The age group served by this collection is up to 12 years	• Current, popular material and standard works in broad subject categories • Material covering subjects of high interest or emerging issues with little emphasis on school curriculum support • Materials that originate from, or refer to Australia • Generally, single copies only are purchased, however, duplication of titles may be considered when demonstrated demand dictates	• Material is out of date, out of print, published in an unsuitable format, too expensive, yet to be published in Australia • There are already suitable alternative titles in the collection on the subject • The item is a textbook or prescribed text not considered to be the most appropriate information resource for the subject area	• For loan • To ensure equity of access the library reserves the option to limit the number of titles which may be borrowed from an area identified as being in high demand





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Easy Readers / Picture and Board Books	To provide access to quality picture and board books that encourage and promote the enjoyment of reading	• Story books where illustrations are the primary focus • Award winners (Australian and worldwide) • Popular and best seller titles • Fiction and Non-fiction • Children's classics	• Material is out of date, out of print, published in an unsuitable format, too expensive or yet to be published in Australia	• For loan
Beginner Readers	To provide access to graduated readers for use in the development of literacy skills	• Focus on children learning to read with a variety of learning needs, e.g. phonics, dyslexic font • Titles that form a part of a graduated reading scheme	• Material is out of date, out of print, published in an unsuitable format, too expensive or yet to be published in Australia	• For loan
Junior Comics / Graphics	This age-appropriate collection is intended to provide reading material in a popular and alternative format to add to the diversity of the collection	• Monographs, stand-alone titles and collected editions • High quality format • Award winners (Australian and worldwide) • Popular genres and series • Popular series titles	• Item is a comic which is published as a serial • Material is out of date, out of print, published in an unsuitable format, hard to source, too expensive or not yet published in Australia	• For loan





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Circulated Junior Miscellaneous Items	Age-appropriate collection intended to provide recreational, educational, or information materials in various formats	Kits, board games, game cartridges or disks, puzzles	Items out of date, out of print, in an unsuitable format, too expensive or not available in Australia	For loan in some branches
Non-Circulated Junior Miscellaneous Items	Age-appropriate collection intended to provide recreational, educational, or informational materials in various formats or supplement Junior collection	Kits, F5F resources, consumables, in-branch resources that fall outside of these collections e.g. puppets, trays	Items out of date, out of print, in an unsuitable format, too expensive or not available in Australia	Not for loan





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Young Adult Collections

These collections have been developed to meet the specific cultural, information and recreational needs of young people within the 13-18 year age group.

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Young Adult Fiction	To provide access to current young adult fiction and selected classical works to accommodate a broad variety of reading interest	- Current fiction and selected classics - Popular and best-seller titles - Popular series titles - Popular genres - Award winners (Australian and worldwide) - Generally, single copies only are purchased, however, duplication of titles may be considered when demonstrated demand dictates	Material is out of date, out of print, published in an unsuitable format, hard to source or too expensive or not yet published in Australia	For loan
Young Adult Non-Fiction	To provide a small selection of teenage specific non-fiction information resources and leisure material	Popular non-fiction aimed directly at young adults	- Material is out of date, out of print, published in an unsuitable format, too expensive or yet to be published in Australia - There are already suitable alternative titles in the Library collection	For loan





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Circulated Young Adult Miscellaneous Items	This collection intended to provide recreational, educational, or information materials in various formats	Kits, board games, game cartridges or disks	Items out of date, out of print, in an unsuitable format, too expensive or not available in Australia	For loan in some branches
Non-Circulated Young Adult Miscellaneous Items	This collection intended to provide recreational, educational, or informational materials in various formats or supplement collection	Kits, consumables, In-branch resources that fall outside of these collections e.g. snap circuits	Items out of date, out of print, in an unsuitable format, too expensive or not available in Australia	Not for loan





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Magazines, Periodicals and Newspapers

These collections have been developed to meet the specific cultural, information and recreational needs of the community.

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Magazines and Periodicals	To provide a current, topical resource that complements and supports the monograph collection	- General, popular and specialist periodicals are purchased to reflect customer needs and preferences at each individual branch - Material for children is included as part of this collection - An emphasis is placed on providing the Australian edition where possible - Periodicals relevant to the area, newsletters and journals of local groups	- Material is out of date, out of print, published in an unsuitable format, too expensive or yet to be published in Australia - The item is of a highly technical or specialised nature which is unlikely to be widely used	- For loan - Reference periodicals are for unrestricted use within the library
Newspapers	To provide Australian, International and local current and topical information	Appropriate to demographics of each individual branch	Requests for purchase are not accepted for this collection	Not for loan





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Indigenous Collection

This collection has been developed to provide material by, about, and for Aboriginal and Torres Strait Islander peoples and recognises their moral and cultural rights as owners of their knowledge.

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Indigenous Collection	To be instrumental in the preservation of Aboriginal and Torres Strait Islander knowledge, whilst respecting traditions and restrictions required by the Aboriginal and Torres Strait Islander culture	- Material mainly sourced from reputable Aboriginal and Torres Strait Islander publishers - Material covering subjects of high interest or emerging issues - Material with the emphasis on the general, non-professional reader - Material with cultural sensitivity - Spans from junior to adult content - Collection to give priority to material that relates to local region and Queensland communities	- Material is out of date, out of print, published in an unsuitable format, too expensive or yet to be published in Australia - The item is of a highly technical or specialised nature which is unlikely to be widely used	For loan

LOTE

The Whitsunday LGA has a small multicultural presence speaking a wide variety of languages. 16.3% of the population were born overseas with the majority (5.4%) emigrating from North-West Europe and 6.8% speaking a language other than English at home.

As a result, the demand for community languages material has always been fairly low. It is recognised however, that a small demand for recreational and cultural reading, viewing and listening in languages other than English does exist for non-English speaking communities and our libraries are responsive to community needs and requests and hold a small collection of physical LOTE materials. Community language material is periodically requested from SLQ on bulk loan. In addition to physical LOTE resources, community languages are supplemented by Library online resources.





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Reference Collections

These collections have been developed to meet the specific cultural and information needs of the community. They comprise a general collection as well as the specialised North Queensland collection.

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
General Reference	To provide the community with access to current and accurate research resources This collection is complemented by online resources	• Authoritative source • Popular and specialised materials across a broad range of subject areas will be selected, with greater depth as guided by local interests • Material for children is included as part of this collection • Material with the emphasis on the general, non-professional reader • Highly transient information will be updated regularly • Preference will be given to materials that originate from or refer to Australia	• The item is of a highly technical or specialised nature which is unlikely to be widely used • Generally requests for purchase are not accepted for this collection • Non-Print materials are generally not selected for this collection due to difficulties with access and equipment • Materials may be excluded, or purchased less regularly, if the items are too expensive	• This is a non-lending collection • Materials may be available for transfer to other branches for use within the library • Collections vary in their depth according to local needs
North Queensland	Provides a unique historical resource for the local and regional area	• Material in any format relating to historical value in the region	• Materials may be excluded, or purchased less regularly, if the items are too expensive	• For loan





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Named Collections

These collections are associated with "named" individuals or institutions, generally acquired through donation or bequest.

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Zonta Collection	To provide information, self-help and affirmation for women and families	Material donated by the local Zonta Club in Cannonvale	Material is not donated by Zonta Club	For loan

Non Print Collections

These collections have been developed to meet the specific cultural, information and recreational needs of the community. New formats will be considered as they become available.

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Audio Books	To meet the needs of those who have sight impairment, are physically unable to hold a book, have difficulty reading, or need literacy support This collection is available for use by all Library members	- Current material and selected classics - Popular fiction and some non-fiction subject categories - Material with the emphasis on the general, non-professional reader - Unabridged material - The collection is supplemented by bulk inter-library loan from the State Library of Queensland	Material is out of date, published in an unsuitable format, too expensive or yet to be published in Australia	For loan





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Videos on DVD	To provide access to current material and selected classical works on DVD to accommodate a broad variety of viewing interests	- Current film and television material and selected classics - Recreational, selected documentaries and DIY material - Material for children is included as part of the collection	- Material is out of date, published in an unsuitable format, too expensive or yet to be published in Australia - The item is of a highly technical or specialised nature which is unlikely to be widely used	- For loan - Loan limits apply in some branches
Music on CD	To provide access to popular, selected classical works and works by selected local artists to accommodate a broad variety of listening interests	- Limited recorded music for recreation and education - Current material and selected classics - All styles of music will be considered for the collection - Material for children is included as part of the collection	Material is out of date, published in an unsuitable format or too expensive	- For loan - Loan limits apply in some branches





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Online Collections

These collections have been developed to meet the specific cultural, information and recreational needs of the community. New formats will be considered as they become available.

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
Online databases	To complement the physical Reference and Non-Fiction collections through online databases, and meet the cultural, informational, and recreational needs of the Whitsunday community	• Authoritative source • Materials which cover subjects of high interest or emerging issues • Well designed for easy access and browser compatibility • Appropriate authentication available for user access • Some materials may be appropriate for in-library use only	• Is already accessible to the Whitsunday community via the State Library of Queensland or the National Library of Australia portals • Too expensive • Terms and Conditions of access are unacceptable to the Library • Requires special equipment • Poorly designed interface or platform or content not updated regularly • Can only be installed on a single workstation • Access is restricted to in-library use only, unless deemed appropriate • The resource is of a highly technical or specialised nature and unlikely to be widely used	• Via the Library computers • Via the Library App for remote access by library members as appropriate





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Collection	Aim	Content/Scope	Reason for non-inclusion	Access
eBooks	To complement the physical Fiction and Non-Fiction collections, and meet the cultural, information and recreational needs of the Whitsunday community	• Current material and selected classics • Popular fiction and high demand non-fiction subject categories • Material with the emphasis on the general, non-professional reader • Items with professional production standards and no loan restrictions are preferred • Material for children and young adults is included as part of the collection	• Too expensive • Terms and Conditions of access are unacceptable to the Library • Requires special equipment • Poorly designed interface or platform or content not updated regularly • Access is restricted to in-library use only • The resource is of a highly technical or specialised nature and unlikely to be widely used	• For loan • Loan limits apply





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

eAudiobooks	To complement the physical Fiction and Non-Fiction collections, and meet the cultural, information and recreational needs of the Whitsunday community	- Current material and selected classics - Popular fiction and high demand non-fiction subject categories - Material with the emphasis on the general, non-professional reader - Items with professional production standards and no loan restrictions are preferred - Material for children and young adults is included as part of the collection	- Too expensive - Terms and Conditions of access are unacceptable to the Library - Requires special equipment - Poorly designed interface or platform or content not updated regularly - Access is restricted to in-library use only - The resource is of a highly technical or specialised nature and unlikely to be widely used	- For loan - Loan limits apply
Collection	Aim	Content/Scope	Reason for non-inclusion	Access
eMagazines and Newspapers	To complement the print magazine and newspaper collections in providing a current and topical resource, and meet the cultural, information and recreational needs of the Whitsunday community	Variety of content chosen and supplied by specified ePlatform supplier	- Material is not available by specified ePlatform supplier - Poorly designed interface or platform or content not updated regularly	For loan with option to read online or download for offline reading
eMovies and eMusic	To compliment the physical range of DVDs and CDs to accommodate a broad variety of viewing and listening interests	Variety of content chosen and supplied by specified ePlatform supplier	- Material is not available by specified ePlatform supplier - Poorly designed interface or platform or content not updated regularly	For loan with option to view or listen online or download for offline viewing and listening





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Interlibrary Loans

Items unavailable or not purchased may be sourced via an Interlibrary loan request. The responsibility rests with the user to provide adequate details regarding the item. Interlibrary loans are not available from educational institutions therefore, textbooks and course material are unable to be requested. Fees and charges apply to procured items and must be paid at the time of collection. Conditions imposed by the lending library will apply.

Loans to Other Libraries

The Library will loan books which are not in high demand to other libraries. The Library does not lend non-circulating or non-print items.





Library Collection Development Policy

Community Services and Facilitation

[Policy Number]

Glossary of Terms

Access	Finding, identifying, retrieving, viewing, obtaining, or using a collection item
Acquisition	The process of acquiring an item for the collection
CALD	Culturally and Linguistically Diverse
Content	Selection criteria in which the intellectual substance or subject matter of a work is evaluated for historical and cultural significance, research value, authority, and quality
DEI	Diversity, Equity and Inclusion
Donation	Unsolicited, voluntary, non-remunerated transfer of a physical item
Format	A work's physical or electronic form
General Reference Collection	The State Library's collection of print and electronic resources covering all subjects including dictionaries, atlases, statistical yearbooks, biographical dictionaries, handbooks, encyclopedias, bibliographies, and indices. Subject-specific reference works of general interest are also included
Intellectual Freedom	A longstanding principle of libraries derived from the United Nations Universal Declaration of Human Rights, Article 19. <i>Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers</i>
Inter-Library Loan	A collaborative service which allows works in physical formats to be borrowed by another library for use by a library customer; inter-library loans are made available for use in the receiving library
Item	Any work regardless of format
LGBTIQA+	Lesbian, gay, bisexual, transgender, intersex, queer, asexual and other sexually or gender diverse
LOTE	Languages other than English
Materials	Overarching term to identify works typically held by libraries - books, magazines, newspapers, journals, pamphlets, maps, plans, charts and tables, printed music, records, cassettes, films, video and audio tapes, CDs, DVDs
Named Collections	Refers to all or part of a major collection associated with a 'named' individual or institution, generally acquired through donation or bequest
Publication	Described by the Copyright Act 1968 as ' <i>...a work, shall be deemed to have been published if ... reproductions of the work or edition have been supplied (whether by sale or otherwise) to the public</i> '
Selection	The process of deciding which works should be acquired for the Library collections
Significance	The meaning and values of an item or collection, or what makes it important. Significance is the historic, aesthetic, scientific and social values that an item or collection has for past, present, and future generations





Children and Young People in the Library Policy

Community Services and Facilitation
[Policy Number]

COUNCIL POLICY			
Date Adopted by Council		Council Resolution	
Effective Date		Next Review Date	
Responsible Officer(s)		Revokes	

Purpose

The purpose of this policy is to determine guidelines for all stakeholders, including staff and the public, in relation to the presence of children and young people within the Whitsunday Regional Libraries.

