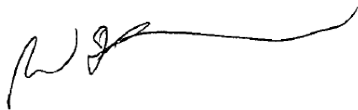




Notice of Meeting

Notice is hereby given that the **Ordinary Council Meeting** of the **Whitsunday Regional Council** will be held at the Council Chambers, 83-85 Main Street, Proserpine on **Wednesday 11 December 2024**, commencing at **9:00 AM** and the Agenda is attached.

Councillors: Ry Collins (Mayor), Michelle Wright (Deputy Mayor), Jan Clifford, Clay Bauman, John Collins, Gary Simpson and John Finlay



Warren Bunker

CHIEF EXECUTIVE OFFICER

Agenda of the Ordinary Council Meeting to be held at
Council Chambers, 83-85 Main Street, Proserpine on Wednesday 11 December 2024
commencing at **9:00 AM**

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

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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

MEETING DETAILS: Ordinary Council Meeting - Wednesday 11 December 2024

AUTHOR: Governance Administration Officer

AUTHORISING OFFICER: Director Corporate Services

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 27 November 2024 are provided for Councils review and confirmation.

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 27 November 2024.

BACKGROUND

In accordance with s254F of the Local Government Regulation 2012, minutes were taken at Council's Ordinary Council Meeting held on 27 November 2024 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 27 November 2024.

If Council is satisfied that the unconfirmed minutes are an accurate representation of what occurred at the meeting held on 27 November 2024 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 27 November 2024 with amendments.

If Council is not satisfied that the unconfirmed minutes are an accurate representation of what occurred at the meeting held on 27 November 2024 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.

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.

CONSULTATION/ENGAGEMENT

Manager Governance & Administration

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 27 November 2024, the following conflicts of interests were declared and recorded in the minutes:

Councillor/Officer	Prescribed or Declarable	Report No.	Particulars of the interest
Cr Gary Simpson	Prescribed	11.2	Cr Simpson declared a prescribed conflict of interest in item 11.2 regarding Trustee Lease for Whitsunday Sportspark Operations Inc - 2489 Shute Harbour Road, Jubilee Pocket (Lot 10 on SP345163) 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 Sportspark The nature of the councillor's relationship with the entity: Client of one of the committee members of Whitsunday Sportspark. Details of the councillor's, and any other entity's, interest in the matter: Whitsunday Sportspark Operations Inc lease with Whitsunday Regional Council. As a result of this conflict of interest, Cr Simpson advised that he will leave the meeting and take no part in the discussion or decision making of this matter.
Cr John Finlay	Prescribed	11.2	Cr John Finlay declared a prescribed conflict of interest in item 11.2 regarding Trustee Lease for Whitsunday Sportspark Operations Inc - 2489 Shute Harbour Road, Jubilee Pocket (Lot 10 on SP345163) 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: SBB Partners & Whitsunday Sportspark The nature of the councillor's relationship with the entity: Cr Finlay is the Manager of SBB Partners whom has a business relationship with the executive officers of Whitsunday Sportspark. Details of the councillor's, and any other entity's, interest in the matter: Whitsunday Sportspark Operations Inc lease with Whitsunday Regional Council. As a result of this conflict of interest, Cr Finlay advised that he will leave the meeting and take no part in the discussion or decision making of this matter.

Cr John Finlay	Declarable	11.3	Cr John Finlay acknowledged a declarable conflict of interest in item 11.3 regarding Trustee Lease - Creative Connections Whitsunday - Part of Land at 192 Main Street, Proserpine (Lot 129 on RP903593) as defined by section 150EQ of the <i>Local Government Act 2009</i>, due to the following: Nature of the Conflict of Interest: Cr Finlay's wife is a member of Creative Connections and potential exhibitor. The name of the related party: Pam Finlay & Creative Connections The nature of the relationship of the related party to the Councillor: Wife & member of Creative Connections. The nature of the related party's interests in the matter: Creative Connections is seeking to enter into a land lease with Whitsunday Regional Council to establish art gallery. As a result of this conflict of interest, Cr Finlay determined that this interest is not of sufficient significance that it would lead him to make a decision on the matter that is contrary to the public interest and were of the view that he would best perform his responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on the matter.
Cr John Finlay	Prescribed	11.4	Cr John Finlay declared a prescribed conflict of interest in item 11.4 regarding Sport & Recreation Facility Management Grant - Bowen Sporting Complex Co-Ordinating Association Inc. as defined by section 150EL of the <i>Local Government Act 2009</i>, due to the following: The name of any entity, other than the councillor, that has an interest in the matter: Bowen Sporting Complex Co-Ordinating Association Inc. The nature of the councillor's relationship with the entity: Cr Finlay is a manager of SBB Partners of whom the applicant is a client of. Details of the councillor's, and any other entity's, interest in the matter: Bowen Sporting Complex Co-Ordinating Association Inc. is requesting grant funding. As a result of this conflict of interest, Cr Finlay advised that he will leave the meeting and take no part in the discussion or decision making of this matter.

Cr Jan Clifford	Prescribed	13.1	During closed session Cr Clifford left the meeting at 10.22am due to a conflict of interest. Cr Clifford returned to the meeting at 10.24am.
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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 motion, the names of all persons voting on the motion 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.

RISK ASSESSMENT/DEADLINES

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).

TABLED MATTERS

Unresolved Tabled Matters			
Date of Meeting	Resolution Number	Summary	Status
24/04/2024	Notice of Motion – Dingo Beach Stinger Net OM2024/04/24.2	That the item regarding Dingo Beach Stinger Net be deferred pending further community Consultation.	This matter is currently being actioned by officers and will be presented to a future meeting of Council.
25/09/2024	11.4 - Collinsville Flying Foxes OM2024/09/25.7	That the item be deferred to a future meeting this calendar year pending further information on the Roost Management Plan and the Flying Fox Management Policy.	Matter to be addressed at the 11 December 2024 Ordinary Council Meeting.
25/09/2024	11.10 - Councillor Related Polices Review OM2024/09/25.13	That the item be deferred pending further discussions.	Completed - Matter was resolved at the 27 November 2024 Ordinary Meeting.

ATTACHMENTS

1. 27 November 2024 - Unconfirmed Ordinary Council Meeting Minutes [3.1.1 - 83 pages]



UNCONFIRMED

Minutes of the Ordinary Council Meeting held on Wednesday 27 November 2024 at Council Chambers, 67 Herbert Street, Bowen

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

Councillors Present:

Ry Collins (Mayor/Chair), Michelle Wright (Deputy Mayor), Jan Clifford, Clay Bauman, John Collins, Gary Simpson, and John Finlay

Council Officers Present:

Warren Bunker (Chief Executive Officer); Scott Hardy (Acting Director Community Services and Facilitation); Neil McGaffin (Director Regional Strategy and Planning); James Ngoroyemoto (Acting Director Corporate Services); Gary Murphy (Director Infrastructure Services); Greg Martin (Communications and Marketing Manager); Craig Turner (Director Commercial Businesses); Craig Turner (Director Commercial Businesses); Tailah Jensen (Governance Administration Officer/Minute Taker)

Meeting Schedule:

The meeting commenced at 9.02am.

The meeting closed for confidential session at 10.00am.

The meeting re-opened from confidential session at 10.42am.

The meeting concluded at 10.45am.

UNCONFIRMED

This is page 2 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

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This is page 12 of the Agenda of Council's Ordinary Council Meeting - 11 December 2024

1 APOLOGIES/LEAVE OF ABSENCE

There were no apologies/leaves of absence requests for this meeting.

~~~~~

## 2 CONDOLENCES

Council acknowledged and observed a minute silence for the recently deceased throughout the Whitsunday Region.

~~~~~

Elite Athlete Presentations were held at 9.02am.

~~~~~

## 3 CONFIRMATION OF MINUTES

### 3.1 - Confirmation of Minutes

#### 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 30 October 2024 are provided for Councils review and confirmation.

#### OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 30 October 2024.

#### RESOLUTION OM2024/11/27.1

Moved By: CR M WRIGHT

Seconded By: CR J COLLINS

That Council confirms the Minutes of the Ordinary Meeting held on 30 October 2024.

#### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

## 4 BUSINESS ARISING

No business arising for this meeting.

~~~~~

This is page 4 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

5 MAYORAL MINUTE

There was no mayoral minute for this meeting.

6 NOTICES OF MOTION

There were no notice of motions for this meeting.

7 DEPUTATIONS

There were no deputations for this meeting.

8 PETITIONS / QUESTIONS ON NOTICE

RESOLUTION OM2024/11/27.2

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council receive the petition regarding adding the end of Gray & Slaughter Rd to the road maintenance register and refer it to the Chief Executive Officer to determine appropriate action.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

9 QUESTIONS FROM THE PUBLIC GALLERY

There were no public questions submitted during this meeting.

10 COMMITTEES REPORTS

No committees reports for this meeting.

This is page 5 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

11 OFFICERS REPORTS

11.1 - 2024/25 Operational Plan Q1 Review

PURPOSE

The purpose of this report is to present Council's progress towards implementing the annual Operational Plan 2024/25 for the period ending 30th September 2024 (Quarter One Review).

OFFICER'S RECOMMENDATION

That Council receive the Operational Plan 2024/25 Quarter One Progress Report for the period to 30 September 2024 (**Attachment 1**).

RESOLUTION OM2024/11/27.3

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council receive the Operational Plan 2024/25 Quarter One Progress Report for the period to 30 September 2024 (**Attachment 1**).

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~  
Cr Simpson declared a prescribed conflict of interest in item 11.2 regarding Trustee Lease for Whitsunday Sportspark Operations Inc - 2489 Shute Harbour Road, Jubilee Pocket (Lot 10 on SP345163) 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 Sportspark

The nature of the councillor's relationship with the entity: Client of one of the committee members of Whitsunday Sportspark.

Details of the councillor's, and any other entity's, interest in the matter: Whitsunday Sportspark Operations Inc lease with Whitsunday Regional Council.

As a result of this conflict of interest, Cr Simpson advised that he will leave the meeting and take no part in the discussion or decision making of this matter.

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This is page 6 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

This is page 15 of the Agenda of Council's Ordinary Council Meeting - 11 December 2024

Cr John Finlay declared a prescribed conflict of interest in item 11.2 regarding Trustee Lease for Whitsunday Sportspark Operations Inc - 2489 Shute Harbour Road, Jubilee Pocket (Lot 10 on SP345163) 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: SBB Partners & Whitsunday Sportspark

The nature of the councillor's relationship with the entity: Cr Finlay is the Manager of SBB Partners whom has a business relationship with the executive officers of Whitsunday Sportspark.

Details of the councillor's, and any other entity's, interest in the matter: Whitsunday Sportspark Operations Inc lease with Whitsunday Regional Council.

As a result of this conflict of interest, Cr Finlay advised that he will leave the meeting and take no part in the discussion or decision making of this matter.

~~~~~

#### **11.2 - Trustee Lease for Whitsunday Sportspark Operations Inc – 2489 Shute Harbour Road, Jubilee Pocket (Lot 10 on SP 345163)**

##### **PURPOSE**

To seek Council approval to enter into a ten (10) year trustee lease with Whitsunday Sportspark Operations Inc.

##### **OFFICER'S RECOMMENDATION**

That Council authorise the Chief Executive Officer to enter into negotiations and execute a new ten (10) year peppercorn trustee lease with Whitsunday Sportspark Operations Inc for part of the land being Lot 10 on SP 345163 (Lease F) also known as 2489 Shute Harbour Road, Jubilee Pocket in accordance with Section 236(b)(ii) of the Local Government Regulation 2012.

##### **RESOLUTION OM2024/11/27.4**

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council authorise the Chief Executive Officer to enter into negotiations and execute a new ten (10) year peppercorn trustee lease with Whitsunday Sportspark Operations Inc for part of the land being Lot 10 on SP 345163 (Lease F) also known as 2489 Shute Harbour Road, Jubilee Pocket in accordance with Section 236(b)(ii) of the Local Government Regulation 2012.

##### **MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

~~~~~

This is page 7 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

Cr Finaly and Cr Simpson returned to the meeting at 9.22am.

Cr John Finlay acknowledged a declarable conflict of interest in item 11.3 regarding Trustee Lease - Creative Connections Whitsunday - Part of Land at 192 Main Street, Proserpine (Lot 129 on RP903593) as defined by section 150EQ of the *Local Government Act 2009*, due to the following:

Nature of the Conflict of Interest: Cr Finlay's wife is a member of Creative Connections and potential exhibitor.

The name of the related party: Pam Finlay & Creative Connections

The nature of the relationship of the related party to the Councillor: Wife & member of Creative Connections.

The nature of the related party's interests in the matter: Creative Connections is seeking to enter into a land lease with Whitsunday Regional Council to establish art gallery.

As a result of this conflict of interest, Cr Finlay determined that this interest is not of sufficient significance that it would lead him to make a decision on the matter that is contrary to the public interest and were of the view that he would best perform his responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on the matter.

RESOLUTION OM2024/11/27.5

Moved by: CR M WRIGHT

Seconded by: CR J CLIFFORD

That Council agree it is in the public interest that Cr Finlay participates and votes on item 11.3, because no direct or indirect benefit or loss accrues to Cr Finlay and therefore it is reasonable that the final decision will be made in the public interest.

MEETING DETAILS:

Cr Finlay did not participate in the voting on this matter.

The motion was Carried 6 / 0

CARRIED

~~~~~

**11.3 - Trustee Lease - Creative Connections Whitsunday - Part of Land at 192 Main Street, Proserpine (Lot 129 on RP903593)**

**PURPOSE**

To seek Council approval to enter into a new part of land lease following a request received from Creative Connections Whitsundays for the purpose of establishing a Community Art Gallery.

**OFFICER'S RECOMMENDATION**

That Council authorise the Chief Executive Officer to enter into negotiations and execute a ten (10) year peppercorn lease with Creative Connections Whitsunday Inc for part of the land being Lot 129 on RP 903593 also known as 192 Main Street, Proserpine in accordance with Section 236 1(b)(ii) of the Local Government Regulation 2012.

**RESOLUTION OM2024/11/27.6**

**Moved By: CR J COLLINS**

**Seconded By: CR J CLIFFORD**

**That Council authorise the Chief Executive Officer to enter into negotiations and execute a ten (10) year peppercorn lease with Creative Connections Whitsunday Inc for part of the land being Lot 129 on RP 903593 also known as 192 Main Street, Proserpine in accordance with Section 236 1(b)(ii) of the Local Government Regulation 2012.**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

~~~~~  
Cr John Finlay declared a prescribed conflict of interest in item 11.4 regarding Sport & Recreation Facility Management Grant - Bowen Sporting Complex Co-Ordinating Association Inc. 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: Bowen Sporting Complex Co-Ordinating Association Inc.

The nature of the councillor's relationship with the entity: Cr Finlay is a manager of SBB Partners of whom the applicant is a client of.

Details of the councillor's, and any other entity's, interest in the matter: Bowen Sporting Complex Co-Ordinating Association Inc. is requesting grant funding.

As a result of this conflict of interest, Cr Finlay advised that he will leave the meeting and take no part in the discussion or decision making of this matter.

~~~~~  
This is page 9 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

**11.4 - Sport & Recreation Facility Management Grant - Bowen Sporting Complex Co-Ordinating Association Inc.**

**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 Co-Ordinating Association Inc.

**RESOLUTION OM2024/11/27.7**

Moved By: CR M WRIGHT

Seconded By: CR G SIMPSON

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

**MEETING DETAILS**

The motion was Carried 6 / 0.

**CARRIED**

~~~~~

Cr Finlay returned to the meeting at 9.32am.

UNCONFIRMED

11.5 - Donations, Sponsorships, In Kind Requests and Grants Approved October 2024

PURPOSE

To advise Council of the donations, sponsorships, in-kind support and grants up to \$20,000 provided for the month of October 2024.

OFFICER'S RECOMMENDATION

That Council:

- Note the Financial Support for Junior Elite Athlete Grant applications approved for the month of October 2024 to the applicants identified in Attachment 1.
- Note the Financial Support for Donation applications approved for the month of October 2024 to the applicants identified in Attachment 2.
- Note the Financial Support for In-kind donation applications approved for the month of October 2024 to the applicants identified in Attachment 3.
- Note the Financial Support for Sponsorship applications approved for the month of October 2024 to the applicants identified in Attachment 4.
- Note the Financial Support for Sport & Recreation Club applications approved for the month of October 2024 to the applicants identified in Attachment 5 and;
- Note the Financial Support for Donation on Council Fee applications approved for the month of October 2024 to the applicants identified in Attachment 6.

RESOLUTION OM2024/11/27.8

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council:

- Note the Financial Support for Junior Elite Athlete Grant applications approved for the month of October 2024 to the applicants identified in Attachment 1.
- Note the Financial Support for Donation applications approved for the month of October 2024 to the applicants identified in Attachment 2.
- Note the Financial Support for In-kind donation applications approved for the month of October 2024 to the applicants identified in Attachment 3.
- Note the Financial Support for Sponsorship applications approved for the month of October 2024 to the applicants identified in Attachment 4.
- Note the Financial Support for Sport & Recreation Club applications approved for the month of October 2024 to the applicants identified in Attachment 5 and;
- Note the Financial Support for Donation on Council Fee applications approved for the month of October 2024 to the applicants identified in Attachment 6.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~  
This is page 11 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

## 11.6 - Councillor Related Policies Review

### PURPOSE

To review the Councillor related policies in alignment with Council's recently adopted Policy Framework.

### OFFICER'S RECOMMENDATION

That Council:

1. Adopt the following policies:
  - a. Councillor Acceptable Requests Guidelines, as shown in **Attachment 1**;
  - b. Councillor Expenses and Resources Policy, as shown in **Attachment 2**;
  - c. Entertainment and Hospitality Policy, as shown in **Attachment 3**;
  - d. Councillor Conduct Investigations Policy, as shown in **Attachment 4**;
  - e. Social Media Policy, as shown in **Attachment 5**;
  - f. Media Relations Policy, as shown in **Attachment 6**; and
  - g. Councillor Roles in development matters, as shown in **Attachment 7**
2. Rescinds the following policies:
  - a. Gifts, Benefits Policy, as shown in **Attachment 8**;
  - b. Related Party Disclosure Policy, as shown in **attachment 9**;
  - c. Confidentiality for Councillors Policy, as shown in **attachment 10**; and
  - d. Private Email and Social Media Platforms, as shown in **attachment 11**

### RESOLUTION OM2024/11/27.9

Moved By: CR R COLLINS (MAYOR)

Seconded By: CR M WRIGHT

That Council:

1. Adopt the following policies:
  - a. Councillor Acceptable Requests Guidelines, as shown in Attachment 1;
  - b. Councillor Expenses and Resources Policy, as shown in Attachment 2;
  - c. Entertainment and Hospitality Policy, as shown in Attachment 3;
  - d. Councillor Conduct Investigations Policy, as shown in Attachment 4;
  - e. Social Media Policy, as shown in Attachment 5;
  - f. Media Relations Policy, as shown in Attachment 6; and
  - g. Councillor Roles in development matters, as shown in Attachment 7
2. Rescinds the following policies:
  - a. Gifts, Benefits Policy, as shown in Attachment 8;
  - b. Related Party Disclosure Policy, as shown in attachment 9;
  - c. Confidentiality for Councillors Policy, as shown in attachment 10; and

This is page 12 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

**d. Private Email and Social Media Platforms, as shown in attachment 11**

**MEETING DETAILS**

The motion was Carried 7 / 0.

**CARRIED**

~~~~~

UNCONFIRMED

This is page 13 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

This is page 22 of the Agenda of Council's Ordinary Council Meeting - 11 December 2024

11.7 - Notification of Water Meter Reading Period

PURPOSE

To obtain a resolution for the declaration of the date for the reading of water meters in the first half of the financial year 2024/25.

OFFICER'S RECOMMENDATION

That Council declare the water meter reading date to be 16 December 2024 for the commencement of reading the water meters for the billing period.

RESOLUTION OM2024/11/27.10

Moved By: CR M WRIGHT

Seconded By: CR J CLIFFORD

That Council declare the water meter reading date to be 16 December 2024 for the commencement of reading the water meters for the billing period.

MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

UNCONFIRMED

This is page 14 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

This is page 23 of the Agenda of Council's Ordinary Council Meeting - 11 December 2024

### 11.8 - Monthly Finance Report

#### 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 and the Unaudited Financial Statements for the period ended 31 October 2024.

#### RESOLUTION OM2024/11/27.11

Moved By: CR J CLIFFORD

Seconded By: CR M WRIGHT

That Council receive the Financial Report and the Unaudited Financial Statements for the period ended 31 October 2024.

#### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

~~~~~

UNCONFIRMED

This is page 15 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

This is page 24 of the Agenda of Council's Ordinary Council Meeting - 11 December 2024

12 LATE REPORT ITEMS

There were no late items for this meeting.

~~~~~

**13 CONFIDENTIAL MATTERS**

**PROCEDURAL MOTION - CLOSURE OF MEETING (CONFIDENTIAL SESSION)  
OM2024/11/27.12**

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council close the meeting to the public at 10.00am in accordance with Section 254J of the Local Government Regulations 2012 for closed meetings, for the purpose of discussing the following items and the reasons for going into closed session:

**13.1 - Quarterly Legal Matters Update**

- (e) *legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.*

**MEETING DETAILS:**

The procedural motion was Carried 7 / 0

**CARRIED**

~~~~~

During closed session Cr Clifford left the meeting at 10.22am due to a conflict of interest.

Cr Clifford returned to the meeting at 10.24am.

PROCEDURAL MOTION - REOPEN MEETING OM2024/11/27.13

Moved by: CR J CLIFFORD

Seconded by: CR M WRIGHT

That Council reopen the meeting to the general public at 10.42am.

MEETING DETAILS:

The motion was Carried 7 / 0

CARRIED

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This is page 16 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

### 13.1 - Quarterly Legal Matters Update

#### PURPOSE

To provide an update on legal matters for the period July to September 2024 – quarter 1.

#### OFFICER'S RECOMMENDATION

That Council receive the legal matters update report for period July to September 2024.

#### RESOLUTION OM2024/11/27.14

Moved By: CR J COLLINS

Seconded By: CR J CLIFFORD

That Council receive the legal matters update report for period July to September 2024.

#### MEETING DETAILS

The motion was Carried 7 / 0.

CARRIED

#### 14 MATTERS OF IMPORTANCE

Cr John Collins - Informed Council and encouraged the Community to attend the 2024 Accomplished and Emerging Artists Exhibition at the Proserpine Museum.  
Cr Jan Clifford - Raised concerns around CCTV Cameras maintenance.

The Meeting closed at 10.45am.

Confirmed as a true and correct recording this 11 December 2024.

Cr Ry Collins  
MAYOR

This is page 17 of the Minutes of Council's Ordinary Council Meeting - 27 November 2024

This is page 26 of the Agenda of Council's Ordinary Council Meeting - 11 December 2024



## STRATEGIC POLICY

### Councillor Expenses and Resources

Endorsed by Council

8 July 2020

## 1. Purpose

- 1.1 The broad principle adopted by Council in connection to the provision and use of Council-owned assets to Councillors is to enable Councillors to effectively discharge the requirements of their office. Limitations about the use of these assets are adopted to ensure that Council-owned assets are not utilised for purposes other than those directly related to the office holder.
- 1.2 Section 250(1) of the Local Government Regulation 2012 (Qld) requires Council to adopt an expenses reimbursement policy. Section 249(2) of the LGR states that an expenses reimbursement policy provides for the following:
  - 1.2.1 payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors; and
  - 1.2.2 provision of facilities to councillors for that purpose.

## 2. Scope

- 2.1 This policy applies to Councillors and sets out guidelines for the reimbursement of legitimate expenses incurred or to be incurred by a Councillor while carrying out Council Business. It also deals with the provision of administrative support to enable Councillors to discharge their duties and responsibilities.
- 2.2 This policy does not provide for, or add to, the remuneration received by Councillors for the performance of their roles. Councillors' remuneration is determined by the Local Government Commission and as such, falls outside the scope of this policy.
- 2.3 Where a Councillor has special needs or suffers from some form of impairment, the special access and equity needs of the Councillor may result in the provision of additional support or other changes to this policy as required.

## 3. Policy Statement

- 3.1 Council is committed to ensuring that Councillors are not financially disadvantaged in the conduct of their role. This policy underpins that commitment by providing that reasonable expenses incurred by Councillors in carrying out their duties and responsibilities will be reimbursed. This policy also sets out the facilities and resources that Council will provide to Councillors.
- 3.2 The payment or reimbursement of expenses and the provision of facilities and resources for Councillors will be:
  - 3.2.1 open and transparent;



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- 3.2.2 financially responsible and accountable;
- 3.2.3 based on ensuring economy and efficiency;
- 3.2.4 subject to budget provisions; and
- 3.2.5 in accordance with all statutory requirements.

3.3 This policy has been written to reflect the following underpinning principles:

- 3.3.1 the use of public money must be in the public interest;
- 3.3.2 the allocation of Council resources must be fair and reasonable;
- 3.3.3 public disclosure of policy and resolutions promotes transparent decision making; and
- 3.3.4 Councillors must accept accountability for their expenditure and use of facilities.

## 4. Guiding Principles – General

### Budget Provisions

- 4.1 A budget will be allocated to each Councillor each financial year for reasonable expenses incurred under this policy.
- 4.2 Budget allocations are available for one financial year only. Unspent funds in a single financial year will not be carried over to the next financial year.
- 4.3 All entitlements under this policy are subject to Council's budgetary constraints.

### Professional Development

- 4.4 Councillors are encouraged to undertake relevant Professional Development, including conferences, seminars and training.
- 4.5 Council will organise and pay for business costs for Professional Development where the activity level is reasonable, and the activity is:
  - 4.5.1 directly related to a Councillor's official duties; or
  - 4.5.2 organised by a government agency or an industry body (e.g. LGAQ, ALGA).

**[Note: Councillors are encouraged to attend a LGAQ and/or ALGA conference during the term.]**

- 4.6 Requests by Councillors to attend Professional Development are to be made in writing to the CEO outlining the details of the event and the benefits to Council. The CEO may approve professional development within Australia in consultation with the Mayor where there is sufficient budget allocations to cover the costs.



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- 4.7 Any funds expended at the event on personal pursuits should be payable by the Councillor from private funds.

### Council Business

- 4.8 To be entitled to reimbursement under this policy, expenses must be incurred conducting Council Business.
- 4.9 Any expenses of a personal nature are not reimbursable. Expenses of a personal nature include, but are not limited to:
- 4.9.1 tourism related costs;
  - 4.9.2 social events;
  - 4.9.3 in-flight and in-house movies;
  - 4.9.4 Mini bar purchases;
  - 4.9.5 Airline club fees;
  - 4.9.6 Alcohol not consumed as part of a meal; and
  - 4.9.7 Payment of costs associated with the return of personal items which have been left behind.

## 5. Guiding Principles – Travel Expenses

### Travel Expenses Generally

- 5.1 Council will reimburse travel expenses where travel is undertaken for Council Business.
- 5.2 All requests for travel are to be made in sufficient time to gain the required approval and should enable Council to take advantage of travel discounts and deals.
- 5.3 The following approval is required to incur travel expenses:
- 5.3.1 local and interstate travel – CEO approval;
  - 5.3.2 international travel – a resolution of Council
- 5.4 Economy class air travel is the standard. Where flight time exceeds five hours, the Mayor is eligible for Business Class travel and other Councillors are eligible for Premium Economy class (or equivalent).
- 5.5 Councillors are required to travel by the most direct and cost effective route available.



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## Meals

- 5.6 Council will reimburse the actual cost of meals associated with Council Business, when:
- 5.6.1 the Councillor incurs the cost personally;
  - 5.6.2 the councillor can produce original documents sufficient to verify the actual meal cost (e.g. tax receipt); and
  - 5.6.3 the expenses are reasonable.
- 5.7 Reimbursement will be limited to a maximum of the ATO guidelines for meal allowance except for in exceptional circumstances (e.g. entertaining in an unusually expensive location outside the region) and approved by the CEO.
- 5.8 The approval of the CEO should be obtained for the reimbursement of costs of alcohol consumed with a meal. The CEO may place conditions on approval (e.g. financial limits).
- 5.9 Tips and gratuities are not reimbursable unless the meal is in a foreign country and there is a recognised cultural expectation that a tip will be provided. The approval of the CEO should be obtained for the reimbursement of tips and gratuity costs.

*[Note: Such approval is expected to be sought when travelling to countries with a tipping culture, e.g. the United States of America.]*

## Accommodation

- 5.10 Councillors are entitled to accommodation when it is necessary having regard to the length of travel for Council Business. Councillors are entitled to stay in accommodation to a standard of 3/4 stars or equivalent. However, where practical, Council will book accommodation offered as part of a conference package (which may exceed the 3/4-star standard).
- 5.11 Council will book and pay for accommodation in accordance with this policy.
- 5.12 Where a Councillor chooses to stay with friends or family, no accommodation expenses will be paid.
- 5.13 Councillors may be reimbursed for reasonable incidentals associated with accommodation in accordance with this policy, up to a maximum of the ATO guidelines.

## Parking and transport

- 5.14 Councillors may be reimbursed for parking or transport (public transport, taxis, etc.) when conducting Council Business.

*[Note – vehicles for travel within the Whitsunday Region are dealt with separately in this policy]*



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- 5.15 Any fines or infringements issued while undertaking such activities are the personal responsibility of the Councillor incurring the fine.

#### **Spouses, partners and family members**

- 5.16 Councillors are not entitled to reimbursements for expenses incurred for spouses, partners or other family members without the prior approval of the CEO.
- 5.17 Where Council has incurred unapproved costs for spouses, partners or other family members for the sake of expediency (e.g. booking flights), the expense associated with spouses, partners or other family members should be reimbursed to Council within 10 business days.

## **6. Guiding Principles – Other expenses**

#### **Advertising**

- 6.1 Councillors are not entitled to be reimbursed or provided with funds, services or facilities for advertising purposes.

#### **Alcohol**

- 6.2 Councillors are not entitled to be reimbursed or provided with funds for the purchase of alcoholic beverages without the approval of the Chief Executive Officer.

#### **Other exclusions**

- 6.3 Expenses related to functions and activities requested or organised by Council will be made from the relevant approved departmental budget.
- 6.4 It is reasonable that expenses associated with advocacy and representative activities undertaken by Councillors on behalf of Council should be adequately funded from existing budgets. Such expenses should not be a charge against the approved budget allocation for the Councillor.

#### **Operational Support**

- 6.5 Each Councillor may be provided with an administrative and operational support officer to assist them in the performance of their duties, and to undertake Council Business. Such officers are employees of Council and are subject to Council's usual terms and conditions of employment and reporting lines.
- 6.6 Councillor support officers should not assist councillors with matters other than Council Business.



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6.7 Communication support is provided on a professional basis to support or further the interests of Council, not those of an individual Councillor.

6.8 The arrangements for provision of operational support will be reviewed on a periodic basis and shall be subject to budgetary and operational parameters.

### Office Accommodation and Assets

6.9 Councillors have access to office accommodation and meeting rooms located in Council premises. These assets should be booked through Council's ordinary processes.

### Business and Communication Tools

6.10 Councillors will be issued with business and communication tools to assist them in performing their duties and undertaking Council Business. These tools should be utilised in accordance with any relevant policies, procedures, conditions of use and guidelines

6.11 Councillors should transact all Council Business using a Council supplied device connected to Council's information technology network. Councillors should not conduct Council Business on private electronic devices nor utilise private mail or messaging accounts for Council Business. Any incidental use of private electronic devices for Council Business (e.g. unprompted contact from the community) should be redirected to official channels and captured as a public record.

6.12 All business and communication tools are procured by Council and are of the same standard as those available to senior management.

6.13 All business and communication tools remain the property of Council and should be accounted for during any audit and returned at the end of the Councillor's term of office.

6.14 Business and communication tools will be replaced at the end of their working life.

6.15 Councillors may make incidental personal use of business and communication tools, but excessive or unreasonable personal use costs (as determined by the CEO) should be reimbursed by the Councillor.

6.16 Requests for additional or alternate business and communication tools will be assessed on their merit and determined by the CEO.

### Vehicles

6.17 To acknowledge the fact that the role of Mayor requires extensive 'after hours' work, the Mayor shall be provided with a Council vehicle with full private use.

6.18 Councillors other than the Mayor may elect to either:



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6.18.1 use a Council provided vehicle to attend Council Business. Council will make a suitable 'pool' vehicle available for priority use of a Councillor, located at a Council facility; or

6.18.2 use their personal vehicle for Council Business and claim an allowance for the kilometres travelled. Such allowance will be the rate set by the ATO for vehicle usage and be based on a log kept by the Councillor that records the purpose of each trip and distance travelled.

6.19 Council will meet all operating costs and provide fuel cards for Councillors driving a Council-owned vehicles.

6.20 Councillors should complete a logbook when using Council vehicles and should specify if any of the kilometres driven were for private use. Any private use by a Councillor shall be reimbursed by the Councillor using the ATO's business use of motor vehicle cents per kilometre method applicable at the time of travel.

6.21 Vehicle expenses for private vehicle use shall only be reimbursed for Council Business, in accordance with ATO guidelines.

### Corporate Wear, Personal Protective Equipment and Name Badges

6.22 An annual professional attire allowance of \$500 will be provided to Councillors to purchase professional attire or uniforms from the approved corporate uniform supplier.

6.23 Councillors will be provided with all necessary safety equipment and are expected to observe the appropriate Workplace, Health and Safety measures when at any workplace.

6.24 Councillors will be provided with business cards, name badges and access cards.

### Use of Corporate Cards

6.25 The CEO may authorise the provision of corporate cards to Councillors to enable them to make incidental expenses in accordance with this policy. Councillors must perform a reconciliation and provide tax invoices to match expenditure.

### Asset Maintenance Costs

6.26 Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council-owned equipment that is supplied to Councillors for official business use. This includes the replacement of any facilities that fall under Council's asset replacement program.



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### Hospitality

- 6.27 Council recognises that Councillors may have occasion to incur hospitality expenses while conducting Council Business, in addition to entertainment or hospitality organised by Council under the Entertainment and Hospitality Policy.
- 6.28 The Mayor may incur hospitality expenses up to the value of \$4,000.00 per annum where it is deemed necessary (by the Mayor) in the conduct of Council Business.
- 6.29 Each Councillor other than the Mayor may incur hospitality expenses up to \$500.00 per annum for hospitality expenses deemed necessary (by the Councillor) in the conduct of Council Business.
- 6.30 Any hospitality expense in excess of these amounts will require the prior approval of the CEO.
- 6.31 Reasonable alcohol costs may be included as a hospitality expense where any Councillor attends a function or dinner for the purposes of professional networking or in relation to Council business, with the approval of the CEO; and
- 6.32 All hospitality expenses shall be reimbursed only where such expenses are otherwise consistent with Council's Entertainment and Hospitality Policy.

### Legal costs and Insurance Cover

- 6.33 Council may decide, by resolution, pursuant to section 107 of the LGA, to cover costs incurred through any inquiry, investigation, hearing or legal proceedings into the conduct of a Councillor, or arising out of, or in connection with the Councillor's performance of their duties.
- 6.34 Councillors will be covered under Council insurance policies while discharging their duties. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillors liability, personal accident and/worker's compensation, international and domestic travel insurance (subject to the terms and condition of the travel insurance policy).

### Caretaker Period under the LGA

- 6.35 Once the caretaker period commences, Councillors must not use Council facilities for political or election purposes and only be eligible to claim expense reimbursement for costs relating to Council Business (not electoral expenses) or as otherwise approved by Council resolution.



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## 7. Reporting

- 7.1 As required by section 186 of the LGR, Council's Annual Report will include details of the expenses incurred by each Councillor during the financial year, as set out in this policy.

## 8. Related Policies and Legislation

Local Government Act 2009 (Qld)  
Local Government Regulation 2012 (Qld)  
Public Ethics Act 1994 (Qld)  
Councillor Code of Conduct  
Entertainment and Hospitality Policy

## 9. Definitions

**ATO** means the Australian Taxation Office.

**Caretaker Period** has the meaning given in the LGA.

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

**Council Business** means business conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements, perform ceremonial activities or achieve business objectives for the Council. Council Business should result in a benefit being achieved either for Council, the Whitsunday region or the community. Council Business includes functions that are a statutory requirement of the Councillor's role or are officially recorded in minutes or other public records. These might also include attending an event or function to perform duties or as a Council representative such as:

- ceremonial openings of buildings and facilities;
- fetes and carnivals;
- annual or presentation dinners;
- public meetings;
- private meetings arranged through Council administrative channels (i.e. documented in official records or diary) for the purpose of conducting discussions regarding the business of Council; or
- other meetings, events or functions, such as:
  - meetings of Council or of its committees that the Councillor is entitled or asked to attend, or at which the Councillor has business for the benefit of the Whitsunday region;



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- inspections, deputations, conferences and meetings at which the Councillor's attendance is permitted by Council;
- Meetings with stakeholders including individuals, community groups, Councillors and staff;
- official functions organised for the local government; or
- meeting with residents for the purpose of local government business.