Scope

The policy is applicable to all library premises of the Whitsunday Regional Council, employees, and library patrons.

Applicable Legislation

The policy refers to the *Libraries Act 1988*, *Child Protection Act 1999*, *Working with Children (Risk Management & Screening) Act 2000* and *Classification (Publications, Films and Computer Games) Act 1995*.

Policy Statement

Whitsunday Regional Libraries are committed to serving the information, educational, recreational, and cultural needs of children and young people. The Library strives to provide a welcoming, inclusive and safe environment for all and provides targeted resources and programs to meet the needs of children and young people.

The Library has a duty of care to ensure the safety of customers and staff, and enjoyment of the library by all. A commonsense approach to customer service is recommended at all times. The Library requires that customers take responsibility for their behaviour or actions while on library premises. The behaviour of young people on library premises is the responsibility of the young people themselves, their parents/carers, any responsible person accompanying them and if in a school group, their teachers, supervisors, and the school which they attend.

1. Access to resources

- 1.1. The Library encourages parents/carers to set their own family rules in consultation with their child. It is the responsibility of parents/carers to monitor the suitability of both physical and online library resources used by their children. Library staff are available to help children and their parents/carers effectively navigate collections.
- 1.2. It is not the responsibility of the Library or its staff to exercise a supervisory or restrictive role in determining which library resources children or young people may use or access, except where material is classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995*.





Children and Young People in the Library Policy

Community Services and Facilitation
[Policy Number]

- 1.3. Library materials which are not classified, or are classified "Unrestricted", "General" or "PG" (Parental Guidance) are available to all library users. Items that have a classification of "MA15+" are legally available to members who are 15 years of age and over. Items that have a classification of "R" (Restricted Audience over 18 years) are restricted and available only to library users who are 18 years of age and over.
- 1.4. The Library protects the public's right to know, and does not monitor or control the content of materials offered through the internet. Internet content and activity is not censored or screened by use of filtering software. Responsibility of use of public computers lies solely with parents/carers. Please refer to the Access to Computers, Internet and Wi-Fi in Councils' Libraries Policy for more information regarding the conditions of internet use.

2. Unattended children

- 2.1. Unsupervised children can be at risk in any public place, including public libraries. Library staff do not supervise children in the library and there is a risk that unattended children may leave the library at any time, hurt themselves or be approached by strangers. Please refer to the Library Visitor Conditions of Entry Policy for more information relating to unsupervised children.
- 2.2. It is required that children aged 0 – 8 years of age are directly supervised by a parent/carer at all times whilst in the library or when attending an organised children's activity.
- 2.3. Parents/carers of children aged 9 to 12 years of age must remain in the Library.
- 2.4. If Library staff discover an unattended child on library premises the staff member will endeavour to contact a parent, carer or educator responsible for the child to collect the child. If such an arrangement cannot be made, the child will be considered at risk and the Queensland Police Service will be contacted.

3. School aged children during school hours

- 3.1. Library staff may request to view a School ID Card and will contact the Truancy Officer or appropriate person from the school or parent, should school aged children be in the library during school hours.

4. Working with children checks

- 4.1. Council requires library staff, volunteers and contractors who work directly with children to hold a current Blue Card (issued by Department of Justice and Attorney-General).

Definitions

CEO refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*.

Council refers to the Whitsunday Regional Council

Employee refers to any employee, contractor, volunteer etc. of the Council

Library refers to the Whitsunday Regional Libraries





Children and Young People in the Library Policy

Community Services and Facilitation
[Policy Number]

Child/Children refers to children aged from birth to 12 years

Young person/people refers to young adults aged from 13 to 18 years

Patron refers to anyone using a Whitsunday Regional Library

Parent/Carer refers to a parent, an assigned adult or young person 16 years or over

School Aged Children refers to children or young adults aged from 5 to 18 years

Unattended refers to not in the immediate company of a responsible parent or carer

Unsupervised children refers to children under the age of 13 years who cannot identify their parent/carers to library staff

Related Documents

[Access to Computers, Internet and Wi-Fi in Council Libraries Policy](#)

[Library Visitor Conditions of Entry Policy](#)

[WRC Child Protection Risk Management Policy](#)

Human Rights Compatibility Statement

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.



11.10 - Donation Request - Mt Coolon Community Christmas Tree

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Brooke Newell - Community Development Officer

AUTHORISING OFFICER: Julie Wright - Director Community Services

PRESENTED FOR: Decision

ATTACHMENTS

1. 2023 WRC Donation request to Mt Coolon Community Christmas Tree redacted
[11.10.1 - 5 pages]

PURPOSE

Council to consider a request for donation from the Isolated Children's Parent's Association Queensland Inc. Belyando/Mt Coolon Branch to provide entertainment for the Mt Coolon Community Christmas Tree.

OFFICER'S RECOMMENDATION

That Council approve a donation of \$2,000 to assist the Isolated Children's Parent's Association Queensland Inc. Belyando/Mt Coolon.

BACKGROUND

The Mt Coolon Community Christmas Tree is held annually at the Mt Coolon Community Centre and brings the local Mt Coolon community together at the end of the year to enjoy a fun-filled night to relax and celebrate the year that was.

The Isolated Children's Parent's Association Queensland Inc. have advised the Mt Coolon rural community don't often have the chance to "take a break" from the relentless workload and conditions associated with daily life on remote properties. Accordingly, the Mt Coolon Community Christmas Tree has been essential in aiding the social interaction, connectedness, and mental health of the local and surrounding community. It allows people in the community to come together and enjoy each other's company, forgetting the surrounding conditions and workload for one night or reach out to others and discuss matters.

Council provided financial support in 2019 to the amount of \$4,370, 2021 to the amount of \$3,920 and 2022 to the amount of \$3,651 for this event by providing entertainment through rides for both adults and children.

DISCUSSION/CURRENT ISSUE

The Mt Coolon Christmas Tree has previously had a positive impact on the remote community. The event organisers wish to continue the event in 2023. In the past, the event has raised the community spirit at a significant time of the year.

The organising committee wish to continue the event for the Mt Coolon community and have approached Council for financial support in 2023.

The request for donation is \$4,600 and it is recommended that Council provide a donation of \$2,000 toward the supply of various inflatables and accessories for the enjoyment of the children attending.

Please note, both Bowen and Collinsville have received \$2,000 donation for each their Christmas activities.

STATUTORY/COMPLIANCE MATTERS

Local Government Act 2009

Local Government Regulation 2012

STRATEGIC IMPACTS

Provide fun, welcoming spaces that connect and engage the community through a variety of innovative resources, programs, and activities.

FINANCIAL IMPLICATIONS

The funds will be taken from JC: 2967.11074 – Community Donations (2967) / Donations (11074).

Description	Amount (\$)
2023/24 Budget	120,000
Actual + Commitment	55,985
YTD remaining budget	64,015

CONSULTATION/ENGAGEMENT

Director Community Services

RISK ASSESSMENT

There is a financial cost to Council, however the assistance provided will support the activities for a remote community in the Whitsunday Region.

TIMINGS/DEADLINES

To be paid within one month of approval date.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This is page 176 of the Agenda of Council's Ordinary Council Meeting - 13 December 2023



This decision does not limit the above identified human rights.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Option 2	Not provide support .	Save Council \$4,600.	Negative public comment from organisers and community.
Option 3	Provide amount requested.	Positive public comment from organisers and community.	Increased spend to the annual budget plus possible negative comment from other townships.

ICPA Qld

Isolated Children's Parents' Association Queensland Inc.

Belyando / Mt Coolon Branch



Whitsunday Regional Council
PO Box 104
Proserpine Q 4800

Wednesday 15th November 2023

Attn: Community Development

Dear Mayor Hall, Councillor Wright and Fellow Councillors,

RE: Request for financial assistance

We are writing to seek financial assistance for the annual Mt Coolon Community Christmas Tree due to be held on Saturday, 9th December 2023. The Mt Coolon Community Christmas Tree is held annually at the Mt Coolon Community Centre and brings the local Mt Coolon Community together at the end of the year to enjoy a fun-filled night to relax and celebrate the year that was.

Mt Coolon Community is a rural community in which members don't often have the chance to "take a break" from the relentless workload and conditions to socialise. Accordingly, the Mt Coolon Community Christmas Tree has been essential in aiding the social interaction, connectedness and mental health of the Mt Coolon Community. It allows people in the community to come together and enjoy each other's company, forgetting the surrounding conditions/workload for one night or reach out and talk about it.

The last few years we have been very fortunate to receive drought/community funding and WRC donations allowing us to make the Mt Coolon Christmas Tree just that little bit extra, a lift in the surrounding atmosphere, successfully raising the community spirit and wellbeing, especially around a significant time of year. We have been able to provide entertainment through rides for the kids and a band for music.

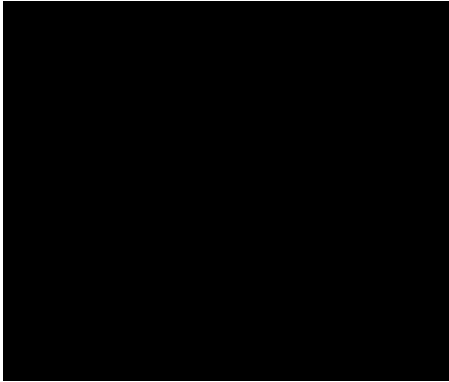
The feedback and appreciation not only from locals, but suppliers and visitors has been overwhelming in the success of the night. Many community members have confided just how much being able to come together in a bright, light-hearted atmosphere has supported and helped them through a difficult/busy time of year. From an "outsider's" perspective, they are in awe of the support for each other and the strength of our community bond.

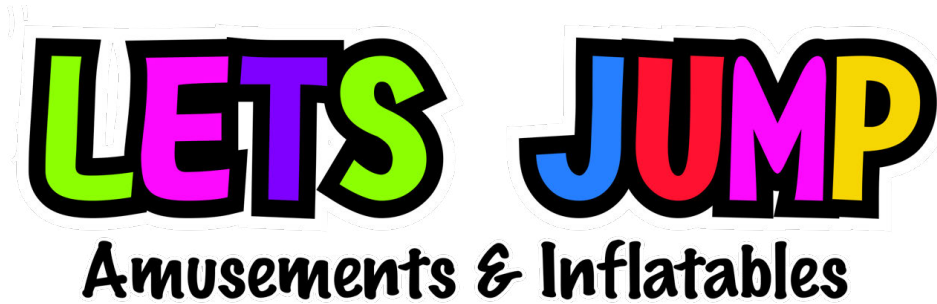
Another common theme of all feedback received is, "the smiles, laughs and joy on those "tough little faces" brings an infectious happiness and makes the night so much more special". Knowing the success and impact these events have had on all individuals within the community, we feel that once again the community will greatly benefit from an extra indulgence for the night. Bringing rides to the Mt Coolon Community Christmas Tree allows our harden country kids enjoy simple kid activities whilst improving the mental health and wellbeing of our community members.

To accomplish this, we are asking the Whitsunday Regional Council for a donation to the Mt Coolon Community towards the cost of the kids rides (Quotes attached). The Mt Coolon Community receives minimal funding, facilities and limited opportunity to attend council funded events throughout the year compared to our regional centre counterparts. Subsequently, as this is an

annual and the only major community event that benefits the entire Mt Coolon Community, we see the donation as Whitsunday Regional Council's support and contribution to the rural sector of their division. We express an open invitation for you to join us and see firsthand the lift in community spirit and bond.

We appreciate your consideration of our request and know that the Community will benefit from and appreciate your assistance immensely.





Mt Coolon Rural Christmas Party
Mt Coolon QLD

Dear Gos & Committee,

Thank you for contacting Lets Jump, I have pleasure in providing you with the following information for your perusal and consideration.

At Lets Jump we promise to provide great service, value and a great price, supplying various inflatables and accessories.

We only hire professional commercial graded castles. The upkeep of our equipment is of the very highest standard and our equipment is checked regularly. We are covered with full public liability insurance, and we have an outstanding safety record. A copy of our Certificate of Currency can be forwarded if required.

We look forward to working with you and supplying great units and thank you for contacting Lets Jump.

Kindest Regards

Karen, Paul, Peter & Rachael

Event: Mt Coolon Rural Christmas Party
Date: Saturday 9th December 2023
Hire Times: 6pm – 10pm (4hrs)
Location: Mt Coolon, Qld

Version 1

Mechanical Bull with Lets Jump Operator

Suitable for **children & adults**
Requires an area of **5.5m X 5.5m**
Requires **flat ground no rocks no branches**
Requires **standard power within 25m**
Requires **easy access for setup & dismantle**
Holds **1 rider on at once**
Unit to be setup on a **HARD SURFACE**



Rock N Roll Gladiator Ring Interactive Unit DRY

Requires an area of **7.5m x 7.5m**
Requires **flat ground no rocks no branches**
Requires **standard power within 25m**
Requires **easy access for setup & dismantle**
Holds up to **2 patrons on at once**
Unit to be setup on a **HARD SURFACE**
Note: Does not include a Castle Attendant



Cars Large Double Lane DRY

Requires an area of **11m x 6m**
Suitable for up to **12 years**
Holds up to **10 - 12 children at once**
Requires **flat ground no rocks no branches**
Requires **standard power within 25m**
Unit to be setup on a **HARD SURFACE**
Requires truck access for setup & dismantle



Merry Go Round with Operator

Requires an area of **6m round**
Suitable for **8 years and under**
Holds up to **10 children at once**
Requires **flat ground no rocks no branches**
Requires **easy access for setup & dismantle**
Requires **standard power outlet within 25m**
Unit to be set up on a **HARD SURFACE**
Requires vehicle access for setup & dismantle
Registered & comply with all QLD WH&S Regulations



1 x Large Generator

Includes fuel, setup & dismantle

Total Cost includes all above \$4,600

Requirements needed on the day:

- Vehicle Access for setup and dismantle – Trucks & Trailer
- Unit/s require flat ground no rocks no branches
- Require standard power outlet/s for each unit

Lets Jump supplies the following additional items FREE of Charge!

- Power leads (tested & tagged)
- Safety Junction Boxes
- Mats, Safety Equipment, Tarps
- Hygienically cleaned units
- Pegs/sandbags
- Printed Lets Jump Gazebo (when available)

Should you require any changes or amendments to the above quotation, please contact us as we are more than happy to re-quote on units more within your budget.

Our Promise – Helping to make your event stress-free and successful is our passion.

QUOTE TERMS:

**THIS QUOTATION IS VALID FOR 30 DAYS ONLY
THE ABOVE PRICE IS BASED ON THE CURRENT ECONOMICAL PRICES**

11.11 - Sport & Recreation Facility Management Grant - Bowen Sporting Complex Coordinating Association Inc.

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Jacqueline Neave - Arts & Community Programs Officer

AUTHORISING OFFICER: Julie Wright - Director Community Services

PRESENTED FOR: Decision

ATTACHMENTS

Nil

PURPOSE

For Council to consider the payment of the Facility Management Grant in accordance with Council's Facility Management Grant Guidelines.

OFFICER'S RECOMMENDATION

That Council approve the payment of a \$20,000 Sport & Recreation Facility Management Grant to Bowen Sporting Complex Coordinating Association Inc.

BACKGROUND

The Sport and Recreation Facility Management Grant is designed to outline council's commitment to supporting communities in the region by providing financial and/or in-kind assistance to sporting facilities that build community capacity, encourage participation and make a positive and ongoing contribution to the region.

To be eligible for the Facility Management Grant an organisation must meet the following criteria:

- Is incorporated and meets its obligations with the Office of Fair Trading;
- Is covered with the appropriate level of public liability insurance (\$20 million);
- Processes a current lease/licence agreement with Council, unless situated on privately owned land and
- Submit an operational budget for the facility with the application, as well as quarterly budget updates.

Funding is based on the total number of active participants utilising the facility per year. The funding level is based on the following:

Band Level	No. of Active Participants	Grant Allocation (\$)
Band 1	>400	20,000
Band 2	201 - 400	10,000

DISCUSSION/CURRENT ISSUE

The Facility Management Grant is only available for groups that oversee/manage facilities that are utilised by more than one type of sport.

If a facility has more than one sport utilising the facility but does not reach the 201 active participants minimum threshold, they will not be eligible for funding from the Facility Management Grant.

The Bowen Sporting Complex facility currently has 8 clubs:

- Bowen Junior Cricket
- Bowen Senior Cricket
- Bowen Football
- Bowen Touch Football
- Bowen Athletics Club
- Bowen Rugby Union
- Bowen Netball Association
- Bowen Polocrosse

Organisation Name	Junior Members	Senior Members	Total Members	Grant Type / Band	Amount Requested (\$)
Bowen Sporting Complex Coordinating Association Inc.	250	500	750	Facility / 1	20,000
				Total	20,000

It should be noted, the Facility Management Grant is a separate matter to the leasing arrangements between Whitsunday Regional Council and Bowen Sporting Complex however provides funding to assist with the management and on-going maintenance of the Facility.

STATUTORY/COMPLIANCE MATTERS

Local Government Act 2009

Local Government Regulation 2012

LSP_COMM_03 – Community Grants Policy

STRATEGIC IMPACTS

Facilitate, foster, and encourage region wide activities and programs that engage our community.

Provide high quality recreational facilities that are well utilised by the local community and visitors alike.

Provide fun, welcoming spaces that connect and engage the community through a variety of innovative resources, programs, and activities.

FINANCIAL IMPLICATIONS

The funds will be taken from budget code JC: 2967.10250 – Community Donations (2967) / Club Grants (10250).

Description	Amount (\$)
2023/2024 Budget	150,000
Actual + Commitment	89,500
YTD Remaining Budget	60,500

CONSULTATION/ENGAGEMENT

Director Community Services and Facilitation

RISK ASSESSMENT

Reputational Risk – Providing funding support to the community and recognising the efforts of local Sport & Recreational Clubs is a positive outcome for Council.

TIMINGS/DEADLINES

Payment to be made within one month of approval.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

This decision does not limit the identified human rights.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Option 2	Not approved	Save money in the budget	Negative impact for Council not showing support to clubs

11.12 - Sport & Recreation Club Grants - December 2023

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Jacqueline Neave - Arts & Community Programs Officer

AUTHORISING OFFICER: Julie Wright - Director Community Services

PRESENTED FOR: Decision

ATTACHMENTS

Nil

PURPOSE

For Council to consider the payment of the Sport & Recreation Club Grants for December 2023 in accordance with Council's Sport & Recreation Grant Guidelines.

OFFICER'S RECOMMENDATION

That Council approve the payment of a Sport & Recreation Club Grant to the following recipients:

1. Proserpine Taipans Junior Soccer Club Inc. – Band 2 - \$3,000
2. Whitsunday Equestrian Group Inc. – Band 4 - \$1,000

BACKGROUND

To be eligible for the Sport & Recreation Grant a club must meet the following criteria:

- Is incorporated and meets the obligations with the Office of Fair Trading;
- Is covered with the appropriate level of public liability insurance (\$20 million);
- Provides membership data (as defined by Council) to Council on an annual basis.

The level of funding available to clubs will be based on a progressive scale, the larger the participation rate, the larger the support to the club. Participation is defined as being the total number of active members within the club.

The Sport & Recreation Clubs Grants are allocated based on the following:

Band Level	No. of Active Participants	Grant Allocation (\$)
Band 1	>250	5,500
Band 2	101 – 250	3,000
Band 3	51 – 100	1,500
Band 4	4 - 50	1,000

DISCUSSION/CURRENT ISSUE

The following applications were submitted:

Organisation Name	Junior Members	Senior Members	Total Members	Band	Public Liability	Amount Requested (\$)
Proserpine Taipans Junior Soccer Club Inc.	80	21	101	2	Yes	3,000

Whitsunday Equestrian Group Inc.	8	20	28	4	Yes	1,000
					Total	4,000

STATUTORY/COMPLIANCE MATTERS

Local Government Act 2009

Local Government Regulation 2012

LSP_COMM_ - Community Grants Policy

STRATEGIC IMPACTS

Facilitate, foster, and encourage region wide activities and programs that engage our community.

FINANCIAL IMPLICATIONS

The funds will be taken from budget code: JC:2967.10250 – Community Donations (2967) / Club Grants (10250).

Description	Amount (\$)
2023/2024 Budget	150,000
Actual + Commitment	89,500
YTD Remaining Budget	60,500

CONSULTATION/ENGAGEMENT

Director Community Services and Facilitation

RISK ASSESSMENT

Reputational Risk – Providing funding support to the community and recognising the efforts of local Sport & Recreational Clubs is a positive outcome for Council.

TIMINGS/DEADLINES

Payment will be made within one month of approval.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

This decision does not limit the identified human rights.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Option 2	Not approved	Save money in the budget	Negative impact for Council not showing support to clubs

11.13 - Financial Support for a Junior Elite Athlete - December 2023

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Emily Hart - Community Development Officer

AUTHORISING OFFICER: Julie Wright - Director Community Services and Facilitation

PRESENTED FOR: Decision

ATTACHMENTS

Nil

PURPOSE

For Council to consider the application for Financial Support for a Junior Elite Athlete.

OFFICER'S RECOMMENDATION

That Council approve financial support for Wesley Homewood who was selected to represent North Queensland at the U15 years Cricket State Championships in Ipswich on 26-30 November 2023.

BACKGROUND

At the Ordinary Council Meeting held on 28 July 2021, Council resolved to adopt a policy to provide Financial Support for a Junior Elite Athlete. The level of funding available to individual Junior Elite Athletes is calculated on a progressive scale, the higher the level of representation the greater the financial support, as outlined below:

Level of Representation	Allocation (\$)
Representing North Queensland or equivalent in State level competition	250
Representing Queensland within Queensland	500
Representing Queensland Interstate	1,000
Representing Australia Overseas	up to 2,000

DISCUSSION/CURRENT ISSUE

Name	Age	Competition	Competition Level	Sport	Amount (\$)
Wesley Homewood	15	U15 years State Championships	North Queensland	Cricket	250

Wesley Homewood was selected to represent North Queensland in the State Cricket Championships held in Ipswich on 26-30 November 2023. Wesley has not previously received any funding through the Junior Elite Athlete program.

STATUTORY/COMPLIANCE MATTERS

Local Government Act 2009

Local Government Regulation 2012

LSP_COMM_05 – Financial Support for a Junior Elite Athlete Policy

STRATEGIC IMPACTS

Facilitate, foster and encourage region wide activities and programs that engage our community.

FINANCIAL IMPLICATIONS

The funds will be taken from JC: 2967.11074 – Community Donations (2967) / Donations (11074)

Description	Amount (\$)
2023/24 Budget	120,000
Actual + Commitment Spend	59,985
YTD Remaining Budget	60,015

CONSULTATION/ENGAGEMENT

Director Community Services

RISK ASSESSMENT

The financial assistance show's Councils commitment to providing support to local junior elite athletes competing in a regional, state or national competition.

TIMINGS/DEADLINES

To be paid within one month of approval.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Option 2	Decline application	No financial impact to Council	Council would not be adhering to the policy and could receive negative public comment

11.14 - Delegation of Authority - Chief Executive Officer Christmas Closure

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Jason Bradshaw - Director Corporate Services

AUTHORISING OFFICER: Warren Bunker - Chief Executive Officer

PRESENTED FOR: Decision

ATTACHMENTS

Nil

PURPOSE

To allow the Chief Executive Officer to award large-sized contracts in the period of time that Council will not be conducting scheduled Ordinary Council Meetings due to the Christmas and New Year break, noting that relevant contracts awarded during this time will be presented to Council for endorsement at the first Ordinary Meeting of Council in 2024.

OFFICER'S RECOMMENDATION

That Council delegate to the Chief Executive Officer or Acting Chief Executive Officer if applicable, the authorisation to approve large-sized contracts for goods and services in accordance with the Local Government Regulation 2012 for the period of 14th December 2023 to the 23rd of January 2024.

BACKGROUND

Council will be holding the last Ordinary Council Meeting for 2023 on Wednesday 13 December 2023 with the first meeting in 2024 being held on Wednesday 24 January 2024.

Large-sized contracts for goods and services as per the Local Government Act 2009 is defined as contracts over \$200,000 (excluding GST) that require inviting for public tender in accordance with section 228 of the Local Government Regulation 2012 unless an exception or exemption, as provided under sections 230-235 of the Local Government Regulation 2012 are determined to apply.

DISCUSSION/CURRENT ISSUE

There are ongoing contract negotiations that are forecast to be at the stage of award during this period however, others may be required for emergent works or emergencies. Where possible these will be managed within existing delegations or presented, if possible, to the first meeting of the 2024 calendar year.

The delegation proposed is to provide for any unforeseen or emergent matters that need to be dealt with during the holiday period.

STATUTORY/COMPLIANCE MATTERS

Section 257 *Local Government Act* 2009 allows for the delegation of a local government power to the Chief Executive Officer by a resolution of Council.