Expenses of a personal nature are not Council Business.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Expense** means a cost actually incurred.

**Facilities** refers to 'tools of trade' provided by Council, required to enable Councillors to perform their duties with relative ease and at a standard appropriate to fulfil their professional role for the community.

**LGA** means the *Local Government Act 2009* (Qld)

**LGR** means the *Local Government Regulation 2012* (Qld)

**Professional Development** means training that improves a Councillor's skills and knowledge relevant to their role as a Councillor and is directly related to Council Business. Examples of this type of training include public speaking development courses or attending a Local Government conference.

| COUNCIL POLICY                |                                       |                    |                                         |
|-------------------------------|---------------------------------------|--------------------|-----------------------------------------|
| Date Adopted by Council       |                                       | Council Resolution |                                         |
| Effective Date                | 8 July 2020                           | Next Review Date   |                                         |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes            | LSP_OMCEO_40<br>Adopted 11 October 2017 |
| Public Consultation: Yes / No | No                                    |                    |                                         |



## STRATEGIC POLICY

### Councillor Roles in Development Matters

**Endorsed by Council**

**22 November 2023**

## 1. Purpose

- 1.1 Council is committed to serving the public interest and pursuing matters that advantage the Whitsunday region and its community, including in the context of development matters. Many aspects of development proposals seek to advance the economic and community development goals and environment and liveability aspirations which Council seeks to realise through its Corporate Plan, regional strategies and initiatives. The way in which Council discharges its obligations in managing, assessing and deciding development applications can generate investor confidence and employment growth, accommodate and respond to public interests and preserve and enhance the region's natural assets.
- 1.2 Councillors and Council employees are frequently contacted by proponents and participants in the development assessment process regarding proposals or specific development applications. While there is no express statutory prohibition on Councillors or Council employees engaging with proponents and participants in the development assessment process, these interactions should always be carried out ethically, lawfully, transparently and in the public interest.
- 1.3 Distinct from developing and implementing regional and Council strategies, the development application and assessment process is a defined statutory process that must be transparent, objective and legally correct. In respect of all aspects of the development assessment process, Council will always aim to:
  - 1.3.1 reinforce its commitment to open, transparent, efficient, effective and objective decision-making in accordance with statutory requirements;
  - 1.3.2 provide for appropriate involvement by stakeholders in the decision-making process;
  - 1.3.3 support Councillors in discharging their responsibilities for the strategic direction of Council and the region, representing the interests of the region and their constituents and acting in a way that promotes integrity;
  - 1.3.4 assist Councillors to avoid any inference or allegations of dishonesty, bias or undue influence in the performance of their public or professional duties ;
  - 1.3.5 keep Councillors regularly informed of development related matters; and
  - 1.3.6 minimise the risk of non-compliance with legislation by Councillors.
- 1.4 The purpose of this policy is to:
  - 1.4.1 clarify how Councillors may engage with Developers in the current and future interest of the Whitsunday region, particularly where there is no matter before the Council;
  - 1.4.2 provide a framework for how Councillors should engage with Developers or Submitters once a matter has been formally lodged with the Council; and



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1.4.3 provide guidance on where a Councillor has, or is likely to have, a Prescribed conflict of interest or Declarable conflict of interest in relation to a particular development application.

1.5 This policy will assist Councillors when interacting with stakeholders, and promotes decision making in the public interest, good governance, and enhanced community confidence in Council.

## 2. Scope

2.1 Councillors and Council employees (delegated and non-delegated) may represent the interests of the Whitsunday community as a whole in an advocacy role for investment attraction, promoting sustainability, industry development and generating business and investment confidence. Such activities, conducted ethically and lawfully, are appropriate roles for Councillors and Council employees and are not inconsistent with the requirements of this Policy.

2.2 This policy applies to Councillors and is consistent with the LGA, the *Integrity Act 2009* (Qld) and the Planning Act.

2.3 This policy does not apply to unanticipated or social engagements that occur from time to time between Councillors, Developers or Submitters. However, Councillors should carefully consider the implications of social engagements with these persons and be mindful at all times of their obligations under this policy, the LGA and the Code of Conduct for Councillors in Queensland

2.4 This policy does not apply to Councillor interactions with the community about the making or amending of planning instruments such as planning scheme amendments, new planning scheme preparation, neighbourhood/local area plans or the like.

## 3. Policy Statement

3.1 Council is committed to representing the overall public interest of the Whitsunday area. Council must ensure that all decisions are legal, ethical, and impartial in accordance with the Local Government Principles, and the responsibilities of councillors identified in the LGA.

3.2 Councillors engage with many people in the community in relation to a broad range of matters. Open access to Councillors and Council itself is vital to efficient and effective local government.

3.3 Developers and Submitters seek access to Councillors to discuss potential and existing development applications and other projects. The community has a clear expectation that interactions with these stakeholders are undertaken transparently and in the public interest.



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- 3.4 It is an offence for councillors to accept gifts, benefits, or donations from property developers as prescribed in the Local Government Electoral Act 2011 (Qld). The ECQ administers this legislation under the prohibited donors scheme.

## 4. Guiding Principles

### Councillor Roles in Development Applications

- 4.1 The Planning Act and Economic Development Act prescribe the circumstances in which Council decides a development application. In some circumstances, Council delegates this power to Employees.
- 4.2 When Council is deciding an application, the provisions of the Planning Act and the Development Assessment Rules apply.
- 4.3 Councillors individually and the Council collectively, must not pre-determine an application and cannot consider matters that are irrelevant or unrelated to a development assessment process.

### Guidelines For Councillor Interactions with Developers, Lobbyists and Submitters

- 4.4 Adopting a structured approach to Councillors' interactions with Developers and Submitters will allow Councillors to engage appropriately in the public interest and reduce their risk of engaging in, or being accused of engaging in, a conduct breach, misconduct or corrupt conduct.
- 4.5 If a Developer or Lobbyist wants to discuss a formally lodged Development Application with a Councillor, the request should be referred to the Office of the CEO or other nominated Council officer, to co-ordinate and diarise a meeting appointment. A meeting in this context may be face-to-face, virtual or by telephone.
- 4.6 When meeting with a Developer or Submitter about a formally lodged Development Application, a Councillor should conduct the meeting in the presence of an appropriate third party. Examples of an appropriate third party include the CEO, the Director of Planning, or other appropriate senior officers of Council.

**[Note: Records of meetings must be kept in accordance with the Public Records Act 2002 (Qld). A recording of a meeting, including an audio recording, is a document under the Right to Information Act 2009 (Qld) and may be releasable.]**

- 4.7 When interacting with a Developer or Submitter about a formally lodged Development Application, Councillors should:
- 4.7.1 state that any opinions expressed by the Councillor are personal to the Councillor and do not in any way represent a formal Council view;



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- 4.7.2 make it clear that a final decision can only be made after all relevant material has been prepared and considered, and must be assessed and decided in accordance with the Planning Act;
  - 4.7.3 make clear that they can provide general information on the application process but cannot give definitive advice about a proposed development's prospects of success;
  - 4.7.4 maintain the confidentiality of any information, records, briefings, and discussions that, if released at a particular point in time, could prejudice the assessment process interests of council, the public at large, or another party; and
  - 4.7.5 suggest that the Developer or Submitter seek independent professional advice where relevant.
- 4.8 While Councillors are entitled to express a personal opinion about a Development Application, they should be aware that the expression of a personal opinion whether positive or negative, may impact on the perception of their impartiality as a decision-maker should they be required to decide the matter.
- 4.9 Under the *Integrity Act 2009* (Qld), lobbyists are required to inform Councillors that they are a lobbyist when making initial contact (for example, when seeking to arrange a meeting). In addition to the record keeping requirements detailed above, interactions between Councillors and lobbyists should be recorded in Council's Register of Contact with Lobbyists. Nothing in this policy requires a Councillor to meet with a lobbyist at any time.

### Stages Of The Development Assessment Process

- 4.10 Councillors have additional responsibilities in relation to their interactions with Developers and Submitters at each of the following stages in the development assessment process, as detailed below.
- 4.11 Pre-application (When there is no application before Council):
- 4.11.1 Councillors may interact with Developers in the pre-application stage to promote the benefits of developing in the Whitsunday Region and encourage responsible and appropriate development;
  - 4.11.2 Councillors can also discuss what is publicly known about a potential development with the general public;
  - 4.11.3 However, if a Councillor is likely to have a conflict of interest should a particular Development Application be lodged with Council, it is recommended that the Councillor refrain from interacting with the developer in relation to that matter.

**[Note: Conflict of interest obligations under the LGA can extend to discussing a conflicted matter]**



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#### 4.12 Formal Pre-lodgement Meetings (Meetings between Developers and Council Employees):

- 4.12.1 Reports on formal pre-lodgement requests and scheduled pre-lodgement meetings are provided to Councillors if requested;
- 4.12.2 A Councillor's requests for advice or information relating to a formal pre-lodgement meeting should be made in accordance with Council's Acceptable Request Guidelines;
- 4.12.3 Councillors may attend a formal pre-lodgement meeting in order to gain a more detailed understanding of a project or development proposal

#### 4.13 Formal-lodgement and assessment of development applications (after an application is lodged):

- 4.13.1 Councillors must not direct, or attempt to direct, an Employee in the course of their duties to assess and report on a Development Application.

**[Note: Section 1704 of the LGA prohibits a Councillor directing an Employee, other than the Mayor directing the CEO. It is misconduct to breach this prohibition.]**

- 4.13.2 Councillor requests for advice or information relating to a development application should be made in accordance with Council's Acceptable Request Guidelines Policy.
- 4.13.3 Once a Development Application is lodged and is being assessed by Employees, Councillors should not initiate nor seek to be involved in internal meetings or meetings with the Developer about the Development Application under assessment.
- 4.13.4 If a Councillor is invited, and agrees, to engage in an interaction with a Developer or Submitter at this stage of the process, those interactions should occur having regard to the guidelines for Councillor interactions with Developers and Submitters (see above).
- 4.13.5 If it becomes necessary for a Councillor to provide feedback on issues of concern to the community, the Councillor may initiate a meeting with a Developer or Submitter having regard to the guidelines for Councillor interactions with Developers and Submitters (see above).
- 4.13.6 If a Councillor has a Prescribed conflict of interest or Declarable conflict of interest in relation to a Development Application which is under assessment, they must not:
  - 4.13.6.1 discuss the matter with any other Councillor or Employee who may be a participant in deciding that matter; or



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4.13.6.2 interact with a Developer or Submitter in relation to that matter.

#### 4.14 Development application decision (when an application is being decided)

4.14.1 If the Development Application is being decided by Employees under delegation:

4.14.1.1 It is generally not appropriate for Councillors to interact with a Developer or Submitter about a Development Application, particularly where the Developer or Submitter is aggrieved by the Employees' assessment of the Development Application, or is seeking the Councillor's intervention in the assessment or decision.

4.14.1.2 Councillors should advise the Developer or Submitter to speak directly to the CEO or other appropriate senior officer (i.e., Director of Planning) if they are aggrieved. Similarly, if Councillors receive any information from a Developer or Submitter, they should provide it to the CEO or other appropriate senior officer.

4.14.1.3 If a Councillor has either a Prescribed conflict of interest or Declarable conflict of interest in relation to the Development Application, they must not participate in relation to the decision.

*[Note: See section 150EE of the LGA.]*

4.14.2 If the application is to be decided by Council, rather than under delegation:

4.14.2.1 While Councillors are not obligated to do so, it is acceptable for Councillors to interact/meet with Developers and Submitters leading up to the meeting where the decision is to be made;

4.14.2.2 In these instances, Councillors should follow the guidelines for Councillor interactions with Developers and Submitters (see above).

4.14.2.3 Councillors should convey any key information arising from such meetings to the CEO and the Director of Planning or equivalent, if they are not present at that meeting.

4.14.2.4 Councillors should disclose to other Councillors who were not at the meeting the recording or other record made of the meeting, so that all decision makers have access to the same information.

4.14.2.5 After Employees have prepared a report and made a recommendation, and that report has been listed on a Council meeting agenda, Councillors may seek additional information from Employees to ensure their duties are properly discharged when deciding the Development Application. Information may be provided through a Council briefing, general meeting (or delegated decision committee) or



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through a request in accordance with Council's Acceptable Request Guidelines.

- 4.14.2.6 As required under the Planning Act, Councillors should ensure they genuinely consider the Development Application, any submissions to the application, Council's report, including the assessment and recommendations by Employees, prior to them making a decision on the proposed development. The assessment of a Development Application must occur pursuant to the process detailed in the Planning Act.

- 4.14.2.7 If a Councillor has a Prescribed conflict of interest or Declarable conflict of interest in relation to the Development Application, they must declare the interest to the CEO and manage the conflict in accordance with the ordinary processes.

**[Note: if a Councillor has a Declarable conflict of interest, clearance from Council is required before the Councillor can participate in relation to the matter. A Councillor with a Prescribed conflict of interest cannot participate in relation to a matter. Note the wide definition of 'participate' in section 150EE of the LGA]**

#### 4.15 Post-Development Decision and Appeal (After An Application Has Been Decided).

- 4.15.1 Once a decision has been made by Council, Councillors should respect that decision.
- 4.15.2 The post-decision phase of any Development Application is particularly sensitive and can involve negotiations between parties having an interest in the outcome of the application. Under the Planning Act, every applicant has the right to negotiate with Council on conditions and the scope of any approval issued by Council. All such negotiations should be attended by Council Employees or representatives, and Councillors should not be involved.
- 4.15.3 From the time a decision has been made until the end of the appeal period, Councillors should not engage with the relevant Developer or Submitter in relation to the Development Application.
- 4.15.4 If an appeal is lodged, Councillors should also refrain from interactions about the matter with the Appellants or Co-Respondents and should avoid commenting publicly about matters before the Planning and Environment Court. Comments from Councillors while an appeal is ongoing can prejudice the appeal and undermine Council.
- 4.15.5 Employees and Council's legal representatives manage the conduct of an appeal. During the course of an appeal 'without prejudice' meetings may be held between the parties to try to reach an agreement or limit the issues in dispute.



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Councillors do not attend 'without prejudice' meetings. Employees will advise Councillors:

- 4.15.5.1 when an appeal is lodged;
- 4.15.5.2 when something significant occurs in relation to an appeal; and
- 4.15.5.3 when an appeal is resolved.

## 5. Related Policies and Legislation

*Economic Development Act 2012;*

*Integrity Act 2009;*

*Local Government Act 2009;*

*Planning Act 2016;*

*Public Records Act 2002.*

Code of Conduct for Councillors in Queensland;

Acceptable Requests Guidelines;

Whitsunday Regional Council planning scheme, policies and documentation, and other relevant planning instruments;

Register of Contact with Lobbyists;

Development Assessment Rules.

## 6. Definitions

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Development application** has the meaning given under the Planning Act, and for the purpose of this policy includes a potential or mooted development application, and an application in which Council is an assessment manager or referral agency (however described).

**Development Assessment Rules** has the meaning given by the Planning Act.

**Developer** means an applicant for a development approval or a prospective applicant for a development approval, their advisors, and representatives. It includes any lobbyist acting on behalf of a developer. If the applicant is a body corporate, the term includes office holders and employees of the applicant. If the applicant is a partnership, the term includes partners and employees of the applicant.

**Economic Development Act** means the *Economic Development Act 2012* (Qld)

**ECQ** means the Electoral Commission of Queensland.



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**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Interaction** means a pre-arranged engagement in relation to a development matter (including face-to-face, virtual or by telephone).

**LGA** means the *Local Government Act 2009* (Qld)

**Lobbyist** has the same meaning as defined in the *Integrity Act 2009*, that is, a person or entity who carries out lobbying for a third-party client.

**Local Government Principles** has the meaning given in the LGA.

**Planning Act** means the *Planning Act 2016* (Qld).

**Submitter** is a person who has made a submission, or expressed an intention to make a submission, about a Development Application as provided under the Planning Act. It includes any lobbyist or consultant acting on behalf of a submitter.

| COUNCIL POLICY                |                                       |                    |                                                                                                   |
|-------------------------------|---------------------------------------|--------------------|---------------------------------------------------------------------------------------------------|
| Date Adopted by Council       | 22 November 2023                      | Council Resolution | OM2023/11/22-20                                                                                   |
| Effective Date                | 22 November 2023                      | Next Review Date   |                                                                                                   |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes            | Councillors contact with developers, consultants, lobbyists and submitters Policy<br>LSP_OMCEO_05 |
| Public Consultation: Yes / No | No                                    |                    |                                                                                                   |



## STRATEGIC POLICY

### Councillors Acceptable Request Policy

|                     |             |
|---------------------|-------------|
| Endorsed by Council | 8 June 2022 |
|---------------------|-------------|

## 1. Purpose

- 1.1 Whitsunday Regional Council is committed to ensuring that its elected representatives have appropriate access to relevant advice or information they require to fulfil their roles and to facilitate informed decision making.
- 1.2 This policy establishes the way in which Councillors are expected to interact with Employees. This Policy also incorporates the acceptable requests guidelines as required by section 170A(7) of the *Local Government Act 2009 (Qld)*.
- 1.3 Councillors and Employees should be able to interact to deliver positive outcomes for the community. However, the divide between Councillors and the Council organisation comprised of Employees established by the LGA should be respected.
- 1.4 It is important that the right balance is achieved to ensure:
  - 1.4.1 constraints on the flow of information are not unduely onerous;
  - 1.4.2 Council Employees' time and resources are appropriately respected;
  - 1.4.3 appropriate controls are in place to protect both Council Employees and Councillors; and
  - 1.4.4 the principles of good governance are respected.

## 2. Scope

- 2.1 This policy applies to all Councillors and Employees. However, nothing in this policy overrides or derogates from the Mayor's power to direct the CEO pursuant to section 170 (A) (2) of the LGA, or any Councillor's rights under section 170A(2).

## 3. Policy Statement

### Acceptable Requests Guidelines Outline

- 3.1 Councillors may seek advice or information from Employees in order to perform their responsibilities under the LGA.
- 3.2 To maintain the integrity of the relationship between the elected and administrative elements of Council, this policy specifies:
  - 3.2.1 the way in which Councillors may request advice or information from Employees, including the reasonable limits on requests that a Councillor may make;
  - 3.2.2 the Employees who may respond to requests; and
  - 3.2.3 the manner in which Employees are to respond to Councillor requests.





## STRATEGIC POLICY

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#### General Requirements For Requests

3.3 When asking for advice or information, Councillors should:

3.3.1 act in accordance with the LGA (particularly section 170A), Local Government Principles and Code of Conduct for Councillors in Queensland;

3.3.2 not direct, or attempt to direct an Employee to do anything;

**[Note: Section 170(3) prohibits a Councillor directing an Employee, other than the Mayor directing the CEO. It is misconduct to breach this prohibition.]**

3.3.3 not behave towards an Employee in an overbearing or threatening manner;

3.3.4 not coerce or entice, or attempt to coerce or entice an Employee to do anything that does not comply with these Guidelines;

3.3.5 not unduly disrupt or burden an Employee in the undertaking of that Employee's routine employment obligations;

3.3.6 not place, or attempt to place, an Employee in a position that would create a conflict of interest for that Employee, or that would compromise the integrity and honest performance of that Employee;

3.3.7 comply with all laws that apply to Council, as well as Council's policies, procedures and guidelines;

3.3.8 not breach or request an Employee directly or indirectly breach any confidentiality obligations under legislation, particularly in circumstances where information is not to be disclosed by Councillors (for example, the *Information Privacy Act 2009*, *Crime and Corruption Act 2001*, *Public Interest Disclosure Act 2010* and the *Workers Compensation and Rehabilitation Act 2003*);

3.3.9 during the caretaker period not request advice or information that involves or relates to major policy decisions of Council or which will result in or be likely to result in any inappropriate political gain or advantage for the Councillor (as per sections 90A – 90D of the LGA);

3.3.10 act in good faith; and

3.3.11 be respectful, reasonable and professional.

3.4 Councillors should be aware that any request for advice or information and response provided may be subject to disclosure if an application for access is made under the *Right to Information Act 2009*.

3.5 Councillors may request advice or information with assistance from an allocated Councillor Support Officer. However, when doing so, the Councillor Support Officer should not be utilised in a way to deliberately circumvent the requirements of this policy.





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#### How A Councillor Can Make A Request For Advice Or Information

3.6 A Councillor may ask:

- 3.6.1 for information - the CEO (only) for information that Council has access to, relating to Council; or
- 3.6.2 for advice - the CEO or relevant Function lead for advice to assist the Councillor to carry out his or her responsibilities under the LGA.

3.7 A Councillor may ask for advice or information by lodging the request either:

- 3.7.1 via a Councillor Support Officer;
- 3.7.2 via email;
- 3.7.3 via telephone; or
- 3.7.4 in person.

3.8 The CEO or Function Lead may require that the request be made (or remade) in writing to ensure that the request is able to be fulfilled and meets the requirements of this policy and the LGA.

#### Process For Requests

- 3.9 Requests for advice or information may be managed by assigned Councillor support staff and sent to the most appropriate Employee for response.
- 3.10 Requests will be acknowledged by the relevant employee and responses must be provided in accordance with section 170A of the LGA, being:
  - 3.10.1 within 10 business days of receiving the request; or
  - 3.10.2 if it is not practicable to comply with the request within 10 business days, within 20 business days after receiving the request. For complex matters, an interim response (to the extent possible) must be provided within 10 business days.

#### Service Requests

- 3.11 Service requests made by residents or by Councillors on behalf of residents are not considered requests for advice or information.
- 3.12 Where the Councillor has made a request on the status, and/or the process to be followed for the actioning of a service request, this is considered a request for advice.

#### Reasonable Limits On Requests For Advice Or Information

3.13 A Councillor may not ask for information:

- 3.13.1 that is capricious or which will place an unreasonable burden on Council's resources;





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- 3.13.2 that is a record of the conduct tribunal or former conduct review body;
- 3.13.3 if disclosure of the information to the Councillor would be contrary to an order of a court or tribunal;
- 3.13.4 that would be privileged from production in a legal proceeding on the grounds of legal professional privilege;
- 3.13.5 that would disclose personal information, including employees' bank accounts details, child support deductions or tax file number;
- 3.13.6 which is protected under legislation, including information that:
  - 3.13.6.1 relates to a public interest disclosure under the *Public Interest Disclosure Act 2010*;
  - 3.13.6.2 is confidential information under the *Crime and Corruption Act 2001*;
  - 3.13.6.3 is about matters relating to the conduct of any councillor pursuant to Part 3, Chapter 5A of the LGA; and or
- 3.13.7 that is a record in relation to an Employee's recruitment and performance with the exception of the recruitment and performance of the CEO.

### Provision Of Documents Or Information In Response To Requests

- 3.14 In line with Council's commitment to the environment and a reduction in paper usage, access to electronic copies of documents will be provided wherever possible. However, there may be circumstances where it is appropriate for Council to provide a paper copy only, including for documents where no electronic copy exists, or due to the sensitivity of the document.
- 3.15 Councillors should be aware of their responsibilities under the Act regarding the sharing or further distribution of advice or information. The right of Councillors to have access to information is for the sole purpose of exercising the roles and responsibilities of a Councillor. It does not carry with it the right to disclose any information obtained by a Councillor to another person, unless the information is already publicly available.
- 3.16 While not every document will be considered 'Confidential', Councillors should be aware that information provided may contain confidential material and should be handled appropriately to ensure that Council maintains its reputation and good standing within the community.

**[Note: Section 171 of the LGA makes it an offence to use information acquired as a Councillor to gain a financial advantage for the Councillor or another, or to cause detriment to Council. It is misconduct to release information that a Councillor knows, or should reasonably know, is information that is confidential to Council.]**





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3.17 Providing details of discussions held with Employees regarding Council projects, internal policy considerations or technical opinion with third parties should be avoided.

3.18 Councillors should not by-pass the provisions of the *Right to Information Act 2009* by providing members of the public with information made available to a Councillor as an elected representative that is not already publicly available.

**[Note: The Right to Information Act 2009 provides important safeguards for the release of Council information, including exemptions, public registers of released documents and cost recovery. The purpose of this restriction is not to prevent the release of information, but to ensure information is released in accordance with Council's processes.]**

3.19 Councillors should ensure that hardcopy documents provided by Council are kept secure at all times and securely destroyed when the documents are no longer required.

### Provision Of Documents Or Information Relating To Reports To A Committee Or Council

3.20 Where a request for the provision of advice or information relates to a matter on an upcoming agenda of a committee or Council meeting, the response should be provided to all members of the relevant committee or Council.

3.21 The timing of responses to requests in relation to items on an agenda of a committee or Council should have consideration to the meeting date and prioritise providing the advice or information in advance of the meeting.

### 'View Only' Access To Documents

3.22 Council may have documents which, due to their nature, cannot be shared (electronically or in hardcopy) with Councillors, but can be viewed by Councillors.

3.23 Where 'view only' access to documents is the preferred option available for requested documents, Councillor Support Officers will organise a suitable time in a meeting room.

3.24 Appropriate reasons to only allow 'view access' to a Councillor include if:

3.24.1.1 a document is of historical significance and could be damaged if copied or scanned;

3.24.1.2 copying or scanning a document would unreasonably divert the resources of Employees (e.g. due to length or complexity);

3.24.1.3 a document cannot be copied or reproduced by law or agreement; or

3.24.1.4 the contents of the document are considered by the CEO to be of such a confidential or sensitive nature, that a risk could arise in the provision of the document in hardcopy or electronic format.





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#### Request A Review

- 3.25 If a Councillor is not satisfied with a response to their request for advice or information, the Councillor may ask the CEO for a review. That review shall be undertaken by CEO's nominee under Council's Complaints General Management Policy.
- 3.26 Councillors should not directly contact an Employee regarding a complaint about a request for advice or information. All complaints should be directed to the CEO.

#### Customer Requests

- 3.27 Where a community member/customer is unwilling or unable to contact Council directly, a Councillor may submit a request for support on their behalf via Councillor Support Staff.
- 3.28 Community members/customers will not receive preferential treatment by lodging service requests via Councillors. Any requests raised through this channel will be processed in accordance with usual service level standards.
- 3.29 Council should endeavour to keep the requesting Councillor informed of how the request is being dealt with.

#### Raising A General Operational Matter With Council

- 3.30 If a Councillor has identified an ordinary operational matter, (e.g. reporting a pothole, missed bin service or submitting an application) that requires attention, the Councillor may raise this request via any existing channels available to external customers and also via the allocated councillor administrative support.
- 3.31 In these circumstances the Councillor is considered to be a customer. The same service level standards that apply to external community members/customers will be applicable for these issues.

#### Complaints Regarding Operational Performance

- 3.32 Feedback from the community regarding operational performance is an important aspect of a Councillors legislated role of monitoring the performance of Council.
- 3.33 If a community member raises a concern with the performance or service provided by Council, the Councillor should in the first instance raise the concern with the CEO or Function Lead.
- 3.34 Councillors shall be mindful of adopted service response standards when monitoring service requests. A Councillor shall not directly contact an Employee regarding a complaint about operational performance.
- 3.35 Where the complaint is about a decision or action taken by Council's administration, the complainant should be directed to make a complaint under Council's General Complaints Management Policy.





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#### Emergency And After Hours Service

- 3.36 Councillors should use the after-hours emergency service process if they become aware of an after hours emergency. This will ensure the effective operation of the afterhours service as well as duty of care for On-call Employees.
- 3.37 When an issue arises after-hours that is not an emergency, but is of such urgency that to delay contact would bring harm to Council or damage the reputation of Council, Councillors may contact the CEO or relevant Function Lead.

#### Suspected Breaches Of Policy

- 3.38 A breach of this policy by a Councillor may constitute a breach of the Code of Conduct for Councillors in Queensland. The Office of the Independent Assessor is the responsible agency for complaints about the performance or conduct of a councillor in Queensland.
- 3.39 A breach of this policy by Employees may constitute a breach of the Employee Code of Conduct and is reported to the CEO or relevant Director who is to handle the complaint in accordance with adopted Council process.

## 4. Related Policies and Legislation

*Crime and Corruption Act 2001 (Qld)*  
*Information Privacy Act 2009 (Qld)*  
*Local Government Act 2009 (Qld)*, in particular sections 4, 12, 13, 170, 170A, 170AA, 171 and 171A  
*Public Interest Disclosure Act 2010 (Qld)*  
*Public Sector Ethics Act 1994 (Qld)*  
*Right to Information Act 2009 (Qld)*  
*Workers Compensation and Rehabilitation Act 2003 (Qld)*  
Code of Conduct for Councillors in Queensland  
Council's Employee Code of Conduct; and  
General Complaints Management Policy

## 5. Definitions

**Advice** means advice to assist a Councillor to carry out his or her responsibilities under the LGA.

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Councillor Support Officer** means an Employee whose primary roles is to support a Councillor regardless of position title and includes the Executive Assistance to the Mayor.





## STRATEGIC POLICY

### Councillors Acceptable Request Policy

Endorsed by Council 8 June 2022

**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Function Lead** means an employee nominated by the CEO as the responsible officer for a service or function.

**Information** means information relating to Council that the local government has access to. It includes records and documents (in printed and electronic form) that Council possesses or can access.

**LGA** means the *Local Government Act 2009* (Qld).

**Local Government Principles** has the meaning given by the LGA.

**Requests** refers to any request by a Councillor for information or advice.

| COUNCIL POLICY          |                                                |                    |               |
|-------------------------|------------------------------------------------|--------------------|---------------|
| Date Adopted by Council | 8 July 2020                                    | Council Resolution | 2020/07/08.06 |
| Effective Date          | 8 July 2020                                    | Next Review Date   | June 2022     |
| Responsible Officer(s)  | Manager Governance and Administration Services | Revokes            | LSP_OMCEO_01  |





## STRATEGIC POLICY

### Entertainment and Hospitality Policy

Endorsed by Council

22 November 2022  
OM2022/11/23-6

## 1. Purpose

- 1.1 Council recognises that there are circumstances where the provision of entertainment or hospitality by Council is appropriate and beneficial. However, as a publicly funded body, Council should ensure that public sector standards of accountability are maintained and that there is consistency in the way the entertainment or hospitality expenditure is administered.
- 1.2 The purpose of this policy is to ensure compliance with section 196 of the Local Government Regulation (Qld) and that Council's expenditure in relation to entertainment or hospitality is reasonable and appropriate.

## 2. Scope

- 2.1 This policy applies to all Councillors and Employees and to all entertainment or hospitality expenditure of Council.

## 3. Policy Statement

- 3.1 Council should ensure that all entertainment or hospitality expenditure meets the reasonable community expectations of an effective local government advancing the public good. Expenditure on entertainment or hospitality should be:
  - 3.1.1 open, transparent and available for scrutiny by both internal and external audit processes;
  - 3.1.2 publicly defensible; and
  - 3.1.3 properly documented and otherwise in accordance with this policy.
- 3.2 At times it is appropriate to extend hospitality to representatives of government and government bodies, other local authorities, business or industry, recognised community organisations and individuals with whom Council is undertaking business, along with Councillors and Employees.
- 3.3 Expenditure for entertainment or hospitality should only be incurred if it:
  - 3.3.1 relates to Council business;
  - 3.3.2 advances the objectives of Council;
  - 3.3.3 is in the public interest and beneficial to Council or the community; and
  - 3.3.4 is not excessive, having regard to Council being a public authority.
- 3.4 Council may also incur expenditure to recognise significant contributions to the community by groups or individuals.





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### Entertainment and Hospitality Policy

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- 3.5 Council owned facilities should be prioritised for any hospitality or entertainment.
- 3.6 Whenever a Councillor or Employee claims reimbursement or payment of entertainment expenses, the Councillor or Employee should be able to clearly identify the benefit to Council or the community from the expenditure.
- 3.7 Expenditure for entertainment or hospitality should be properly documented and available for scrutiny by both internal and external audit.
- 3.8 Entertainment expenses may be incurred for the sole purpose of entertaining Employees, with the written approval of the CEO or relevant Director.

## 4. Guiding Principles

### Transparency and Accountability

- 4.1 Expenditure for entertainment or hospitality should only be incurred if it is in the public interest.
- 4.2 Expenditure for entertainment or hospitality should be properly documented to allow scrutiny by both internal and external audit.
- 4.3 The following rules apply to the approval of spending for entertainment or hospitality:
  - 4.3.1 Employee may not authorise their own spending;
  - 4.3.2 Spending by Employees other than the CEO should be authorised by the Employee's supervisor/manager;
  - 4.3.3 Spending by the CEO should be authorised by a member of the Executive Leadership Team or the Mayor;
  - 4.3.4 Spending by a Councillor should be authorised by the Mayor or CEO, or member of the executive team;
  - 4.3.5 Spending should be provided for in the budget, and within financial limits approved by delegation;
  - 4.3.6 It is preferable, but not compulsory, that spending be approved in advance;
  - 4.3.7 Appropriate documentation should be supplied when claiming reimbursement for expenses incurred (e.g. tax invoices, receipts etc.);
  - 4.3.8 Where there is uncertainty about the validity of claiming particular spending, the principles of this policy should be used to make the determination; and
  - 4.3.9 Council must keep sufficient records to enable the correct calculation of its fringe benefit tax liability.





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### Entertainment and Hospitality Policy

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## Approved Activities

- 4.4 The provision of entertainment or hospitality is limited to:
- 4.4.1 business functions;
  - 4.4.2 official functions; or
  - 4.4.3 Employee functions.
- 4.5 Business functions are functions attended by Councillors or Employees for the purpose of Council's ordinary functions, including for example:
- 4.5.1 internal meetings, workshops, briefings or forums;
  - 4.5.2 training sessions or professional development; or
  - 4.5.3 meetings, workshops, briefings or forums between Councillors or Employees and external stakeholders or advisors.
- 4.6 Official functions are functions attended by Councillors or Employees for the purpose of representing Council or recognising, celebrating or sharing achievements of Council or the community in an official capacity, including for example:
- 4.6.1 awards ceremonies or other celebratory events;
  - 4.6.2 civic functions;
  - 4.6.3 openings of facilities;
  - 4.6.4 functions hosting visiting dignitaries;
  - 4.6.5 fundraisers or charity events; or
  - 4.6.6 other 'milestone' events.
- 4.7 Employee functions are functions for Councillors or Employees (or those connected to Councillors or Employees like spouses) that are internal to Council and are in the nature of staff functions, including for example:
- 4.7.1 celebratory events (including for example celebrations of milestones, Christmas parties;
  - 4.7.2 other non-specified work functions.
- 4.8 Entertainment or hospitality expenditure should be proportional and appropriate to the type of event being held, and the purpose for holding the event.





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### Entertainment and Hospitality Policy

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#### Business functions

- 4.9 Managers and Directors may approve entertainment or hospitality expenditure for business functions where official business involving Councillors or Employees occurs, and it is reasonable for it to be provided.
- 4.10 Business functions where it is reasonable for entertainment or hospitality expenditure to occur include, but are not limited to:
- 4.10.1 functions where official business is engaged in during a meal;
  - 4.10.2 functions where light refreshments, including non-alcoholic drinks, are provided;
  - 4.10.3 functions where they are cost advantages in continuing the event through the normal meal break; and
  - 4.10.4 functions where it is more time efficient to have the attendees remain in the room for meals/refreshments to allow the event to proceed with minimal delays rather than have attendees remove themselves from the meeting venue for meals/refreshments.
- 4.11 Appropriate expenditure for business functions include the provision of tea, coffee, morning/afternoon tea, light refreshments, breakfast, lunch and dinner.
- 4.12 Managers and Directors may approve registration and/or ticket costs to attend functions for the purpose of official business.

#### Official functions

- 4.13 Entertainment or hospitality expenditure is appropriate in circumstances when it is necessary or desirable to facilitate the conduct of Council business and promote the community's interest.
- 4.14 CEO may approve expenditure for official hospitality.
- 4.15 Appropriate expenditure for official hospitality expenses includes offering hospitality to:
- 4.15.1 visitors when the Council has an interest in, or a specific obligation towards, their visit;
  - 4.15.2 representatives of government, business, industry or recognised community organisations; and
  - 4.15.3 civic receptions and functions to recognise significant contributions from groups or individuals to the community.
- 4.16 Appropriate expenditure for official functions includes the provision of tea, coffee, morning/afternoon tea, light refreshments, breakfast, lunch and dinner and registration and/or ticket costs to attend official functions.





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### Entertainment and Hospitality Policy

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4.17 The Office of the Mayor and CEO should maintain details of:

- 4.17.1 the purpose of the function;
- 4.17.2 the number of invitees;
- 4.17.3 the number of attendees;
- 4.17.4 a description of the groups that were in attendance; and
- 4.17.5 a breakdown of the costs associated with the functions.

### Employee Functions

- 4.18 Entertainment or hospitality expenditure can be appropriately spent for employee functions in line with ordinary expectations of workplaces.
- 4.19 Employee functions play an important role in creating a desirable workplace and positive work culture. However, expenditure should be proportionate and recognise that public funds should be spent for the public benefit.

## 5. Related Policies and Legislation

*Local Government Act 2009 (Qld)*

*Local Government Regulation (Qld)* (in particular, section 196)

Councillor Facility and Expenses Policy.