Sections 228, 230-235 Local Government Regulation 2012 outline Council's requirements regarding tenders and entering into large-sized contracts.

STRATEGIC IMPACTS

Lead and improve the organisation's procurement, property, and fleet functions across the organisation, including managing the centralised and specialised services to enable and achieve the operational and long-term objectives of Council.

Further, this authority will streamline processes to meet Capital Works Delivery targets and ensure budget, time, and quality is maintained across projects.

FINANCIAL IMPLICATIONS

Financial Implications – any contracts awarded during this period will be in accordance with Council's adopted 2023/2024 Budget and subsequent reviews.

CONSULTATION/ENGAGEMENT

Manager Governance & Administration
Executive Manager Procurement, Property & Fleet

RISK ASSESSMENT

Risk Management Implications – Prior to the awarding of contracts by the Chief Executive Officer, any of the project risks will be identified and treated in accordance with contract conditions and/or specific management practices.

TIMINGS/DEADLINES

The approval is required prior to the commencement of the Christmas break.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial, or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.
- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ALTERNATIVES CONSIDERED

Options	Description	Positives	Negatives
Option 2	Council can always hold over the consideration and awarding of these contracts until the first meeting in January 2024.	No delay in works.	Could delay the timing and sequencing of works and services in the contracts outlined for decision during that period.

In accordance with the Standing Orders (Meetings) Policy, Council can call a special meeting at any time to consider urgent and important matters such as Contracts if the need arises.

11.15 - Monthly Finance Report

DATE: Wednesday 13 December 2023

TO: Ordinary Council Meeting

AUTHOR: Katie Coates - Management Accountant

AUTHORISING OFFICER: Jason Bradshaw - Director Corporate Services

PRESENTED FOR: Information

ATTACHMENTS

1. Monthly Financial Report November 2023 [**11.15.1** - 6 pages]
2. Financial Statement for the period ending 28 November 2023 [**11.15.2** - 5 pages]
3. Capital Expenditure Report as at 28 November 2023 [**11.15.3** - 5 pages]

PURPOSE

To inform Council of the current unaudited financial performance and position for the reporting period.

OFFICER'S RECOMMENDATION

That Council receive the Financial Report, Capital Expenditure Report and the Unaudited Financial Statements 2023/24 for the period ended 28 November 2023.

BACKGROUND

The Chief Executive Officer is required by Section 204(2) of the *Local Government Regulation 2012* to present the financial report at a meeting of the Local Government on a monthly basis. The financial report must state the progress that has been made in relation to the Local Government's budget for the period for the financial year up to a day as near as practicable to the end of the month before the meeting is held.

DISCUSSION/CURRENT ISSUE

Year to Date Results

This report and the attachments provide the estimated financial performance and position for the relevant period in the current financial year.

- Attachment 1 contains a summary of the financial performance with commentary around significant items.
- Attachment 2 contains unaudited financial statements.
- Attachment 3 details the capital budget expenditure for the period.

Council remains in a stable financial position with all sustainability ratios within the accepted ranges for the current financial year. The cash position remains healthy with significant funding committed to future capital infrastructure spending.

STATUTORY/COMPLIANCE MATTERS

Local Government Regulation 2012

204 Financial Report

- (1) The local government must prepare a financial report.
- (2) The chief executive officer must present the financial report -

- (a) if the local government meets less frequently than monthly - at each meeting of the local government; or
 - (b) Otherwise - at a meeting of the local government once a month.
- (3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

STRATEGIC IMPACTS

Maximise the organisation's financial performance, achieving a high level of customer service, productivity and efficiency through strategic direction, expert advice, and leadership.

FINANCIAL IMPLICATIONS

Maintaining a balanced budget throughout the financial year and remaining financially sustainable remain key objectives.

CONSULTATION/ENGAGEMENT

Manager Financial Services
Manager Strategic Finance
Management Accountant

RISK ASSESSMENT

If actual revenue or expenditure exceeds budget, financial risks may apply. These risks will either be managed on a project basis or mitigated through the operational budgets of Council.

A budget risk register is maintained to collate any identified budget risks as they arise during the financial year to be mitigated in quarterly budget reviews.

TIMINGS/DEADLINES

Mandatory each month as per Section 204 of the *Local Government Regulation 2012*.

CONFLICT OF INTEREST DECLARATION

Council officers contributing to the preparation and approval of this report have no conflicts of interest to declare.

HUMAN RIGHTS IMPACT

Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15-37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision. The human rights relevant to this decision are as follows:

- Section 19 – Freedom of movement.
- Section 21 – Freedom of expression.
- Section 24 – Right to own property and not be arbitrarily deprived of property.
- Section 27 – Cultural rights – generally – all persons with a particular cultural, religious, racial, or linguistic background have the right to enjoy their culture, to declare and practice their religion and use their language.

- Section 28 – Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

This decision does not limit the above identified human rights.

ALTERNATIVES CONSIDERED

N/A

FINANCIAL REPORT

Financial Year: 2023/24

Period Ending: 28 November 2023



BACKGROUND

This report provides the unaudited estimated financial performance and position of Whitsunday Regional Council for the relevant period in the current financial year against the 2023/24 Budget. Reports were run on the 28th November 2023 so do not represent a full month of transactions.

INCOME & EXPENDITURE

What was charged to our ratepayers/customers compared to what was spent in delivering our services.

For the period under review, Council's operating surplus stood at \$12.2M after charging depreciation (What We Set-aside for Asset Renewals) of \$12.7M.

Table 1 : Statement of Income & Expenditure

	Prev. Yr. Audited	Current Budget to date	Actual to date	% Var Current Bud v Act
What We Levied Our Ratepayers	97,493,607	50,079,591	50,485,878	101%
What We Invoiced Our Customers	29,324,608	13,351,097	12,598,173	94%
What We Rcvd. as Grants & Subsidies	9,833,430	1,209,804	843,428	70%
What We Rcvd. As Interest from Investment	4,480,093	2,797,833	3,047,655	109%
Our Other Revenue	2,184,583	1,183,892	1,305,234	110%
Our Total Recurrent Earnings	143,316,321	68,622,216	68,280,369	100%
What We Spent on Our Staff	39,701,137	19,383,947	16,824,456	87%
What We Spent on Our Suppliers	60,402,208	30,463,639	25,376,415	83%
Our Total Direct Spend	100,103,345	49,847,586	42,200,871	85%
What We Paid Our Bankers	4,102,773	1,312,422	1,215,734	93%
What We Set-aside for Asset Renewals	30,458,822	13,225,349	12,690,560	96%
Our Operating Surplus/(Deficit)	8,651,381	4,236,860	12,173,204	287%
Our Capital Revenue	28,844,816	4,518,519	10,102,797	224%
Our Capital Expenses	13,756,280	2,896,074	3,511,770	121%
Our Capital Surplus/(Deficit)	15,088,536	1,622,445	6,591,026	406%
Our Net Earnings	23,739,917	5,859,305	18,764,230	320%

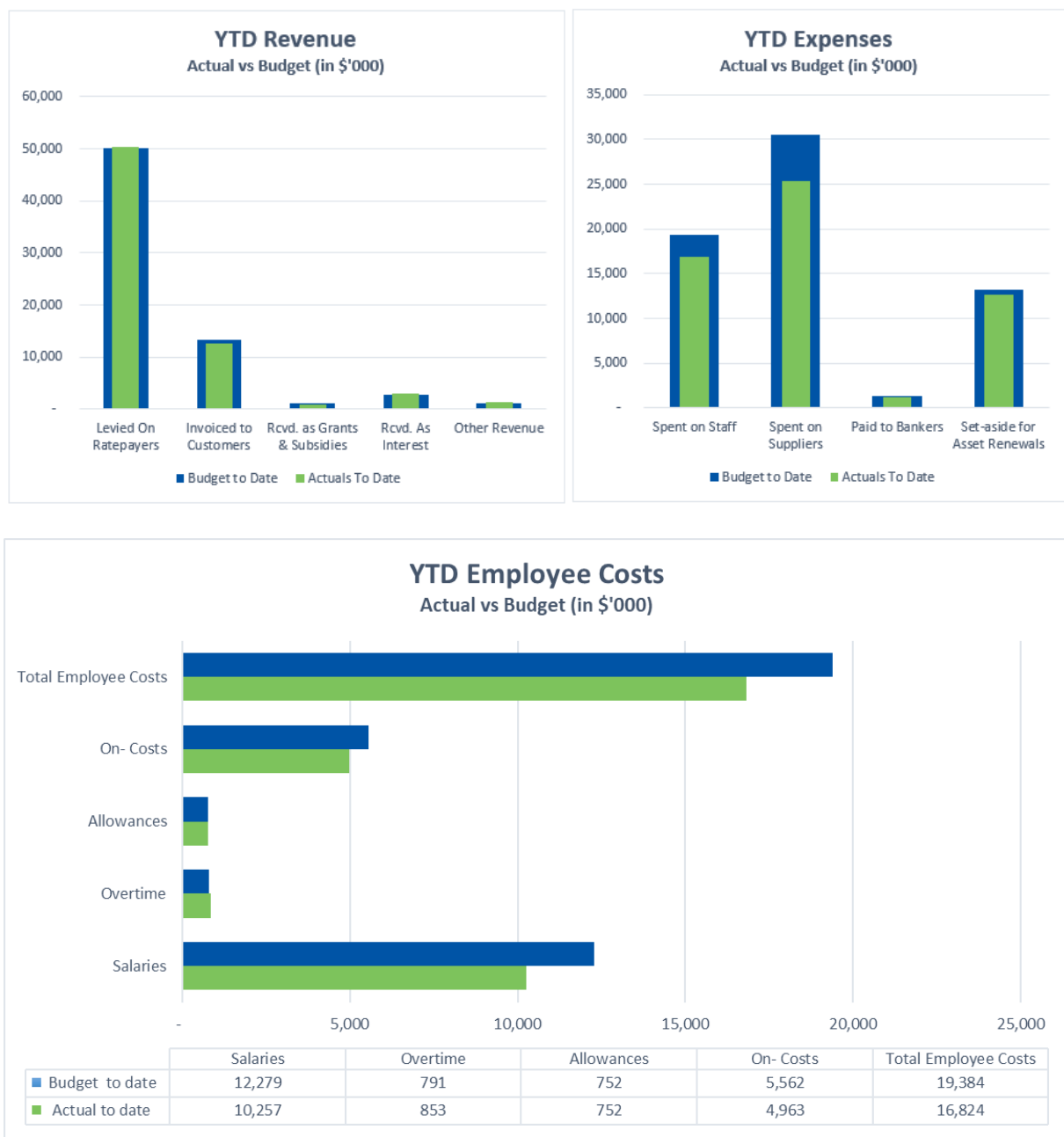
Revenue

- Total Recurrent Earnings is on target to meet budget, currently sitting at 100%.
- What we have levied our ratepayers on target at 101%. Rates and Water notices have been issued for the first 6 months period. The second 6 months notices will be issued in January/February 2024.
- Grants & subsidies is tracking under budget at 70% predominately due to budget phasing and slower delivery on operational projects that are funded by those grants.
- Interest from Investments is tracking ahead of budget due to further interest rate increases and the ability to maximise Council's return on investment.

Expenditure

- Total direct spend is below YTD budget, currently sitting at 85%.
- Total spent on our staff is currently 87% of the YTD 2023/24 Budget. This is currently trending lower than budget due to staff vacancies, and the next wage adjustment for the Certified Agreement scheduled for February 2024.
- Total spent on suppliers is currently under budget at 83% which is the same percentage of YTD budget spend as last month. This should increase as the year progresses.
- Total depreciation set aside for asset renewals is on target to meet budget.

Additional details of revenue and expenditure and their comparison to budget are graphically presented below:



COMMUNITY WEALTH

The value of resources Council has, to service our community. Net Community wealth at the end of the period stood at \$1.32B.

Table 2 : Statement of Financial Position

	Prev. Yr. Audited	Annual Budget	Actual to date
What We Own	1,275,481,455	1,301,523,048	1,282,574,718
Inventory We Hold	3,320,933	3,385,000	3,582,719
What We are Owed	19,996,084	17,484,168	23,430,696
What We Have in Bank	128,898,729	100,476,169	141,873,486
Our Total Assets	1,427,697,201	1,422,868,385	1,451,461,619
What We Owe Our Suppliers	61,928,430	51,157,442	65,672,136
What We Owe Our Lenders	71,313,905	65,328,063	68,986,416
Our Total Liabilities	133,242,336	116,485,506	134,658,552
Our Community Wealth	1,294,454,866	1,306,382,879	1,316,803,066

- What we are Owed has increased from the previous month from \$22.3M to \$23.4M due to an increase in water rates not yet levied and contract assets.
- Cash balances (what we have in bank) remain at healthy levels and well above minimum requirements due to advance payments of grant funding, the YTD operational total direct spend under budget by \$7.6M and underspend on the YTD capital budget by \$6.9M.

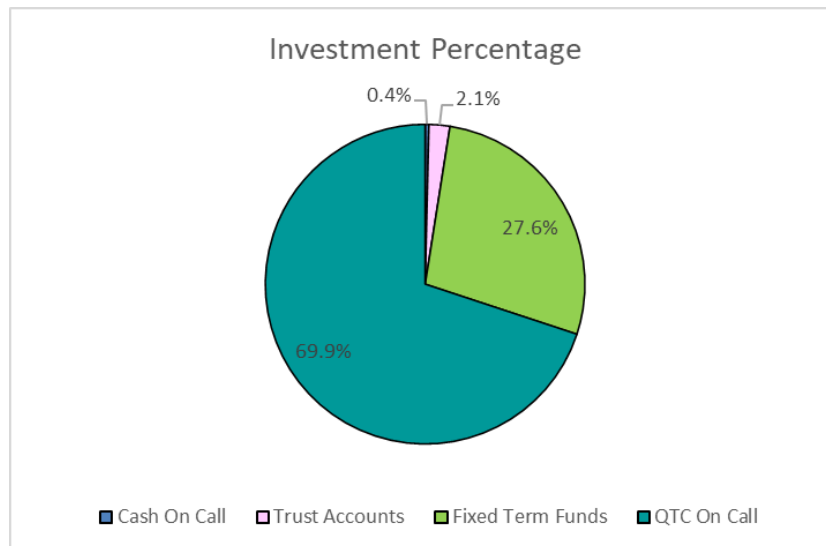
Debtors & Borrowings

What We Are Owed		What We Have Borrowed		
Category	Amount	Loan	Rate	Balance
Rates & Charges	6,967,525	81091 Gen5 05/06	7.08%	1,017,957
General Debtors	7,113,728	81092 Gen7 08/09	6.82%	3,217,727
GST Receivable/(Payable)	881	81090 Gen8 09/10	6.33%	2,221,544
Advances to Community	1,014,500	81089 Gen8 AMSU	5.07%	2,245,532
SUB-TOTAL	15,096,634	81093 STP Projects	5.25%	15,755,328
		81094 WTP Projects	4.86%	7,704,568
Contract Assets	4,081,501	Bowen STP 19/20	2.20%	8,179,164
Water Charges not yet levied	3,613,333	WCA Run 19/20	2.20%	20,038,952
Prepayments	2,400,794	Bowen Cell 3 19/20	0.91%	1,457,958
Provision for Bad Debts	(1,761,566)	Bowen STP 20/21	1.80%	4,848,572
SUB-TOTAL	8,334,062	Lease Liabilities		2,299,114
		TOTAL		68,986,416
GRAND TOTAL	23,430,696			
What We Have Available to Borrow			Rate	Limit
Facility				
Working Capital Facility			0.10%	20,000,000
Term Loans				-
TOTAL				20,000,000

- Rates & charges owed has decreased from \$7.5M in October to \$6.9M in November. This has decreased due to payments being received for the first rates levy raised in July.
- General Debtors balance is \$7.1M compared to \$6.3M the previous month. General Debtors vary depending upon when invoices have been issued within the month.
- Recovery measures are currently in progress through a professional debt recovery agency for both Rates debtors and General debtors to ensure outstanding debt remains at acceptable levels.

Investments

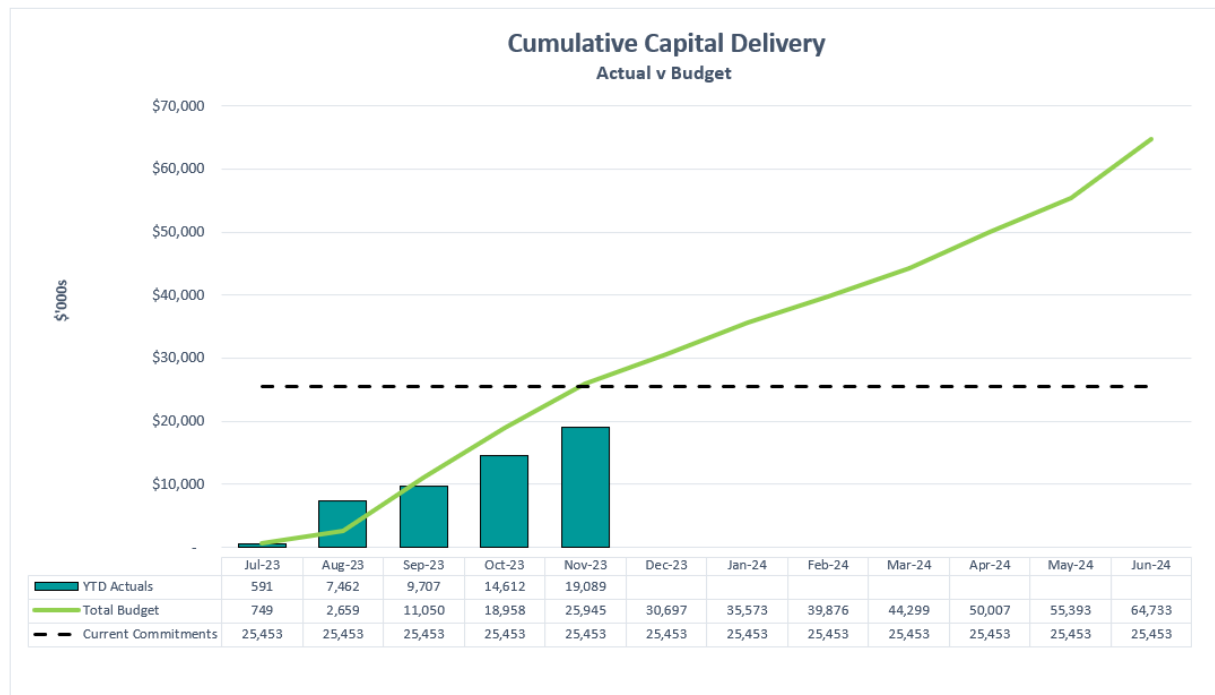
	Prev. Yr	Current
Queensland Treasury Corporation	128,898,730	101,873,486
Term Deposit < 3 Months	-	20,000,000
Term Deposit > 3 Months	-	20,000,000
Total	128,898,730	141,873,486



- \$40M is currently invested in term deposits at competitive interest rates to maximise Council's return on investment.
- The balance of excess cash is invested with Queensland Treasury Corporation (QTC), as QTC has been providing the best returns among the acceptable counterparty institutions.

CAPITAL DELIVERY (Excluding remediation)

- \$19.1M or 29% of the full year amended capital budget of \$64.7M has been delivered up to 30 November excluding commitments. Capital spend is up \$4.5M from the previous months \$14.6M.
- \$25.5M has been committed to date which represents 69% of the full year capital budget spent or committed.
- Competition continues to put pressure on access to materials, and resources in delivery of works which requires further consideration into future planning.

**SUSTAINABILITY RATIOS**

- The financial sustainability ratios are for the month of November and will vary throughout the financial year as Council completes its operational and capital budgets. All ratios are within the target ranges for the current financial year.

As at 30 November 2023

Type	Measure	Target (Tier4)	As at 30 November 2023	30 June 2023
Financial Capacity	Council-Controlled Revenue	N/A	91.07% ✓	84.04% ✓
Operating Performance	Operating Surplus Ratio	Greater than 0%	17.83% ✓	6.04% ✓
	Operating Cash Ratio *	Greater than 0%	38.19% ✓	30.15% ✓
Liquidity	Unrestricted Cash Expense Cover Ratio	Greater than 4 months	35.15 ✓	14.59 ✓
Asset Management	Asset Sustainability Ratio	Greater than 80%	111.52% ✓	79.97% ✗
	Asset Consumption Ratio	Greater than 60%	73% ✓	73% ✓
Debt Servicing Capacity	Leverage Ratio	0 to 3 times	2.68 ✓	1.76 ✓

* Yet to be averaged over the 5 year period for this report.

BUDGET ACHIEVEMENT – FULL YEAR BUDGET

Council's ability to meet annual budgeted revenue, contain costs within budgeted expenditure parameters and manage cash flows is presented below. Delivery on budget will change as we progress through the 2023/24 financial year.

Item	Prev. Yr Act vs Bud	Curr. Yr. to date	Flag
Our Earnings	101%	44%	
Our Expenditure	96%	36%	
Our Capital Delivery	77%	29%	
Our Cash on Hand	125%	141%	

- Earnings and Cash on Hand indicators are within expected levels as of 28 November due to timing of rates and charges being issued.
- Our Expenditure is at 36% and this will increase as we progress through out the financial year.
- Capital delivery is at 29% of the full year budget delivered, which is below the target level. It is expected that this will increase as we progress through the year. The capital program will be reviewed through the financial year to manage expected timeframe for delivery and availability of goods and services.

- Water meter reading for the next billing cycle will commence on the 6 December 2023.
- 2023/24 Budget was adopted by Council on the 30 June 2023.
- Budget Review 1 was adopted by Council on the 22 November 2023 and is reflected in this report.
- Budget risks are being monitored as the year progresses and will be discussed during budget review deliberations.
- Both capital and operational spend are being monitored closely to ensure commitments are met by end of financial year.

WHITSUNDAY REGIONAL COUNCIL

Financial Statements

For the period ending 28 November 2023

Table of Contents

Note

Statement of Comprehensive Income
Statement of Financial Position
Statement of Changes in Equity
Statement of Cash Flows

WHITSUNDAY REGIONAL COUNCIL

Statement of Comprehensive Income

For the period ending 28 November 2023

	2024	2023	Budget	PTD Budget	Variance
	YTD	30 June	2023/24	2023/24	to Budget
	\$	\$	\$	\$	%
Income					
Recurrent revenue					
Rates, levies and utility charges	50,485,878	97,493,607	101,372,667	50,079,591	101%
Sale of goods and major services	9,676,768	18,847,784	24,059,653	10,009,249	97%
Fees and charges	2,017,120	4,108,132	3,971,210	1,873,597	108%
Lease, rental and levies	207,674	326,371	356,124	150,052	138%
Interest received	3,047,655	4,480,093	6,051,500	2,797,833	109%
Sales of contract and recoverable works	694,620	6,042,321	6,100,676	1,318,198	53%
Other recurrent income	1,307,225	2,184,583	2,843,077	1,183,892	110%
Grants, subsidies and contributions	843,428	9,833,430	9,785,023	1,209,804	70%
Total recurrent revenue	68,280,369	143,316,321	154,539,930	68,622,216	100%
Capital revenue					
Grants, subsidies and contributions	9,579,600	26,354,278	17,879,150	4,518,519	212%
Total Capital revenue	9,579,600	26,354,278	17,879,150	4,518,519	212%
Total revenue	77,859,969	169,670,599	172,419,080	73,140,736	106%
Capital income	523,196	2,490,538	630,715.00	-	
Total income	78,383,165	172,161,137	173,049,795	73,140,736	107%
Expenses					
Recurrent expenses					
Employee benefits	(16,824,456)	(39,701,137)	(46,003,138)	(19,383,947)	87%
Materials and services	(25,376,415)	(60,402,208)	(73,277,412)	(30,463,639)	83%
Finance costs	(1,215,734)	(4,102,773)	(3,149,812)	(1,312,422)	93%
Depreciation and amortisation	(12,690,560)	(30,458,822)	(31,740,841)	(13,225,349)	96%
Total operating expenses	(56,107,165)	(134,664,940)	(154,171,203)	(64,385,357)	87%
Capital expenses					
Other capital expenses	(3,511,770)	(13,756,280)	(6,950,577)	(2,896,074)	121%
Total expenses	(59,618,936)	(148,421,220)	(161,121,780)	(67,281,430)	89%
Net result	18,764,230	23,739,917	11,928,015	5,859,305	320%
Other comprehensive income					
Items that will not be reclassified to net result					
Increase / (decrease) in asset revaluation surplus	-	71,126,730	-	-	
Total other comprehensive income for the year	-	71,126,730	-	-	
Total comprehensive income for the year	18,764,230	94,866,647	11,928,015	5,859,305	320%