## 6. Definitions

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

### Council Business

means business conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements, perform ceremonial activities or achieve business objectives for the Council. Council Business should result in a benefit being achieved either for Council, the Whitsunday region or the community. Council Business includes functions that are a statutory requirement of the Councillor's role or are officially recorded in minutes or other public records. These might also include attending an event or function to perform duties or as a Council representative such as:

- ceremonial openings of buildings and facilities;
- fetes and carnivals;
- annual or presentation dinners;
- public meetings;





## STRATEGIC POLICY

### Entertainment and Hospitality Policy

|                     |                                    |
|---------------------|------------------------------------|
| Endorsed by Council | 22 November 2022<br>OM2022/11/23-6 |
|---------------------|------------------------------------|

- private meetings arranged through Council administrative channels (i.e. documented in official records or diary) for the purpose of conducting discussions regarding the business of Council; or
- other meetings, events or functions, such as:
  - meetings of Council or of its committees that the Councillor is entitled or asked to attend, or at which the Councillor has business for the benefit of the Whitsunday region;
  - inspections, deputations, conferences and meetings at which the Councillor's attendance is permitted by Council;
  - Meetings with stakeholders including individuals, community groups, Councillors and staff;
  - official functions organised for the local government; or
  - meeting with residents for the purpose of local government business.

Expenses of a personal nature are not Council Business.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Entertainment or hospitality** means the provision of food, drink, refreshment, amenities, facilities, equipment or labour in a collaborative setting.

**LGA** means the *Local Government Act 2009* (Qld).

**LGR** means the *Local Government Regulation 2012* (Qld).

All other definitions are in accordance with the LGA and LGR.

| COUNCIL POLICY                |                                       |                    |                  |
|-------------------------------|---------------------------------------|--------------------|------------------|
| Date Adopted by Council       | 23 November 2022                      | Council Resolution | OM2022/11/23-6   |
| Effective Date                | 23 November 2022                      | Next Review Date   | 23 November 2024 |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes            | LSP_OMCEO_02     |
| Public Consultation: Yes / No | No                                    |                    |                  |





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

Endorsed by Council

23 November 2022

## 1. Purpose

- 1.1 Council is committed to ensuring a statutory complaints process for dealing with complaints relating to alleged conduct breach by a Councillor.
- 1.2 This is Council's investigation policy for how complaints about suspected conduct breach by Councillors should be dealt with as required by section 150AE(1) of the *Local Government Act 2009 (Qld)*.

## 2. Scope

- 2.1 This policy applies to investigations and determinations by Council about a suspected Councillor conduct breach, which has been referred by the Office of the Independent Assessor. This policy:
  - 2.1.1 includes a procedure for investigating the suspected conduct breaches of councillors (see Addendum 2 – Investigation Standards);
  - 2.1.2 states the circumstances in which another entity may investigate the conduct;
  - 2.1.3 is consistent with the principles of natural justice;
  - 2.1.4 requires Council to prepare a report about each investigation (see Addendum 1 - report template and summary report template);
  - 2.1.5 requires a notice about the outcome of investigations be provided to the Independent Assessor, councillor and persons who made complaint about the councillors' conduct; and
  - 2.1.6 includes a procedure about when Council may decide not to start, or to discontinue, an investigation under section 150AEA of the LGA.
- 2.2 This policy requires Council:
  - 2.2.1 to give the Subject Councillor information about the suspected conduct, including details about the evidence of the conduct; and
  - 2.2.2 to give the Subject Councillor a notice if an investigation is not started or is discontinued; and
  - 2.2.3 for conduct the subject of a complaint - to give the person who made the complaint, if the contact details of the person are known, a notice if an investigation is not started or is discontinued; and
  - 2.2.4 to give the Subject Councillor the preliminary findings of the investigation before preparing an investigation report about the investigation (see Addendum 3 – Statement of Preliminary Findings Template); and





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

Endorsed by Council

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- 2.2.5 to allow the Subject Councillor to give evidence or a written submission to the local government about the suspected conduct and preliminary findings; and
- 2.2.6 to consider any evidence and written submission given by the relevant councillor in preparing the investigation report for the investigation; and
- 2.2.7 to include in the investigation report:
  - 2.2.7.1 if evidence is given by the Subject Councillor – a summary of the evidence; and
  - 2.2.7.2 if the Subject Councillor gives a written submission – a full copy of the written submission.

### 3. Out of Scope

- 3.1 This Policy does not relate to more serious councillor conduct, such as misconduct or corrupt conduct, which are dealt with under separate legislative provisions.
- 3.2 This Policy also does not deal with unsuitable meeting conduct, or any conduct undertaken in a personal capacity by a councillor, for example, a sitting councillor campaigning for re-election or attending a private social function.

### 4. Policy Statement

- 4.1 Chapter 5A of the LGA prescribes the councillor conduct management system. Section 150CT of the LGA establishes an Independent Assessor to carry out certain functions including the preliminary assessment, dismissal, referral, or investigation of complaints about councillor conduct.
- 4.2 After undertaking a preliminary assessment of a councillor conduct complaint, if the Independent Assessor reasonably suspects a councillor has engaged in a conduct breach, the Independent Assessor may decide to refer a suspected conduct breach to Council to deal with under section 150SD(4)(a) or 150W(b) of the LGA.
- 4.3 Upon receipt of a referral notice of a complaint of suspected conduct breach, Council must deal with the Subject Councillor's conduct as prescribed under section 150AF of the LGA unless a decision is made not to start or to discontinue the investigation under section 150AEA of the LGA. In conducting the investigation, Council must comply with this investigation policy.
- 4.4 Council may decide not to start or discontinue the investigation in accordance with section 150AEA of the LGA.





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

Endorsed by Council

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## 5. Process

### Commencing Investigation

#### Independent Assessor's referral

- 5.1 If Council receive a notice ('referral notice') from the Independent Assessor about the suspected conduct breach of a councillor (LGA s 150AC). The referral notice will:
  - 5.1.1 include details of the conduct and any complaint received about the conduct;
  - 5.1.2 state why the Independent Assessor reasonably suspects that the Subject Councillor has engaged in a conduct breach; and
  - 5.1.3 include information about the facts and circumstances that form the basis of the Independent Assessor's reasonable suspicion.
- 5.2 The Independent Assessor must also give a notice to the Subject Councillor that states the Subject Councillor's conduct has been referred to Council to deal with, and a copy of the referral notice must be attached.
- 5.3 On receipt of a referral notice, the CEO will forward a copy of that referral notice to the Mayor and all councillors, including the Subject Councillor, as a confidential document.

#### Not starting or discontinuing an investigation

- 5.4 Pursuant to section 150AEA of the LGA, Council may decide to not start an investigation, or discontinue an investigation if:
  - 5.4.1 the complaint is withdrawn by the complainant;
  - 5.4.2 the complainant consents to the investigation not starting or being discontinued, (for example, the matter has been resolved and it is unnecessary for the local government to investigate the matter);
  - 5.4.3 there is insufficient information to investigate the conduct;
  - 5.4.4 the complainant refuses to cooperate by providing additional information during the investigation phase and not enough information is available to proceed; or
  - 5.4.5 the office of the councillor becomes vacant for any reason, i.e., the person has resigned or was not re-elected and is no longer a councillor.
- 5.5 If there are circumstances for considering not starting or discontinuing an investigation, the matter will be placed on the agenda for the next Ordinary Council Meeting. Council may decide by resolution to not start, or to discontinue, a suspected conduct breach matter. The resolution must state the decision and the reasons for the decision.





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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**[Note:** The matters not started or discontinued must be reported in the annual report (including the reasons) and recorded in councillor conduct register].

#### Investigator

- 5.6 The Mayor will manage the investigation process and may either undertake the investigation, or engage a suitably qualified external investigator.
- 5.7 The Mayor is authorised by council to expend money as reasonably needed to engage contractors in accordance with the council's procurement policy.
- 5.8 The Investigator will investigate the suspected conduct breach and prepare an investigation report that includes:
  - 5.8.1 an opinion on whether the Subject Councillor engaged in a conduct breach; and
  - 5.8.2 recommendations on how the conduct breach ought to be dealt with.
- 5.9 The investigation should be conducted in a way that is consistent with this Investigation Policy.

#### Investigation Process

##### Investigation

- 5.10 During the course of the investigation, the Investigator should follow the investigation standards of the local government (see Addendum 2– Investigation Standards).
- 5.11 After having assessed the complaint, the Investigator should prepare a Preliminary Statement of Findings.

**[Note:** See Addendum 3 - Statement of Preliminary Findings Template.]

- 5.12 The Investigator should:
  - 5.12.1 give the Preliminary Statement of Findings to the Subject Councillor before finalising the Investigation Report;
  - 5.12.2 allow the Subject Councillor the opportunity to response to the Preliminary Statement of Findings by providing evidence or submissions (orally or in writing) about the findings contained in the Preliminary Statement of Findings;
  - 5.12.3 consider any evidence or submission given by the Subject Councillor in finalising the investigation report; and
  - 5.12.4 include a summary of the Subject Councillor's evidence and a full copy of any written submission in the investigation report.
- 5.13 Once the investigation is finalised the Investigator will prepare a report (Investigation Report) for Council which includes the following details:





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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- 5.13.1 any witnesses interviewed;
- 5.13.2 documents or other evidence obtained;
- 5.13.3 a statement of the relevant facts ascertained;
- 5.13.4 confirmation that the Subject Councillor has been provided with an opportunity to respond to the complaint and the evidence compiled;
- 5.13.5 the investigation findings;
- 5.13.6 a statement of any relevant previous disciplinary history of the Subject Councillor;
- 5.13.7 any recommendations about dealing with the conduct; and
- 5.13.8 a record of the investigation costs.

*[Note: see Addendum 1 – Report Template.]*

### **Completion of investigation – Findings and recommendations**

#### **Summary Investigation Report**

- 5.14 Upon receipt of an Investigation Report, a Summary Investigation Report should be prepared by Council.
- 5.15 The Summary Investigation Report:
  - 5.15.1 should include:
    - 5.15.1.1 the name of the Subject Councillor;
    - 5.15.1.2 a description of the alleged conduct;
    - 5.15.1.3 a statement of the facts established by the investigation;
    - 5.15.1.4 a description of how natural justice was afforded to the Subject Councillor during the conduct of the investigation;
    - 5.15.1.5 a summary of the findings of the investigation; and
    - 5.15.1.6 any recommendations made by the Investigator;
  - 5.15.2 should not include:
    - 5.15.2.1 the name of the person who made the complaint of a conduct breach, or any information that could reasonably be expected to result in identifying that person; or
    - 5.15.2.2 the name of any person who provided information to the Investigator as part of the investigation, or any information that could reasonably be expected to result in identifying that person; or





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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5.15.2.3 any other information that Council is entitled or required to keep confidential under a law; and

5.15.3 must be made publicly available pursuant to section 150AFA(3)(b) of the LGA and associated regulation.

#### Making a decision about the investigation

5.16 Council should decide whether the Subject Councillor has engaged in a conduct breach.

5.17 In deciding whether the Subject Councillor has engaged in a conduct breach, Council should have regard to the Investigation Report.

5.18 A Council meeting may be closed under section 254J(j) of the LGR to consider the Investigation Report (but not make any resolutions in relation to the alleged conduct breach).

5.19 If Council decides the Subject Councillor has engaged in a conduct breach, Council should decide what, if any, action it will take under section 150AH of the LGA to discipline the Subject Councillor.

#### Disciplinary action against Councillors

5.20 If Council decides the Subject Councillor has engaged in a conduct breach, any of the following orders may be imposed:

5.20.1 an order that no action be taken against the councillor; or

5.20.2 an order that the Subject Councillor must undertake action in accordance with section 150AH(1)(b) of the LGA.

5.21 When deciding what action to take, Council may consider:

5.21.1 any previous conduct breach of the Subject Councillor; and

5.21.2 any allegation made in the investigation that was admitted or not challenged and that Council is reasonably satisfied is true.

**[Note: For further information refer to Addendum 4 - Conduct Breach Disciplinary Action Guideline].**

#### Release of Investigation Report

5.22 After making a decision about the conduct breach, Council should make the Investigation Report publicly available:

5.22.1 if the decision is made at a local government meeting—on or before the day and time prescribed by the LGR; or

5.22.2 otherwise—within 10 business days after the decision is made.





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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5.23 The following information contained in the Investigation Report shall not be publicly released:

- 5.23.1 the name of the person who made the complaint of a conduct breach, or any information that could reasonably be expected to result in identifying that person, unless the complainant was a councillor or CEO of Council and the persons identify as the complainant was disclosed at the Council meeting at which the Investigation Report was considered; or
- 5.23.2 the name of any person who provided information to the Investigator as part of the investigation, or any information that could reasonably be expected to result in identifying that person;
- 5.23.3 the submission or affidavit of, or a record or transcript of information provided orally by, a person who provided information to the Investigator as part of the investigation, including, for example, a transcript of an interview; or
- 5.23.4 any other information that Council is entitled or required to keep confidential under a law.

5.24 If the complainant was a councillor or the CEO of Council and that person's identify was disclosed at the Council meeting at which the Investigation Report was considered, the publicly released report should contain that information.

#### Notice about the outcome of the investigation

5.25 After an investigation is finalised, (either by not starting or discontinuing, or by Council deciding the outcome of the investigation) Council should give a notice about the outcome of the investigation to:

- 5.25.1 the Independent Assessor;
- 5.25.2 the person who made the complaint about the Subject Councillor's conduct that was the subject of the investigation; and
- 5.25.3 the Subject Councillor.

5.26 The notice should state:

- 5.26.1 the decision; and
- 5.26.2 the reasons for the decision; and
- 5.26.3 if an order is made under section 150AH of the LGA—details about the order.





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

Endorsed by Council

23 November 2022

#### **Miscellaneous**

##### **Conflicts of Interest**

- 5.27 The Subject Councillor and the complainant, if the complainant is a councillor, have a declarable conflict of interest and should manage it in a way that is consistent with the requirements of the LGA.
- 5.28 If the Mayor has a conflict of interest in the matter, the Mayor's powers to manage the investigation may be delegated to the Deputy Mayor, or if the Deputy Mayor is conflicted, another Councillor or the CEO.
- 5.29 Where a Council meeting loses quorum due to conflicts of interest of councillors, then the conduct matter may be delegated to:
- 5.29.1 the Mayor; or
- 5.29.2 if the Mayor is also conflicted, a standing committee constituted to make a decision.
- 5.30 If informed of suspected corrupt conduct, the CEO must give the information to the Crime and Corruption Commission and the Independent Assessor.

*[Note: Corrupt conduct may also be misconduct and should be treated as such. The CEO has obligations to report suspected corrupt conduct under the Crime and Corruption Act 2001 (Qld)]*

##### **Misconduct or Corrupt Conduct**

- 5.31 If during the investigation of the Subject Councillor, the Investigator obtains information indicating the Subject Councillor may have engaged in misconduct, the Mayor and the CEO must be informed and the investigation must cease.
- 5.32 If informed of suspected misconduct, the CEO must give the information to the Independent Assessor.

*[Note: See LGA s 150AF]*

- 5.33 If during the investigation of the Subject Councillor, the Investigator obtains information indicating the Subject Councillor may have engaged in corrupt conduct, the Mayor and the CEO must be informed and the investigation must cease.

##### **Inconsistent Decisions**

- 5.34 If Council makes a decision that is not consistent with the recommendation of the Investigation Report, the reasons for the decision should be recorded in the minutes of the meeting. The minutes should give sufficient information to demonstrate the logic that has been applied to justify a decision not to follow the recommendation of the Investigation Report.





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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#### Councillor conduct register

5.35 The CEO must ensure the following decisions are entered into Council's councillor conduct register:

- 5.35.1 any orders under section 150AH of the LGA made about suspected conduct breach of a councillor; and
- 5.35.2 any decision to not start, or to discontinue an investigation of suspected conduct breach under section 150AEA of the LGA.

## 6. Guiding Principles

### Confidentiality

- 6.1 Matters relating to the investigation of a suspected conduct breach are confidential to Council during the investigation period except as otherwise prescribed in this policy.

### Natural justice

- 6.2 Any investigation of suspected conduct breach by a councillor should be carried out in accordance with natural justice. Natural justice or procedural fairness refers to three key principles:
  - 6.2.1 that the councillor who is the subject of the suspected conduct breach matter has a chance to have his or her say in an informed manner before adverse formal findings are made and before any adverse action is taken (i.e., fair hearing);
  - 6.2.2 that the investigator should be objective and impartial (i.e., absence of bias); and
  - 6.2.3 that any actions taken, or decisions made are based on evidence rather than speculation or suspicion (i.e., acting on evidence).
- 6.3 A fair hearing means the councillor who is the subject of the suspected conduct breach matter will know the case put against them, and be provided with an opportunity to put their case in response. This includes receive information about the alleged conduct breach, including the preliminary findings of the investigation any other material information.
- 6.4 An absence of bias means that any investigation should not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.
- 6.5 Acting on evidence means making decisions and acting on the material available without speculation. Acting on evidence also includes:
  - 6.5.1 giving proper and genuine consideration to each party's case;
  - 6.5.2 considering all the relevant material; and





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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6.5.3 not considering irrelevant material.

*[Note: It must be kept in mind that the matter when referred, is suspected, and not yet proven].*

#### Standard of Proof

- 6.6 The civil standard of proof is applied by the Investigator when forming a view on whether a councillor has engaged in a conduct breach. The relevant standard of proof is 'on the balance of probabilities,' which means the weighing up and comparison of the likelihood of the existence of competing facts or conclusions. An allegation is sustained 'on the balance of probabilities,' if based on the evidence, the decision maker is reasonably satisfied that its existence is more probable than not.

#### Timeliness

- 6.7 The councillor conduct framework should be effective and efficient. The Investigator will make all reasonable endeavours to complete the investigation and provide a report for inclusion on the agenda of a Council meeting within eight weeks of commencing the investigation, after the receipt of the complaint from the Independent Assessor.
- 6.8 If the Investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the Mayor or delegate (if the Mayor is managing the investigation) to seek an extension of time.
- 6.9 Delay in procuring an investigator to undertake the investigation should be avoided.

#### Expenses

- 6.10 Council will pay the expenses associated with the investigation of suspected conduct breach including any costs of:
- 6.10.1 the Investigator;
  - 6.10.2 travel where the Investigator needed to travel to undertake the investigation, or to interview witnesses; and
  - 6.10.3 obtaining legal or expert advice.
- 6.11 Pursuant to section 150AH(b)(vii) of the LGA, Council may order the Subject Councillor to reimburse them for all or some of the costs arising from a sustained conduct breach. These costs would usually only relate to obtaining legal or expert advice and reasonable costs for the Investigator engaged to undertake the investigation.
- 6.12 Any costs incurred by complainants or the subject councillor will not be met by Council.
- 6.13 Where possible, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by, for example, the Councillor Conduct Tribunal or other jurisdictions who deal with conduct matters.





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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## 7. Related Policies and Legislation

### Legislation:

*Local Government Act 2009 (LGA)*

*Local Government Regulation 2012 (LGR)*

*Crime and Corruption Act 2001*

*Public Interest Disclosure Act 2010 (PIDA)*

*Public Sector Ethics Act 1994 (PSEA)*

### Policies:

General Complaints Management Policy

Administrative Action Complaints Management Policy

Information Management Policy

Code of Conduct for Councillors in Queensland

Council Standing Orders (Meetings)

## 8. Definitions

**Behavioural Standard** means a standard of behaviour for councillors set out in the Code of Conduct for Councillors in Queensland approved under section 150D and 150E of the LGA.

**CEO** means the Chief Executive Officer of council.

**Conduct** includes—

(a) failing to act; and

(b) a conspiracy, or attempt, to engage in conduct.

**Corrupt Conduct** has the meaning given by the *Crime and Corruption Act 2001* (Qld).

**Council** means Whitsunday Regional Council.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Councillor Conduct Register** means the register required to be kept by the local government as set out in section 150DX and 150DY of the LGA.

**Conduct Breach** as set out in section 150K of the LGA.

**Independent Assessor** means the Independent Assessor appointed under section 150CT of the LGA.

**Investigation Report** means a report provided by the Investigator to Council detailing the outcome of the investigation.

**Investigation Policy** refers to this policy, as required by section 150AE of the LGA.





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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**Investigator** means the person responsible under this investigation policy for carrying out the investigation of the suspected conduct breach of a councillor, being either the Mayor or an external investigator.

**LGA** means the *Local Government Act 2009* (Qld).

**LGR** means the *Local Government Regulation 2012* (Qld).

**Misconduct** has the meaning given by the LGA.

**Preliminary Statement of Findings** means the preliminary report given to the Subject Councillor prior to finalisation of the Investigation Report to afford the Subject Councillor an opportunity to respond to the allegations against them.

**Referral Notice** means a notice from the Independent Assessor under section 150AC of the LGA.

**Subject Councillor** means a Councillor the subject of a conduct breach complaint.

**Summary Investigation Report** means a summary of the Investigation Report prepared before Council decides the outcome of a conduct breach complaint.

**Unsuitable Meeting Conduct** has the meaning given by the LGA.

| COUNCIL POLICY                |                                       |                    |                  |
|-------------------------------|---------------------------------------|--------------------|------------------|
| Date Adopted by Council       | 23 November 2022                      | Council Resolution | OM2022/11/23-6   |
| Effective Date                | 23 November 2022                      | Next Review Date   | 23 November 2024 |
| Responsible Officer(s)        | Manager Governance and Administration | Revokes            | LSP_OMCEO_11     |
| Public Consultation: Yes / No | No                                    |                    |                  |





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

Endorsed by Council

23 November 2022

## Addendum 1

### Conduct Breach Complaint Investigation and Recommendation Report to Whitsunday Regional Council

Reference number:

Date received from council:

#### The complaint

*(Outline the allegation/s as referred for investigation, including date/s, time/s, place/s, description of alleged conduct. Succinct description of (full title and relevant sections) of policy (e.g. code of conduct) alleged to have been breached)*

#### The complainant

Description of the alleged conduct

*(Consider if council indicates the matter relates to a public interest disclosure and ensure compliance with the Public Interest Disclosure Act 2010)*

#### The subject councillor

Name (Reference level of experience as a councillor and any past disciplinary history including for like matters)

#### Conflict of interest considerations

*(Declaration of any conflict of interest or 'no conflict of interest' by the investigator)*

#### Summary of the investigation process

- Scope of the investigation:
- Interviews conducted:
- Documents examined:
- Facts identified:
- Category of the conduct breach: Set out relevant standards of sections considered.

#### Investigation Report

- Date of the report
- Wording of allegation for consideration
- A statement of the facts established by the investigation
- A description of how natural justice was afforded to the councillor during the conduct of the investigation
- A summary of the findings of the investigation
- A summary of any relevant previous disciplinary history
- Summary of the evidence or a full copy of any written submission given by the councillor
- Application of facts to the conduct breach outlined above
- A record of the investigation costs.





## STRATEGIC POLICY

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**[Note: Insert discussion of sufficiency of evidence to sustain the allegation and whether the evidence is capable of supporting a finding that the councillor has breached].**

#### Recommendation to council

Recommendations made by the investigator who investigated the conduct.

It is recommended that:

- a) This report be submitted to the Whitsunday Regional Council for consideration, pursuant to section 150AG of the Local Government Act 2009 (the LG Act), as to whether or not the councillor has engaged in inappropriate conduct; and if they are found to have so engaged, what action the local government will take to discipline the councillor pursuant to section 150AH of the LG Act.
- b) Having analysed the material from this investigation, a conclusion might be drawn that:

**[Note: make a recommendation as to whether a conduct breach is made or not, with succinct reasons]:**

- c) If Whitsunday Regional Council finds the councillor has engaged in inappropriate conduct, are there any aggravating or mitigating circumstances that should be taken into account?

**[For example, any action taken by the councillor since the conduct, any Aboriginal traditions or Islander customs of the councillor].**

- d) If council finds the councillor has engaged in a conduct breach, the following disciplinary action under section 150AH LGA is recommended (refer to the 'Guideline – conduct breach disciplinary action').

..... (SIGN)

NAME:

ATTACHMENTS:





## STRATEGIC POLICY

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#### Summary Report Template Include the following:

- the name of the councillor whose conduct has been investigated; and
- a description of the alleged conduct; and
- a statement of the facts established by the investigation; and  
a description of how natural justice was afforded to the councillor during the conduct of the investigation; and
- a summary of the findings of the investigation; and
- any recommendations made by the investigator who investigated the conduct.

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## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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## Addendum 2

### Investigation Standards

The investigation shall be managed in a consistent manner. Documentation shall be contained in an efficient records management system. Confidential information must be secured appropriately.

#### Case Management file

The investigation shall be supported by a recognised case management tool so that emails, letters, statements, and evidence can be stored and secured confidentially. File notes shall be made in the case management system to document key milestones in the investigation such as when lines of inquiry are identified, witnesses are spoken to, when evidence is secured, and document key decisions.

#### Investigation Plan

The Mayor or delegate will, prior to beginning the investigation, check that the investigator does not have a conflict of interest in the matter. Remove them immediately from the investigation should a conflict of interest become known.

The following investigation process shall be followed by the investigator unless the mayor or delegate agrees to vary the process in a particular case.

Take all necessary steps to protect the identity of the complainant(s) as far as possible during communications with the councillor.

Consider the following:

- i. Research the legislation and policy framework thoroughly.
- ii. Identify lines of inquiry and record them as a file note in case file management system.
- iii. Present all the evidence the councillor provides or gives in a written statement.
- iv. Gather further evidence (for example, from interviewing other witnesses, obtaining documents, or carrying out site inspections) when necessary.
- v. Secure evidence in case file management system, making a file note when lines of inquiry are followed up and key decisions are made during the course of in the investigation.
- vi. Undertake a proper and impartial examination of the evidence gathered, including expert advice and analysis and / or legal advice if required.





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

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- vii. Draw conclusions based on the evidence and applying the appropriate legislative and policy frameworks.

#### Prepare an investigation report

Prepare the investigation report for the local government to consider on the template attached **(Addendum 1)**.

If during the course of an investigation, the Investigator obtains new information that a Councillor may have engaged conduct that may give rise to a new allegation, the Investigator shall obtain particulars related to the conduct and then advise the mayor and the chief executive officer who will provide an information notice to the Assessor.

The Assessor will undertake a preliminary assessment or alternative action on the matter. The Investigator will be informed of activities of the local government in relation to the investigation. For example, the Investigator will be informed in the event the finalisation of a matter is delayed, or if the Local Government has to notify of a fresh allegation identified during the course of an investigation to the Assessor for a preliminary assessment.

If during the course of an investigation, the Investigator obtains new information that a Councillor may have engaged in misconduct or corrupt conduct the investigation will cease and the investigator will notify the mayor and chief executive officer who will be responsible for providing an information notice to the Assessor/Crime and Corruption Commission.





## STRATEGIC POLICY

### Councillor Conduct Investigation Policy

Endorsed by Council

23 November 2022

## Addendum 3

### Statement of Preliminary Findings Template

#### Statement of Preliminary Findings

The Investigator has assessed the evidence set out in the investigation report and, taking into account the seriousness of the allegations, has made findings on the balance of probabilities. The table below contains a summary of the Allegations and the Investigator's findings. A detailed summary of the evidence and findings is provided in the full investigation report.

#### CONDUCT ALLEGATIONS

| Allegation:  | Finding:                        |
|--------------|---------------------------------|
| Allegation:  | Substantiated/Not Substantiated |
| Particulars: | Summary of Evidence:            |
|              | Summary of reasons for finding: |





## STRATEGIC POLICY: Elected Members

### Investigation Policy **EM\_02**

Endorsed by Council

**23 November 2022**

## Addendum 4

### Conduct Breach Disciplinary Action Guideline

This guideline is provided to assist Queensland local governments to make consistent decisions about the appropriate disciplinary action to be taken against a councillor who is found to have engaged in a conduct breach.

#### What is a conduct breach?

According to section 150K of the *Local Government Act 2009* (LGA), a conduct breach occurs when a councillor:

- i. breaches a behavioural standard (Code of Conduct for Councillors in Queensland);
- ii. breaches a council policy, procedure, or resolution;
- iii. contravenes an order by a chairperson of a local government to leave a council meeting and stay away from the place at which it is being held;
- iv. is part of a course of unsuitable meeting conduct orders on three occasions within a one-year period, taken together, is a conduct breach. The local government is not required to notify the OIA of these matters and may deal with the conduct as if an investigation has been undertaken section 150J and make a decision under section 150AG of the Local Government Act 2009 (including Brisbane City Council). Below are some examples of conduct which may constitute a conduct breach.

#### Decision

Section 150AG of the LGA provides that where an allegation of a conduct breach has been referred by the Office of the Independent Assessor (OIA) to a local government for investigation, the local government must decide:

- i. whether or not the councillor has engaged in a conduct breach; and
- ii. what action the local government will take under section 150AH of the LGA to discipline the councillor if the councillor has been found to have engaged in a conduct breach.

#### Types of orders

Section 150AH of the LGA provides a list of the types of orders that the local government may make where it has found that a councillor has engaged in inappropriate conduct:

- i. An order that no action be taken against the councillor;
- ii. An order that the councillor make a public apology, in the way decided by the local government, for the conduct;





## STRATEGIC POLICY: Elected Members

### Investigation Policy **EM\_02**

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- iii. An order reprimanding the councillor for the conduct;
- iv. An order that the councillor attend training or counselling addressing the councillor's conduct including at the councillor's expense;
- v. An order that the councillor be excluded from a stated local government meeting
- vi. An order that the councillor is removed or must resign from a position representing the local government other than the office of councillor;
- vii. An order that if the councillor engages in the same type of conduct again, it will be treated as misconduct;
- viii. An order that the councillor reimburse the local government for all or some of the costs arising from the councillor's conduct breach.

#### Factors that may be taken into account

Section 150AG(2) of the LGA provides that in deciding what action to take, the local government may consider:

- i. Any previous conduct breach of the councillor;
- ii. Any allegation made in the investigation that-
  - a. was admitted, or was not challenged; and
  - b. the local government is reasonably satisfied is true.

#### Guidance on appropriate disciplinary action

It is open to local governments to decide which order/s in section 150AH of the LGA /are suitable when a councillor is found to have engaged in a conduct breach. The particular circumstances of a case must always be taken into consideration.

As a guide, it is suggested that it may be appropriate for the local government to consider making an order or combination of orders depending on whether a councillor has been found to have engaged in a conduct breach for the first time, or for a second, or third time.

Section 150L of the LGA provides that conduct is misconduct if the conduct is part of a course of conduct leading the local government to take action under s150AG to discipline the councillor for a conduct breach on three occasions within a 1 year period.

The table on the following page may assist councils to decide what disciplinary action is suitable in various circumstances.





## STRATEGIC POLICY: Elected Members

### Investigation Policy **EM\_02**

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| Order                                                                                                                                           | First instance<br>engaging in a<br>conduct breach | Second instance<br>engaging in a<br>conduct breach | Third instance<br>engaging in<br>conduct breach |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|----------------------------------------------------|-------------------------------------------------|
| No action be taken against the councillor                                                                                                       | ✓                                                 |                                                    |                                                 |
| An order for the councillor to make a public apology in the way decided by the local government, for the conduct                                | ✓ *                                               | ✓ *                                                | ✓ *                                             |
| An order for the councillor to make a public apology in the way decided by the local government, for the conduct                                | ✓ #                                               | ✓ #                                                | ✓ #                                             |
| An order that the councillor attend training or counselling addressing the councillor's conduct including at the councillor's expense           | ✓ #                                               | ✓ #                                                | ✓ #                                             |
| An order that the councillor be excluded from a stated local government meeting                                                                 |                                                   | ✓                                                  | ✓                                               |
| An order that the councillor is removed or must resign from a position representing the local government other than the office of councillor    |                                                   |                                                    | ✓                                               |
| An order that if the councillor engages in the same type of conduct again, it will be treated as misconduct                                     | ✓ ^                                               | ✓                                                  |                                                 |
| An order that the councillor reimburse the local government for all or some of the costs arising from the councillor's inappropriate conduct ** |                                                   | ✓                                                  | ✓                                               |

\* May be appropriate where there is heightened or particular public interest in the type of conduct or the subject matter relating to the conduct.

# May be particularly appropriate where the conduct involves bullying or harassment or making inappropriate comments about another person.

^ For more serious and deliberate conduct breaches by an experienced councillor.

\*\* Costs arising from the councillor's conduct breach includes investigative costs, legal costs, and administrative costs. However, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by the Councillor Conduct Tribunal.





## STRATEGIC POLICY

### Media Relations Policy

Endorsed by Council

22 November 2023

## 1. Purpose

- 1.1. The purpose of this policy is to ensure effective communications that protect and enhance the reputation of Council, inform the community, promote a positive image of the Whitsunday Region and raise awareness about Council services and activities.
- 1.2. This Policy establishes protocols for managing communication between Council and the media to ensure coordinated, coherent, accurate and reliable presentation of Council information, so that Council maintains credibility, integrity and customer confidence, and so that Council's corporate values and brand are reinforced.

## 2. Scope

- 2.1. This policy is applicable to all councillors, including the Mayor, and all employees when responding to media enquiries or when seeking to make public comment on behalf of Council.
- 2.2. This policy specifies who is authorised to act as the official spokesperson for Council and the procedures for issuing media statements or publishing any public facing document.
- 2.3. This policy should be read in conjunction with the Social Media Policy.

## 3. Policy Statement

- 3.1. Council encourages open, prompt and accurate communication with the media to promote a positive, progressive and professional image of Council, and to inform the public.
- 3.2. Council intends to provide relevant, timely and accurate comment and information to media outlets when requested.

## 4. Guiding Principles

### Communications Team

- 4.1. Councillors and employees should advise the Communications and Marketing Team when approached by the media for information or comment, even when a previous delegation has been authorised.
- 4.2. The Communications and Marketing Team are responsible for approved media statements and media releases to communicate matters that align with the Purpose of this policy and Council's goals, including:
  - i approved policy and organisational decisions;
  - ii updates on organisational strategic direction;



## STRATEGIC POLICY

### Media Relations Policy

Endorsed by Council

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- iii information that advances the reputation and upholds the integrity of Council or the region as a whole;
- iv information that increases transparency with the community; and
- v information that promotes the achievements and activities of Council and the wider region which are in the public interest.

4.3. The release of information must adhere to the privacy principles outlined in the *Information Privacy Act 2009*.

4.4. Nothing in this policy prohibits Councillors or staff from issuing general promotional material and information relating to the activities and events for the programs and services under their jurisdiction that have been published or approved as per Council's processes.

#### Official Spokesperson(s)

- 4.5. The Mayor is the official spokesperson for Council on all issues. Given the Mayor is elected by the whole of the region, the Mayor is often requested to comment in addition to, or instead of, other spokespeople (as listed below).
- 4.6. If the Mayor cannot serve as Council spokesperson, the opportunity is offered first to the Deputy Mayor, and then to an appropriate Councillor. The Mayor can also delegate the role of spokesperson in relation to a specific issue to the CEO or a senior officer.
- 4.7. A Councillor may also provide comment on local issues, in addition to the Mayor. However, given the Mayor is the official spokesperson, a Councillor should inform the Communications and Marketing Team prior to offering comment to the media.
- 4.8. Councillors should clearly articulate that personal comments incongruent with Council's position are theirs alone.

#### Mayor & Councillors

- 4.9. When making comment to the media, the Mayor and/or designated Councillor should ensure that they clearly distinguish between personal opinion and the official position of Council expressed through resolutions of Council or agreed Council decisions.
- 4.10. Comments to the media should not:
  - i pre-empt decisions of Council or undermine the decision making process;
  - ii unduly or unfairly criticise Council or Council Officers; or
  - iii disclose confidential material.
- 4.11. This policy is not intended to limit a Councillor from communicating with or engaging with their constituents. Councillors are actively encouraged to do this, provided that the



## STRATEGIC POLICY

### Media Relations Policy

Endorsed by Council

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Councillor Code of Conduct requirements are complied with. In doing so, Councillors should identify that they are not speaking on behalf of Council.

#### Employees

- 4.12. The CEO (or their delegate) and the Communications and Marketing Manager are responsible for coordinating all media enquiries on operational matters.
- 4.13. Council employees should engage with the media about any Council-related matter without authority from the CEO or Communications and Marketing Manager.

#### Emergency or Natural Disasters

- 4.14. The Whitsunday Region is prone to emergencies and natural disasters including cyclones, fires and floods.
- 4.15. Both Council and the media have an important role to play inform the public in times of disaster.
- 4.16. During times of disaster:
  - i information provided by Council should be accurate, timely and as clear as possible;
  - ii information provided by Council should be consistent with information and advice provided by other relevant agencies and stakeholders, including the State Government, emergency services and the Bureau of Meteorology;
  - iii speculation or the release of unconfirmed reports should be avoided; and
  - iv updates should be provided via multiple media channels, including social media, TV and radio (simulcast if possible).
- 4.17. Where information is released via social media, efforts should be made to clarify when information is no longer accurate or has been superseded (e.g. by editing posts to identify that the information is no longer current).

#### Record Keeping

- 4.18. All media releases, responses to media or external requests for statements or information should be recorded and stored according to Council's records management policy and procedures.

#### Non-Compliance

- 4.19. Non-compliance with the provisions of this policy may result in disciplinary action being taken in accordance with Council's policies and procedures.



## STRATEGIC POLICY

### Media Relations Policy

Endorsed by Council

22 November 2023

## 5. Related Policies and Legislation

- Confidentiality for Councillors Policy
- Code of Conduct for Councillors
- Code of Conduct (Staff)
- Community Engagement Strategy
- Social Media Policy
- Information Management Policy

## 6. Definitions

**CEO** means the Chief Executive Office of Council.

**Comment** includes but is not limited to public speaking engagements, comments to radio, television, press, online media outlets, social media, views expressed in letters to newspapers or in books, journals and notices where it is expected that the publication or circulation of the comment will spread to the community at large.

**Communication** refers to all forms of communication with the media and similar outlets including, but not limited to, interviews, press statements, emails, letters, phone calls and messages.

**Council** means Whitsunday Regional Council.

**Councillor** means all elected representatives who hold (current) office with Council, including the Mayor.

**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Media** means all forms of published or broadcast content such as newspapers, radio, television, magazines, media releases, social media, plus digital media platforms including blogs and online news sites. Media includes all organisations involved in publishing (external) media content, including freelancers.

**Spokesperson** a person who speaks as a designated representative of Council.

| COUNCIL POLICY          |                                      |                    |                 |
|-------------------------|--------------------------------------|--------------------|-----------------|
| Date Adopted by Council | 22 November 2023                     | Council Resolution | OM2023/11/22.20 |
| Effective Date          | 22 November 2023                     | Next Review Date   |                 |
| Responsible Officer(s)  | Communications and Marketing Manager | Revokes            | CP_OMCEO_03     |



## STRATEGIC POLICY

### Social Media Policy

Endorsed by Council

22 November 2023

## 1. Purpose

- 1.1 The purpose of this Policy is to set out the standards of behaviour expected for the use of social media on behalf of Council, and the use of social media by Councillors and Council employees.
- 1.2 The objectives of this policy are to:
  - 1.2.1 develop a culture of openness, trust, and integrity in Council through appropriate use of social media;
  - 1.2.2 provide direction on the responsibilities and expectations for:
    - 1.2.2.1 the professional use of social media on behalf of Council;
    - 1.2.2.2 the use of social media by Councillors and employees; and
    - 1.2.2.3 standards of behaviour by any parties wishing to interact on social media platforms administered by Council, including Councillors.

## 2. Scope

- 2.1 This policy applies to Councillors and all employees of Council who use social media platforms either professionally or privately. This policy applies to using social media to 'post' content or to interact with existing content on social media (e.g. by 'liking' or 'sharing' material posted by others).

## 3. Policy Statement

- 3.1 Council employs various social media platforms to provide information on Council initiatives, public notices, activities, facilities, services, events, and programs. Social media should be used where the Council wishes to engage with the community to provide information or raise awareness of Council related matters. There may be exceptions to this rule under the discretion of the Chief Executive Officer.
- 3.2 Social media is considered an important tool for Council to actively engage with our community and provides a platform for active discussion and the exchange of ideas, promoting the Whitsunday region as a place to live, work, play, visit and invest.



#### STRATEGIC POLICY

##### Social Media Policy

Endorsed by Council

22 November 2023

## 4. Guiding Principles

### Acceptable use of social media channels

- 4.1 Council's social media assets are managed by delegated Social Media Editors/Moderators in the Communications and Marketing Team and are used for engaging with the community, increasing Council's brand awareness and promoting Council services.

### Authorities and responsibilities

- 4.2 The primary responsibility for Council's social media is the Communications and Marketing Team who are generally responsible for all Council social media accounts across all platforms.
- 4.3 All Council social media accounts should be set up and transacted in the name of Whitsunday Regional Council unless another Council business name is approved by the CEO.
- 4.4 All content for posts published or shared on Council's social media platforms should be prepared, edited, and issued through the Communications and Marketing Team or delegated Social Media Editors using an official Council account, to ensure adherence to the Social Media Policy, consistency in messaging, and consistency in branding. The Social Media Editors should consult and receive approval of content by the subject matter expert and their relevant supervisor.
- 4.5 Moderation of social media content on Council's platforms, consistent with Council's Terms of Use, should be undertaken by the Communications and Marketing Team (Social Media Editors/Moderators).
- 4.6 The Communications and Marketing Manager should remain an administrator of any accounts created to ensure risk management measures are maintained (including centralised storage of master passwords for each site) to protect Council's reputation.
- 4.7 Employees cannot have moderator access to Council's social media accounts and comment on behalf of Council unless they are authorised by the CEO in liaison with the Communications and Marketing Manager. Access will be based upon the duties of each position with relevant officers only having access to relevant platforms, in accordance with any Social Media Procedures/Guidelines.



## STRATEGIC POLICY

### Social Media Policy

Endorsed by Council

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## Comments and Replies

- 4.8 Service requests, requests for information or complaints to Council should be submitted through Council's official correspondence channels via phone, email, in writing or in person, rather than through social media. This is to ensure they are captured via the appropriate customer service and records systems.
- 4.9 Responses to comments or posts requesting service or information will generally be made within normal business hours, should Council deem it appropriate to respond to a comment or post.

## Creation of new accounts

- 4.10 New Council Official social media accounts should not be created without the consent of the Communications and Marketing Manager.
- 4.11 A full list of Council's official social media accounts can be obtained from the Communications and Marketing Team.

## Obligations when using social media

- 4.12 When using Council social media, the following rules apply:
- 4.12.1 only publish content that is classified as public information. Do not publish any material on social media sites that is confidential, personal, private, or pertains to legal matters;
  - 4.12.2 if using imagery, only use corporate imagery such as logos and official Council photographs;
  - 4.12.3 content posted should be accurate and approved by the CEO, relevant director, a manager, or the Communications and Marketing Manager;
  - 4.12.4 content should be respectful of the community and portray Council in a positive way;
  - 4.12.5 content should be impartial and apolitical;
  - 4.12.6 content shall only promote projects and decisions that have been approved by Council;
  - 4.12.7 content should not promote any business other than Council or a Council owned business;
  - 4.12.8 users should adhere to the terms of use of the relevant social media platform/website;



#### STRATEGIC POLICY

##### Social Media Policy

Endorsed by Council

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- 4.12.9 copyrighted or trademarked material must not be published without permission;
- 4.12.10 posted content must not include any illegal, discriminatory, defamatory, abusive, or obscene material; and
- 4.12.11 ensure capture of information/records and information privacy meet all legislative and other policy obligations.

#### **Moderation and Terms of Use for third parties**

- 4.13 Council's social media platforms are generally only monitored within business hours.
- 4.14 An open dialogue on social media is encouraged, however comments and materials published on Council's social media platforms should adhere to appropriate standards of behaviour and civil discourse.
- 4.15 Council may remove any content that Council considers to:
  - 4.15.1 be defamatory, prejudicial, racist, inflammatory, vexatious, offensive, cyberbullying, trolling or otherwise inappropriate;
  - 4.15.2 be off topic to the source subject;
  - 4.15.3 be repetitive;
  - 4.15.4 contain swearing, foul language or profanity;
  - 4.15.5 constitute harassment of, or personal attacks against, other users, Council, Councillors, or Council staff;
  - 4.15.6 amount to disclosure of personal or sensitive information about others or Council;
  - 4.15.7 be spam, including links to other sites, including commercial, non-government or off-topic pages; or
  - 4.15.8 otherwise not be in the public interest.
- 4.16 Users who publish material in violation of the above may be banned or blocked from Council's social media sites. Determinations regarding breaches of the above will be made by a delegated Social Media Editor/Moderator in consultation with the Communications and Marketing Manager.
- 4.17 The above actions will acknowledge record keeping procedures.

#### **Councillor social media use**

- 4.18 The Mayor and Councillors should act in accordance with this policy, Council's Media Policy, the Code of Conduct for Councillors in Queensland, and all other related Council policies and procedures.



**STRATEGIC POLICY**

**Social Media Policy**

**Endorsed by Council**

**22 November 2023**

4.19 Councillors

may manage their own social media and Council has no role in the creation or management of these platforms, except for public record management.

4.20 Councillors are encouraged to refer to the Office of Independent Assessor & LGAQ resource – Social Media Guidelines for Councillors and other relevant material published by third party Agencies.

4.21 Councillors should:

- 4.21.1 consider the appropriateness and public perception of any comment or activity undertaken on all social media platforms, regardless of which account they are using;
- 4.21.2 take reasonable steps to ensure that any comment they make in a personal capacity will be understood as representing their personal views, not those of Council;
- 4.21.3 ensure their actions do not reflect adversely on the reputation of Council;
- 4.21.4 maintain confidentiality of Council information that is not publicly available;
- 4.21.5 not directly and unnecessarily criticise Council, other Councillors, or employees;
- 4.21.6 not attempt to unduly influence other Councillors or Council employees,
- 4.21.7 not undermine public confidence in the processes of Council;
- 4.21.8 be alert to the possibility that personal comments about public issues may compromise their ability to perform their duties in an independent and unbiased manner;
- 4.21.9 ensure their comments do not suggest that they have come to a conclusive view on a matter coming before Council, prior to fully considering the proposal and related issues (note – doing so may render Council decisions open to challenge);
- 4.21.10 having regard to legislative requirements, ensure privacy of individuals is maintained when posting photographs;
- 4.21.11 respect the democratic process and publicly represent Council decisions when speaking on behalf of Council (in reference to Council's Media Relations Policy); and,
- 4.21.12 not make Council announcements through social media prior to the announcement being made through official corporate channels, unless the information is already publicly available.



## STRATEGIC POLICY

### Social Media Policy

Endorsed by Council

22 November 2023

## Employees Social Media Use

- 4.22 Council recognises that social media is a part of daily life. This policy does not prevent the usage of social media by Council employees for personal use. However, employees should recognise that they may be viewed by the public as representatives of Council, even if personal social media profiles do not explicitly link to Council or are made 'private'.
- 4.23 Any information that is shared about Council should only be what is available publicly.
- 4.24 All employees are reminded to act in accordance with this policy, the Code of Conduct (staff), the Media Relations Policy and all other related Council policies and procedures.
- 4.25 While using social media, employees should:
- 4.25.1 not criticise Council or any of its employees or stakeholders;
  - 4.25.2 not disclose or use any confidential information (whether obtained in your capacity as employees or otherwise). Only disclose or discuss publicly available information;
  - 4.25.3 not imply that you are authorised to speak as a representative of Council or give the impression that the views expressed are those of Council.
  - 4.25.4 not use a Council email address or any Council logos or insignia for personal social media that may give the impression of official support by Council for personal posts or comments;
  - 4.25.5 in any post that identifies you as a Council employee, expressly state that any content represents personal views only and does not represent the views of Council;
  - 4.25.6 not use the identity or likeness of another Council employee without consent;
  - 4.25.7 not post anything which may damage Council's or the public's trust and confidence in you as a Council employee;
  - 4.25.8 not upload work-related photographs or videos to a personal social media sites unless permission is sought from the Communications and Marketing Department. This includes uploading images of employees wearing council-branded uniforms, such that the activities being engaged in in the photograph could be perceived to have taken place during work hours or on behalf of Council.



## STRATEGIC POLICY

### Social Media Policy

Endorsed by Council

22 November 2023

## Record Keeping

4.26 A public record includes any form of recorded information, created, or received by, or created on behalf of a Queensland public authority in the transaction of government business. Council is a public authority.

4.27 Social Media postings, messages, attachments, and polls are digital public records under the *Public Records Act 2002 (Qld)* and must be recorded and stored according to Council's records management policy and procedures.

## Non-Compliance

4.28 Non-compliance with the provisions of this policy may result in action being taken in accordance with Council's policies and procedures or relevant legislative requirements.

## 5. Related Policies and Legislation

*Information Privacy Act 2009 (Qld)*  
*Local Government Act 2009 (Qld)*  
*Local Government Regulations 2012 (Qld)*  
*Public Records Act 2002 (Qld)*  
Code of conduct for Councillors  
Code of conduct (Staff)  
Community Engagement Strategy  
Information Privacy Policy  
Media Relations Policy  
Records Management Policy

## 6. Definitions

**CEO** means the Chief Executive Officer of Council.

**Council** means Whitsunday Regional Council.

**Councillor** means the elected representatives who hold (current) office with Council, including the Mayor.

**Employee** means a person who carries out work in any capacity for Council, including for example temporary, or permanent employees, contractors, sub-contractors, employees of a labour hire company, outworkers, trainees, apprentices, volunteers and work experience students.

**Public Record** Has the meaning provided in the *Public Records Act 2002 (Qld)*.

**(Social Media) Moderator** Designated Council employee who monitors online communications. The moderator may also answer general questions via the channel and respond to complaints or provide basic Council information or clarifications. A moderator may also be a Social Media Editor.



## STRATEGIC POLICY

### Social Media Policy

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**Social Media** Computer-based technology that facilitates the sharing of ideas, thoughts, and information through the building of virtual networks and communities. These technologies include, but are not limited to:

- messaging technologies (e.g., email, SMS, WhatsApp, Chat, Facebook Messenger);
- social networking sites (e.g., Facebook, Yammer, LinkedIn);
- mass communication platforms (e.g., Twitter/X, Reddit, other forums or message boards, comments/contributions to other websites such as comments on a news websites); and
- video and image sharing platforms (e.g., YouTube, Snapchat, Instagram, TikTok, Discord, Twitch).

**Council Social Media Accounts** All social media accounts, platforms, and pages that Council support and manage, that have been created and approved by the Chief Executive Officer.

**Social Media Editor** A Council staff member who has the authority, in accordance with their delegations, to represent Council on social media. Includes Manager Marketing and Communications and other delegated officers.

| COUNCIL POLICY          |                                      |                    |                           |
|-------------------------|--------------------------------------|--------------------|---------------------------|
| Date Adopted by Council | <del>23 November 2022</del>          | Council Resolution | <del>OM2022/11/23.6</del> |
| Effective Date          | <del>23 November 2022</del>          | Next Review Date   | 23 November 2024          |
| Responsible Officer(s)  | Communications and Marketing Manager | Revokes            | <del>LSP_OMCEO_16</del>   |

#### **4 BUSINESS ARISING**

This item on the agenda allows Councillors the opportunity to seek clarification or updates on business arising from the minutes of the previous meeting.

## **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.

In accordance with Council's Standing Orders, Councillors may give notice of any business they wish to be discussed at an Ordinary Meeting by way of a Notice of Motion. This item on the agenda allows Councillors to introduce and move any motions they have submitted to the Chief Executive Officer for inclusion in the agenda.

## **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 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.

**10.1 - Audit & Risk Committee Meeting Minutes - 19 November 2024**

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 11 December 2024

**AUTHOR:** Manager - Governance and Administration Services

**AUTHORISING OFFICER:** Director Corporate Services

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**PURPOSE**

To confirm the Audit and Risk Committee Meeting Minutes held on 19 November 2024.

**EXECUTIVE SUMMARY**

The Audit and Risk Committee is Committee of Council, and the minutes are presented to Council for endorsement.

A number of recommendations were made by the Committee to Council and the receipt and endorsement of these minutes will see the actions move into implementation.

**OFFICER'S RECOMMENDATION**

That Council endorse the Unconfirmed Minutes of the Audit & Risk Committee Meeting (**Attachment 1**) held on 19 November 2024.

**BACKGROUND**

Whitsunday Regional Council's Audit & Risk Committee met on 19 November 2024 and minutes were recorded from this meeting and are provided to Council to consider and review the Committee's recommendations, in accordance with Section 211(1)(c) of the Local Government Regulation 2012.

The primary objective of the Audit & Risk Committee is to promote good corporate governance through the provision of independent assurance, oversight, and advice to Council on matters relating to:

- Internal Audit;
- External Audit;
- Financial Reporting;
- Risk Management;
- Internal Controls; and
- Legislative and Organisational Compliance.

**DISCUSSION/CURRENT ISSUE**

The following reports were presented at the meeting of the 19 November 2024 and voted in support by the Committee:

- Audit & Risk Priorities Guide 2024
- Audit & Risk Committee 2025 Priorities Guide and 2025 Meeting Dates
- Monthly Financial Report
- Cash Analysis Report 2023/24

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- Asset Revaluation Progress Report 1
- Strategic Internal Plan 2025
- Internal Audit Activity Report Nov 2024 (Follow Up of Prior Internal Audit Actions Report – Nov 2024)
- External Audit (QAO) Briefing Paper
- Risk Management Update
- Annual Report of Crime and Corruption Commission
- ICT Strategy Update Report
- WHS Update & Statistics Report

## **FINANCIAL IMPLICATIONS**

Financial Implications are managed within the existing budgets and delegations.

## **CONSULTATION/ENGAGEMENT**

Manager Governance and Administration

## **STATUTORY/COMPLIANCE MATTERS**

Audit and Risk Committee Charter  
Local Government Regulation 2012

## **RISK ASSESSMENT/DEADLINES**

Council risks non-compliance with the Audit & Risk Committee Constitution if they do not consider and review the recommendations of the Committee.

Minutes are to be presented to the next available Council Meeting.

## **STRATEGIC IMPACTS**

Lead and coordinate the organisation's corporate governance and risk management, in addition to the delivery of efficient and customer focused administration support for the organisation to ensure high levels of performance and compliance.

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.

## **ATTACHMENTS**

1. 19 November 2024 - Audit and Risk Committee Meeting Unconfirmed Minutes - Final 28.11.2024 - Waterma [10.1.1 - 19 pages]



# **Minutes of the Audit & Risk Committee Meeting held on Tuesday 19 November 2024 at Council Chambers, 83-85 Main Street, Proserpine**

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

**Members Present:**

Mr Graham Webb (Chair)  
Ms Mary Goodwin (External Committee Member)  
Mr Peter Sheville (External Committee Member)  
Cr Michelle Wright (Deputy Mayor - Councillor - Division 4) - Proxy Committee Member  
Gary Simpson (Councillor - Division 5) - Proxy Committee Member

**Internal/Externals Present:**

Gary Murphy (Director Infrastructure Services); Neil McGaffin (Director Regional Strategy and Planning); Julie Wright (Director Community Services and Facilitation); James Ngoroyemoto (Manager Governance and Administration); Mitchell Carre (Manager Innovation and Technology); Wayne Gorrie (O'Connor Marsden) and Anne Law - Secretary (Governance and Risk Officer)

**Observers:**

Clay Bauman (Councillor - Division 2) - Via MS Teams

**Externals Present via MS Teams – Teleconference:**

Leah Bradley (Manager Financial Services) - Via MS Teams  
Edwina Pettiford (Management Accountant Finance) - Via MS Teams  
Natalie Hansen (Acting Manager People and Culture) - Via MS Teams  
Sabrina Frank (Queensland Audit Office) - Via MS Teams  
Matthew Monaghan (William Buck) - Via MS Teams  
James Turner (O'Connor Marsden) - Via MS Teams

**Apologies:**

Cr Ry Collins (Mayor)  
Mr Warren Bunker (CEO)  
Cr John Finlay (Councillor - Division 6)  
Mr Jason Bradshaw (Director Corporate Services)

**Chairperson declared:**

The meeting commenced at 9:00am  
The meeting adjourned for morning tea at 10:51am  
The meeting reconvened from morning tea at 11:09am  
The meeting closed at 12:29pm

Whitsunday Regional Council  
**Minutes of the Audit & Risk Committee Meeting** held at  
**Council Chambers, 83-85 Main Street, Proserpine** on  
**Tuesday 19 November 2024** commencing at 9:00am.

|                                                                                  |           |
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## 1 APOLOGIES/LEAVE OF ABSENCE

### 1.0.1 - Apologies/Leave of Absence - Agenda

That Audit & Risk Committee noted the following apologies:

Cr Ry Collins (Mayor)  
Mr Warren Bunker (CEO)  
Cr John Finlay (Councillor – Division 6)  
Mr Jason Bradshaw (Director Corporate Services)

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2 DECLARATIONS OF INTEREST

2.0.1 - Declarations of Interest - Agenda

The Chairman advised the Committee of his previous declaration made for transparency:

A conflict of interest, in that his son works for McCullough Robertson Lawyers, who do work for Whitsunday Regional Council as part of the legal services panel adopted by Council. The Chairperson advised that the interest will not impact his role as Chair of the Audit & Risk Committee but wanted to make the disclosures for openness and completeness.

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3 CONFIRMATION OF MINUTES

3.1 - Confirmation of Minutes

EXECUTIVE SUMMARY

In accordance with the Audit and Risk Committee Charter Meetings, Records and Reporting Structure. Minutes of the meeting shall be presented at the next available Council General Meeting. Committee minutes for the meeting held on 17 September 2024 were endorsed at the Council Ordinary Council meeting held on 30 October 2024 and are presented for confirmation.

RECOMMENDATION

That the Committee confirms the Minutes of the Audit and Risk Committee Meeting held on 17/09/2024.

RESOLUTION AR2024/11/19.1

Moved By: MR P SHEVILLE

Seconded By: MS M GOODWIN

That the Committee confirms the Minutes of the Audit and Risk Committee Meeting held on 17/09/2024, subject to report item 4.3.1 recommendation 2 to be worded as follows:

Endorse the Road Maintenance Performance Contract Internal Audit and recommendations within the report.

MEETING DETAILS

Cr Simpson did not cast a vote for the confirmation of the minutes, as he was not present at the meeting held on 17/09/24.

The motion was Carried 4 / 0.

CARRIED

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**4            AUDIT & RISK COMMITTEE REPORTS**

**4.1           Audit & Risk Committee Operations**

**4.1.1 - Chief Executive Officer Briefing Update**

**EXECTUVE SUMMARY**

The Director of Instructure provided a verbal update.

**RECOMMENDATION**

That the committee receive the verbal update from the Director of Infrastructure.

**RESOLUTION AR2024/11/19.2**

Moved By:        **MS M GOODWIN**

Seconded By:    **CR M WRIGHT**

**That the committee receive the verbal update from the Director of Infrastructure.**

**MEETING DETAILS:**

- 1. Legal Matters Update
- 2. Waste Update
- 3. State Election Update
- 4. WHS Update

**The motion was Carried 5 / 0.**

**CARRIED**

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4.1.2 - Audit and Risk Committee Priorities Guide 2024

EXECUTIVE SUMMARY

A guide for the 2024 Audit & Risk Committee meetings was established and based upon the previous year's activities to ensure that all items that required to be reviewed and discussed by this committee are presented. This guide was endorsed by the Committee at its 28 November 2023 meeting.

RECOMMENDATION

- 1. That the Audit & Risk Committee note the current 2024 Priorities Guide.

RESOLUTION AR2024/11/19.3

Moved By: MS M GOODWIN
Seconded By: MR P SHEVILLE

- 1. That the Audit & Risk Committee note the current 2024 Priorities Guide.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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#### 4.1.3 - Audit and Risk Committee 2025 Priorities Guide and 2025 Meeting Dates

##### EXECUTIVE SUMMARY

The business activities for 2024 have been reviewed to capture actions arising for the development of the 2025 Priorities Guide to ensure Council is meeting its statutory requirements.

It is proposed that the Priorities Guide continues to be monitored each meeting. The guide remains adaptable each year as emerging issues arise or as the Committee seeks further information and follow up.

##### RECOMMENDATION

That the Audit and Risk Committee;

1. Receive and adopt the Priorities Guide for 2025.
2. Adopt the following Committee Meeting dates schedule for 2025 calendar year:
  - a) Meeting 1 - 18 February 2025
  - b) Meeting 2 - 20 May 2025
  - c) Meeting 3 - 29 July 2025
  - d) Meeting 4 - 19 August 2025 via Teleconference
  - e) Meeting 5 - 16 September 2025
  - f) Meeting 6 - 18 November 2025

##### RESOLUTION AR2024/11/19.4

Moved By: MS M GOODWIN

Seconded By: CR M WRIGHT

That the Audit and Risk Committee;

1. Receive and adopt the Priorities Guide for 2025.
2. Adopt the following Committee Meeting dates schedule for 2025 calendar year:
  - a) Meeting 1 - 11 February 2025
  - b) Meeting 2 - 20 May 2025
  - c) Meeting 3 - 29 July 2025
  - d) Meeting 4 - 19 August 2025 via Teleconference
  - e) Meeting 5 - 16 September 2025
  - f) Meeting 6 - 25 November 2025

##### MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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This is page 8 of the Minutes of Council's Audit & Risk Committee Meeting - 19 November 2024

DRAFT
UNCONFIRMED

4.2 Financial Reporting

4.2.1 - Monthly Financial Report

EXECUTIVE SUMMARY

This report promotes sound financial management and accountability by presenting the Monthly Finance Reports and sustainability ratios for the period ending 30 September 2024 to the Audit & Risk Committee.

RECOMMENDATION

That the Audit & Risk Committee receive the Monthly Financial Report and the Financial Statements (unaudited) for the period ended 30 September 2024.

RESOLUTION AR2024/11/19.5

Moved By: CR M WRIGHT
Seconded By: MS M GOODWIN

That the Audit & Risk Committee receive the Monthly Financial Report and the Financial Statements (unaudited) for the period ended 30 September 2024.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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**4.2.2 - Cash Analysis Report 2023/24**

**EXECUTIVE SUMMARY**

The report provides supporting evidence to demonstrate the manner in which the cash and cash equivalent balances held by Council align with Councils reserves and working capital requirements. Both externally restricted cash and internally restricted cash held at 30 June 2024 is highlighted.

**RECOMMENDATION**

That the Audit and Risk Committee receive the Cash Analysis Report as at 30 June 2024.

**RESOLUTION AR2024/11/19.6**

Moved By:       **MS M GOODWIN**

Seconded By: **MR P SHEVILLE**

That the Audit and Risk Committee receive the Cash Analysis Report as at 30 June 2024.

**MEETING DETAILS**

The motion was Carried 5 / 0.

**CARRIED**

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4.2.3 - Asset Revaluation Progress Report 1

EXECUTIVE SUMMARY

The 2024/25 Revaluation is progressing in line with the Annual Revaluation Plan and project timeline. The Revaluation Working Group has met several times and are currently focussed on assessment of asset data across the financial asset register, rating database, spatial asset register and the Titles Office.

RECOMMENDATION

That the Audit and Risk Committee endorse the Progress Report 1 on the 2024/25 Revaluation.

RESOLUTION AR2024/11/19.7

Moved By: CR G SIMPSON

Seconded By: CR M WRIGHT

That the Audit and Risk Committee endorse the Progress Report 1 on the 2024/25 Revaluation.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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#### 4.3 Internal Audit

##### 4.3.1 - Internal Audit Strategic Plan and Annual Audit Plan

###### EXECUTIVE SUMMARY

*The Local Government Act 2009* requires Council to establish an effective and efficient internal audit function that will provide independent, objective assurance and appropriate services designed to add value and improve Council's operations. The purpose of the Internal Audit Plan is to identify the proposed internal audit scope areas for the calendar years 1 January 2025 to 31 December 2025.

###### RECOMMENDATION

That the Audit and Risk Committee endorse the Internal Audit Plan for the 2025 calendar year.

###### RESOLUTION AR2024/11/19.8

Moved By: MR G WEBB

Seconded By: MR P SHEVILLE

That the Audit and Risk Committee endorse the Internal Audit Plan for the 2025 calendar year.

###### MEETING DETAILS

- Request to share Assurance Mapping.
- Request to appoint a 'Procurement Transformation Lead or Accountable Person' to address the issues raised in the Procurement Audit.
- Request to have Procurement as a recurring agenda item at the Audit and Risk Committee. Note: The Priorities Guide could be updated to reflect this action i.e. Update/Discussion to be provided at every Audit & Risk Meeting.

The motion was Carried 5 / 0.

CARRIED

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Meeting adjourned at 10:51am for Morning Tea.

The meeting reconvened from morning tea at 11:09am.

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4.3.2 - Internal Audit Activity Report

EXECUTIVE SUMMARY

O'Connor Marsden Associates (OCM) undertakes internal audits for Council in alignment with the Strategic Internal Audit Plan for Council. During the period of September 2024 to November 2024 the following audit on Council's Community Assets, Waste management were commenced, and a review of Internal Audit recommendations implementation was completed.

RECOMMENDATION

That the Audit & Risk Committee

1. Receive the Internal Audit activity report.
2. Receive the review of internal audit implementation of recommendations (follow Ups) report.

RESOLUTION AR2024/11/19.9

Moved By: CR G SIMPSON

Seconded By: MS M GOODWIN

That the Audit & Risk Committee

1. Receive the Internal Audit activity report.
2. Receive the review of internal audit implementation of recommendations (follow ups) report.

MEETING DETAILS

The motion was Carried 5 / 0.

CARRIED

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This is page 13 of the Minutes of Council's Audit & Risk Committee Meeting - 19 November 2024

This is page 113 of the Agenda of Council's Ordinary Council Meeting - 11 December 2024

DRAFT

4.4 External Audit

4.4.1 - QAO Briefing Paper

EXECUTIVE SUMMARY

The Briefing Paper dated the 31<sup>st</sup> October 2024 details the status of the current QAO audits identified in their forward works plan.

The below is a summary of the recently tabled reports to parliament:

- Central Agencies Coordination of the State Budget
- Delivering Forensic Medical Examinations (follow-up audit)
- 2024 Status of Auditor-General's recommendations

Other reports in progress include:

- Managing Queensland's regional water quality
- Insights on audit committees in Local Government
- Reducing landfill waste

RECOMMENDATION

That the Audit & Risk Committee receive the Briefing Paper from the Queensland Audit Office dated 31<sup>st</sup> October 2024.

RESOLUTION AR2024/11/19.10

Moved By: MS M GOODWIN

Seconded By: CR M WRIGHT

That the Audit & Risk Committee receive the Briefing Paper from the Queensland Audit Office dated 31<sup>st</sup> October 2024.

MEETING DETAILS

- Ms Goodwin to share the Integrity Contact at another Council for learning and collaboration purposes.

The motion was Carried 5 / 0.

CARRIED

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4.5 Internal Controls/Risk Compliance

4.5.1 - Risk Management Update

EXECUTIVE SUMMARY

A progress update on the Risk Management Implementation Plan 2024-2027 is presented for the Committee consideration. The first iteration of this plan is focussed on enhancing the foundations to build on risk management maturity over time. This plan is reviewed annually to monitor completion of actions and to add new actions to further mature Council in risk management.

Council was awarded with the Local Government Mutual Services Risk Excellence Award in recognition of Council's continued investment in improving risk its management systems and practices, and ongoing support and commitment to LGMS.

RECOMMENDATION

That the Audit & Risk Committee receive the Risk Management Update report.

RESOLUTION 1 AR2024/11/19.11

Moved By: MR G WEBB

Seconded By: MR P SHEVILLE

That the Audit & Risk Committee recognise achievement of Council in being awarded with the Local Government Mutual Services Risk Excellence Award for 2024.

MEETING DETAILS:

- Request to share the Risk Maturity Assessment as context for the Plan included in the Meeting Papers.

The motion was 5 / 0.

CARIED

RESOLUTION 2 AR2024/11/19.12

Moved By: CR M WRIGHT

Seconded By: MS M GOODWIN

That the Audit & Risk Committee receive the Risk Management Update report.

MEETING DETAILS:

The motion was 5 / 0.

CARIED

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This is page 15 of the Minutes of Council's Audit & Risk Committee Meeting - 19 November 2024

#### 4.5.2 - Annual Report of the Crime and Corruption Commission

##### EXECUTIVE SUMMARY

CCC is responsible for raising standards of integrity and conduct of Councillors in local government, ensuring complaints about corruption are dealt with in an appropriate way. investigating and otherwise dealing with conduct liable to allow, encourage or cause corrupt conduct, investigating conduct connected with corrupt conduct and investigating whether corrupt conduct may have happened, may be happening or may happen.

The report assesses the CCC's performance against the strategic objectives including performance indicators aligning with the 2022-26 Strategic Plan and 2023-24 Service Delivery Statements.

##### RECOMMENDATION

That the Audit & Risk Committee receive the Crime and Corruption Commission's Annual Report 2023-24

##### RESOLUTION AR2024/11/19.13

Moved By: CR M WRIGHT

Seconded By: MS M GOODWIN

That the Audit & Risk Committee receive the Crime and Corruption Commission's Annual Report 2023-24

##### MEETING DETAILS

- Ms Goodwin to share the Integrity Contact at another Council for learning and collaboration purposes.

The motion was Carried 5 / 0.

CARRIED

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Mr P Sheville left the meeting at 12:09pm.

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4.5.3 - ICT Strategy Update Report

EXECUTIVE SUMMARY

The current ICT Strategic Plan 2023 – 2025 was reviewed in January 2024 and further revised in April 2024 considering the changing digital environment, council's operational plan and stakeholder input. Considering these considerations' changes were made to both the overarching strategic objectives and specific strategic objectives called out for 2024.

The rapid rise of the use of Artificial Intelligence AI over the last six months has opened up a wide range of potentially significant enhancements and capabilities in digital systems usage and design. The current use and potential future use of AI should be reviewed as part of the strategic plan renewal in early 2025. An AI strategy will be developed in conjunction with a review of current objectives to ensure leverage and compatibility with the council's digital ecosystem.

RECOMMENDATION

That the Audit & Risk Committee receive the update on the ICT Strategy dated November 2024.

RESOLUTION AR2024/11/19.14

Moved By: MS M GOODWIN
Seconded By: CR M WRIGHT

That the Audit & Risk Committee receive the update on the ICT Strategy dated November 2024.

MEETING DETAILS

The motion was Carried 4 / 0.

CARRIED

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#### 4.5.4 - WHS Update & Statistics Report

##### EXECUTIVE SUMMARY

The Workplace Health & Safety Manager joined Council in September 2024 as a qualified and experienced professional to further the safety strategy and ensure the ongoing efforts in fostering a safety-centric culture.

The past year has seen successful engagement across all of Council through the implementation of the critical risk program. Progress is being made in procuring a high-priority safety system that caters to both current and future needs of Council and aims to shift focus from reactive transactional work to proactive, engaging frontline specialist support and advice.

##### RECOMMENDATION

That the Audit and Risk Committee receive the Workplace Health and Safety November 2024 Update.

##### RESOLUTION AR2024/11/19.15

Moved By: MS M GOODWIN

Seconded By: MR G WEBB

That the Audit and Risk Committee receive the Workplace Health and Safety November 2024 Update.

##### MEETING DETAILS

- Request to share the NAT/450001 Audit for context in terms of the response to non-conformances provided in the Meeting Papers.

The motion was Carried 4 / 0.

CARRIED

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This is page 18 of the Minutes of Council's Audit & Risk Committee Meeting - 19 November 2024

This is page 118 of the Agenda of Council's Ordinary Council Meeting - 11 December 2024

5

GENERAL BUSINESS

Chairperson gave opportunity for members to discuss the Audit and Risk Committee Performance, insights and to identify any areas of improvement and for any feedback to be sent directly to him.

Ms M Goodwin: Requested for Audit and Risk Committee draft Minutes to be circulated to members prior to endorsement at the Ordinary Council Meeting.

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6

## CLOSURE OF MEETING

The Meeting closed at 12:29pm.

Confirmed as a true and correct recording this 11th February 2025.

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Mr Graham Webb

CHAIRPERSON

This is page 19 of the Minutes of Council's Audit & Risk Committee Meeting - 19 November 2024

This is page 119 of the Agenda of Council's Ordinary Council Meeting - 11 December 2024

**11.1 - Sale of Land – Part of Lot 1 Bootooloo Road, Bowen (Lot 1 on RP 703864)**

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 11 December 2024

**AUTHOR:** Senior Property Officer

**AUTHORISING OFFICER:** Director Corporate Services

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**PURPOSE**

To seek Council approval for the Chief Executive Officer to enter into a Contract of Sale and execute Transfer documents to effect settlement with John Alexander Williams & Merrilyn Jean Williams for the sale of part of land Lot 1 RP 703864- located on Bootooloo Road, Bowen.

**EXECUTIVE SUMMARY**

Council has been approached by John Williams of 545 Bootooloo Road Bowen requesting to purchase land which adjoins his property being part of Lot 1 RP 703864 located on Bootooloo Road, Bowen. Currently Maloney Lane does not run the entire way through the existing road reserve, and it is proposed to realign the road reserve to rectify this misalignment. John has requested to purchase the triangular section that includes the closed section of road reserve and remaining land up to the existing road boundary.

**OFFICER'S RECOMMENDATION**

That Council authorise the Chief Executive Officer to enter into negotiations and execute a Contract of Sale and transfer documents with John Alexander Williams & Merrilyn Jean Williams for the sale of part of the land being Lot 1 on RP 703864 in accordance with Section 236 (1)(c)(iv)A, B, C and D of the Local Government Regulation 2012.