WHITSUNDAY REGIONAL COUNCIL

Statement of Financial Position

As at 28 November 2023

	2024	2023	Budget 2023/24
	\$	\$	\$
Current assets			
Cash and cash equivalents	121,873,486	98,898,729	80,476,169
Cash investments	20,000,000	30,000,000	20,000,000
Receivables	13,115,501	10,603,952	11,484,168
Inventories	1,927,719	1,665,933	1,730,000
Contract assets	4,081,501	2,867,685	-
Other assets	6,220,694	6,524,446	6,000,000
	167,218,901	150,560,745	119,690,337
Non-current assets held for sale	1,655,000	1,655,000	1,655,000
Total current assets	168,873,901	152,215,746	121,345,337
Non-current assets			
Receivables	13,000	13,000	13,000
Investment properties	2,100,000	2,100,000	2,100,000
Property, plant and equipment	1,278,234,998	1,271,128,736	1,297,482,293
Right of use assets	2,239,719	2,239,719	1,927,755
Total non-current assets	1,282,587,718	1,275,481,455	1,301,523,048
TOTAL ASSETS	1,451,461,619	1,427,697,201	1,422,868,385
Current liabilities			
Trade and other payables	11,142,733	16,826,723	15,867,545
Provisions	8,912,437	10,336,866	10,500,000
Borrowings	6,184,916	6,184,916	5,929,200
Contract liabilities	17,110,469	7,400,254	-
Total current liabilities	43,350,555	40,748,759	32,296,745
Non-current liabilities			
Trade and other payables	4,498,279	4,498,279	3,050,734
Provisions	24,008,218	22,866,308	21,739,163
Borrowings	62,801,500	65,128,989	59,398,863
Total non-current liabilities	91,307,997	92,493,576	84,188,761
TOTAL LIABILITIES	134,658,552	133,242,336	116,485,506
NET COMMUNITY ASSETS	1,316,803,066	1,294,454,866	1,306,382,879
Community equity			
Investment in capital assets	768,677,288	758,361,731	792,429,090
Asset revaluation surplus	433,807,358	433,807,358	433,807,357
Retained surplus	23,083,192	11,211,635	11,229,633
Reserves	91,235,229	91,074,142	68,916,799
TOTAL COMMUNITY EQUITY	1,316,803,066	1,294,454,866	1,306,382,879

Attachment 11.15.2 Financial Statement for the period ending 28 November 2023

WHITSUNDAY REGIONAL COUNCIL

Statement of Changes in Equity

For the period ending 28 November 2023

	Total		Retained surplus		Reserves		Asset revaluation surplus	
	2024 \$	2023 \$	2024 \$	2023 \$	2024 \$	2023 \$	2024 \$	2023 \$
Balance at beginning of the year	1,294,454,866	1,198,972,178	769,573,366	768,309,990	91,074,142	67,981,560	433,807,358	362,680,628
Error correction to opening balance	3,583,971	616,041	3,583,971	616,041			-	
Restated opening balances	1,298,038,837	1,199,588,219	773,157,337	768,926,031	91,074,142	67,981,560	433,807,358	362,680,628
Net result	18,764,230	23,739,917	18,764,230	23,739,917	-	-	-	-
Other comprehensive income for the year								
Revaluations:								
Property, plant & equipment	-	71,126,654	-	-	-	-	-	71,126,654
Change in value of future rehabilitation costs	-	76	-	-	-	-	-	76
Total comprehensive income for the year	18,764,230	94,866,647	18,764,230	23,739,917	-	-	-	71,126,730
Transfers (to) from retained earnings and recurrent reserves	-	-	-	(7,596,209)	-	7,596,209	-	-
Transfers (to) from retained earnings and capital reserves	-	-	(161,087)	(15,496,373)	161,087	15,496,373	-	-
Balance at end of the year	1,316,803,066	1,294,454,866	791,760,480	769,573,366	91,235,229	91,074,142	433,807,358	433,807,358

WHITSUNDAY REGIONAL COUNCIL

Statement of Cash Flows

For the period ending 28 November 2023

	2024	2023	Budget 2023/24
	\$	\$	\$
Cash flows from operating activities			
Receipts			
General rates and utility charges	49,198,969	97,473,013	101,179,080
Sale of goods and major services	9,676,768	18,847,784	24,059,653
Lease, rental and levies, fees and charges	2,224,792	4,213,670	4,127,334
Other income	716,311	9,565,958	8,875,526
GST received	314,349	9,153,638	(40,084)
Receipts from customers	62,131,189	139,254,064	138,201,509
Operating grants, subsidies and contributions	1,822,041	10,133,235	8,272,358
Interest received	3,047,655	4,480,093	6,051,500
Payments			
Payment to employees	(17,689,330)	(38,692,415)	(46,628,647)
Payments for materials and services	(30,844,970)	(60,175,985)	(75,010,461)
GST paid	-	(8,890,610)	-
Payments to suppliers and employees	(48,534,300)	(107,759,010)	(121,639,108)
Interest expense	(1,065,800)	(2,742,616)	(2,934,812)
Net cash inflow (outflow) from operating activities	17,400,786	43,365,766	27,951,447
Cash flows from investing activities			
Government subsidies and grants	15,011,829	33,621,465	13,193,620
Capital contributions	1,449,832	4,147,787	1,665,625
Payments for property, plant and equipment	(19,088,896)	(34,767,023)	(64,733,012)
Payments for investment property	-	(161,566)	-
Net transfer (to) from cash investments	10,000,000	(30,000,000)	10,013,000
Proceeds from sale of property, plant and equipment	13,000	375,684	630,715
Payments for rehabilitation work	-	-	(1,158,114)
Non-current assets held for sale - Proceeds from sale	510,196	1,482,855	-
Net movement in loans to community organisations	5,500	17,000	-
Net cash inflow (outflow) from investing activities	7,901,460	(25,283,799)	(40,388,166)
Cash flows from financing activities			
Repayment of borrowings	(2,327,490)	(5,441,297)	(5,674,100)
Repayments made on finance leases	-	(466,763)	(311,742)
Net cash inflow (outflow) from financing activities	(2,327,490)	(5,908,060)	(5,985,842)
Net increase (decrease) in cash and cash equivalents held	22,974,756	12,173,907	(18,422,561)
Cash and cash equivalents at beginning of the financial year	98,898,729	86,724,822	98,898,730
Cash and cash equivalents at end of the financial year	121,873,486	98,898,729	80,476,169

Attachment 11.15.3 Capital Expenditure Report as at 28 November 2023

Job	Description	a. Actuals to Period	b. Commitments	(a.+b.) Actuals + Commitments	d. Budget to Period	e. Total Annual Current Budget	(a./d.) % YTD Act to YTD Bud	a./e. % YTD Act to Ann Bud	e.- a. Remaining Bud \$
20000 - Capital Program & Network Planning									
32200 - EM - SES									
4243	Cannonvale SES Communications room	-	-	-	-	63,000			63,000
Sub Total EM - SES		-	-	-	-	63,000	0%	0%	63,000
Total Capital Program & Network Planning		-	-	-	-	63,000	0%	0%	63,000
30000 - Infrastructure Services									
33100 - Disaster Recovery									
Sub Total Disaster Recovery		5,477,260	7,540,985	13,018,245	5,757,837	10,613,600	95%	52%	5,136,340
34900 - R&D - Assets									
1099	Hansen Park Paver & Path Renewal	689,199	26,198	715,397	-	-			(689,199)
4024	Bus Stop DDA Compliance	32,205	654	32,858	35,000	125,000	92%	26%	92,795
4025	Coconut Grove Disabled Parking Bays	651	-	651	651	651	100%	100%	0
4028	Blake St Disabled parking bay and footpath	(3,057)	205	(2,853)	-	-			3,057
4029	Stewart Drive Kerb and Channel	458	-	458	-	63,227		1%	62,769
4031	Mill Street Kerb and Channel	25,892	-	25,892	24,223	24,223	107%	107%	(1,669)
4033	Collinsville Pump Track	5,645	274,900	280,545	88,657	293,422	6%	2%	287,777
4035	LRCI - Bicentennial Boardwalk refurbishment	2,995	45,483	48,478	48,478	48,478	6%	6%	45,483
4036	Neerim Crescent Stormwater Renewal	566	-	566	566	566	100%	100%	(0)
4038	Homestead Place Stormwater Upgrade	18,575	51,860	70,435	67,439	97,439	28%	19%	78,864
4083	Stormwater Renewals	71,068	75,404	146,472	173,463	498,463	41%	14%	427,395
4084	Eshelby Drive Footpath - Stage 1 (300m)	76,771	40,734	117,504	151,406	151,406	51%	51%	74,635
4085	Balaam Road Floodway Upgrade	10,288	-	10,288	-	50,000		21%	39,712
4102	Renwick Road shared path	17,908	-	17,908	12,789	12,789	140%	140%	(5,119)
4103	Cantamessa Road Culvert	1,634	-	1,634	10,000	84,201	16%	2%	82,567
4255	Design Program	-	-	-	25,000	230,000			230,000
4256	Renwick Rd Intersection (TIDS)	26,605	98,774	125,379	15,000	300,000	177%	9%	273,395
4257	Reseal Program	26,412	1,362,925	1,389,338	800,000	800,000	3%	3%	773,588
4258	Unsealed Roads Resheeting Program 2023-2024	3,145	-	3,145	1,000,000	1,192,176	0%	0%	1,189,031
4259	Design of Mandalay Road Footpath	7,382	-	7,382	9,434	9,434	78%	78%	2,052
4260	Design of Erromango Solar Street Lighting	1,866	-	1,866	-	10,000		19%	8,134
4261	LRCI - Bicentennial Boardwalk Upgrade - Stage 2	1,343,579	665,107	2,008,686	1,750,000	2,000,000	77%	67%	656,421
4262	Mackenzie Street Kerb and Channel	-	-	-	-	22,500			22,500
4263	Pandanus Street Kerb and Channel	2,015	-	2,015	-	25,000		8%	22,985
4264	Strickland Street Kerb and Channel	-	-	-	-	25,000			25,000
4266	Stormwater Renewals	19,717	-	19,717	-	500,000		4%	480,283
4267	Valley Drive Open Drain Renewals	1,009	1,500	2,509	-	101,385		1%	100,376
4268	Paluma Rd to Carlo Dr Stormwater Project Planning	-	-	-	150,000	267,000			267,000
8084	Pros. Main Street Upgrade - Dobbins Lane C/W	-	-	-	290	290			290
8099	Molongie Creek Boat Ramp	4,401	1,818	6,219	5,000	5,000	88%	88%	599
8629	LRCI - Edgecumbe Heights Walking Tracks Upgrade	298,506	583,267	881,773	200,600	650,642	149%	46%	352,136
8630	Forestry Road	45,315	89,104	134,418	128,470	128,470	35%	35%	83,156
8639	Unsealed Roads Creek Crossing Upgrade Program	60,612	15,800	76,412	50,000	236,946	121%	26%	176,334
8640	Unsealed Roads Resheeting Program	418,861	50,937	469,798	350,000	729,604	120%	57%	310,743
8641	Wilsons Beach Rockwall	(219)	-	(219)	-	-			219
8817	TMR early works - Paluma Rd to Tropic Rd	656	15,717	16,373	31,473	31,473	2%	2%	30,817
8904	Reseal Program	4,205	-	4,205	4,955	4,955	85%	85%	750
8911	Waterson Way car park construction and seal	533	-	533	533	533	100%	100%	(0)
9106	Richmond Road Floodway Upgrade (TIDS)	3,723	-	3,723	1,733	1,733	215%	215%	(1,990)
9107	Scottville Road (TIDS)	1,049,642	594,738	1,644,380	1,434,014	1,434,014	73%	73%	384,372
9108	Tondara Road Seal Project	545,459	1,317,362	1,862,821	2,000,000	3,035,981	27%	18%	2,490,522
9456	Proserpine Main Street Footpath - Palace Hotel	19,884	468	20,352	20,785	20,785	96%	96%	901
9458	Airlie Beach Main Street Upgrade	204,067	74,756	278,823	250,000	250,000	82%	82%	45,933
Sub Total R&D - Assets		5,038,170	5,387,709	10,425,879	8,839,959	13,462,786	57%	37%	8,424,616
36100 - OS - Parks									
1039	Airlie Foreshore Main Street Bin Enclosures	-	327,295	327,295	-	-			-
4249	Bowen Grey's Bay Shelter supply and installation	25,621	14,013	39,635	23,000	85,000	111%	30%	59,379
4250	Bowen Lions Shelters Stage 2	852	37,570	38,422	45,000	135,000	2%	1%	134,148
4251	Cemetery Lowering Devices	35,481	32,869	68,350	15,000	65,000	237%	55%	29,519
4252	Dingo Beach Bollards Stage 2	909	-	909	-	12,570		7%	11,661
4253	Shute Harbour - Snows Beach Asset upgrades	1,754	-	1,754	-	29,000		6%	27,246
4254	New Basketball Court - Halpannel Park	1,754	-	1,754	-	360,000		0%	358,246
4888	Cannonvale Waite Creek Park Bollards	-	-	-	-	5,000			5,000
4889	Cannonvale Lakes Stage 4	-	-	-	-	50,000			50,000
5632	Lake Proserpine Recreation Hub - Stage 1 - C/W 18-19	730	69,670	70,400	105,031	105,031	1%	1%	104,301
8625	Assets Renewal Parks and Gardens	585	-	585	-	524,272		0%	523,687
8627	Continuation of Pedestrian Path Lighting Airlie Foreshore	(5,292)	-	(5,292)	-	-			5,292
8873	Choose Collinsville Project	500,402	153,928	654,329	550,000	835,549	91%	60%	335,147
9249	LRCI - Cannonvale Skate Bowl Upgrade - Stage 2	211,638	368,005	579,643	250,000	481,195	85%	44%	269,557
Sub Total OS - Parks		774,435	1,003,350	1,777,785	988,031	2,687,617	78%	29%	1,913,182
37200 - Works for Queensland									
4094	Regional Sewer Relining P1 22/23	4,270	-	4,270	75,835	182,000	6%	2%	177,730
8830	W4Q - Collinsville Aquatic Facility - pool retilling renewal	422	-	422	-	-			(422)