**BACKGROUND**

Council owns Lot 1 on RP 703864 as freehold land. The constructed Maloney Road does not sit within the designated road reserve and runs through part of Council's freehold land at Lot 1 on RP 703864. This misalignment needs to be corrected by way of closing the current section of road reserve and opening a new section of road reserve. In correcting this road misalignment, it is then proposed to dispose of the triangular land area by way of Contract of Sale to the existing adjoining land owner of Lot 1 on RP 741118 known as 545 Bootooloo Road, Bowen so that his property boundary runs parallel to the length of the road reserve to provide access to his property from Bootooloo Road onto Maloney Road.

**DISCUSSION/CURRENT ISSUE**

John & Merrilyn Williams are the registered owner of Lot 1 on RP 741118 known as 545 Bootooloo Road, Bowen.

In order to rectify the misalignment of Maloney Road so that it runs through the designated road reserve a survey plan has been prepared by a cadastral surveyor. The survey plan will allow Council to apply to close the existing section of road reserve, create a new section of road reserve to accommodate where the road currently runs. The remaining triangular parcel of land provides no benefit for Council to retain and allows John & Merrilyn Williams, the owner of the adjoining property, the opportunity to rectify his property boundary so it runs parallel along the length of Maloney Road. Maloney Road intersects with Bootooloo Road and will provide corrected road access for John & Merrilyn Williams.

A valuation report has been completed by Opteon and it has been determined that the current market value for the area of land proposed for sale to John & Marilyn Williams is \$5,000.

It is recommended to enter into a Contract of Sale and execute Transfer documents to effect settlement of the sale of this parcel of land to the adjoining land owner, John & Marilyn Williams.

### **FINANCIAL IMPLICATIONS**

The sale price on the Contract of Sale will be \$5,000 which is the current market value in accordance with the Valuation Report provided by Opteon Solutions. The sale will provide a source of income to cover the costs to correct the road realignment.

The survey costs which were incurred are not to be reimbursed by the purchaser due to Council requiring the correction to the road reserve in absence of the purchase.

### **CONSULTATION/ENGAGEMENT,**

Director Corporate Services  
Executive Manager Procurement, Property & Fleet  
Civil Engineer – Roads and Drainage  
Regional Roads Technical Officer – Roads and Drainage

### **STATUTORY/COMPLIANCE MATTERS**

*Local Government Act 2009*

*Land Act 1994*

Section 236 (1)(c)(iv) A, B, C & D of the Local Government Regulation 2012 allows Council to dispose of land with an adjoining landowner without the requirement of going to a public tender.

### **RISK ASSESSMENT/DEADLINES**

Council currently has inherent risks due to the misalignment of the existing road outside the correct road reserve. The road is currently running through Council owned land. By rectifying this misalignment, the road will continue to be used within the correct road reserve and reduce any associated risks on Council. Furthermore, by disposing of the land this will ensure no incorrect trespass on Council land.

### **STRATEGIC IMPACTS**

Corporate Plan Reference:

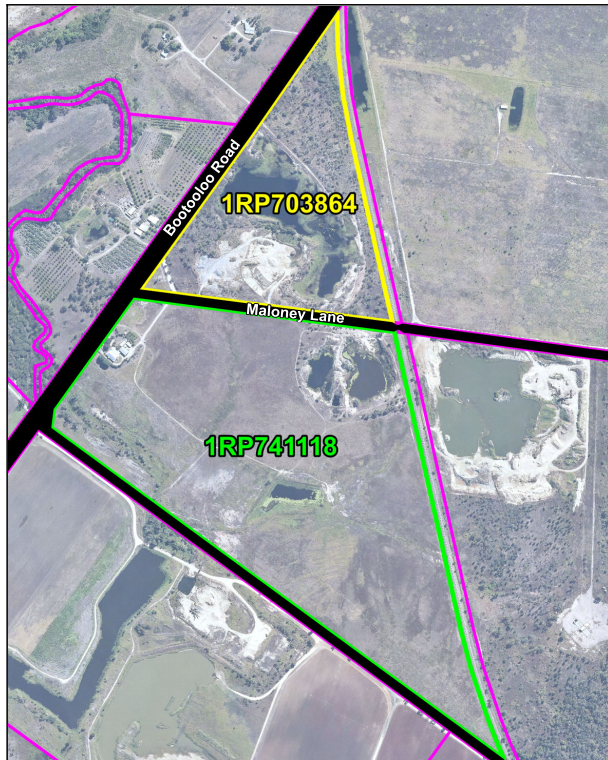
Manage Council's property and building assets to ensure optimal community outcomes. Support the organisation in ensuring appropriate compliance with legislation and to support the elected council in its decision-making processes and obligations as a local government

### **ATTACHMENTS**

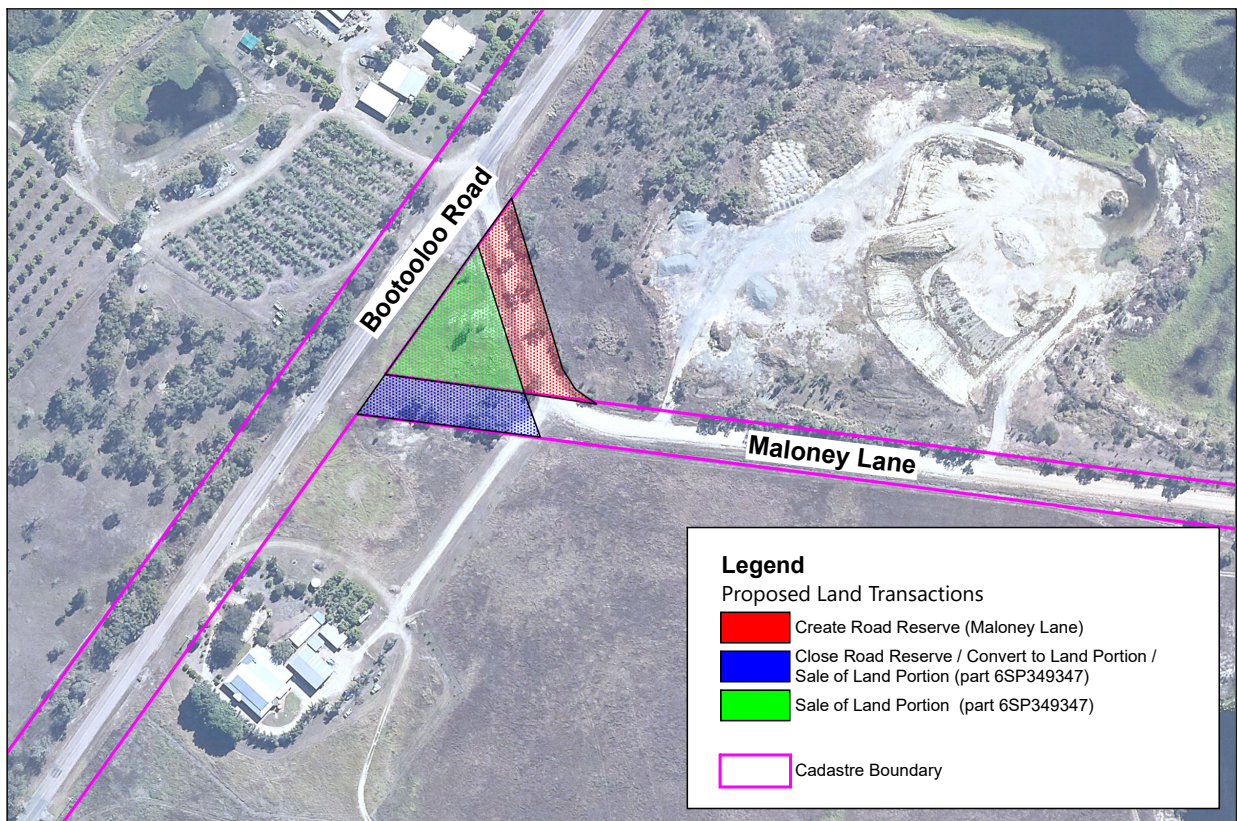
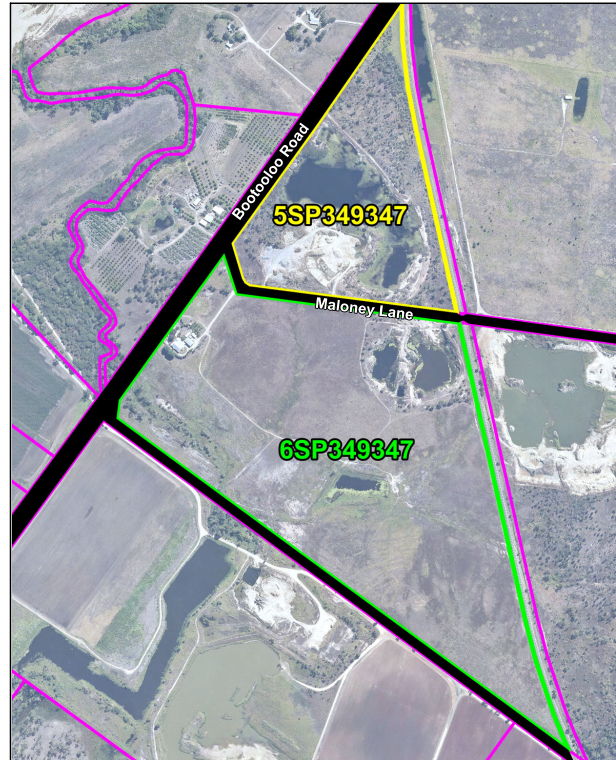
1. Proposed Land Sale Map [11.1.1 - 1 page]
2. Survey Plan 349347 [11.1.2 - 2 pages]
3. Locality Map [11.1.3 - 2 pages]

# Attachment 11.1.1 Proposed Land Sale Map

Current Land Parcel and Road Reserve Layout



Proposed Land Parcel and Road Reserve Layout

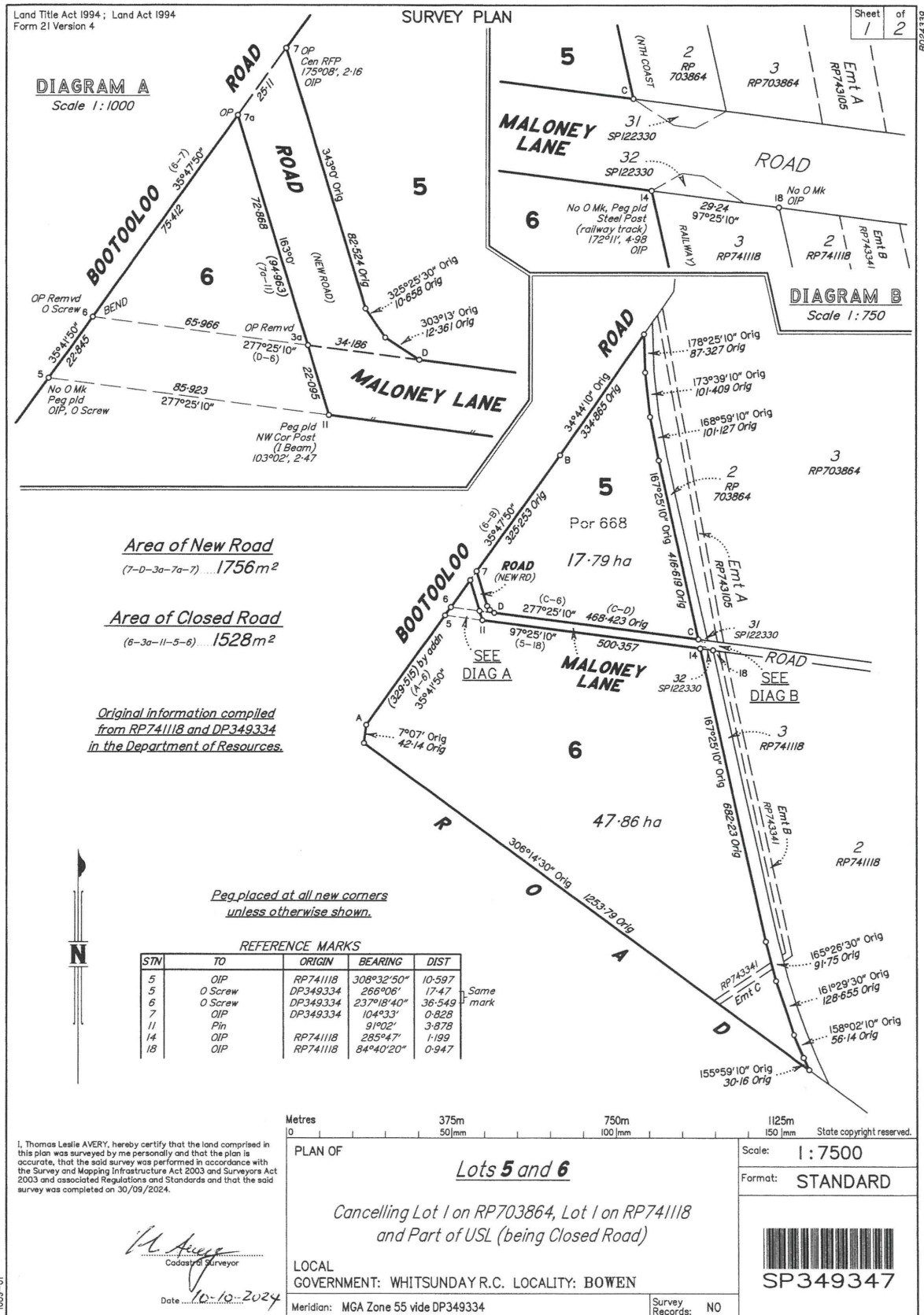


## Outcomes from Proposed Land Transactions Corner of Bootooloo Road & Maloney Lane Corrected Road Reserve

1RP703864 changed to 5SP349347 (decreased size)  
1RP741118 changed to 6SP349347 (increased size)



This map is a representation of the information currently held by Whitsunday Regional Council and contains data extracted from Queensland's Digital Cadastral Database. Use of this data set may be approved with the written permission of the Director General, Department of Natural Resources and Mines. © The State of Queensland (Dept of Natural Resources and Mines). No liability accepted for any loss or damage that may arise from the use of or reliance on this data.



Land Title Act 1994; Land Act 1994  
Form 21B Version 2

**WARNING :** Folded or Mutilated Plans will not be accepted.  
Plans may be rolled.  
Information may not be placed in the outer margins.

|       |    |
|-------|----|
| Sheet | of |
| 2     | 2  |

BD24339

(Dealing No.)

4. Lodged by

(Include address, phone number, reference, and Lodger Code)

| Existing        |                   | Created  |          |                     |
|-----------------|-------------------|----------|----------|---------------------|
| Title Reference | Description       | New Lots | Road     | Secondary Interests |
| 21234128        | Lot 1 on RP703864 | 5 and 6  | New Road | —                   |
| 21297214        | Lot 1 on RP741118 | 6        | —        | —                   |
|                 | USL               | 6        | —        | —                   |

## ENCUMBRANCE EASEMENT ALLOCATIONS

| Easement                         | Lots to be Encumbered |
|----------------------------------|-----------------------|
| 601165585<br>(Emt C on RP743341) | 6                     |

## REINSTATEMENT REPORT

This survey is subsequent to and agrees with recent survey on DP349334 (23/05/2024). This survey extended to the east along Maloney Lane to stations 14 and 18. Reference marks from DP349334 were recovered along with original reference marks (RP741118) at stations 5, 14 and 18 and provided the basis for reinstatement. Where appropriate, original dimensions were compiled from DP349334 and RP741118.

Date of Development Approval:

6. ~~Building Format Plans only.~~

~~I certify that:~~

\* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;

\* Part of the building shown on this plan encroaches onto adjoining \* lots and road

Cadastral Surveyor/Director\*      Date  
\*delete words not required

7. Lodgement Fees :

Survey Deposit \$.....

Lodgement \$ \_\_\_\_\_

.....New Titles \$ .....

Photocopy \$

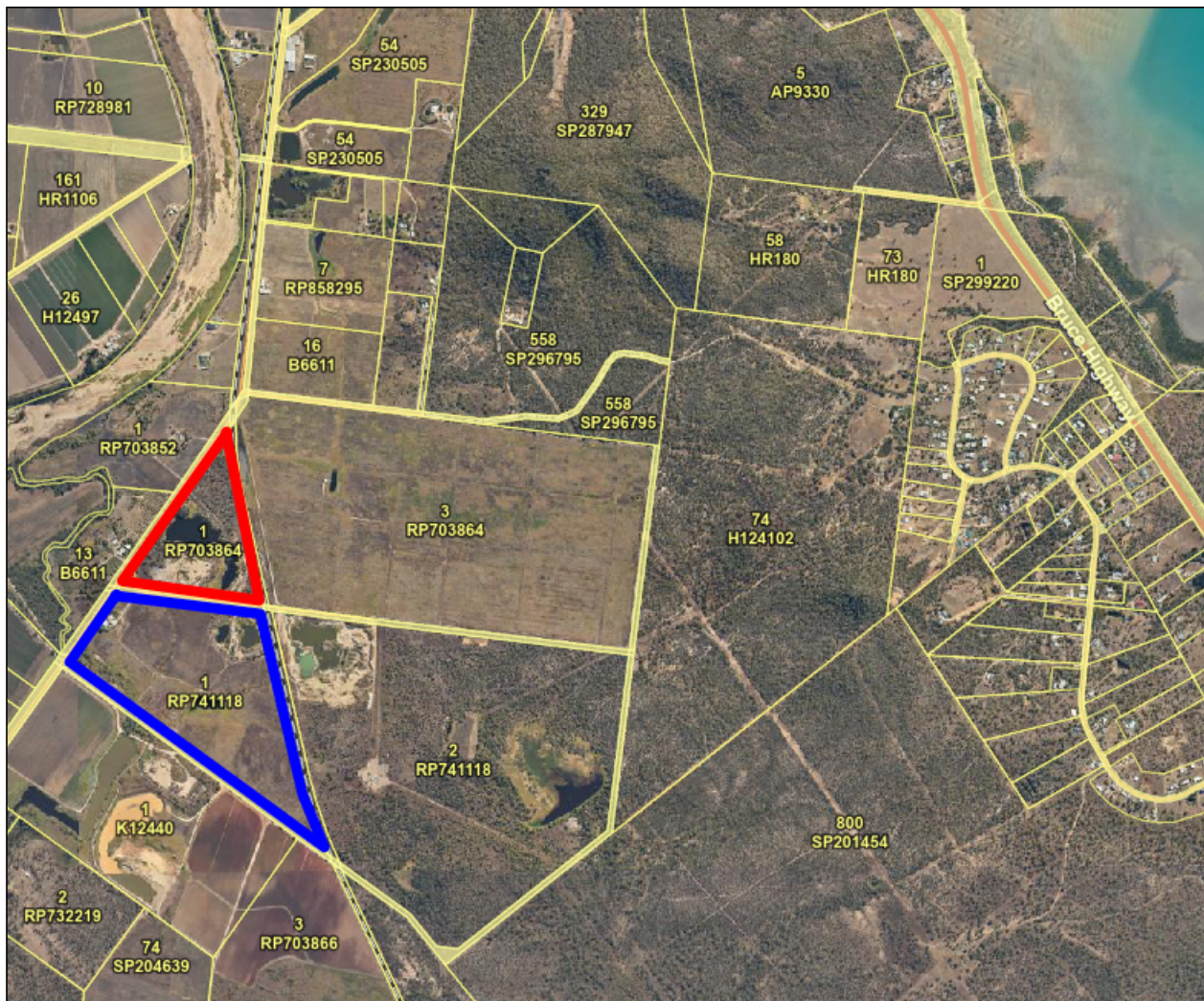
Postage \$ .....

|       |    |
|-------|----|
| TOTAL | \$ |
|-------|----|

|                       |          |
|-----------------------|----------|
| 8. Insert Plan Number | SP349347 |
|-----------------------|----------|

### Attachment 11.1.3 Locality Map

20°2'33"S 148°11'34"E

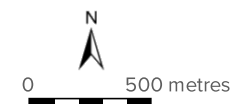
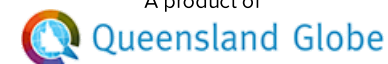


20°4'39"S 148°11'34"E

20°2'33"S 148°14'17"E

20°4'39"S 148°14'17"E

A product of



Scale: 1:24262

Printed at: A4

Print date: 26/11/2024

Not suitable for accurate measurement.

Projection: Web Mercator EPSG 102100 (3857)

For more information, visit

<https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

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## **11.2 - Donations, Sponsorships, In Kind Requests and Grants Approved November 2024**

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 11 December 2024

**AUTHOR:** Community Development Officer

**AUTHORISING OFFICER:** Director Community Services and Facilitation

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### **PURPOSE**

To advise Council of the donations, sponsorships, in-kind support and grants up to \$20,000 provided for the month of November 2024.

### **EXECUTIVE SUMMARY**

Council is often approached by community groups for financial assistance, requesting support to help them deliver their endeavours and events within the community. These requests are assessed and approved or declined as they are received by the Community Services team and a monthly report is submitted to Council advising of the assistance that has been approved, as per resolution 2024/06/26.19.

Approvals outlined in this report include:

- a) Financial Support for Junior Elite Athlete Grants
- b) Donations
- c) In-Kind Donations
- d) Sport and Recreation Club Grants
- e) Donation on Council Fees

### **OFFICER'S RECOMMENDATION**

That Council:

- a) Note the Financial Support for Junior Elite Athlete Grant applications approved for the month of November 2024 to the applicants identified in Attachment 1.
- b) Note the Financial Support for Donation applications approved for the month of November 2024 to the applicants identified in Attachment 2.
- c) Note the Financial Support for In-Kind Donation applications approved for the month of November 2024 to the applicants identified in Attachment 3.
- d) Note the Financial Support for Sport & Recreation Club applications approved for the month of November 2024 to the applicants identified in Attachment 4.
- e) Note the Financial Support for Donation on Council Fee applications approved for the month of November 2024 to the applicants identified in Attachment 5.

### **BACKGROUND**

As per resolution 2024/06/26.19, Council resolved to:

- 1) Adopt the following amended policies:
  - a. Community Donations Policy
  - b. Community Sponsorship Policy
  - c. Community Grant Policy
- 2) Revoke the Financial Support for a Junior Elite Athlete Policy

## DISCUSSION/CURRENT ISSUE

Below is an overview of the financial approvals that were made in the month of November 2024. A detailed description of each can be found in the attachments.

### Junior Elite Athlete Grant

3 approved, totalling \$750

### Donations

5 approved, totalling \$6,520

### In-Kind Donations

2 approved, totalling \$888

### Sport & Recreation Club Grants

1 approved, totalling \$1,000

### Donation on Council Fees

8 approved, totalling \$2,094

## FINANCIAL IMPLICATIONS

The funds for Junior Elite Athlete Grants and Donations will be taken from JC: 2967.11074.63150 – Community Donations (2967) / Donations (11074)

| Description                 | Amount (\$)   |
|-----------------------------|---------------|
| 2024/25 Budget              | 80,000        |
| Actual + Commitment         | 55,764        |
| <b>YTD Remaining Budget</b> | <b>24,236</b> |

The funds for In-kind Donation of Council Materials will be taken from JC: 2967.10642.61004 – Community Donations (2967) / Council In-kind Support (10642) / Materials - Other (61004)

| Description                 | Amount (\$)   |
|-----------------------------|---------------|
| 2024/25 Budget              | 20,000        |
| Actual + Commitment         | 6,858         |
| <b>YTD Remaining Budget</b> | <b>13,142</b> |

The funds for Sport & Recreation Club Grant will be taken from JC: 2967-10250-63151

| Description                 | Amount (\$)   |
|-----------------------------|---------------|
| 2024/25 Budget              | 110,000       |
| Actual + Commitment         | 23,000        |
| <b>YTD Remaining Budget</b> | <b>87,000</b> |

The funds for Donation on Council Fees will be taken from JC: 2967-10249-63150

| Description                 | Amount (\$)    |
|-----------------------------|----------------|
| 2024/25 Budget              | 120,000        |
| Actual + Commitment         | 15,279         |
| <b>YTD Remaining Budget</b> | <b>104,721</b> |

## **CONSULTATION/ENGAGEMENT**

Director Community Services and Facilitation

## **STATUTORY/COMPLIANCE MATTERS**

*Local Government Act 2009*

Local Government Regulation 2012

Community Donations Policy

Community Sponsorships Policy

Community Grants Policy

## **RISK ASSESSMENT/DEADLINES**

There is a financial cost to Council, however the assistance provided will support the activities of community and sporting groups in the Whitsunday Region.

To be completed by 30 June 2025 in line with the 2024/25 financial year budget.

## **STRATEGIC IMPACTS**

Corporate Plan Reference:

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

## **ATTACHMENTS**

1. Attachment 1 - Elite Athlete Grant Applications - November 2024 [**11.2.1** - 1 page]
2. Attachment 2 - Donation Applications - November 2024 [**11.2.2** - 1 page]
3. Attachment 3 - In Kind Donation Applications - November 2024 [**11.2.3** - 1 page]
4. Attachment 4 - Sport and Recreation Club Grants - November 2024 [**11.2.4** - 1 page]
5. Attachment 5 - Donation on Council Fees Applications - November 2024 [**11.2.5** - 1 page]



**Correspondence:**  
 Chief Executive Officer,  
 Whitsunday Regional Council,  
 PO Box 104, Proserpine QLD 4800  
 P: 1300 WRC QLD (1300 972 753)  
 F: (07) 4945 0222  
 E: [info@whitsundayrc.qld.gov.au](mailto:info@whitsundayrc.qld.gov.au)  
[www.whitsundayrc.qld.gov.au](http://www.whitsundayrc.qld.gov.au)  
 ABN 63 291 580 128

**Attachment 1 – Approved Financial Support for Junior Elite Athlete Grant Applications – November 2024**

| Name           | Location   | Age | Competition                      | Competition Level | Sport       | Received Funding Previously | Amount (\$) |
|----------------|------------|-----|----------------------------------|-------------------|-------------|-----------------------------|-------------|
| Lily Sainsbury | Proserpine | 17  | QLD State 7s Championships       | NQ                | Rugby Union | Yes                         | 250         |
| Millie Groom   | Cannonvale | 14  | Australian All Schools Athletics | QLD               | Athletics   | Yes                         | 250         |
| Millie Groom   | Cannonvale | 14  | QLD State Triathlon              | NQ                | Athletics   | Yes                         | 250         |
| <b>TOTAL</b>   |            |     |                                  |                   |             |                             | <b>750</b>  |

**Bowen**  
 Cnr Herbert & Powell Streets  
 Bowen QLD 4805

**Proserpine**  
 83-85 Main Street  
 Proserpine QLD 4800

**Collinsville**  
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 Collinsville QLD 4804

**Cannonvale**  
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 Shute Harbour Road, Cannonvale QLD 4802





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 ABN 63 291 580 128

**Attachment 2 – Approved Donation Applications – November 2024**

| Organisation Name                               | Location          | Description                            | Donation Amount (\$) |
|-------------------------------------------------|-------------------|----------------------------------------|----------------------|
| Ronald McDonald House Charities North Australia | Regional - Mackay | 2024 Christmas Appeal                  | 1,920                |
| Collinsville Community Association              | Collinsville      | 2024 Community Christmas Carols        | 2,000                |
| Collinsville Community Association              | Collinsville      | 2025 Australia Day Community Breakfast | 1,000                |
| Bowen Hospital Auxiliary                        | Bowen             | 2024 Annual Christmas Raffle           | 100                  |
| Bowen Locals 4 Locals                           | Bowen             | 2024 Annual Christmas Street Party     | 1500                 |
| <b>Total</b>                                    |                   |                                        | <b>6,520</b>         |

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[www.whitsundayrc.qld.gov.au](http://www.whitsundayrc.qld.gov.au)  
 ABN 63 291 580 128

**Attachment 3 – Approved In-Kind Donation Applications – November 2024**

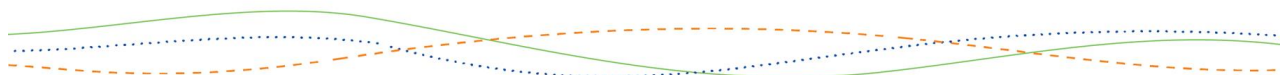
| Organisation Name                  | Location     | Description                                                             | In-Kind Support (\$) |
|------------------------------------|--------------|-------------------------------------------------------------------------|----------------------|
| Whitsunday Leisure Activity Centre | Proserpine   | Prize Donation for Annual Christmas Raffle (2 x concert tickets @ PEC)  | 118                  |
| Airlie Beach Whitsunday RSL        | Airlie Beach | Remembrance Day 2024 (2 x gazebos, 20 x chairs – delivery & collection) | 770                  |
| <b>TOTAL</b>                       |              |                                                                         | <b>888</b>           |

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[www.whitsundayrc.qld.gov.au](http://www.whitsundayrc.qld.gov.au)  
ABN 63 291 580 128

**Attachment 4 – Approved Sport and Recreation Club Grant Applications – November 2024**

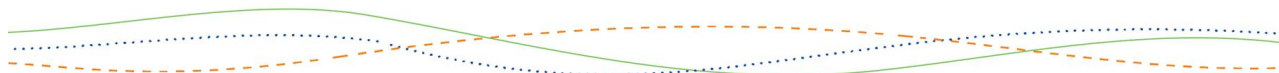
| Organisation Name                    | Junior Members | Senior Members | Total Members | Band | Public Liability | Amount Approved (\$) | Town       |
|--------------------------------------|----------------|----------------|---------------|------|------------------|----------------------|------------|
| Whitsunday Conservation Council Inc. | 0              | 25             | 25            | 1    | Yes              | 1,000                | Cannonvale |
|                                      |                |                |               |      | <b>Total</b>     | <b>1,000</b>         |            |

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[www.whitsundayrc.qld.gov.au](http://www.whitsundayrc.qld.gov.au)  
 ABN 63 291 580 128

**Attachment 5 – Approved Donation on Council Fee Applications – November 2024**

| Organisation Name                 | Location     | Description                      | Donation Amount (\$) |
|-----------------------------------|--------------|----------------------------------|----------------------|
| Collinsville Christian Fellowship | Collinsville | Collinsville Christmas Carols    | 151                  |
| Bowen Locals 4 Locals             | Bowen        | Bowen Christmas Fair             | 448                  |
| Airlie Beach Whitsunday RSL       | Cannonvale   | Remembrance Day Whitsunday       | 448                  |
| B Kinder Foundation               | Cannonvale   | Walk for a kinder world          | 151                  |
| Parkrun – Airlie Beach            | Airlie Beach | Annual Local Law Licence Renewal | 224                  |
| Parkrun – Bowen                   | Bowen        | Annual Local Law Licence Renewal | 224                  |
| Whitsunday Conservation Council   | Cannonvale   | Annual Local law Licence Renewal | 224                  |
| Phoenix Tai Chi Bowen Inc.        | Bowen        | Annual Local Law Licence Renewal | 224                  |
| <b>Total</b>                      |              |                                  | <b>2,094</b>         |

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 Shute Harbour Road, Cannonvale QLD 4802

## 11.3 - Regional Arts Development Fund (RADF) 2024/25 Funding Round 2 - October 2024

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 11 December 2024

**AUTHOR:** Arts & Community Programs Officer

**AUTHORISING OFFICER:** Director Community Services and Facilitation

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### PURPOSE

For Council to consider the funding for the Regional Arts Development Fund (RADF) grant applications for Round 2 of the 2024/25 Program, as recommended by the RADF Advisory Committee.

### EXECUTIVE SUMMARY

Whitsunday Regional Council has participated in the Regional Arts Development Fund since its inception in 1994. The Queensland Government, through the Arts Office, operates the RADF program in partnership with local government. The RADF program provides funding for development of cultural activities through locally determined policy and assessment procedures.

RADF has been introduced to foster and promote professional development and employment of artists in regional Queensland.

The program supports locally determined regional arts and cultural development opportunities by providing discrete, short term, project based financial assistance.

Individuals, groups, and organisations are encouraged to seek assistance for:

- Professional services to amateur arts activity.
- Strategic arts & culture initiatives in local communities i.e. increasing amenity, community pride and liveability through infrastructure, public art and place-making projects.
- Travel costs associated with local artists attending specialised seminars/workshops in major centres for the purpose of Individual Professional Development.
- Professional components of projects such as residencies, productions, commissions, exhibitions, short term workshops, research, and promotion.
- Networking, training, and professional development for local arts workers.
- Development and delivery of diverse, exciting, and accessible arts and cultural activities, projects, and initiatives for, by and with local communities.

The RADF Local Committee advised that at the most recent meeting the committee assessed the applications for funding received and have recommended the applications below subject to conditions being endorsed by Council for approval.

Council's responsibilities for RADF operations are promotion, endorsement, and administration. Before RADF payments can be distributed Council is required to endorse RADF Committee decisions at a Council meeting.

### OFFICER'S RECOMMENDATION

That Council:

1. Receive the minutes from the Regional Arts Development Fund (RADF) Local Advisory Committee.
2. Approve the payment of Regional Arts Development Fund (RADF) grants (subject to conditions) – for Round 2 as recommended to Council by the RADF Advisory Committee to assist the following recipients:
  - a. Linda Forrester – Proserpine Rock Wallaby Sculpture, Mould & Replicas Workshops - \$4,900
  - b. Whitsunday Art Fusion – Creative Community Workshops culminating in a regional Exhibition & Showcase -- \$7,700

## **BACKGROUND**

RADF invests in quality arts and cultural experiences across Queensland based on locally determined priorities.

Local Arts and Cultural workers submit an application to Council for funding grants. Applications are assessed by an elected committee against the criteria based on program guidelines and priorities identified in Council's Arts and Culture Policy.

All projects and activities receiving RADF funding are required to report on their contribution towards RADF 2024/25 Key Performance Outcomes (KPOs) included in the RADF guidelines.

The 2024 funding Round 2 closed on Wednesday 30 October 2024 for projects commencing after Monday, 9 December 2024.

## **DISCUSSION/CURRENT ISSUE**

The following applications were submitted:

### **Linda Forrester – Proserpine Rock Wallaby Sculpture, Mould & Replicas Workshops Requested \$4,900 – Recommended \$4,900**

The project will engage 20 local artists in early 2025 to create artistic renditions of the Proserpine Rock Wallaby, as part of the Proserpine Hinterland Festival (May 2025). These works will be included in a treasure hunt to promote cultural participation and interaction with local art. Aligned with the RADF objective to build local cultural capacity and community pride, this project fosters cultural innovation, enhances public value for Queensland communities, and celebrates the talents of local artists while highlighting a unique regional environmental symbol.

This activity is expected to enhance community participation in a cultural event that promotes physical activity, health, and wellbeing by encouraging exploration of local areas. It will foster social and cultural interactions, strengthen community pride, and support local artists. Additionally, the treasure hunt and artistic displays will attract visitors, contributing to tourism growth in Proserpine.

Overall, the project aims to improve the quality of life for residents while building cultural connections and showcasing regional talent.

The RADF Committee's recommendation was to fund the application being an ongoing commendable project and activity.

### **Whitsunday Art Fusion – Creative Community Workshops culminating in a regional Exhibition and Showcase**

## **Requested \$7,713 – Recommended \$7,700**

Community Cultural capacity will be enhanced by delivering a range of inclusive workshops, culminating in a showcase event, open to the regional community. Community consultations will be ongoing, connecting individuals and organisation including schools, mental health and aged care. New partnerships and connectivity will eventuate with community involvement in this project on many levels. Employment and professional development opportunities will also be generated.

Outcomes of the project will be a stronger sense of being part of community and arise through involvement in workshops, displays, consultation and partnerships. Holding workshops and events at Proserpine Showgrounds provides a sense place, easy access for all, camping facilities and close to town.

Skills, professional development and employment will be enhanced. Works produced can boost Show Whitsunday entries and showcase. Outlying area participants benefit from two-day workshops with maximised time, staying overnight. This supports cultural tourism, especially when activities coincide with other events. Greater connections, not only within Proserpine but broader community will strengthen cultural ties.

A dedicated website, social media, newspapers and flyers will promote activities.

The RADF Committee's recommendation was to fund the application. A very thorough and valuable application.

## **Total approved for October Round Two - \$12,600**

### **FINANCIAL IMPLICATIONS**

The funding for the support will be taken from budget code: GL:3640.6405 – Arts & Culture Development (3640) / Donations (6405).

| <b>Description</b>          | <b>Amount (\$)</b> |
|-----------------------------|--------------------|
| 2024/25 Budget              | 60,500             |
| Actual + Commitment         | 25,075             |
| <b>YTD Remaining Budget</b> | <b>35,425</b>      |

The budget contribution for RADF funding is 60% from Arts Queensland and 40% from Council.

### **CONSULTATION/ENGAGEMENT**

Director Community Services and Facilitation  
RADF Advisory Committee

### **STATUTORY/COMPLIANCE MATTERS**

*Local Government Act 2009*  
Local Government Regulation 2012  
LSP\_COMM\_02 – Arts & Culture Policy

## **RISK ASSESSMENT/DEADLINES**

The assistance RADF provides will ensure Council is portrayed in a positive manner by way of supporting the local community in their pursuit of developing skills, engaging in projects and activities that contribute to the value of arts and culture.

Payment to be made within one month of approval.

## **STRATEGIC IMPACTS**

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

## **ATTACHMENTS**

1. RADF Minutes Round 2 - October 2024 [**11.3.1** - 2 pages]

**WHITSUNDAY REGIONAL ARTS DEVELOPMENT FUND (RADF)  
ADVISORY COMMITTEE**
**Meeting Minutes – 12 November 2024**


|                   |                                                                       |
|-------------------|-----------------------------------------------------------------------|
| <b>Chair:</b>     | <b>Cr Clay Bauman</b>                                                 |
| <b>Present:</b>   | Marg Tawse, Ruth Morton, Janice Germain, Liaison Officer Jacqui Neave |
| <b>Apologies:</b> | Jess Begun                                                            |

**Meeting commenced: 10am**

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1</b> | <b>Minutes of previous meeting</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|          | ✚ N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>2</b> | <b>Business arising from minutes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|          | ✚ N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>3</b> | <b>Correspondence and news</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|          | ✚ Cr. Clay Bauman                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>4</b> | <b>Promotion and advertising</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|          | ✚ Ongoing – RADF strategies, promotions, activities, and resources                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>5</b> | <b>Presentations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|          | No presentations held                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>6</b> | <b>Applications</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|          | <p><b>Linda Forrester – Proserpine Rock Wallaby Sculpture, Mould &amp; Replicas Workshops</b><br/><b>Requested \$4,900 Recommended \$4,900</b></p> <p>The project will engage 20 local artists in early 2025 to create artistic renditions of the Proserpine Rock Wallaby, as part of the Proserpine Hinterland Festival (May 2025). These works will be included in a treasure hunt to promote cultural participation and interaction with local art. Aligned with the RADF objective to build local cultural capacity and community pride, this project fosters cultural innovation, enhances public value for Queensland communities, and celebrates the talents of local artists while highlighting a unique regional environmental symbol.</p> <p>This activity is expected to enhance community participation in a cultural event that promotes physical activity, health, and wellbeing by encouraging exploration of local areas. It will foster social and cultural interactions, strengthen community pride, and support local artists. Additionally, the treasure hunt and artistic displays will attract visitors, contributing to tourism growth in Proserpine.</p> <p>Overall, the project aims to improve the quality of life for residents while building cultural connections and showcasing regional talent.</p> <p>The RADF Committee's recommendation was to fund the application being an ongoing commendable project and activity.</p> <p><b>Whitsunday Art Fusion – Creative Community Workshops culminating in a regional exhibition and showcase</b><br/><b>Requested \$7,713 – Recommended \$7,700</b></p> <p>Community Cultural capacity will be enhanced by delivering a range of inclusive workshops, culminating in a showcase event, open to the regional community. Community consultations will be</p> |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>ongoing, connecting individuals and organisation including schools, mental health and aged care. New partnerships and connectivity will eventuate with community involvement in this project on many levels. Employment and professional development opportunities will also be generated.</p> <p>Outcomes of the project will be a stronger sense of being part of community and arise through involvement in workshops, displays, consultation and partnerships. Holding workshops and events at Proserpine Showgrounds provides a sense place, easy access for all, camping facilities and close to town.</p> <p>Skills, professional development and employment will be enhanced. Works produced can boost Show Whitsunday entries and showcase. Outlying area participants benefit from two-day workshops with maximised time, staying overnight. This supports cultural tourism, especially when activities coincide with other events. Greater connections, not only within Proserpine but broader community will strengthen cultural ties.</p> <p>A dedicated website, social media, newspapers and flyers will promote activities.</p> <p>The RADF Committee's recommended was to fund the application. A very thorough and valuable application.</p> <p><b>Total approved for October Round Two - \$12,600</b></p> |
| <b>7</b> | <b>General business</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|          | <p>🚦 Suggested to the committee to go through the RADF application to make it more user friendly for applicants, especially the budget. And to do the same with the guidelines</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

Meeting Closed: 11.30am

Next meeting: TBA

Location: TBA

|          |                                 |  |  |
|----------|---------------------------------|--|--|
| <b>7</b> | <b>Actions for next meeting</b> |  |  |
| <b>1</b> |                                 |  |  |
| <b>2</b> |                                 |  |  |

## 11.4 - Flying Fox Policy & Roost Management Plan Whitsunday Regional Council Flying Fox Policy

**MEETING DETAILS:** Ordinary Council Meeting - Wednesday 11 December 2024

**AUTHOR:** Manager Natural Resource Management and Climate  
Manager Natural Resource Management and Climate

**AUTHORISING OFFICER:** Director Community Services and Facilitation

---

### PURPOSE

The purpose of this report is to present to Council the proposed new Flying Fox Policy, Flying Fox Management Plan and Collinsville Roost Management Plan.

### EXECUTIVE SUMMARY

The purpose of this report is to seek Council support for the new Whitsunday Regional Council Flying Fox Policy and accompanying Management Plan and Collinsville Roost Plan. The Policy is an important document as it outlines Council's strategic intent and commitment to managing Flying Fox issues. Depending on whether Council approves the Policy will determine the extent and usefulness of the Management Plan and Roost Plan.

If Council supports the proposed Flying Fox Policy, then it supports having a coordination role in urban Flying Fox issues and support a position of providing funding to assist with Flying Fox deterrent actions.

The main urban Flying Fox roost issue is currently in the town of Collinsville. The most recent occurrence of Flying Fox in Collinsville commenced in March 2021. From March 2021 to November 2024, the Flying Fox population in Collinsville has fluctuated from zero to over 26,000. The current Flying Fox population in Collinsville is approximately 2,200 individuals in seven properties and seven trees. From March 2021 to September 2024, the management of the Flying Fox issue in Collinsville has cost approximately \$416,069.

### OFFICER'S RECOMMENDATION

That Council:

1. Resolves to rescind the previous Flying Fox Policy from 2018.
2. Resolves to adopt the proposed Whitsunday Regional Council Flying Fox Policy (**Attachment 1**).
3. Resolves to rescind the Whitsunday Regional Council Flying Fox Management Plan from 2018.
4. Resolves to endorse the proposed new Whitsunday Regional Council Flying Fox Plan and instructs the CEO to make changes to the Plan as required to implement the Policy (**Attachment 2**).
5. Resolves to rescind the previous Collinsville Flying Fox Roost Plan from 2023.
6. Resolves to endorse the proposed new Collinsville Roost Management Plan (**Attachment 3**).

### BACKGROUND

Local governments have an "As of Right" to manage Flying Fox roosts in urban areas provided that they comply with the Queensland governments Flying Fox Guidelines. The current Council Flying Fox Policy and current Flying Fox Management Plan were both developed in 2017 and adopted in 2018. The Flying Fox Policy outlines the Statement of

Management Intent (SOMI) and provides direction on how Council will respond to Flying Fox issues.

In March 2021, Flying Fox started to roost in Pelican Park in Collinsville. Since 2021, the Flying Fox population has fluctuated, and the roost sites have moved to various locations in Collinsville. The population of Flying Fox have fluctuated from zero up to 26,000 individuals.

The Following is a brief outline of actions taken to date:

- March 2021 - Black Flying Fox roosting in Pelican Park with a population of approximately 300.
- March 2023 - a Flying Fox Roost Plan was developed for Collinsville
- 27 September 2023 - Council endorsed the use of pyrotechnics to try and move Flying Fox out of Collinsville. The following is the Council resolution from 27 September 2023:

RESOLUTION OM2023/09/27.9

*That Council approve the acceptance of the quote from Biodiversity Australia to the value of \$234,094 (ex GST) plus costs for additional pyrotechnics to relocate the Collinsville Flying Fox Roost to an alternate Flying Fox camp location. Furthermore, that Council commence a letter box drop and provide some communications to notify Collinsville residents on this being Councils last chance to resolve this issue.*

- September 2023 - Council engaged Biodiversity Australia to assist with the application of pyrotechnics to try and move the Flying Fox out of Collinsville. The pyrotechnics activities occurred from early October to mid November 2023.
- January 2024 - Council was successful in gaining a Round 6 Queensland State Flying Fox Grant to engage an external consultant to review the current Policy, Management Plan and Collinsville Roost Plan.
- April 2024 - Council engaged Biodiversity and Assessment Management to assist with the review of the Council Flying Fox Policy and Management Plans.
- 2 July 2024 - Council coordinated a community meeting in Collinsville regarding Flying Fox and a review of the Council Policy. Council developed a community consultation report from the meeting and community consultation process (attached). Council received 29 submissions from the public regarding the Flying Fox issues in Collinsville.
- 22 August 2024. Flying Fox update discussed at a Council workshop.
- 25 September 2024 resolution:
  - That Council approve Flying Fox deterrent activities to attempt to move the Flying fox to a suitable roost site outside of the Collinsville township.
  - Procedural Motion – Matter lie on the table OM2024/09/25.7
    - Moved by Cr J Clifford
    - “That the item be deferred to a future meeting this calendar year pending further information on the Roost Management Plan and the Flying Fox Management Policy.
- November 2024 - The Consultancy, Biodiversity Assessment and Management Pty Ltd has now developed the new:
  - Whitsunday Regional Council Flying Fox Policy,
  - Whitsunday Regional Council Flying Fox Management Plan
  - Collinsville Roost Management Plan

The cost of managing the Flying Fox issue in Collinsville is summarised as:

- Year 2021-2022 – Operational costs - \$24,134

- Year 2022-2023 – Operational costs - \$86,446
- Year 2023-2024 – Operational costs - \$293,809
- Year – 2024 –2025 – Operational costs - July to September - \$11,680
- (Total cost from March 2021 to September 2024 is approximately \$416,069).

## DISCUSSION/CURRENT ISSUE

The Flying Fox roost in Collinsville has been a community nuisance since 2021. The population of the Flying Fox fluctuate over the year from zero up to 26,000. The results from the community consultation process from the 4 June to 7 July 2024, shows that there are social impacts from the Flying Fox in Collinsville.

The key aim of the Flying Fox Policy is to clearly document Council's position on how it will respond to the Flying Fox issues in urban areas. The proposed Flying Fox Policy has some new amendments which are highlighted in red italics below:

- Council recognises the Flying Fox are a protected species under Queensland legislation and that wildlife management is a responsibility of the State Government.
- Council management intent for Flying Fox roosts located on Whitsunday Regional Council controlled land and within an UFFMA:
  - Flying Fox roosts that are significantly impacting residents or the community will be subject to a Flying Fox Site Assessment.
  - Appropriate, non-lethal management measures will be considered and, where acceptable, undertaken to manage the roost, dependent on the assessment, as well as the cost and likelihood of success, and/or
  - Monitoring of post-management actions will be used to inform ongoing management.
- Council management intent for Flying Fox roosts NOT located on Whitsunday Regional Council managed land and contained within an UFFMA (ie. on private land):
  - Flying Fox are primarily considered a responsibility of the landholder and Council encourages landholders to take appropriate legal actions to move Flying Fox and prevent them roosting on private property.
  - Council may co-ordinate the management of Flying Fox roosts in consultation with the landholder/s,
  - Flying Fox roosts that are significantly impacting residents or the community will be subject to a Flying Fox Site Assessment.
  - Appropriate, non-lethal management measures will be considered and, where acceptable, undertaken to manage the roost, dependent on the assessment, as well as the cost and likelihood of success, where appropriate in partnership with landholders and within Council allocated annual budget.
  - Monitoring of post-management actions will be used to inform ongoing management and,
  - Council may apply for State or Commonwealth grants to assist with the funding for Flying Fox roost management actions.
- Council management intent for flying fox roosts located OUTSIDE an UFFMA:
  - Council does not have an as-of-right authority for the management of flying fox roosts outside of an UFFMA. All enquiries regarding roosts outside of an UFFMA will be referred to DEHP.

The Flying Fox Policy position then draws on the Flying Fox Management Plan and Roost Plan for how to implement Council Policy position and identify the possible tools available to manage the Flying fox issues.

## **FINANCIAL IMPLICATIONS**

If the recommendation is supported, this may mean that Council may assist residents by coordinating Flying Fox roost deterrent actions and may result in Council paying for approved and prioritised Flying Fox roost deterrent actions.

The cost of Flying Fox roost actions in Collinsville from March 2021 to September 2024 is summarised as:

- Year 2021-2022 – Operational costs - \$24,134
- Year 2022-2023 – Operational costs - \$86,446
- Year 2023-2024 – Operational costs - \$293,809
- Year – 2024 –2025 – Operational costs - July to September - \$11,680
- (Total cost from March 2021 to September 2024 is approximately \$416,069).

The average annual expenditure has been between \$24,134 and \$53,000 a year (excluding the pyrotechnic consultancy work in September – November 2023). The projected estimated annual expenditure for Flying Fox deterrent work for 2024-2025 if Council has a coordinating role for deterrent work is \$50,000. The estimated expenditure for deterrent work in 2024-2025 will depend on whether tree trimming on private land is supported and whether the cost of tree trimming is partially paid for by the residents. The estimated expenditure for Flying Fox deterrent work for 2024-2025 is \$50,000.

The Council approved Flying Fox management budget for 2024-2025 is \$100,000.

## **CONSULTATION/ENGAGEMENT**

Director Community Services and Facilitation  
Manager Natural Resource Management & Climate

Council conducted a Community Consultation process in Collinsville in June-July 2024 regarding Flying Fox Policy and Management Plan (report attached).

## **STATUTORY/COMPLIANCE MATTERS**

It is not a statutory requirement for Council to adopt a new Flying Fox Policy or Management Plan.

## **RISK ASSESSMENT/DEADLINES**

The following are the considered risks:

- Social risks – Flying Fox are having a detrimental impact on individual residents and the surrounding neighbourhood. The presence of Flying Fox is impacting residents physical and mental health. It may not be feasible for individual residents to solve a Flying Fox roost issue which is occurring across more than one property.
- Financial risks – If the recommendation is supported, Council may be contributing funds towards the management of Flying Fox roosts and deterrent actions to try and move Flying Fox out of the township.

- Environmental risks – There are risks to the Flying Fox if Council does not provide a coordinating role in deterrent actions. Flying Fox may be injured if residents take the deterrent works on by themselves. The presence of Flying Fox in the trees are having a detrimental impact on the roost trees. The presence of Flying Fox is impacting the amenity and liveability of some neighbourhoods in Collinsville.

## **STRATEGIC IMPACTS**

Corporate Plan Reference:

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

Research and assist in the current and future protection of the region's natural environment.

Protect community health and safety, biosecurity, and amenity within the region by providing community education and administrative services.

## **ATTACHMENTS**

1. Flying Fox Management Policy [11.4.1 - 9 pages]
2. WRC Flying Fox Management Plan Draft A Oct 2024 [11.4.2 - 30 pages]
3. Collinsville Roost Management Plan - Draft A - Oct 2024 [11.4.3 - 24 pages]
4. WRC - Consultation Report - Flying Fox Strategy - July 2024 [11.4.4 - 13 pages]

**STRATEGIC POLICY:****Flying Fox Management Policy****Endorsed by Council**

Governance use only

**1. Purpose**

- 1.1 The purpose of this policy is to set the strategic direction for Council's response to Flying Fox colonies across the region.
- 1.2 Over eighty different species of bat occur throughout Australia. Most bats have a diet that consists of insects; however, several species feed primarily on flowers and fruit and are known as Fruit Bats, or, due to their fox-like faces, Flying Foxes.
- 1.3 Flying Foxes are amongst the world's largest bats (often referred to as megabats) weighing as much as one kilogram with a wingspan stretching over one metre. Flying Foxes are also highly adapted for activity at night, with large eyes particularly suited for recognising colour at night and a strong sense of smell; essential senses for finding their food. Four species of Flying Fox are native to mainland Australia and occur mostly in northern and eastern temperate and sub-tropical coastal areas, these include:
- 1.3.1 Little Red Flying Fox (*Pteropus scapulatus*),
  - 1.3.2 Black Flying Fox (*Pteropus alecto* subsp. *gouldii*),
  - 1.3.3 Grey-headed Flying fox (*Pteropus poliocephalus*), and
  - 1.3.4 Spectacled Flying Fox (*Pteropus conspicillatus*).

Of these, the Little Red Flying Fox and the Black Flying Fox are commonly found in the Whitsunday Regional Council (Council) Local Government Area (Table 1).

| Name                  | National Status (EPBC Act) | State Status (NCA) | IUCN Status   |
|-----------------------|----------------------------|--------------------|---------------|
| Little Red Flying Fox | Not listed                 | Least Concern      | Least Concern |
| Black Flying Fox      | Not listed                 | Least Concern      | Least Concern |

**Table 1:** Flying Foxes found within the Whitsunday region.

- 1.4 Flying Foxes typically congregate in camps/roosts made up of a large numbers of individuals, however, may also roost singly or in small groups. Camps are found in a range of vegetation types, and are usually close to water and in an area that has a dense understorey.
- 1.5 The activities of Flying Foxes sometimes bring them into conflict with residents. Primary concerns include noise, odour, droppings, feeding on fruit trees and orchards, human health and disease.
- 1.6 Changes to the Queensland Nature Conservation Act 1992 (QLD) in 2013 has given Council an 'as-of-right' authority to manage, including disperse, Flying Fox roosts within an Urban Flying Fox Management Area (UFFMA). An UFFMA encompasses all land that is zoned as urban in a local planning scheme and is inclusive of a one kilometre buffer (Appendix 1).
- 1.7 The as-of-right authority does not mean that Council must take action if a roost is located within an UFFMA, but gives Council the ability to undertake non-lethal management actions to manage a Flying Fox roost, without the need to apply for a Flying Fox Roost Management Authority (permit).

**2 Scope**

- 2.1 This policy is applicable to Flying Fox roosts located within an Urban Flying Fox Management Area UFFMA, within the Whitsunday Region.





**STRATEGIC POLICY:**

**Flying Fox Management Policy**

**Endorsed by Council**

Governance use only

### 3 Guiding Principles

- 3.1 Council recognises the Flying Fox are a protected species under Queensland legislation and that wildlife management is a responsibility of the State government.
- 3.2 Council management intent for Flying Fox roosts located on Whitsunday Regional Council controlled land and within an UFFMA:
  - 3.2.1 Flying Fox roosts that are significantly impacting residents or the community will be subject to a Flying Fox Site Assessment.
  - 3.2.2 Appropriate, non-lethal management measures will be considered and, where acceptable, undertaken to manage the roost, dependent on the assessment, as well as the cost and likelihood of success, and/or
  - 3.2.3 Monitoring of post-management actions will be used to inform ongoing management.
- 3.3 Council management intent for Flying Fox roosts NOT located on Whitsunday Regional Council managed land and contained within an UFFMA (ie. on private land):
  - 3.3.1 Flying Fox are primarily considered a responsibility of the landholder and Council encourages landholders to take appropriate legal actions to move Flying Fox and prevent them roosting on private property.
  - 3.3.2 Council may co-ordinate the management of Flying Fox roosts in consultation with the landholder/s,
  - 3.3.3 Flying Fox roosts that are significantly impacting residents or the community will be subject to a Flying Fox Site Assessment.
  - 3.3.4 Appropriate, non-lethal management measures will be considered and, where acceptable, undertaken to manage the roost, dependent on the assessment, as well as the cost and likelihood of success, where appropriate in partnership with landholders and within Council allocated annual budget, and/or
  - 3.3.5 Monitoring of post-management actions will be used to inform ongoing management.
  - 3.3.6 Council may apply for State or Commonwealth grants to assist with the funding for Flying Fox roost management actions.
- 3.4 Council management intent for Flying Fox roosts located OUTSIDE an UFFMA:
  - 3.4.1 Council does not have an as-of-right authority for the management of Flying Fox roosts outside of an UFFMA. All enquiries regarding roosts outside of an UFFMA will be referred to DEHP.

### 4 Related Policies and Legislation

*Local Government Act 2009*

*Local Government Regulation 2012*

*Queensland Nature Conservation Act 1994*

Whitsunday Regional Council Flying Fox Management Plan

Appendix 1 - Whitsunday Regional Council UFFMA's

Appendix 2 - Whitsunday Regional Council Flying Fox Site Assessment

Appendix 3 - Whitsunday Regional Council Flying Fox Complaint Approach

### 5 Definitions

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





**STRATEGIC POLICY:**

**Flying Fox Management Policy**

**Endorsed by Council**

Governance use only

**Council** refers to the Whitsunday Regional Council

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

**UMFFA** refers to Urban Flying Fox Management Area - encompasses all land zoned as urban in a local planning scheme and is inclusive of a one-kilometre buffer.

Appendix 1 - Whitsunday Regional Council UFFMA's

DRAFT

| COUNCIL POLICY          |                                                 |                    |                  |
|-------------------------|-------------------------------------------------|--------------------|------------------|
| Date Adopted by Council | 8 September 2024                                | Council Resolution | 2024/09/08-08    |
| Effective Date          | 8 September 2024                                | Next Review Date   | 8 September 2024 |
| Responsible Officer(s)  | Manager Natural Resource Management and Climate | Revokes            | LSP_C&ENV_15     |





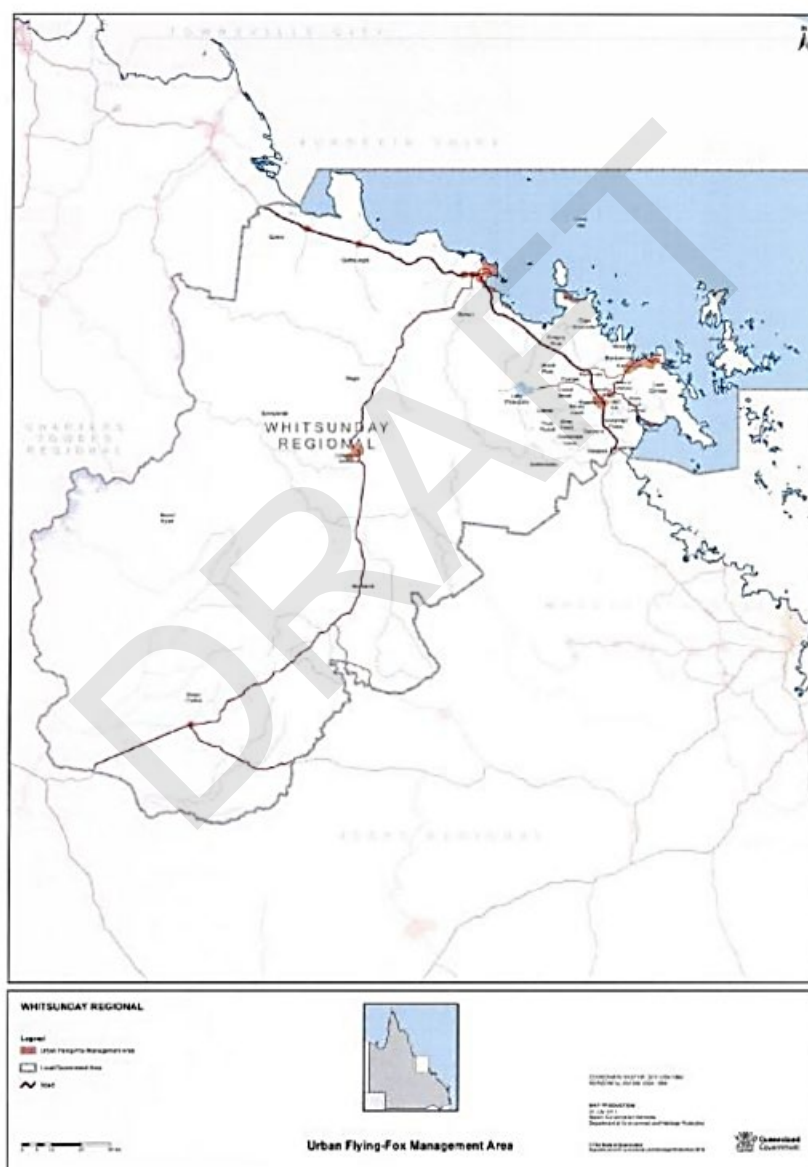
**STRATEGIC POLICY:**

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|                               |  |  |  |
|-------------------------------|--|--|--|
| Public Consultation: Yes / No |  |  |  |
|-------------------------------|--|--|--|



Appendix 1 - Whitsunday Regional Council UFFMA's





**STRATEGIC POLICY:**

**Flying Fox Management Policy**

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**STRATEGIC POLICY:**

**Flying Fox Management Policy**

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**Flying Fox - Site Checklist**

**LOCATION OF FLYING FOX ROOST (INCLUDE MAP IF NEEDED) .....**

.....  
.....

**FLYING FOX SPECIES. ....**

**INSPECTION OFFICER ..... DATE .....**

**SIGNATURE .....**

**Site Assessment Process**

**Part A - Pre-Checklist**

Flying fox roosts are extremely dynamic and can change quickly. It is for this reason that it is important to have a good understanding of the Flying fox population dynamics to make a good judgement about possible future management actions. Part A, helps to gather a good understanding of the flying fox population and can be used to monitor the population over a period of time.

**Part B - Site Risk Assessment**

Part B helps to make a decision whether a Flying fox population should be managed. It identifies whether any risks are associated with the Flying fox roost and whether a more in depth evaluation is required.

**Part B - Scoring**

Yes = 1

No = 0

If the total score for Part B of the site inspection is over 4, Whitsunday Regional Council must undertake an evaluation of the site and determine the most appropriate management approach.





**STRATEGIC POLICY:**

**Flying Fox Management Policy**

**Endorsed by Council**

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*Appendix 2 - Whitsunday Regional Council Flying Fox Site Assessment*

| Management approaches will be in line with Whitsunday Regional Council's Statement of Management Intent |                                                                                                                                |            |
|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|------------|
| Part A: Pre-Checklist                                                                                   |                                                                                                                                |            |
| Item                                                                                                    | Consideration                                                                                                                  | Assessment |
| 1                                                                                                       | Has the full perimeter of the flying fox roost been walked around?                                                             | .....      |
| 2                                                                                                       | Has a population count been undertaken for the site?<br><br>Species #1 .....<br>Count .....<br>Species #2 .....<br>Count ..... | .....      |
| 3                                                                                                       | Has the population been counted in the past?<br>If so, when .....                                                              | .....      |
| 4                                                                                                       | Have GPS locations been taken for the site?<br>GPS Coordinates .....                                                           | .....      |
| Part B: Site Risk Assessment                                                                            |                                                                                                                                |            |
| 1                                                                                                       | Does the Flying fox roost have a noticeable noise impact to the surrounding community?<br>If so, explain .....                 | .....      |





**STRATEGIC POLICY:**

**Flying Fox Management Policy**

**Endorsed by Council**

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|       |                                                                                                                                                                                     |  |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 2     | Does the Flying fox roost have a noticeable odour impact to the surrounding community?<br>If so, explain<br>.....<br>.....                                                          |  |
| 3     | Does the Flying fox roost have a visual impact to the amenity of the surrounding community? If so, explain<br>.....<br>.....                                                        |  |
| 4     | Are the droppings from the Flying fox roost impacting the surrounding community and/or located within close proximity of an animal watering point? If so, explain<br>.....<br>..... |  |
| 5     | Is the Flying fox roost impacting the surrounding vegetation? If so, explain<br>.....<br>.....                                                                                      |  |
| 6     | Is the flying fox roost within close proximity of a habitable place and/or community infrastructure? If so, explain<br>.....<br>.....                                               |  |
| Score |                                                                                                                                                                                     |  |





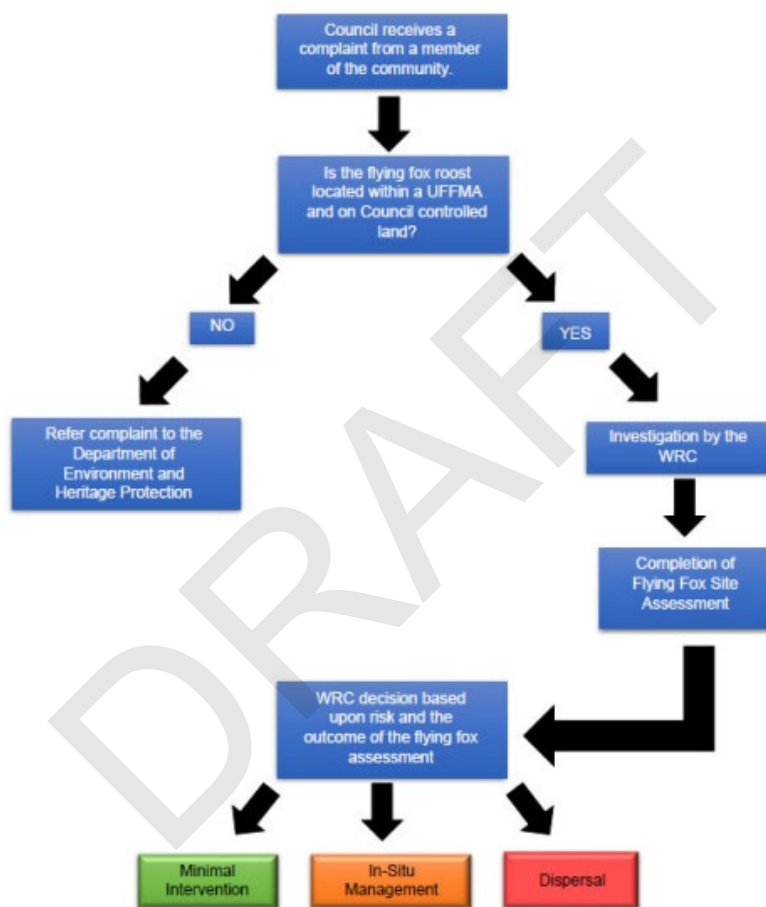
**STRATEGIC POLICY:**

**Flying Fox Management Policy**

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*Appendix 3 - Whitsunday Regional Council Flying Fox Complaint Approach*



**Project Title:** Flying-fox Management Plan 2025-2030  
**File Number:** 0404-004b  
**Client:** Whitsunday Regional Council  
**Project Manager/s:** Dr Elizabeth Williams  
**Project Author/s:** Dr Elizabeth Williams, Adrian Caneris  
**Project Summary:** Development of a flying-fox management plan for the Whitsunday Regional Council

**Document Control:**

| Document No.      | Date Dispatched | Issued by          | Approved by                   | Final Approval |
|-------------------|-----------------|--------------------|-------------------------------|----------------|
| 0404-004a Draft A | 07/11/2024      | Elizabeth Williams | Adrian Caneris, Jedd Appleton | N/A            |
|                   |                 |                    |                               |                |
|                   |                 |                    |                               |                |

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Biodiversity Assessment and Management Pty Ltd has produced this report in its capacity as {consultants} for and on the request of Whitsunday Regional Council (the "Client") for the sole purpose of the development of a flying-fox management plan for the Whitsunday Regional Council (the "Specified Purpose"). This information and any recommendations in this report are particular to the Specified Purpose and are based on facts, matters and circumstances particular to the subject matter of the report and the Specified Purpose at the time of production. This report is not to be used, nor is it suitable, for any purpose other than the Specified Purpose. Biodiversity Assessment and Management Pty Ltd disclaims all liability for any loss and/or damage whatsoever arising either directly or indirectly as a result of any application, use or reliance upon the report for any purpose other than the Specified Purpose.

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## Flying-fox Management Plan 2025-2030

### Whitsunday Regional Council

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## Terms and Abbreviations

|       |                                                                        |
|-------|------------------------------------------------------------------------|
| ABLV  | Australian Bat Lyssavirus                                              |
| BAAM  | Biodiversity Assessment and Management Pty Ltd                         |
| DES   | Queensland Department of Environment and Science (superseded)          |
| DETSI | Queensland Department of Environment, Science and Innovation (current) |
| UFFMA | Urban Flying-fox Management Area                                       |

## 1.0 Introduction

### 1.1 Background and Context

Flying-foxes are unique native animals that are essential to the health and stability of Australian ecosystems. They play a vital role in long-distance pollination and dispersing seeds, which maintains native vegetation health.

Despite their ecological importance, flying-foxes can cause conflict with humans when they congregate in large numbers at daytime roosts in urban environments. In particular, noise, smell, faeces, vegetation damage, and potential or perceived disease risk are the most common impacts reported. The Whitsunday Regional Council considers these effects seriously and evaluates the impacts and potential management of problematic flying-fox roosts.

The Whitsunday Regional Council has developed a Flying-fox Policy, which includes a summary of legislation and guidelines, a statement of management intent and the framework for evaluating flying-fox impacts. The Flying-fox Policy should be read in conjunction with this Flying-fox Management Plan, which describes the flying-foxes that inhabit the Whitsunday region, their biology, known roosts, potential impacts to the public and general management approach. This Flying-fox Management Plan will also summarise the communication plan for affected residents in relation to management activities.

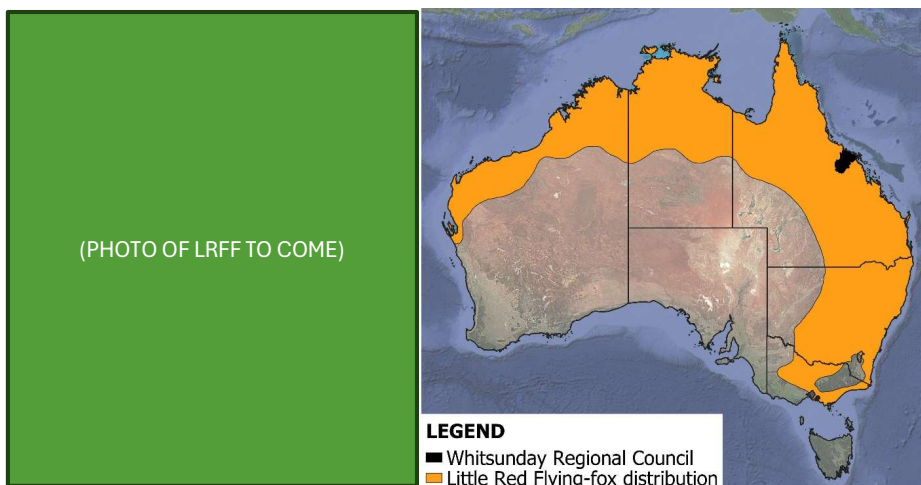
### 1.2 Management Plan Review

This flying-fox management plan uses an adaptive management approach, ensuring that new data and knowledge on the best ways to manage human-wildlife conflict are implemented where possible. As such, a review of this Flying-fox Management Plan should be undertaken annually, to ensure it is still suitable and in line with the Whitsunday Regional Council policies and procedures, as well as contemporary government legislation, policies and codes of practice.

## 2.0 Flying-fox Biology

Of the four flying-foxes that occur on mainland Australia, two species are known to regularly occur in the Whitsunday region: the Little Red Flying-fox (*Pteropus scapulatus*) (**Figure 1**) and Black Flying-fox (*Pteropus alecto*) (**Figure 2**). Both species move seasonally within their distribution, influenced by food availability, climatic conditions and reproductive cycles (Vardon et al., 2001)

### 2.1 Little Red Flying-fox (*Pteropus scapulatus*)



**Figure 1. Image and distribution of Little Red Flying-fox.**

Distribution data sourced from Australasian Bat Society, Qld Government (local government areas) and WMS/Google (base imagery).

Little Red Flying-foxes are a medium-sized flying-fox, typically weighing between 300-600 g, with a head and body length of approximately 21 cm and wingspan between 0.9 – 1.2 m. The fur is reddish-brown to dark brown in colour, although the neck, shoulders, around eyes and under wings can vary from brown to yellow. Some grey may be visible on the crown. It can be distinguished from other flying-fox species by the smaller size, sparsely-furred legs and reddish-brown wing membranes that are translucent in flight (Welbergen et al., 2023).

Little Red Flying-foxes are the most widely distributed of the four mainland species of flying-fox, occurring across northern and eastern Australia. The species is highly nomadic and can travel long distances following the flowering of eucalypt trees, often congregating in roosts in large numbers (Bradford et al., 2022; Welbergen et al., 2023).

Due to their high preference for nectar, Little Red Flying-foxes are important dispersers of pollen. Their nightly foraging movements within and between stands of flowering trees enable effective pollen dispersal at landscape-scales, thus playing a key role in the genetic health and preservation of many forest ecosystems (Bradford et al., 2022; Welbergen et al., 2023). They are also important seed dispersers of riverine vegetation, particularly those that stabilise creek and riverbanks.

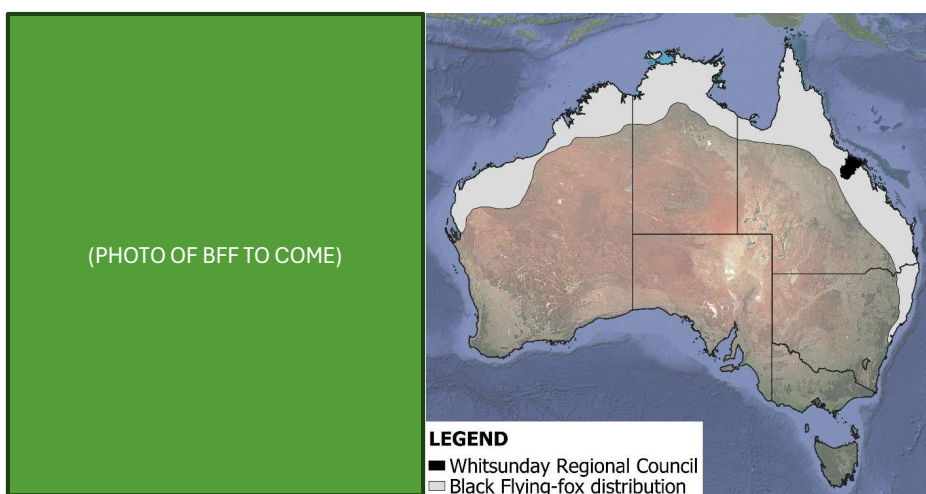
### 2.1.1 Diet

The Little Red Flying-fox is a nectar and pollen specialist, with a preference for blossoms from Myrtaceae species, particularly *Corymbia*, *Eucalyptus*, *Melaleuca* and *Syncarpia* species. The species is known to supplement its diet with fruit (~5% diet by weight, particularly native figs) and, less often, other plant parts and insects. The seasonal flowering of preferred food trees often drive mass aggregations and long distance dispersal movements (Welbergen et al., 2023).