Attachment 11.15.3 Capital Expenditure Report as at 28 November 2023

Job	Description	a. Actuals to Period	b. Commitments	(a.+b.) Actuals + Commitments	d. Budget to Period	e. Total Annual Current Budget	(a./d.) % YTD Act to YTD Bud	a./e. % YTD Act to Ann Bud	e.- a. Remaining Bud \$
8834	W4Q - Brandy Creek - New Amenities	69,658	5,075	74,733	101,823	101,823	68%	68%	32,165
8840	W4Q - Gloucester sports park access and car park recon	760	-	760	-	-	-	-	(760)
8842	W4Q -Greening & Growing Bowen 3 - recycled water network ext	41,057	13,396	54,453	46,000	137,767	89%	30%	96,710
8843	W4Q - Sewer Relining – Regional P1 Zone	341,823	-	341,823	40,000	359,358	855%	95%	17,535
8844	W4Q - Bowen WTP Intake, Switchboard and Structure	363,761	143,889	507,650	267,000	1,250,000	136%	29%	886,239
Sub Total Works for Queensland		821,750	162,360	984,110	530,658	2,030,948	155%	40%	1,209,198
38200 - WSW - Water Operations									
4052	Mt Julian Network Reconfig	6,320	-	6,320	20,000	184,307	32%	3%	177,987
4053	Network Reconfig Island Dr WPS	8,187	80	8,267	20,000	187,170	41%	4%	178,983
4054	Jubilee Pocket Trunk Watermain	10,240	17,800	28,040	12,000	186,448	85%	5%	176,208
4055	Bore1 Replacement	-	1,380	1,380	140,000	258,475	-	-	258,475
4056	Kara Crescent Pumped Zone	3,610	6,870	10,480	10,000	14,864	36%	24%	11,254
4057	Cannon Valley Res to Parker Rd	3,381	4,320	7,701	10,000	150,000	34%	2%	146,619
4058	Cannonvale Reservoir Reconfig	9,090	16,113	25,203	30,000	150,000	30%	6%	140,910
4059	Coyne Rd Reservoir & PS Works	10,445	1,391	11,835	8,000	48,000	131%	22%	37,555
4060	Proserpine PRV Cross Connect	5,876	8,640	14,516	20,000	229,118	29%	3%	223,242
4061	Stanley Dr PS Reconfiguration	9,872	-	9,872	105,000	177,773	9%	6%	167,901
4064	Coastal WTP - Pump and Switchb	2,957	43,850	46,807	25,000	767,301	12%	0%	764,344
4066	CSTWTP Compressor replacement	590	-	590	590	590	100%	100%	-
4067	Renwick Rd Trunk Watermain	3,089	-	3,089	1,000	22,421	309%	14%	19,332
4082	Water Main Renewals 22/23 - Stewart Drive, Cannonvale	10,009	24,000	34,009	10,000	150,000	100%	7%	139,991
4273	Emergent Works Water	40,485	65,468	105,953	120,835	290,000	34%	14%	249,515
4274	Minor New & Replacements Water	28,896	1,844	30,741	104,165	250,000	28%	12%	221,104
4275	Water Capital Design	-	-	-	75,280	180,675	-	-	180,675
8895	New Initiative - Disaster Resilience - Extend Fibre Infrastr	-	-	-	-	65,672	-	-	65,672
8921	Bowen Small Reservoir Pressure Zone	-	7,480	7,480	23,488	23,488	-	-	23,488
8922	Collinsville WTP Emergent works	11,543	-	11,543	12,400	133,631	93%	9%	122,088
8923	Facilities Instrumentation, Electrical and Control Renewals	4,634	1,763	6,397	15,552	15,552	30%	30%	10,918
8924	Pentacost St Area Renewal	-	-	-	-	140,554	-	-	140,554
8925	Proserpine Bore 10 supplementary Funding for Bore moving (TM)	6,592	7,858	14,451	11,857	11,857	56%	56%	5,265
8927	Collinsville Efficient Resilient Solar Program	512,780	471,266	984,046	462,734	919,787	111%	56%	407,007
8931	Additional Bores - Proserpine WTP	78,615	76,517	155,132	145,000	952,662	54%	8%	874,047
8932	Network Instrumentation, Electrical and Control Renewals - W	16,609	-	16,609	-	23,301	-	71%	6,692
9101	W&S Lab - Equipment	(15,898)	-	(15,898)	-	-	-	-	15,898
Sub Total WSW - Water Operations		767,922	756,640	1,524,562	1,382,901	5,533,646	56%	14%	4,765,724
38300 - WSW - Sewerage Operations									
4040	Ammonia/ Nitrate Optimisation	-	137,557	137,557	-	165,000	-	-	165,000
4042	Trade Waste Submetering progra	-	-	-	4,400	20,000	-	-	20,000
4043	BOWSTP Spirobin biosolids	-	96,695	96,695	-	95,000	-	-	95,000
4044	PROSTP Spirobin	-	81,600	81,600	-	95,000	-	-	95,000
4045	Carlo Drive Sewer Rising Main	88,072	160,689	248,760	80,032	250,032	110%	35%	161,960
4076	Manhole Renewal - Budget Allocation	-	-	-	2,588	2,588	-	-	2,588
4092	Emergent Works Sewer 22/23	300,280	1,350	301,630	307,522	307,522	98%	98%	7,242
4112	Cannonvale STP Membrane Replacement	26,832	144,346	171,179	171,179	171,179	16%	16%	144,347
4204	Equipment - Sewer Camera	35,056	-	35,056	36,000	36,000	97%	97%	944
4269	Emergent Works Sewer	52,866	15,955	68,821	81,733	367,800	65%	14%	314,934
4270	Minor New & Replacements Sewer	464	-	464	-	114,000	-	0%	113,537
4271	Sewer Capital Design	867	-	867	-	180,675	-	0%	179,808
4272	Regional Sewer Pump Replacement Program	4,750	34,166	38,916	10,000	45,000	48%	11%	40,250
4931	New Bowen Sewerage Treatment Plant & Upgrades - C/W 17-18-C/	8,123	-	8,123	8,123	8,123	100%	100%	-
5539	Sewer Pump Capacity Upgrades - Combined Rising Main - C/W 18	15,313	151,780	167,093	73,200	640,000	21%	2%	624,687
8915	Sewer Relining – Regional P2 Zone	47,922	-	47,922	181,813	272,719	26%	18%	224,797
8916	STP Odour containment Panel replacement	-	67,241	67,241	-	-	-	-	-
8917	Chapman St Sewer Rising Main Replacement	8,115	145,965	154,080	20,000	400,000	41%	2%	391,885
8920	Network Instrumentation, Electrical and Control Renewals - S	1,414	15,674	17,088	-	30,701	-	5%	29,287
8935	Waste reuse to Agriculture (biosolids) Project	-	12,196	12,196	20,000	20,000	-	-	20,000
Sub Total WSW - Sewerage Operations		590,075	1,065,214	1,655,288	996,590	3,221,339	59%	18%	2,631,264
38400 - WSW - Waste & Recycling Services									
4046	Cell 6 Kelsey Creek Landfill	50,640	158,595	209,235	57,200	3,000,000	89%	2%	2,949,360
4048	Cvle Tfr Station Drainage	746	-	746	30,000	50,000	2%	1%	49,254
4049	KCL Landfill RRA and Transfer	357,183	99,184	456,367	402,555	402,555	89%	89%	45,372
4051	Upgrade Sediment Pond 1-Kelsey	873	17,880	18,753	-	150,000	-	1%	149,127
4203	Fencing - Renewal	25,114	17,060	42,174	-	90,293	-	28%	65,179
4277	Transfer Station Collinsville Upgrades	-	-	-	-	30,000	-	-	30,000
4278	Landfill Bowen Leachate Evaporation Pond	3,044	99,317	102,361	77,085	185,000	4%	2%	181,956
4279	Purchase New Waste Oil Sheds	-	-	-	20,835	50,000	-	-	50,000
4280	Landfill Bowen Upgrade Sed Pond 3	-	-	-	-	150,000	-	-	150,000
8820	Cannonvale Waste Transfer Station	37,697	8,257	45,954	45,954	45,954	82%	82%	8,257
9157	Bowen Landfill - Culvert, Stormwater Drain, Leachate Pump	707	37,800	38,507	-	260,914	-	0%	260,207
Sub Total WSW - Waste & Recycling Services		476,004	438,092	914,097	633,629	4,414,716	75%	11%	3,938,712
Total Infrastructure Services		13,945,616	16,354,348	30,299,965	19,129,605	41,964,652	73%	33%	28,019,036
40000 - Corporate Services									
42200 - IT – Projects - Information Management									
4091	NBN 5x Hybrid Cubes to Fixed wireless towers	27,419	-	27,419	67,100	67,100	41%	41%	39,681

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4246	Replacement - Meeting Room AV Equipment Upgrades	-	6,321	6,321	15,556	70,000			70,000
4247	Replacement - Waste Transfer Stn Point of Sale System Upgrad	9,258	-	9,258	11,460	27,500	81%	34%	18,242
4248	Replacement - Water and Waste Scada Servers	-	-	-	8,889	40,000			40,000
8821	CCTV, Radio links, Video conferencing and Wireless Access	453	-	453	453	453	100%	100%	0
8876	Disaster Resilience - VHF Radio Network Replacement	664,026	363,638	1,027,663	1,101,767	1,322,120	60%	50%	658,094
8878	Replacement Program - Desktop PC's and Laptop Computers	(12,619)	81,211	68,592	52,843	126,823	-24%	-10%	139,442
8884	Replacement Program - CCTV Network Hardware Upgrade	22,464	16,146	38,610	39,166	130,553	57%	17%	108,089
8885	Replacement Program - CIRP - Communications Infrastructure R	10,690	-	10,690	50,000	225,000	21%	5%	214,310
8892	New Initiative - Disaster Resilience - NBN ? Design, Install	19,891	109,460	129,352	45,000	150,000	44%	13%	130,109
8893	New Initiative ? IoT Program of Works ? Design, Install Hard	-	-	-	11,111	50,000			50,000
Sub Total IT – Projects - Information Management		741,581	576,776	1,318,357	1,403,344	2,209,549	53%	34%	1,467,968
42300 - IT – Operational - Technical Services									
4074	Mobility Solutions and Integrations	(3,901)	-	(3,901)	-	-			3,901
Sub Total IT – Operational - Technical Services		(3,901)	-	(3,901)	-	-	0%	0%	3,901
43300 - Finance - Insurance									
7886	Insurance - Bowen Reservoir- CW 1920	2,149	50,485	52,634	2,149	2,149	100%	100%	0
7896	Insurance - Collinsville Reservoir High Level	9,473	1,744,126	1,753,599	174,000	2,000,000	5%	0%	1,990,527
Sub Total Finance - Insurance		11,622	1,794,611	1,806,233	176,149	2,002,149	7%	1%	1,990,527
44400 - PPF - Fleet Management									
2089	Plant Purchases	184,556	2,098,602	2,283,158	97,058	1,922,158	190%	10%	1,737,602
4020	Fleet and Plant Replacement Program	593,245	1,712,048	2,305,293	168,675	2,138,123	352%	28%	1,544,878
4021	Workshop equipment 22-23	-	-	-	5,756	5,756			5,756
4090	Backhoe Loader Proserpine	-	-	-	-	220,000			220,000
4244	Fleet and Plant Replacement Program	753,938	12,031	765,969	-	754,500		100%	562
4245	Infrastructure Services - Trailers	-	-	-	-	221,500			221,500
Sub Total PPF - Fleet Management		1,531,739	3,822,681	5,354,420	271,489	5,262,037	564%	29%	3,730,298
44700 - PPF - Property & Facilities									
1000	Denison Park Fencing - Bowen Seagulls 2023	10,228	-	10,228	-	-			(10,228)
4008	Bowen Admin Ground Floor - Mech Plant Renewal	136,348	908,218	1,044,566	-	1,100,000		12%	963,652
4012	Bowen Cemetery Amenities Renewal	116,368	1,074	117,442	128,037	128,037	91%	91%	11,669
4013	Bowen Workcamp Dwelling Restumping	87,820	2,500	90,320	91,253	91,253	96%	96%	3,433
4015	Denison Park Grandstand Renewal	217,403	325	217,728	212,210	212,210	102%	102%	(5,193)
4016	Fuel Bowser Replacement Program	44,004	105,639	149,643	153,880	153,880	29%	29%	109,876
4017	Proserpine Depot Masterplan	-	-	-	-	50,000			50,000
4019	PEC - Storage Structure and Fit out	197,170	15,039	212,209	223,388	223,388	88%	88%	26,218
4069	Cedar Creek Amenities - Renewal	149,671	23,623	173,295	229,611	229,611	65%	65%	79,940
4070	Hansen Case Park - New Amenities	83,198	85,960	169,158	179,856	179,856	46%	36%	146,658
4071	Proserpine Cemetery - Disabled amenities upgrades	54,405	390	54,795	58,822	58,822	92%	92%	4,417
4106	Bowen Workcamp STP Renewal	46,182	-	46,182	47,817	47,817	97%	97%	1,635
4202	Digital Screens	3,387	2,048	5,435	5,435	5,435	62%	62%	2,048
4227	Aircon Replacement Program	14,747	1,061	15,808	53,700	137,700	27%	11%	122,953
4228	Amenities CCTV Installation Project	1,438	-	1,438	-	140,000		1%	138,562
4229	Bowen Admin Solar installation	37,945	-	37,945	58,000	58,000	65%	65%	20,055
4230	Bowen Depot Auto Gate	-	-	-	40,000	90,000			90,000
4231	Bowen Depot Cement Shed Roof Renewal	270	-	270	31,200	31,200	1%	1%	30,930
4232	Bowen PCYC -OSHC Floor Covering Replacement	-	-	-	-	30,000			30,000
4233	Buildings Painting Program	4,700	44,840	49,540	-	106,000		4%	101,300
4234	Collinsville Depot Boundary Fence	2,260	-	2,260	-	210,960		1%	208,700
4235	Collinsville Football Club Field Lighting Renewal	138,271	3,573	141,844	151,200	151,200	91%	91%	12,929
4236	Demolition Of Kent St Clubhouse and Structures	-	-	-	-	29,700			29,700
4237	Demolition Of Powerhouse Road Structures	-	-	-	-	181,368			181,368
4239	Proserpine Depot Stores Racking	11,950	52,307	64,257	55,000	55,000	22%	22%	43,050
4240	Shingley Beach Amenities Reroof	234	-	234	-	32,760		1%	32,526
4241	Strategic Asset Reserve	1,200	-	1,200	-	1,194,000		0%	1,192,800
4242	Cannonvale Customer Service & Library project	68,827	367,988	436,815	66,000	1,282,180	104%	5%	1,213,353
4926	Proserpine Entertainment Centre - Building Works in addition	6,856	-	6,856	6,856	6,856	100%	100%	-
5021	Collinsville Football Club Field Lighting Renewal	3,925	761	4,685	141,604	141,604	3%	3%	137,679
5640	Proserpine Administration Building Replacement - Stage 1 - C	(18,399)	-	(18,399)	-	-			18,399
8852	Airlie Beach Lagoon Amenities Fitout and Fittings Renewal	65,535	161,287	226,823	100,716	202,482	65%	32%	136,947
8853	Bowen Depot Boundary Fence Renewal	214	-	214	-	-			(214)
8856	Bowen Library Mechanical Plant Renewal	-	115,060	115,060	-	117,500			117,500
8858	Solar Power Generation	-	53,904	53,904	42,148	42,148			42,148
8859	Collinsville Football Club Roof Renewal	207,213	1,903	209,116	209,116	209,116	99%	99%	1,903
8868	Relocation of Cannonvale Depot - Demountable Buildings	-	7,070	7,070	9,395	9,395			9,395
Sub Total PPF - Property & Facilities		1,693,369	1,954,570	3,647,939	2,295,244	6,989,478	74%	24%	5,296,109
Total Corporate Services		3,974,409	8,148,639	12,123,049	4,146,225	16,463,212	96%	24%	12,488,803
50000 - Regional Strategy & Planning									
53100 - SP - Strategic Planning									
1008	Airlie Beach Carpark / Multi Storey / Place of Refuge	-	17,155	17,155	-	-			-
4226	LGIP Cutuli Road Investigations and Design	-	-	-	-	200,000			200,000
Sub Total SP - Strategic Planning		-	17,155	17,155	-	200,000	0%	0%	200,000