### 2.1.2 Roost Preferences

Little Red Flying-fox roosts are typically in wet and dry eucalypt forests, mangroves, melaleuca and casuarina swamps, rainforest, dense vine thickets and bamboo communities. They are typically close to water and commonly shared with other flying-fox species. Roost occupation is strongly associated with local flowering of their primary food sources. As such, local colony numbers can fluctuate greatly, with roosts occupied for periods ranging between days to months, and sometimes vacated for several years. Seasonal movement and attachment to roost sites are more common within 100 km of the east coast (Welbergen et al., 2023).

## 2.2 Black Flying-fox (*Pteropus alecto*)



**Figure 2. Image and distribution of Black Flying-fox.**

Distribution data sourced from Australasian Bat Society, Qld Government (local government areas) and WMS/Google (base imagery).

The Black Flying-fox is one of the world's largest flying-fox species, weighing between 400-1000 g, with a head and body length of approximately 26 cm and a wingspan of over 1 m. The species is uniformly black in colour, except for a reddish collar around the back of the neck. However, sometimes the front fur appears frosted and brown eye-rings may be present.

The species is distributed along coastal areas of subtropical and tropical Australia. While typically more sedentary than other flying-fox species, Black Flying-foxes are known to travel more than 1000 km between roosts throughout the year. Habitat preferences are variable, including mangroves, swamp forests, wet forests and savanna habitats near water. The species is increasingly being recorded in urban parks and gardens (Welbergen, 2023).

### 2.2.1 Diet

The diet of Black Flying-foxes is primarily fleshy fruit and blossoms, although the species is known to eat leaves (Vardon et al., 2001). In particular, blossoms from *Eucalyptus*, *Corymbia*, *Banksia* and *Melaleuca* species are preferred, as well as rainforest fruits including native figs. Black Flying-foxes will also eat exotic and cultivated fruit where available (Welbergen, 2023).

Whilst foraging typically occurs within 10 km of the roost, the species is known to travel over 20 km away and forage between multiple sites each night.

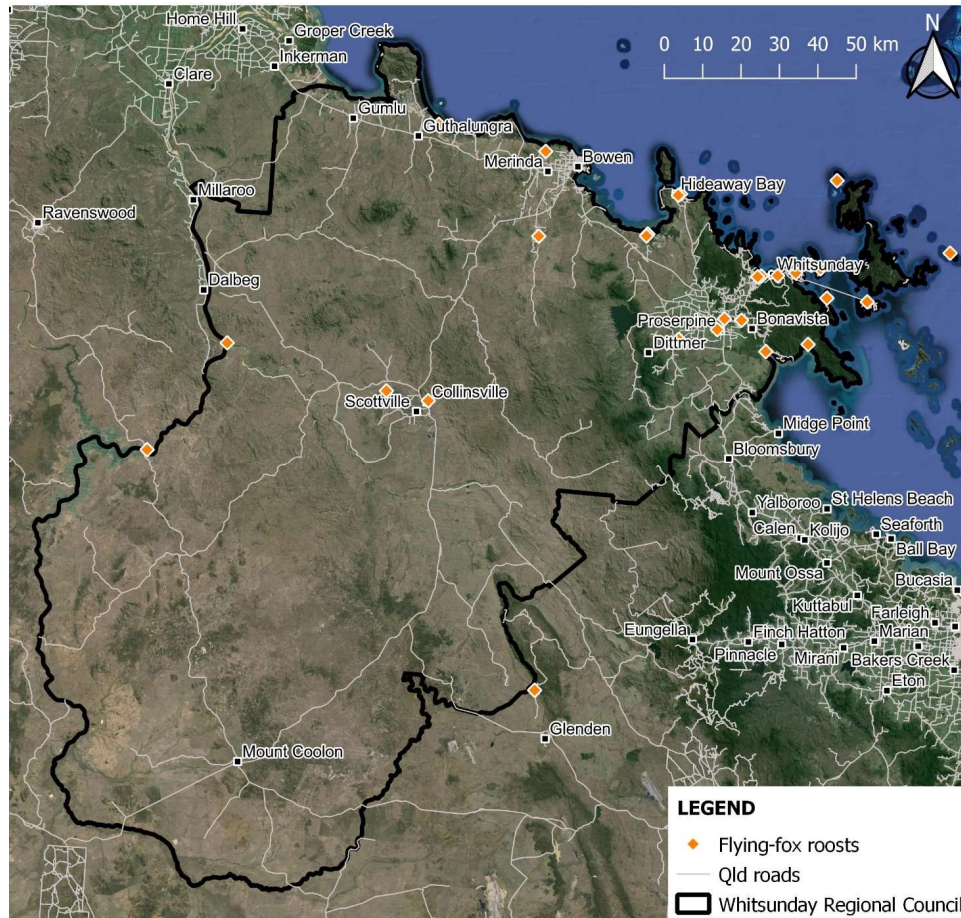
### 2.2.2 Roost Preferences

Black Flying-fox roosts can range between less than one hundred to several thousand individuals and can be used intermittently or permanently. The species often occupies roosts with other flying-fox species, where Black Flying-foxes tend to roost higher in the canopy and often towards the periphery of the roost.

In natural habitats, the species roosts in dense riparian vegetation (including fresh and saltwater mangroves, paperbark forests, gallery forest and bamboo) and rainforests, although other natural habitats may be used. Urban and peri-urban environments are also commonly used for roosting (Welbergen, 2023) and this trend appears to be increasing throughout Australia.

## 2.3 Known Flying-fox Roosts

In the Whitsunday region, flying-fox roosts are known to occur currently or historically in a number of areas, including Proserpine, Cannonvale, Collinsville, Hideaway Bay and on the Whitsunday Islands. Flying-fox roosts that are being monitored by local, state or Commonwealth government agencies in the Whitsunday Regional Council municipality and immediate surrounds are shown in **Figure 3**.



**Figure 3. Historic and/or current flying-fox roosts in and adjacent to the Whitsunday Regional Council municipality.**

## 2.4 Flying-fox Breeding Cycle

Flying-foxes breed only once per year, with a six month pregnancy before giving birth to a single live young. The pup is initially unable to fly and kept under the wing of their mother while in the roost, as well as during flight and foraging at night. When the pup becomes too heavy for the mother to carry whilst flying, they are left at the roost alone while the mother forages away (termed 'creching'). From three months of age, juveniles begin to fly and leave the roost at night to forage independently, but return to the roost to be nursed by their mothers until they are approximately six months old (Welbergen, 2023; Welbergen et al., 2023).

Due to the length of the breeding cycle (approximately one year) and the single young produced, population numbers can be severely impacted by juvenile mortality. For this reason, it is important to avoid disturbance of flying-foxes during particularly vulnerable times of breeding: namely late pregnancy, birthing and creching.

The timing of flying-fox breeding cycles varies between species, as well as between regions. For example, Black Flying-foxes in the Northern Territory give birth during January-March, but in Brisbane between October-November (Vardon and Tidemann, 1998). As such, the below breeding cycles (**Table 1**, as per DES, 2020) for the two species that regularly occur in the Whitsunday region are indicative and individual site observations are required to confirm breeding status.

It is noted that records from the Collinsville roost for Little Red Flying-foxes show deviation from the typical breeding cycle provided by the Queensland Government. Additionally, Black Flying-foxes have been recorded to breed outside of the standard breeding season (particularly if young were lost recently) and are thought to breed in response to high availability of food resources (Vardon and Tidemann, 1998).

**Table 1. Indicative timing of the breeding cycle for Black Flying-fox and Little Red Flying-fox (as per DES, 2020).**

Darker shading for each species indicates the periods of increased vulnerability to disturbance (late pregnancy, birthing and creching).

|                              | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| <b>Black Flying-fox</b>      |     |     |     |     |     |     |     |     |     |     |     |     |
| • Pregnancy                  |     |     |     |     |     |     |     |     |     |     |     |     |
| • Birth                      |     |     |     |     |     |     |     |     |     |     |     |     |
| • Attached to mother         |     |     |     |     |     |     |     |     |     |     |     |     |
| • Creching                   |     |     |     |     |     |     |     |     |     |     | *   |     |
| • Young independent          |     |     |     |     |     |     |     |     |     |     |     |     |
| • Mating                     |     |     |     |     |     |     |     |     |     |     |     |     |
| <b>Little Red Flying-fox</b> |     |     |     |     |     |     |     |     |     |     |     |     |
| • Pregnancy                  |     |     |     |     |     |     |     |     |     |     |     |     |
| • Birth                      |     |     |     |     |     |     |     |     |     |     |     |     |
| • Attached to mother         |     |     |     |     |     |     |     | *   |     |     |     |     |
| • Creching                   |     |     |     |     |     |     |     |     |     |     |     |     |
| • Young independent          |     |     |     |     |     |     |     |     |     | *   |     |     |
| • Mating                     |     |     |     |     |     |     |     |     |     |     |     |     |
| <b>Highest vulnerability</b> |     |     |     |     |     |     |     |     |     |     |     |     |

\*Records from Collinsville roost

## 2.5 Threats

The predominant threat to flying-foxes is the loss and degradation of foraging and roosting habitat. Due to the nomadic nature of flying-foxes, which disperse widely in search of flowering and fruiting resources, they are particularly susceptible to periods of food shortage (e.g., droughts, bushfires, cyclones and after major weather events).

Another threat to flying-foxes is the increased frequency of heat stress events, where temperatures exceed and stay above 38°C (and particularly above 42°C and/or with a combination of high humidity). Death occurs as flying-foxes cannot regulate their body temperature at high ambient heat and/or humidity, thus resulting in hyperthermia. Lactating females and dependent young most affected, which due to the low birth rate of flying-foxes, can have serious impacts on population dynamics and sustainability. Such events are a cause of mass dying in flying-foxes; for example, on a single day in January 2014, 45 000 flying-fox deaths were recorded at 52 roosts in south-east Queensland alone, and was estimated to kill approximately 50% of the Black Flying-fox in the region.

Entanglement in barbed-wire and large-aperture fruit netting is another threat, which accounts for a large proportion of wildlife rescue and rehabilitation events. Electrocution on powerlines, as well as natural predators (raptors, arboreal reptiles and crocodiles) are also known threats to flying-foxes.

## 3.0 Impacts to Community

### 3.1 Noise

Due to their social nature, flying-foxes use vocal communication to interact with each other. In particular, vocalisations are used to declare ownership of territories and food sources, help mothers find their young within the roost, during courtship for mating and warn others within the colony of threats. Within the roost, such vocalisations are loudest when flying-foxes are leaving or returning to the roost, and during mating season.

Little Red Flying-foxes are typically the noisiest species, which in combination with their large aggregations in roosts, can be particularly problematic if roosts are located in urban areas or close to other human habitation.

### 3.2 Odour

The main odour that emanates from flying-fox roosts is not from the faeces, but due to males wiping their shoulder scent glands on tree branches to mark their territory and attract mates. Juvenile flying-foxes also have a distinct smell, likely to assist mothers in finding their offspring when returning to the roost.

The flying-fox odour at roosts is typically the most pungent after rain (when males re-mark their territories), during hot and humid weather and when large numbers of flying-foxes are present.

### 3.3 Faeces and Urine

In the roost and when foraging in trees, flying-foxes defecate and urinate by hanging onto branches with their wings and inverting their lower body downwards so that their wastes drop directly to the ground. They also expel waste as they take-off for flight to jettison any extra weight. Both activities can result in faecal matter or urine landing on cars, houses, outdoor laundry, or other structures and human belongings. Faeces from flying-foxes that have fed on Cocos Palms are particularly sticky and difficult to remove.

### 3.4 Damage to Vegetation

Flying-foxes, and particularly the large aggregations of Little Red Flying-foxes, can damage trees and other vegetation they roost in. This can lead to decreased tree health or death, as well as reduced amenity if roosts are located in urban areas.

### 3.5 Actual and Perceived Risk to Human and Animal Health

As per other wildlife, livestock and companion animals, there are a range of hygiene and health concerns relating to flying-foxes. Flying-foxes are known to carry two serious diseases: Hendra virus and Australian Bat Lyssa Virus. While these diseases have low prevalence in a healthy flying-fox population, both can be fatal to humans and horses. No mortality from these diseases has been recorded in other animals.

### 3.5.1 Hendra virus

Hendra virus is not transmitted directly to humans, but from flying-foxes to horses and then from horses to humans. In particular, horses may become infected after consuming food or water that is contaminated with urine, saliva or birthing products from an infected flying-fox. There is currently no evidence that Hendra virus can be transmitted through faecal matter. The disease is then transmitted between horses and/or, on occasion, to humans through high levels of exposure to infected horse bodily fluids. There have only been seven recorded cases of Hendra virus in Australia; however, the disease can be fatal for both horses and humans. Two cases of infection in dogs (at locations with infected horses) have also been recorded, although both dogs did not show symptoms of illness.

While generally at low prevalence within a healthy population, infection in flying-foxes increases during times of stress, such as low food availability (winter, droughts, severe weather events), increased roost disturbance or periods of high energy output (e.g., cool weather, pregnant and lactating females; see Plowright et al., 2008; McMichael et al., 2017; Páez et al. 2017).

There are several recommendations to reduce the risk of infection to horses and humans. For example, horses can be vaccinated against Hendra virus through local veterinary practices. Additionally, positioning water troughs and feed bins away from trees, or under cover, may prevent contamination with urine. Symptoms in infected horses include fever, increased heart rate, restlessness, difficulty breathing and/or weakness and neurological signs (e.g., unco-ordinated gait or muscle twitching). The presence of such symptoms warrants immediate veterinary assessment. Humans that have been in close contact with infected horses should monitor their health and seek medical advice from specialised Public Health Units (see [www.health.qld.gov.au/system-governance/contact-us/contact-public-health-units](http://www.health.qld.gov.au/system-governance/contact-us/contact-public-health-units)).

More information on Hendra virus can be found at [www.qld.gov.au/health/condition/infections-and-parasites/viral-infections/hendra-virus-infection](http://www.qld.gov.au/health/condition/infections-and-parasites/viral-infections/hendra-virus-infection)

### 3.5.2 Australian Bat Lyssa Virus

Australian Bat Lyssavirus (ABLV) is transmitted from infected flying-foxes through their saliva into human mucous membranes (e.g., eyes, mouth) or broken skin (e.g., through bites and scratches). ABLV is in the same disease group as rabies and infection is typically fatal to humans. However, the disease in humans is very rare, with only three recorded cases in Australia – all in Queensland. Currently, only bats, humans and horses have been known to contract ABLV.

To avoid potential exposure to ABLV, it is highly recommended to not touch or handle flying-foxes unless you are vaccinated against rabies, suitably trained in handling bats and are using appropriate personal protective equipment. For the general public, the risk of being in close contact to flying-fox saliva is very rare. For example, despite myths relating to flying-foxes purposely flying towards humans (or into hair), bites and scratches are typically received when attempting to help injured flying-foxes. If an injured flying-fox requires assistance, contact your closest wildlife rescue organisation.

In the situation that a human is bitten or scratched by a flying-fox, wounded skin should be washed thoroughly with soap and water for at least 15 minutes, followed by application of an anti-viral antiseptic (e.g., povidone-iodine or ethanol). If the exposure is through mucous membranes, flush the area with water for several minutes. Urgent treatment should be sought from a medical provider within 48 hours.

More information on ABLV is available at: <https://www.qld.gov.au/health/condition/infections-and-parasites/viral-infections/australian-bat-lyssavirus>

### 3.5.3 Other health risks

Animal faeces and/or urine can contain various types of bacteria, such as *Salmonella*, *Escherichia coli* (E. coli) or leptospirosis. As such, appropriate protective equipment (e.g., gloves) should be used when cleaning surfaces of flying-fox faecal matter, as well as washing hands and practicing other hygiene methods when near roosts.

Flying-foxes are known to carry external parasites called bat flies. While they typically do not attach to humans, bites may produce minor skin irritation in some circumstances. There is currently no evidence that such bites transmit disease or bacteria between flying-foxes and humans; however, research is ongoing.

In terms of drinking water safety relating rainwater tanks, it is not possible to contract ABLV or Hendra virus through contamination of tank water with faeces or urine. However, other viruses, bacteria and protozoans may exist in untreated rainwater due to contamination with faecal matter from all animals. People with compromised immune systems are most at risk. Measures to reduce the risk of contamination are provided in the *Guidance on Use of Rainwater Tanks* at <https://www.health.gov.au/sites/default/files/documents/2022/07/enhealth-guidance-guidance-on-the-use-of-rainwater-tanks.pdf>

Maintaining effective pool disinfection procedures prevent health risks through the use of swimming pools. This includes regular backwashing of the pool filter, regularly running the filter every day, maintaining suitable chlorine levels and keeping the pH between 7.2 -7.8. Further advice should be sought from your local pool store.

Further information on flying-foxes and human health can be found at: <https://www.qld.gov.au/health/condition/infections-and-parasites/bacterial-infections/bats-and-human-health>

## 3.6 Community Consultation

In June-July 2024, the Whitsunday Regional Council held a community consultation process to gather information on the impacts and preferred management actions. This included the promotion of a survey (both online and hard copy), as well as a public meeting in Collinsville, where a flying-fox roost has persisted in recent years.

For the survey, a total of 29 submissions were received, with the majority of respondents (~79%) within 200 m of a flying-fox roost. The Collinsville public meeting was attended by 16 residents, many of whom had flying-foxes roosting on their property.

### 3.6.1 Impacts to Community

Impacts described, in order of perceived significance are provided in **Figure 4** below.



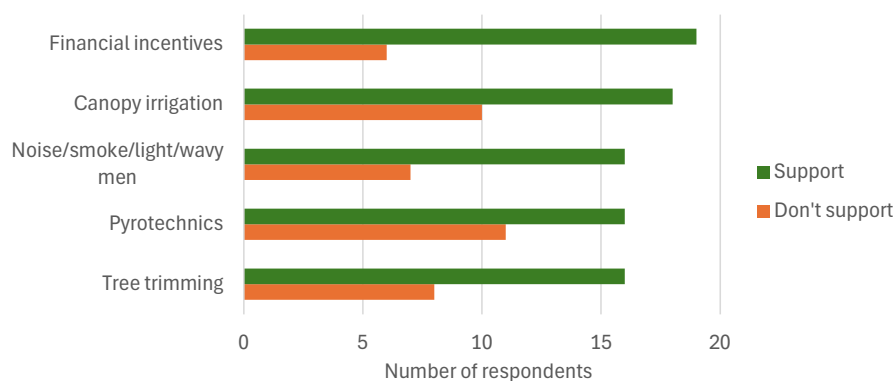
**Figure 4. Impacts of flying-foxes as described by respondents to the community consultation survey.**

### 3.6.2 Council Co-ordination

The majority of respondents in the survey and at the community meeting agreed that the Whitsunday Regional Council should co-ordinate flying-fox management activities in urban areas.

### 3.6.3 Management Actions

In the survey provided, respondents were asked whether they support various flying-fox roost management activities. Results are provided in **Figure 5** below.



**Figure 5. Response from community consultation survey on support of various roost management activities.**

## 4.0 Legislation and Policy

The existing Commonwealth and Queensland legislative framework, and its supporting information, provides information about flying-fox protection and management options. While a summary is provided below, further detail on the legislation, codes of practice and guidelines for managing flying-foxes is provided in the Whitsunday Regional Council Flying-fox Policy.

All flying-fox species are protected under Queensland legislation through the *Nature Conservation Act 1992*. As such, management of flying-fox roosts need to be conducted in accordance with legislation and best-practice guidelines.

Two species of flying-fox are also protected under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*: Spectacled Flying-fox (*Pteropus conspicillatus*) and Grey-headed Flying-fox (*Pteropus poliocephalus*). While these two species have not been recorded in the Whitsunday Regional Council municipality, they are found in adjacent local government areas and could infrequently visit. Due to their national conservation status, management activities for roosts of these species are limited and/or required approval prior to actions being taken. More information is provided in the Whitsunday Regional Council Flying-fox Policy.

There are two Queensland Government Codes of Practice that must be adhered to when managing flying-fox roosts:

- *Code of Practice: Low impact activities affecting flying-fox roosts*; and
- *Code of Practice: Ecologically sustainable management of flying-fox roosts*.

Details on how these relate to this document are provided in **Section 5.4**. The Queensland Government has also developed a *Flying-fox Roost Management Guideline*, which provides further information and case studies on how to implement these Codes and associated legislation.

Additionally, certain actions undertaken in relation to flying-fox roost management need to notify the Queensland Department of Environment, Tourism, Science and Innovation (DETSI) prior to actions being undertaken.

## 5.0 Management Approach

### 5.1 Goals and Objectives

The goals and objectives for the management of flying-foxes within the Whitsunday region can be grouped into five themes. These are provided in

Table 2 below.

**Table 2. Goals and objectives for the management of flying-foxes in the Whitsunday region.**

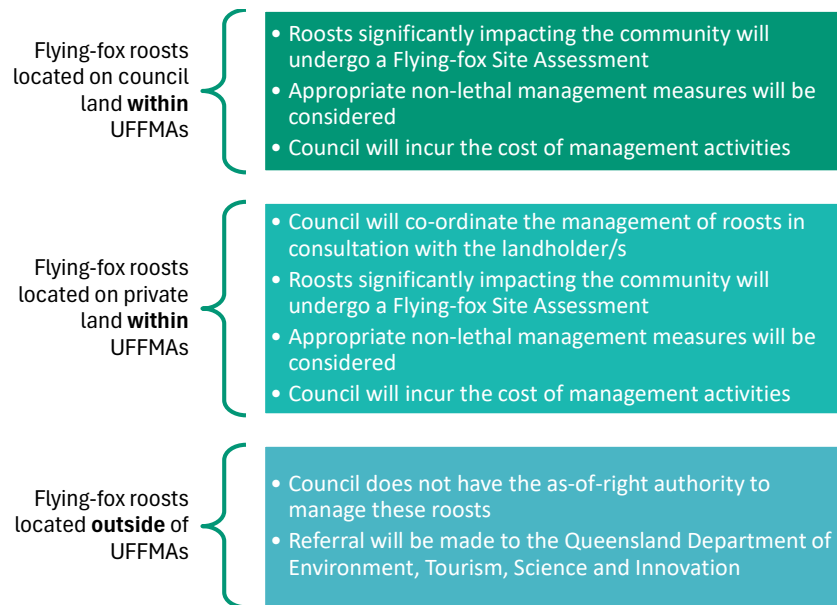
| Goals                                                                                                       | Objectives/Actions                                                                                                                                                  | Due date/Timing                                                      |
|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>Theme 1. Education and awareness</b>                                                                     |                                                                                                                                                                     |                                                                      |
| 1.1. To provide information to the public regarding flying-fox management                                   | 1.1.a. To develop flying-fox fact sheets on roost management and risks                                                                                              | June 2025                                                            |
| 1.2. To ensure information on flying-fox is available on the Council website                                | 1.2.a. Place flying-fox factsheets on the Council website and in public libraries                                                                                   | June 2025                                                            |
| 1.3. Ensure residents are informed about roost management                                                   | 1.3.a. Engage with residents who are affected by flying-fox roosts                                                                                                  | Ongoing                                                              |
|                                                                                                             | 1.3.b. Develop an action plan to inform budget considerations and identify timing and details of proposed actions for roost management activities                   | June 2025                                                            |
|                                                                                                             | 1.3.c. Develop a communication plan on the timing and details for roost management activities                                                                       | July 2025                                                            |
| <b>Theme 2. Human safety and amenity</b>                                                                    |                                                                                                                                                                     |                                                                      |
| 2.1. Provide a safe environment for the community where risks associated with flying-fox roosts are managed | 2.1.a. Conduct a risk a risk assessment of each roost in an urban area and ensure hazards are managed appropriately                                                 | Each roost assessed at least twice yearly if complaints are received |
|                                                                                                             | 2.1.b. Develop a Take-5 safety toolbox talk to discuss flying-fox management and safety for relevant Council staff                                                  | June 2025                                                            |
|                                                                                                             | 2.1.c. Develop a 'living with flying-foxes' health and safety information sheet for provision to affected residents, in public libraries and on the Council website | June 2025                                                            |
| 2.2. To undertake flying-fox management actions to reduce amenity impacts                                   | 2.2.a. To choose appropriate roost management actions to maintain public amenity                                                                                    | Ongoing; as required                                                 |

| Goals                                                                                                          | Objectives/Actions                                                                                                                                      | Due date/Timing                                       |
|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| 2.3. To ensure the safety of Council staff                                                                     | 2.3.a. Seek advice on whether key staff should be vaccinated against rabies                                                                             | March 2025                                            |
| <b>Theme 3. Flying-fox animal welfare</b>                                                                      |                                                                                                                                                         |                                                       |
| 3.1. To undertake roost management in a manner that does not harm the flying-fox                               | 3.1.a. To choose roost management actions that reflect best practice and are consistent with the relevant Queensland government guidelines              | Ongoing; reviewed annually                            |
|                                                                                                                | 3.1.b. Ensure roost management actions comply with permit conditions                                                                                    | Ongoing; reviewed annually                            |
|                                                                                                                | 3.1.c. Ensure roost management actions are overseen by personnel with knowledge and experience in roost management where possible                       | Ongoing; reviewed annually                            |
|                                                                                                                | 3.1.d. Ensure key Council staff are trained on flying-fox welfare                                                                                       | Annually, and prestart talks at each management event |
| <b>Theme 4. Roost management</b>                                                                               |                                                                                                                                                         |                                                       |
| 4.1. Where a roost becomes a problem, roost management is undertaken in an efficient and cost-effective manner | 4.1.a. Conduct reviews of management issues and dispersal options, consider potential roost locations and evaluate likelihood of a successful dispersal | As required                                           |
|                                                                                                                | 4.1.b. Roost management actions use least cost options first                                                                                            | Ongoing; as required                                  |
|                                                                                                                | 4.1.c. Roost management actions are documented                                                                                                          | Within 1 month of completion of actions               |
|                                                                                                                | 4.1.d. Identify and map potential roost sites in urban areas                                                                                            | Mapped as established; reviewed annually              |

| Goals                                                                                                | Objectives/Actions                                                                                                                    | Due date/Timing                                    |
|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| 4.2. Remain up-to-date on suitable methods for managing the flying-fox roosts                        | 4.2.a. Maintain contact with other Councils on the methods and effectiveness of management options at flying-fox roosts               | Annually (minimum)                                 |
|                                                                                                      | 4.2.b. Network and/or review contemporary literature to learn and evaluate new methods for managing flying-fox roosts                 | Annually (minimum)                                 |
| <b>Theme 5. Policy and administration</b>                                                            |                                                                                                                                       |                                                    |
| 5.1. To ensure the management of flying-fox issues comply with legislation, policy and best practice | 5.1.a. To develop a process which ensures Council complies with the relevant legislation, policy and guidelines                       | June 2025                                          |
|                                                                                                      | 5.1.b. Ensure key Council staff are identified to assist with the administration and implementation of the Flying-fox Management Plan | At development and each review of the plan         |
|                                                                                                      | 5.1.c. Ensure Council staff are trained in the implementation of the Flying-fox Management Plan                                       | At development and each review of the plan         |
| 5.2. To ensure flying-fox management documentation is appropriate and practical                      | 5.2.a. Review and update the Flying-fox Policy and Flying-fox Management Plan regularly                                               | Every five years, or following legislative changes |
|                                                                                                      | 5.2.b. Review and amend (if required) individual Roost Management Plans                                                               | Annually                                           |
| 5.3 Allocate budget for flying-fox management                                                        | 5.3.a. Undertake annual budget review of required management activities and allocate budget accordingly                               | Annually                                           |

## 5.2 Role of Council

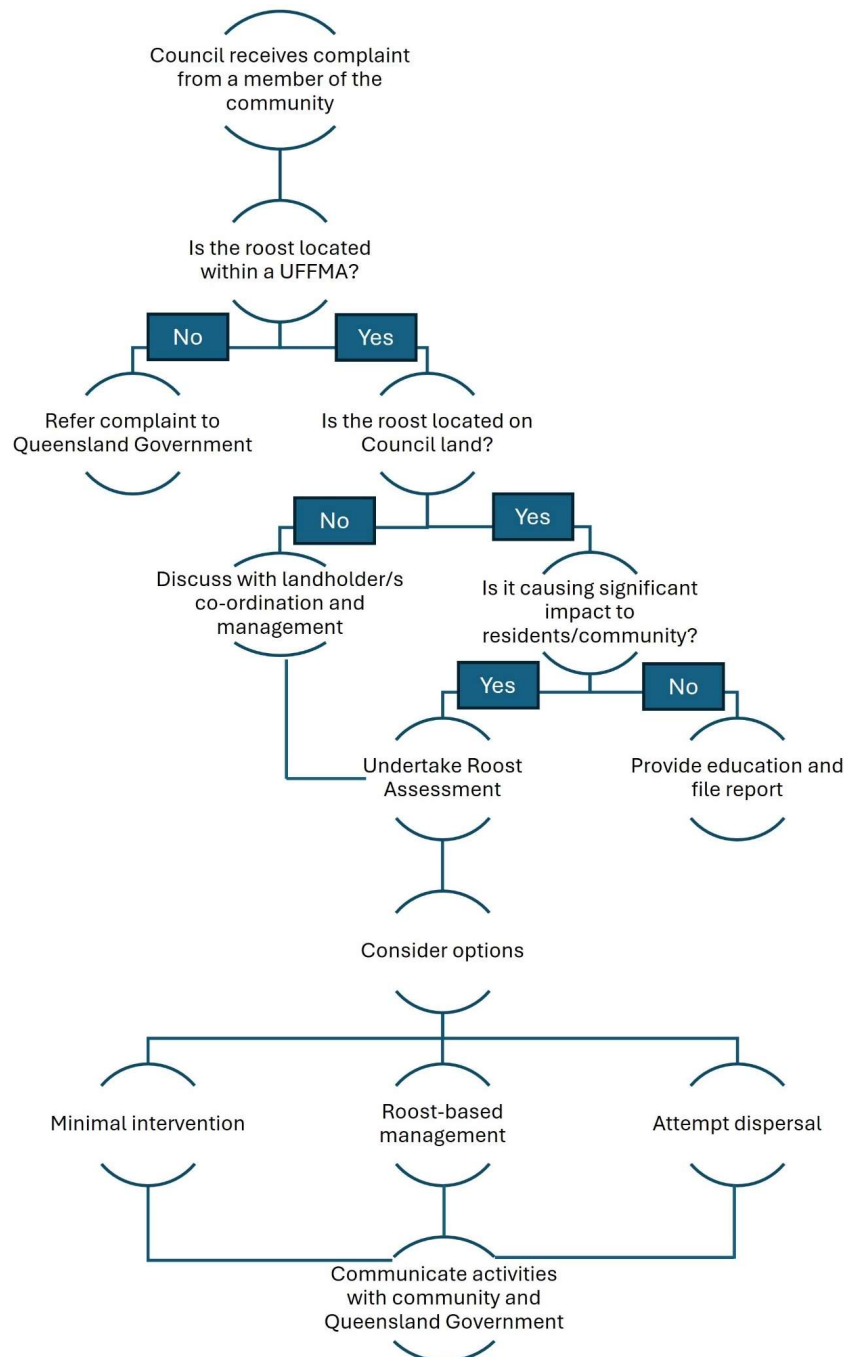
Under Queensland legislation, local governments have an as-of-rights authority to non-lethally manage issues around flying-fox roosts in declared Urban Flying-fox Management Areas (UFFMA). In line with this, the Whitsunday Regional Council has a Statement of Management Intent that describes the overarching roles of flying-fox management in the region. This is detailed in the Whitsunday Regional Council Flying-fox Policy and summarised in **Figure 6** below.



**Figure 6. Role of Whitsunday Regional Council in the management of flying-fox roosts.**

## 5.3 Roost Assessment Framework

When a complaint is received by the Whitsunday Regional Council regarding a flying-fox roost, the roost is subject to an assessment to determine potential management actions, if required. The intent and typical approach is summarised in **Figure 7**.



**Figure 7. Whitsunday Regional Council's approach to investigating and managing flying-fox roosts.**

## 5.4 Roost Management Actions

There are various management activities that the Whitsunday Regional Council can consider and undertake, if required, at a flying-fox roost.

### 5.4.1 Low impact activities

The Queensland Government *Code of Practice: Low impact activities affecting flying-fox roosts* sets out that any person may undertake low impact activities at, or near, a flying-fox roost anywhere in Queensland in accordance with Section 62 of the *Queensland Nature Conservation (Animals) Regulation 2020*.

This includes activities such as mulching, mowing, weeding, watering under or near roost trees, minor trimming of roost trees (<10 %), and installation/maintenance/removal of infrastructure, as long as the activities are not directed at destroying or disturbing a flying-fox roost.

However, activities must:

- Minimise the disturbance to flying-foxes as much as possible (e.g., using low impact and low noise equipment, take place after the dusk fly-out is complete);
- Not include the trimming of roost trees where flying-foxes are within 10 m of the trimming;
- Not include trimming of roost trees of more than 10% of total canopy per 12 month period;
- Immediately cease, and DETSI be immediately notified, if a flying-fox is killed, injured, or found on the ground as a result of management actions, and only recommenced after certain actions have occurred;
- Immediately cease, and DETSI be immediately notified, if daytime works cause 30% or more of the adult flying-foxes to leave the roost and remain airborne for five minutes or more, and only recommenced after certain actions have occurred;
- Be avoided during the high-vulnerability breeding phases (late pregnancy, birthing, creched young) of the flying-foxes present;
- Be avoided during or immediately after climatic extremes, or weather events that may cause food shortages (e.g., unusually high temperatures or humidity, cyclones, fire); and
- Not negatively impact the two conservation listed species: Grey-headed Flying-fox or Spectacled Flying-fox.

### 5.4.2 Ecologically sustainable management of flying-fox roosts

The Queensland Government *Code of Practice: Ecologically sustainable management of flying-fox roosts* describes how local governments, operating under Section 61 of the *Queensland Nature Conservation (Animals) Regulation 2020*, may undertake management actions. This includes disturbing, driving away or destroying a flying fox roost, and comes with the following requirements:

- DETSI must be informed of management actions at least two business days prior to activities, which is valid for four weeks from the date of notification;
- No roost tree can be destroyed when there are flying-foxes in or within 20 m of the roost tree;

- No roost tree can be trimmed when there are flying-foxes within 10 m of the trimming (excluding hazard reduction trimming, where flying-foxes must be moved to another part of the site prior to commencement);
- Must immediately cease, and DETSI be immediately notified, if a flying-fox is killed, injured, or found on the ground as a result of management actions, and only recommenced after certain actions have occurred;
- For attempts to move flying-foxes within a roost (e.g., nudging from one tree to another adjacent tree), disturbance should be minimised as much as possible, be properly co-ordinated and led by a suitable person in charge (as per Code definitions, typically an authorised Council officer);
- For dispersal activities:
  - other local governments within 50 km of the roost must be notified in writing prior to commencement,
  - must be properly co-ordinated and led by a suitable person in charge,
  - may only occur with a person knowledgeable about flying-fox behaviour (i.e., is experienced in identifying flying-fox species, assessing population numbers, determining stage in breeding cycle and recognising distress, harm or other negative behaviours in flying-foxes), is present for the first two days and available by phone or in person thereafter,
  - must only occur in the early evening and/or early morning during fly-out (for a period of 3 hours) or fly-in (for a period of 3 hours),
  - must be limited to non-lethal deterrence methods (e.g., smoke, light, noise, water) and not include methods that physically injure flying foxes (e.g., direct high-pressure water, paint ball guns, skin irritants, etc.),
  - must consider avoiding management actions during the high-vulnerability breeding phases (late pregnancy, birthing, crèched young) of the flying-foxes present,
  - must consider avoiding management actions during or immediately after climatic extremes, or weather events that may cause food shortages (e.g., unusually high temperatures or humidity, cyclones, fire),
  - must considering avoiding management actions that would negatively impact the two conservation listed species: Grey-headed Flying-fox or Spectacled Flying-fox; and
- Within six weeks of the date of management action notification, DETSI must be provided with a flying-fox roost management evaluation form.

#### 5.4.3 Potential Management Actions

The suitability of management actions is dependent on the roost location, site characteristics, species present, breeding season, threat and inconvenience to the community, and likely cost of actions. Various actions commonly used to manage flying-fox roosts in Australia are provided in **Table 3**.