Attachment 11.15.3 Capital Expenditure Report as at 28 November 2023

Job	Description	a. Actuals to Period	b. Commitments	(a.+b.) Actuals + Commitments	d. Budget to Period	e. Total Annual Current Budget	(a./d.) % YTD Act to YTD Bud	a./e. % YTD Act to Ann Bud	e.- a. Remaining Bud \$
Total Regional Strategy & Planning		-	17,155	17,155	-	200,000	0%	0%	200,000
60000 - Community Services & Facilitation									
62200 - CDL - Libraries									
4005	Bowen Library Refurbishment	(2,175)	629	(1,545)	-	24,713	-9%		26,888
Sub Total CDL - Libraries		(2,175)	629	(1,545)	-	24,713	0%	-9%	26,888
65100 - RS - Sport & Recreational									
4220	BSP Shop Front Refurbishment	-	-	-	-	25,000			25,000
8903	Lake Proserpine Commercialisation Project	-	-	-	-	75,000			75,000
Sub Total RS - Sport & Recreational		-	-	-	-	100,000	0%	0%	100,000
65300 - RS - Pools, Lagoons & Enclosures									
4223	Collinsville Pool Design & Construct Bulk Head and Retile	1,754	-	1,754	-	239,750		1%	237,996
8606	Wilson Beach Swimming Enclosure Refurbishment	118,709	-	118,709	350,000	350,000	34%	34%	231,291
8787	LRCI - Construction of new Collinsville Water Park	471	-	471	-	-			(471)
8874	Proserpine Pool/Waterpark Electrical Switchboard Upgrade	879	-	879	-	25,000		4%	24,121
8899	Bowen Aquatic Facility - town pool heater replacement	-	420	420	-	-			-
8900	Proserpine Aquatic Facility - town pool heater replacement	-	420	420	19,350	19,350			19,350
Sub Total RS - Pools, Lagoons & Enclosures		121,813	840	122,653	369,350	634,100	33%	19%	512,287
65400 - RS - Entertainment & Conference Centres									
8532	PEC Fit out and Setup Capital	18,700	-	18,700	18,700	85,594	100%	22%	66,894
Sub Total RS - Entertainment & Conference Centres		18,700	-	18,700	18,700	85,594	100%	22%	66,894
67150 - HEC - Natural Resource Management									
4006	Frog Rock foreshore	1,545	1,545	3,091	1,600	48,000	97%	3%	46,455
4007	Dingo beach walking track	-	-	-	-	90,000			90,000
4154	Whitsunday Bushfire Resilience & Infrastructure - Tanks	-	-	-	-	190,000			190,000
4221	Merinda washdown facility	-	41,400	41,400	45,000	45,000			45,000
Sub Total HEC - Natural Resource Management		1,545	42,945	44,491	46,600	373,000	3%	0%	371,455
67300 - HEC - Water Quality									
4224	Mullers lagoon aeration	-	33,458	33,458	-	30,000			30,000
4225	Cannonvale lakes aeration	-	33,458	33,458	-	30,000			30,000
Sub Total HEC - Water Quality		-	66,916	66,916	-	60,000	0%	0%	60,000
67350 - HEC - Environmental Health									
4200	Litter & Illegal Dumping Partnership Program 2B	30,949	-	30,949	30,558	30,558	101%	101%	(391)
Sub Total HEC - Environmental Health		30,949	-	30,949	30,558	30,558	101%	101%	(391)
67500 - HEC - Parking Management									
7821	Installation of Pay & Display Parking Machines - Airlie Beach	(2,045)	-	(2,045)	-	-			2,045
Sub Total HEC - Parking Management		(2,045)	-	(2,045)	-	-	0%	0%	2,045
67550 - HEC - Local Laws									
4222	Proserpine Pound Security System upgrades	-	-	-	38,000	38,000			38,000
Sub Total HEC - Local Laws		-	-	-	38,000	38,000	0%	0%	38,000
Total Community Services & Facilitation		168,788	111,331	280,118	503,208	1,345,965	34%	13%	1,177,177
70000 - Commercial Businesses									
14100 - COM - Airports - Operations									
4002	Upgrade Airport Admin Office	24,983	-	24,983	25,053	25,053	100%	100%	71
4004	Whitsunday Coast Airport Fence	212	3,605	3,817	-	35,324		1%	35,112
4087	Collinsville Airport Runway Re-seal	-	122,778	122,778	31,250	250,000			250,000
4122	WCA Freight Hub Implementation	2,892	310	3,202	3,202	3,202	90%	90%	310
4206	Whitsunday Coast Airport - Undercover solar car parking	-	-	-	-	150,000			150,000
4207	Whitsunday Coast Airport - GA Terminal	-	-	-	-	300,000			300,000
4209	Whitsunday Coast Airport - Furniture purchase	3,117	-	3,117	25,000	50,000	12%	6%	46,883
4211	Whitsunday Coast Airport - Replace checked bag screening ser	-	35,300	35,300	50,000	50,000			50,000
4212	Whitsunday Coast Airport - 100KVA Field Generator	32,778	10,926	43,704	50,000	100,000	66%	33%	67,222
4213	Whitsunday Coast Airport - Airconditioning upgrade	-	10,671	10,671	-	500,000			500,000
4214	Whitsunday Coast Airport - Replace end of life Explosive Tra	-	122,100	122,100	120,000	120,000			120,000
4215	Whitsunday Coast Airport - Freight Distribution Centre CCTV	-	-	-	-	50,000			50,000
4217	Whitsunday Coast Airport - front terminal roadway	-	-	-	-	100,000			100,000
4218	Whitsunday Coast Airport - Access Gate 5 Road	-	-	-	-	50,000			50,000
4219	Whitsunday Coast Airport - Sewerage Treatment Plant Upgrade	-	63,434	63,434	50,000	100,000			100,000
7033	WCA Airport Fitout	24,983	-	24,983	25,053	25,053	100%	100%	71
8594	Bowen Aerodrome Runway Repairs	47,324	11,332	58,656	56,451	56,451	84%	84%	9,127
8863	Welcome to Whitsundays Signage Proserpine Airport	-	6,058	6,058	5,237	5,237			5,237
Sub Total COM - Airports - Operations		136,288	386,514	522,802	441,246	1,970,320	31%	7%	1,834,032
14500 - COM - Shute Harbour - Operations									
4001	Refurbish Shute Harbour Fishing Pontoon	-	4,500	4,500	-	100,000			100,000
4100	Small Tourism Office (STO)	846,952	421,225	1,268,177	1,633,787	1,633,787	52%	52%	786,835
4205	Shute Harbour - Under Cover Carpark with Solar Shute Harbour	-	-	-	-	262,076			262,076
4208	Shute Harbour - Replacement flooring	16,769	9,125	25,894	60,000	60,000	28%	28%	43,231

Attachment 11.15.3 Capital Expenditure Report as at 28 November 2023

Job	Description	a. Actuals to Period	b. Commitments	(a.+b.) Actuals + Commitments	d. Budget to Period	e. Total Annual Current Budget	(a./d.) % YTD Act to YTD Bud	a./e. % YTD Act to Ann Bud	e.- a. Remaining Bud \$
Sub Total COM - Shute Harbour - Operations		863,721	434,850	1,298,571	1,693,787	2,055,863	51%	42%	1,192,142
14700 - COM - Airstrips									
4210	Bowen Airstrip - lighting upgrade to MOS Specifications	-	-	-	31,250	250,000			250,000
4885	Collinsville Airstrip - Wildlife proof fence	-	-	-	-	300,000			300,000
Sub Total COM - Airstrips		-	-	-	31,250	550,000	0%	0%	550,000
39100 - COMM - Quarry - Operations									
4180	Quarry Crushing Plant Renewals	-	-	-	-	120,000			120,000
Sub Total COMM - Quarry - Operations		-	-	-	-	120,000	0%	0%	120,000
Total Commercial Businesses		1,000,010	821,364	1,821,374	2,166,283	4,696,183	46%	21%	3,696,173

Grand Total for Period ending 30 November 2023	19,088,823	25,452,838	44,541,661	25,945,321	64,733,012	74%	29%	45,644,189
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Percentage Actuals v YTD Budget 73.57%

Percentage YTD Actuals + Commitments v Annual Current Budget 68.81%

Remediation Works 30000 - Infrastructure Services									
Remediation Works 38400 - WSW - Waste & Recycling Services									
4068	Kelsey Creek-Capping Cell 1-4	719	43,320	44,039	10,000	150,000	7%	0%	149,281
4078	Bowen Landfill - legacy Landfill cell capping (stage 2)	-	43,320	43,320	50,000	310,000			310,000
4281	Landfill Kelsey Closed Cell 1 to 4 Fence Replacement	-	-	-	44,774	268,648			268,648
9100	Landfill - Bowen- Legacy Cell 1	101,746	-	101,746	59,701	59,701	170%	170%	(42,045)
9156	Bowen Landfill - Capping Stage 1, Stormwater Drain, Ground	121,217	2,020	123,237	123,000	369,765	99%	33%	248,548
Sub Total Remediation Works WSW - Waste & Recycling Services		223,683	88,660	312,343	287,475	1,158,114	78%	19%	934,431

12.1 - Lease 1 - Whitsunday Coast Airport**CONFIDENTIAL*****S254J Local Government Regulation 2012 - Closed Meetings***

- (1) A local government may resolve that all or part of a meeting of the local government be closed to the public.*
- (3) However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—*
 - (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.*

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 - (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.***

13 LATE REPORT ITEMS

No agenda items for this section.

14 MATTERS OF IMPORTANCE

This item on the agenda allows Councillors the opportunity to raise an item not included on the agenda for discussion as a matter of importance.