**Table 3. Potential actions for managing flying-fox roosts in Queensland.**

| Management action                                               | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Indicative cost                           | Effectiveness                                                        |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------|
| <b>Education and awareness</b>                                  | <p>Includes the provision of information to the public relating to flying-foxes, as well as providing opportunities for discussion and feedback.</p> <p>Most effective if undertaken in a co-ordinated manner and lead by staff with stakeholder engagement skills.</p> <ul style="list-style-type: none"> <li>+ May reduce fears around disease and health</li> <li>+ Increases understanding of environmental contribution of flying-foxes</li> <li>- Often does not alleviate most of the human-flying-fox conflict</li> </ul>                                                                                                                                                                                                                                                                                                                                                        | Low cost (\$100s to \$1,000s)             | Low: can reduce some human-flying-fox conflict and complaints        |
| <b>Financial assistance and/or services</b>                     | <p>Includes the provision of financial assistance and/or services for residents impacted by flying-fox roosts. This has not been considered as yet by the Whitsunday Regional Council, but can options and delivery are variable. Other Council programs include: rate subsidies, purchase of protective items (e.g., car covers, air-conditioners, double-glazing), payment of external service providers (high-pressure cleaning, tree removal/lopping) or purchase/loan of cleaning items (e.g., high-pressure cleaner).</p> <ul style="list-style-type: none"> <li>+ Can require limited physical or staffing resources from Council</li> <li>- Residents need to be pro-active in applying for assistance</li> <li>- Rate subsidies do not alleviate the actual human-flying-fox conflict</li> <li>- Framework and definitions for eligibility are required and reviewed</li> </ul> | Moderate cost (\$10,000s)                 | Low: can reduce some human-flying-fox conflict and complaints        |
| <b>Removal of vegetation at roost edges (creating a buffer)</b> | <p>Discourages bats from roosting close to residents by removing vegetation at the edge of roosts.</p> <ul style="list-style-type: none"> <li>+ Can be low cost and moderately effective</li> <li>- Residents may resent reduced amenity (i.e., loss of vegetation)</li> <li>- May contribute to habitat loss if cumulative with other vegetation removal/clearing</li> <li>- Roosts may move into other residential properties</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                               | Low-moderate cost (\$1,000s to \$10,000s) | Moderate: can shift the impact away from residents adjacent to roost |

| Management action                                         | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Indicative cost                           | Effectiveness                                                                                        |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>Passive dispersal:<br/>Removal of roost vegetation</b> | <p>Involves removing vegetation at the roost while the flying-foxes are not present, to stop them from returning or re-establishing.</p> <p>+ Effectiveness at property level is high</p> <p>- Can result in the roost establishing in next closest suitable vegetation.</p> <p>- Residents may resent reduced amenity (i.e., loss of vegetation)</p> <p>- May contribute to habitat loss for flying-foxes or other wildlife if cumulative with other vegetation removal/clearing</p> | Low-moderate cost (\$1,000s to \$10,000s) | Moderate: can shift the impact away from current area, but may move to other areas/properties nearby |
| <b>Active dispersal:<br/>Wavy man</b>                     | <p>Involves erecting an inflatable 'wavy man' at a tree roost prior to dawn to prevent flying-foxes returning to roost in the tree.</p> <p>+ Council owns a number of wavy men, thus no on-going hire costs</p> <p>- Spatial and temporal effectiveness is low</p> <p>- Effectiveness inconsistent</p>                                                                                                                                                                                | Low cost (\$100s to \$1,000s)             | Low-moderate: often only effective short-term and at the individual tree/property                    |
| <b>Active dispersal:<br/>Sprinklers</b>                   | <p>The use of high-powered sprinklers for short bursts to mimic predator movement in the canopy to nudge them away from resident boundaries</p> <p>+ No significant change in vegetation or hydrology</p> <p>- Flying-foxes may move to nearby trees/properties, causing conflict</p> <p>- Can have animal welfare risk during heat events</p> <p>- Requires considerable administration/logistics</p>                                                                                | Moderate cost (\$10,000s)                 | Moderate: some Councils have had some success with this method                                       |
| <b>Active dispersal:<br/>Light</b>                        | <p>Shining high powered lights (e.g., roadworks light towers) into roost trees, particularly during early morning to prevent flying-foxes returning.</p> <p>+ Light can be directed to not disturb residents below</p> <p>- Flying-foxes may move to nearby trees/properties, causing conflict</p> <p>- Requires high luminosity lights, which are typically not found in residential homes</p>                                                                                       | Low cost (\$1,000s to \$10,000s)          | Low-moderate: often only effective short-term and at the individual tree/property                    |

| Management action                                 | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Indicative cost                                             | Effectiveness                                                                                                                       |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <b>Active dispersal: Sound</b>                    | <p>Creating noise as a disturbance mechanism to discourage flying-foxes returning to roost trees.</p> <ul style="list-style-type: none"> <li>+ Resident participation can promote feeling of involvement and pro-activity to concerns</li> <li>- Can cause disturbance to nearby residents</li> <li>- Spatial and temporal effectiveness is low</li> </ul>                                                                                                                                                                           | Low cost (\$100s to \$10,000s)                              | Low-moderate: often only effective short-term and at the individual tree/property                                                   |
| <b>Active dispersal: Smoking</b>                  | <p>Fires, particularly with elements to increase smoke (e.g., green vegetation), are positioned below trees that flying-foxes typically roost in and lit prior to flying-foxes returning to roost at dawn.</p> <ul style="list-style-type: none"> <li>+ Can be low cost and moderately successful</li> <li>- Ineffective when breeze/winds are present</li> <li>- Needs consistent (daily) action until roost remains dispersed</li> <li>- Can be problematic for people with asthma or respiratory illnesses in vicinity</li> </ul> | Generally low cost, although depends on time-frame required | Moderate: often only at a tree/property basis, but can be successful. Can be undertaken at multiple locations to affect wider area. |
| <b>Active dispersal: Pyrotechnics/Air cannons</b> | <p>The use of pyrotechnical or gas guns to produce loud noises and lights near roosts as flying-foxes are returning at dawn.</p> <ul style="list-style-type: none"> <li>+ Can be effective, particularly in a large area if coordinated correctly</li> <li>- Requires personnel with fire-arms/pyrotechnics (fireworks) licence</li> <li>- Can be very expensive, particularly if required over a prolonged period</li> <li>- Flying-foxes may return as soon as dispersal activities cease for the day</li> </ul>                   | High cost, although depends on time-frame required          | Moderate-high: some Councils have had success but typically only after a long campaign and/or results are temporary                 |

#### 5.4.4 Success of Roost Dispersal in Australia

There have been many previous attempts to disperse flying-fox roosts from urban locations in Australia. Various reviews of these dispersal attempts have been documented, with a brief overview of findings below. It should be noted that the majority of these roosts were congregated roosts in a single patch of trees, not dispersed in individual trees, such as at Collinsville.

1. In 94% cases reviewed by Roberts and Eby (2013), dispersals did not reduce the number of flying-foxes in a local area. In all cases, dispersed animals remained in the local area.
2. Dispersed animals did not move far, with approximately 63% of dispersals only moving the roost <600 m from the original site (Roberts and Eby, 2013) and in 88% of dispersals, replacement camps were formed within 1 km and became sites of transferred conflict (Roberts et al., 2020).
3. In all cases, it was not possible to predict where replacement roosts would form.
4. Conflict was often not resolved. In up to 77% of cases, conflict was still being reported either at the original site or within the local area years after the initial dispersal actions (Roberts and Eby, 2013; Roberts et al., 2020).
5. Repeat dispersal actions were generally required (all cases except extensive vegetation removal).
6. The financial costs of all dispersal attempts were high ranging from tens of thousands of dollars for vegetation removal to hundreds of thousands for active dispersals (e.g. using noise, smoke etc.). There were a few exceptions to these patterns, but they only occurred when there were abundant financial and human resources (e.g. Royal Botanic Gardens Melbourne and Sydney) and/or specific landscape characteristics (e.g., isolation from neighbours or habitat link to 'acceptable' location)(Roberts and Eby, 2013).
7. No dispersal attempt costing less than \$250,000 proved successful (Roberts et al., 2020).
8. Outcomes of dispersals are often not known for several years.

The low success of dispersal attempts is potentially due to the relatively long-life expectancy of flying-foxes (>14 years) and highly migratory behaviour, where they return to known roost sites over their lifetime (Hall, 2002). A review of published research on flying-fox dispersals indicates that there are no conclusive, successful dispersal methodologies recommended, or identification of parameters by which the likelihood of dispersal can be measured; rather, methods and likely success are site-specific.

The literature indicates that, in general, while flying-foxes have the potential to relocate within a 20 km radius of the original roost site, they are far more likely to relocate to an alternative site between 200 m and 2 km of the original roost site. Successful relocations, typically require extensive vegetation removal and ongoing dispersal activities over many years.

#### 5.5 Roost Management Plans

As of early 2025, the only roost management plan in effect in the Whitsunday Regional Council is for Collinsville. A separate document is available that further details the framework and suitability of management activities at this location.

## 6.0 Related Documents

*Code of Practice: Ecologically sustainable management of flying-fox roosts, Nature Conservation Act 1992.* Queensland Department of Environment and Science, 2020.

[https://www.des.qld.gov.au/policies?a=272936:policy\\_registry/cp-wl-ff-roost-management.pdf](https://www.des.qld.gov.au/policies?a=272936:policy_registry/cp-wl-ff-roost-management.pdf)

*Code of Practice: Low impact activities affecting flying-fox roosts.* Queensland Department of Environment and Science, 2020. [https://www.des.qld.gov.au/policies?a=272936:policy\\_registry/cp-wl-ff-roost-management.pdf](https://www.des.qld.gov.au/policies?a=272936:policy_registry/cp-wl-ff-roost-management.pdf)

*Flying-fox Roost Management Guideline.* Queensland Department of Environment and Science, 2020. [https://www.qld.gov.au/\\_data/assets/pdf\\_file/0009/221022/Guideline-Roost-Management.pdf](https://www.qld.gov.au/_data/assets/pdf_file/0009/221022/Guideline-Roost-Management.pdf)

*Operational Policy: Interim policy for determining when a flying-fox congregation is regarded as flying-fox roost under section 88C of the Nature Conservation Act 1992.* Queensland Department of Environment and Science, 2021. [https://www.qld.gov.au/\\_data/assets/pdf\\_file/0011/221024/op-wl-ff-roost-definition.pdf](https://www.qld.gov.au/_data/assets/pdf_file/0011/221024/op-wl-ff-roost-definition.pdf)

Whitsunday Regional Council Flying-fox Policy 2025-2030.

<https://www.whitsundayrc.qld.gov.au/community-and-environment/our-environment/pest-management-biosecurity-and-wildlife>

Whitsunday Regional Council Flying-fox Roost Management Plan – Collinsville.

<https://www.whitsundayrc.qld.gov.au/community-and-environment/our-environment/pest-management-biosecurity-and-wildlife>

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|                   |                 |                    |                                  |                |
|                   |                 |                    |                                  |                |

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## Flying-fox Roost Management Plan

### Collinsville

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Terms and Abbreviations

|       |                                                                        |
|-------|------------------------------------------------------------------------|
| BAAM  | Biodiversity Assessment and Management Pty Ltd                         |
| DES   | Queensland Department of Environment and Science (superseded)          |
| DETSI | Queensland Department of Environment, Science and Innovation (current) |

## 1.0 Introduction

### 1.1 Background and Context

Flying-foxes are vital to Australia's environment as key pollinators and seed dispersers of a range of native plants, particularly eucalypts, melaleucas and other Myrtaceae species. By transporting pollen and seeds over large distances, they help maintain genetic diversity in native forests, supporting species resilience and ecosystem health. Their actions drive forest regeneration, benefiting biodiversity, carbon storage, and water quality. Without flying-foxes, many ecosystems would lose essential ecological balance, impacting both wildlife and human communities.

Despite their ecological importance, flying-foxes can cause conflict with humans, particularly when they gather in large numbers at urban roosts. Commonly reported issues include noise, odour, droppings, vegetation damage, and concerns over potential disease risks. The Whitsunday Regional Council takes these concerns seriously, assessing the impacts and considering management strategies for problematic flying-fox roosts.

The Whitsunday Regional Council has developed a Flying-fox Policy, Flying-fox Management Plan and Flying-fox Roost Management Plan - Collinsville. These documents include a summary of flying-fox importance and biology, legislation and guidelines, management options and the framework for evaluating flying-fox impacts to the community. It is recommended to read this roost management plan in conjunction with other related Council and Queensland Government documents, which are listed in **Section 6.0**.

### 1.2 Roost Management Plan Review

This flying-fox roost management plan uses an adaptive management approach, ensuring that new data and knowledge on the best ways to manage human-wildlife conflict are implemented where possible. As such, a review of this roost management plan should be undertaken annually, to ensure it is still suitable and in line with the Whitsunday Regional Council policies and procedures, as well as contemporary government legislation, policies and codes of practice.

## 2.0 Collinsville Roost

### 2.1 Roost Description

Flying-foxes have been recorded in low numbers at various locations in and around Collinsville for over twenty years. In March 2021, a more substantial roost established at Pelican Park, with subsequent complaints to the Whitsunday Regional Council initiating the consideration of management activities. Since then, flying-foxes have continued to roost in trees on both Council and private residential land (

**Figure 1)**, with different management activities undertaken with varied success.

Two species of flying-fox have been recorded in Collinsville: Black Flying-fox (*Pteropus alecto*) and Little Red Flying-fox (*Pteropus scapulatus*). While neither is a declared threatened species under Queensland or Commonwealth legislation, as a native animal they are protected under the Queensland *Nature Conservation Act 1992*. Additionally, there are various codes of practice and guidelines that must be followed when considering and actioning management activities on flying-foxes and their roosts. These are detailed further in the Whitsunday Regional Council Flying-fox Policy 2025-2030 and Flying-fox Management Plan 2025-2030.

## 2.2 Flying-fox Monitoring Data

The Whitsunday Regional Council has been undertaking weekly, fortnightly or monthly monitoring counts of flying-foxes in Collinsville for several years to understand the ongoing situation of roost impacts to the town. Such data collection is highly valuable for determining seasonal trends, which can provide an insight into the planning and operation of management activities.

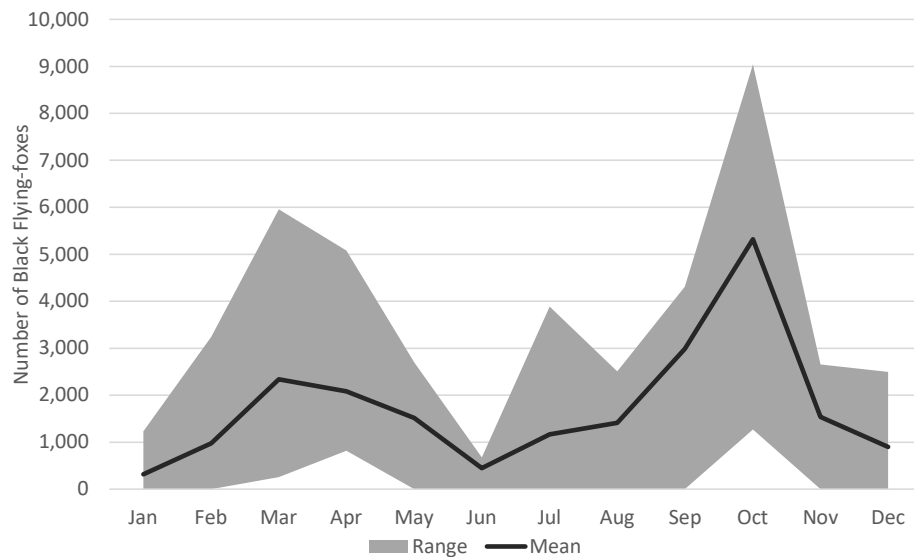
Of the two species that roost in Collinsville, Black Flying-foxes are typically more permanent, being present for most of the year in low to moderate numbers (**Figure 2**). Little Red Flying-foxes are more nomadic, often dispersing within the wider region following changes in food resources. Little Red Flying-foxes are typically within Collinsville between mid-late winter to early summer and often at very high numbers (**Figure 3**).

*Flying-fox Roost Management Plan  
Collinsville  
for Whitsunday Regional Council*

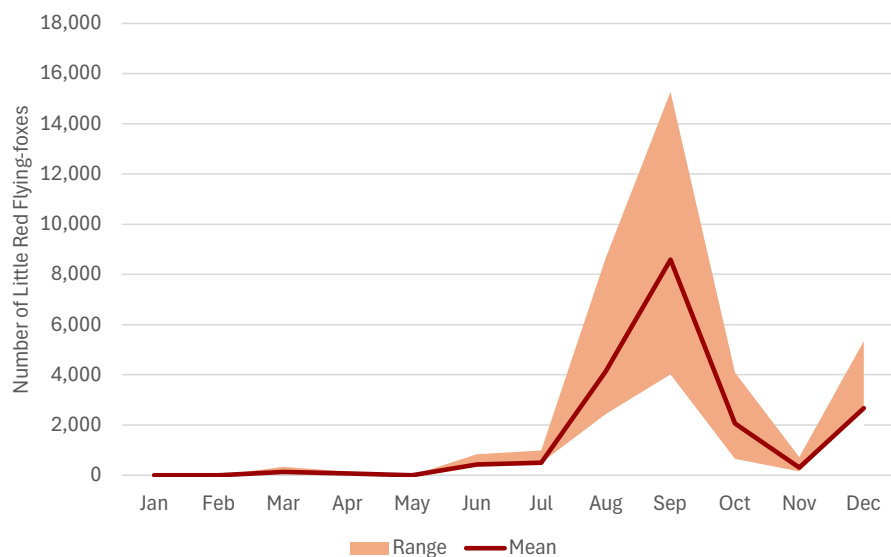


**Figure 1. Areas of Collinsville where flying-fox commonly roost.**

TBD



**Figure 2. Average number and range of Black Flying-foxes in Collinsville from Whitsunday Regional Council monitoring data between April 2021 to July 2024.**



**Figure 3. Average number and range of Little Red Flying-foxes in Collinsville from Whitsunday Regional Council monitoring data between April 2021 to July 2024.**

## 2.3 Breeding Cycle

Flying-fox breeding cycles differ by species and region. The breeding timelines below (**Table 1**) for the two species currently found in the Whitsunday region are general and require site-specific observations to verify breeding status.

For instance, Little Red Flying-foxes at the Collinsville roost often diverge from the typical breeding cycle as stated in the Queensland Government *Flying-fox Roost Management Guideline* (DES, 2020). Black Flying-foxes may also breed outside the usual season, especially after recent loss of young or when food resources are abundant (Vardon and Tidemann, 1998).

For this reason, it is important to inspect the flying-foxes within the Collinsville roost prior to undertaking any management actions. This is to determine if any of the life stages are present that are particularly vulnerable to injury or death, namely pregnancy, birthing and creching (when young are left alone in the roost).

**Table 1. Indicative timing of the breeding cycle for Black Flying-fox and Little Red Flying-fox (as per DES, 2020).**

Darker shading for each species indicates the periods of increased vulnerability to disturbance (late pregnancy, birthing and creching).

|                              | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| <b>Black Flying-fox</b>      |     |     |     |     |     |     |     |     |     |     |     |     |
| • Pregnancy                  |     |     |     |     |     |     |     |     |     |     |     |     |
| • Birth                      |     |     |     |     |     |     |     |     |     |     |     |     |
| • Attached to mother         |     |     |     |     |     |     |     |     |     |     |     |     |
| • Creching                   |     |     |     |     |     |     |     |     |     |     | *   |     |
| • Young independent          |     |     |     |     |     |     |     |     |     |     |     |     |
| • Mating                     |     |     |     |     |     |     |     |     |     |     |     |     |
| <b>Little Red Flying-fox</b> |     |     |     |     |     |     |     |     |     |     |     |     |
| • Pregnancy                  |     |     |     |     |     |     |     |     |     |     |     |     |
| • Birth                      |     |     |     |     |     |     |     |     |     |     |     |     |
| • Attached to mother         |     |     |     |     |     |     |     | *   |     |     |     |     |
| • Creching                   |     |     |     |     |     |     |     |     |     |     |     |     |
| • Young independent          |     |     |     |     |     |     |     |     |     | *   |     |     |
| • Mating                     |     |     |     |     |     |     |     |     |     |     |     |     |
| <b>Highest vulnerability</b> |     |     |     |     |     |     |     |     |     |     |     |     |

\*Records from Collinsville roost

## 2.4 Historical Management Activities

Since 2021, various interventions have been conducted in Collinsville to nudge or disperse flying-foxes roosting in Council or private properties. These are summarised below in **Table 2**.

**Table 2. Management actions undertaken at flying-fox roosts in Collinsville since 2021.**

| Management Action                                                                                      | Effectiveness at Collinsville                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Tree trimming</b><br>(Removing major branches used for roosting)                                    | Effective at moving flying-foxes from that individual tree, but most moved to nearby trees                                                                                                            |
| <b>Noise</b><br>(brush cutter, leaf blower, hitting metal bucket/steel tools, horns, loud radio/music) | Variable effectiveness; often reduced flying-fox numbers in vicinity, but only during noise generation, with animals returning when noise was stopped or the following day                            |
| <b>Light</b><br>(bright torches, spotlights or flashing lights)                                        | Low effectiveness; some reduction in numbers was observed on occasion at the individual tree/property. Animals often returned after lights were turned off or the following day                       |
| <b>Wavy man</b><br>(inflatable, tubular 'wavy man' positioned near roost trees)                        | Low effectiveness; some reduction in numbers was observed on occasion at the individual tree/property, but flying-foxes quickly became habituated to the movement                                     |
| <b>Smoke</b><br>(from drums, piles of smoke-producing material below roost trees)                      | Variable effectiveness; often reduced flying-fox numbers in vicinity, but only during noise generation, with animals returning when noise was stopped or the following day. Ineffective on windy days |
| <b>Water sprayed into trees</b>                                                                        | Generally not effective                                                                                                                                                                               |
| <b>Pyrotechnics</b>                                                                                    | Effective at moving flying-foxes from the immediate area, but most moved to trees in nearby streets and/or returned after pyrotechnics were finished for the day                                      |
| <b>Peppermint oil</b>                                                                                  | Not effective                                                                                                                                                                                         |

### 3.0 Legislation and Policy

The Commonwealth and Queensland legislative framework outlines protections and management options for flying-foxes. These are detailed further in the Whitsunday Regional Council Flying-fox Policy and Whitsunday Regional Council Flying-fox Management Plan.

All flying-fox species are protected under the Queensland *Nature Conservation Act 1992*, requiring management actions to comply with legislation and best-practice guidelines. Additionally, the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* protects two species—Spectacled Flying-fox (*Pteropus conspicillatus*) and Grey-headed Flying-fox (*Pteropus poliocephalus*)—found near but not within the Whitsunday region. These two species likely require specific approvals for their roost management.

There are two Queensland Government Codes of Practice that must be adhered to when managing flying-fox roosts:

- *Code of Practice: Low impact activities affecting flying-fox roosts; and*
- *Code of Practice: Ecologically sustainable management of flying-fox roosts.*

The Queensland Government has also developed a *Flying-fox Roost Management Guideline*, which provides further information and case studies on how to implement these Codes and associated legislation. Notably, some roost management actions require advance notification to the Queensland Department of Environment, Tourism, Science and Innovation (DETSI).

### 4.0 Community Consultation

In July 2024, the Whitsunday Regional Council held a public meeting in Collinsville relating to the flying-fox roost that has persisted in recent years within the town. The meeting was attended by 16 residents, many of whom had flying-foxes roosting on their property. A summary of the meeting is provided below.

- The meeting discussed the on-going concerns with the flying-foxes roosting in Collinsville, the history and impacts of management activities, as well as potential management actions moving forward.
- The majority of attendees agreed that the Whitsunday Regional Council should continue to co-ordinate flying-fox roost management activities, as opposed to being left to individuals to handle.
- There was support for a range of deterrents to be used, providing no harm was caused to the flying-foxes.
- There was general support for the use of pyrotechnic deterrents in a co-ordinated manner for the roosts on private properties, in an attempt to move the flying-foxes out of town. However, this should be done via a low-cost model (e.g., co-ordinated and conducted by Council as opposed to external providers).
- There was some support for a form of financial subsidies for affected properties (e.g., rate relief) or the provision of Council equipment for cleaning.

## 5.0 Management Actions

### 5.1 Evaluation of Management Actions

Potential flying-fox roost management activities undertaken in Queensland are detailed and assessed in **Table 3**.

**Table 3. Evaluation of the management actions for flying-fox roosts in the context of Collinsville.**

| Management action                           | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Indicative cost               | Effectiveness                                                 |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------|
| <b>Education and awareness</b>              | Includes the provision of information to the public relating to flying-foxes, as well as providing opportunities for discussion and feedback.<br>Most effective if undertaken in a co-ordinated manner and lead by staff with stakeholder engagement skills.<br>+ May reduce fears around disease and health<br>+ Increases understanding of environmental contribution of flying-foxes<br>- Often does not alleviate most of the human-flying-fox conflict                                                                                                                                                                                                                                                                                                                                                      | Low cost (\$100s to \$1,000s) | Low: can reduce some human-flying-fox conflict and complaints |
| Suitability for Collinsville:               | <b>Suitable:</b> Education and awareness should form one of the methods for all human-wildlife conflict situations. Ongoing engagement and public feedback is important for Collinsville, especially as new management activities are attempted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                                                               |
| <b>Financial assistance and/or services</b> | Includes the provision of financial assistance and/or services for residents impacted by flying-fox roosts. This has not been considered as yet by the Whitsunday Regional Council, but can options and delivery are variable. Other Council programs include: rate subsidies, purchase of protective items (e.g., car covers, air-conditioners, double-glazing), payment of external service providers (high-pressure cleaning, tree removal/lopping) or purchase/loan of cleaning items (e.g., high-pressure cleaner).<br>+ Can require limited physical or staffing resources from Council<br>- Residents need to be pro-active in applying for assistance<br>- Rate subsidies do not alleviate the actual human-flying-fox conflict<br>- Framework and definitions for eligibility are required and reviewed | Moderate cost (\$10,000s)     | Low: can reduce some human-flying-fox conflict and complaints |
| Suitability for Collinsville:               | <b>Likely suitable:</b> The low number of residents likely to be impacted and/or take up the assistance/service is low compared to larger urban areas so this may be a viable option. The deliver model needs to be carefully considered for the residents; for example, post-expense reimbursement models may be cost-prohibitive for some residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                               |                                                               |

| Management action                                               | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Indicative cost                           | Effectiveness                                                                                                   |
|-----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>Removal of vegetation at roost edges (creating a buffer)</b> | Discourages bats from roosting close to residents by removing vegetation at the edge of roosts.<br>+ Can be low cost and moderately effective<br>- Residents may resent reduced amenity (i.e., loss of vegetation)<br>- May contribute to habitat loss if cumulative with other vegetation removal/clearing<br>- Roosts may move into other residential properties                                                                                             | Low-moderate cost (\$1,000s to \$10,000s) | Moderate: can shift the impact away from residents adjacent to roost, but may move the issue to other residents |
| Suitability for Collinsville:                                   | <b>Generally unsuitable:</b> The majority of roosts are in individual trees/properties and therefore a no buffer could be achieved. Many of the current roosts are on private land; therefore, it would depend on the landowner's predilection on whether this action is viable. Vegetation around roosts on Council land could be suitable.                                                                                                                   |                                           |                                                                                                                 |
| <b>Passive dispersal: Removal of roost vegetation</b>           | Involves removing vegetation at the roost while the flying-foxes are not present, to stop them from returning or re-establishing.<br>+ Effectiveness at property level is high<br>- Can result in the roost establishing in next closest suitable vegetation.<br>- Residents may resent reduced amenity (i.e., loss of vegetation)<br>- May contribute to habitat loss for flying-foxes or other wildlife if cumulative with other vegetation removal/clearing | Low-moderate cost (\$1,000s to \$10,000s) | Moderate-high: can shift the impact away from current area, but may move to other areas/properties nearby       |
| Suitability for Collinsville:                                   | <b>Likely suitable:</b> Many of the current roosts are on private land; therefore, it would depend on the landowner's predilection on whether this action is viable. Roosts on Council land could be suitable; however, there is a history of flying-foxes moving from Council parks to private residents in previous dispersal attempts, which needs consideration.                                                                                           |                                           |                                                                                                                 |
| <b>Active dispersal: Wavy man</b>                               | Involves erecting an inflatable 'wavy man' at a tree roost prior to dawn to prevent flying-foxes returning to roost in the tree.<br>+ Council owns a number of wavy men, thus no on-going hire costs<br>- Spatial and temporal effectiveness is low<br>- Effectiveness inconsistent                                                                                                                                                                            | Low cost (\$100s to \$1,000s)             | Low-moderate: often only effective short-term and at the individual tree/property                               |

| Management action                   | Description                                                                                                                                                                                                                                                                                                                                                                                            | Indicative cost                  | Effectiveness                                                                     |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------------------------------------------------------------------------------|
| Suitability for Collinsville:       | <b>Potentially suitable:</b> Attempts to deter flying-foxes from roosting in trees on private land using wavy men has been inconsistent. Considering the low cost and labour required, this action could be attempted in the early stages of new roosts.                                                                                                                                               |                                  |                                                                                   |
| <b>Active dispersal: Sprinklers</b> | <p>The use of high-powered sprinklers for short bursts to mimic predator movement in the canopy to nudge them away from resident boundaries</p> <p>+ No significant change in vegetation or hydrology</p> <p>- Flying-foxes may move to nearby trees/properties, causing conflict</p> <p>- Can have animal welfare risk during heat events</p> <p>- Requires considerable administration/logistics</p> | Moderate cost (\$10,000s)        | Moderate: some Councils have had some success with this method                    |
| Suitability for Collinsville:       | <b>Generally unsuitable:</b> This method is most effective for roosts in large groups of trees, not roosting individually as in Collinsville.                                                                                                                                                                                                                                                          |                                  |                                                                                   |
| <b>Active dispersal: Light</b>      | <p>Shining high powered lights (e.g., roadworks light towers) into roost trees, particularly during early morning to prevent flying-foxes returning.</p> <p>+ Light can be directed to not disturb residents below</p> <p>- Flying-foxes may move to nearby trees/properties, causing conflict</p> <p>- Requires high luminosity lights, which are typically not found in residential homes</p>        | Low cost (\$1,000s to \$10,000s) | Low-moderate: often only effective short-term and at the individual tree/property |
| Suitability for Collinsville:       | <b>Potentially suitable:</b> This method has shown inconsistent effectiveness at Collinsville, although it can be a relatively low cost option. This action could be attempted in the early stages of new roosts, particularly with trialling roadworks spotlights.                                                                                                                                    |                                  |                                                                                   |
| <b>Active dispersal: Sound</b>      | <p>Creating noise as a disturbance mechanism to discourage flying-foxes returning to roost trees.</p> <p>+ Resident participation can promote feeling of involvement and pro-activity to concerns</p> <p>- Can cause disturbance to nearby residents</p> <p>- Spatial and temporal effectiveness is low</p>                                                                                            | Low cost (\$100s to \$10,000s)   | Low-moderate: often only effective short-term and at the individual tree/property |

| Management action                                 | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Indicative cost                                             | Effectiveness                                                                                                                       |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Suitability for Collinsville:                     | <b>Potentially suitable:</b> Attempts to deter flying-foxes from roosting in trees on private land using sound has been inconsistent. Considering the low cost and labour required, this action could be attempted in the early stages of new roosts.                                                                                                                                                                                                                                                                                |                                                             |                                                                                                                                     |
| <b>Active dispersal: Smoking</b>                  | <p>Fires, particularly with elements to increase smoke (e.g., green vegetation), are positioned below trees that flying-foxes typically roost in and lit prior to flying-foxes returning to roost at dawn.</p> <ul style="list-style-type: none"> <li>+ Can be low cost and moderately successful</li> <li>- Ineffective when breeze/winds are present</li> <li>- Needs consistent (daily) action until roost remains dispersed</li> <li>- Can be problematic for people with asthma or respiratory illnesses in vicinity</li> </ul> | Generally low cost, although depends on time-frame required | Moderate: often only at a tree/property basis, but can be successful. Can be undertaken at multiple locations to affect wider area. |
| Suitability for Collinsville:                     | <b>Potentially suitable:</b> Some residents have indicated that they have successfully deterred flying-foxes from roosting in trees on their properties, while others have found it requires long-term commitment and/or results are temporary. This action could be attempted in the early stages of new roosts.                                                                                                                                                                                                                    |                                                             |                                                                                                                                     |
| <b>Active dispersal: Pyrotechnics/Air cannons</b> | <p>The use of pyrotechnical or gas guns to produce loud noises and lights near roosts as flying-foxes are returning at dawn.</p> <ul style="list-style-type: none"> <li>+ Can be effective, particularly in a large area if co-ordinated correctly</li> <li>- Requires personnel with fire-arms/pyrotechnics (fireworks) licence</li> <li>- Can be very expensive, particularly if required over a prolonged period</li> <li>- Flying-foxes may return as soon as dispersal activities cease for the day</li> </ul>                  | High cost, although depends on time-frame required          | Moderate-high: some Councils have had success but typically only after a long campaign and/or results are temporary                 |
| Suitability for Collinsville:                     | <b>Potentially suitable:</b> More effective when undertaken in a co-ordinated manner over a larger area, which has not been undertaken as yet at Collinsville.                                                                                                                                                                                                                                                                                                                                                                       |                                                             |                                                                                                                                     |

5.2 Roost Management Strategy

5.2.1 Approach to Roost Management at Collinsville

The evaluation of typical management actions undertaken at flying-fox roosts in Queensland and suitability to the roosts at Collinsville (as per **Table 3**) is summarised in **Figure 4** and forms the basis for the approach and possible actions for managing flying-fox roosts at Collinsville.

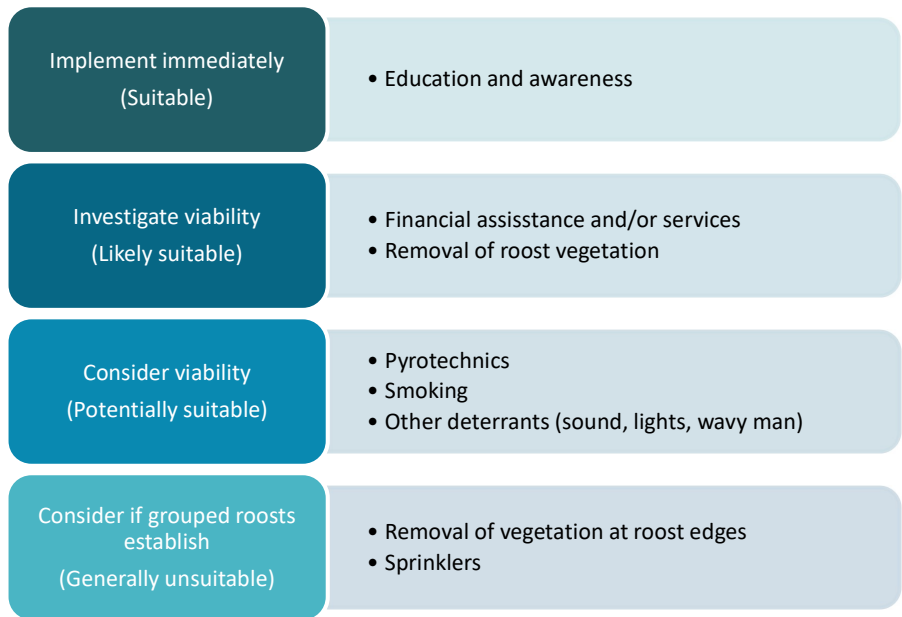


Figure 4. Summary of management activities suitable for Collinsville.

**Table 4. Goals and on-going actions for managing flying-fox roosts at Collinsville.**

| Goals                                                                                                                    | Objectives/Actions                                                                                                                                                           | Due date/Timing                                         |
|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <b>Theme 1. Education and awareness</b>                                                                                  |                                                                                                                                                                              |                                                         |
| 1.1. Ensure Collinsville residents are informed about roost management                                                   | 1.1.a. Engage with Collinsville residents that are affected by flying-fox roosts                                                                                             | Ongoing                                                 |
|                                                                                                                          | 1.1.b. Develop a communication plan on the timing and details for roost management activities                                                                                | February 2025                                           |
| <b>Theme 2. Human safety and amenity</b>                                                                                 |                                                                                                                                                                              |                                                         |
| 2.1. Provide a safe environment for the Collinsville community where risks associated with flying-fox roosts are managed | 2.1.a. Monitor the flying-fox species present, location and numbers present at Collinsville                                                                                  | Twice monthly                                           |
|                                                                                                                          | 2.1.b. Investigate pyrotechnics, tree trimming and smoking as short-term options for flying-foxes roosting in Collinsville                                                   | February 2025                                           |
|                                                                                                                          | 2.1.c. Investigate with Council and residents the appetite and feasibility of financial assistance and/or services for impacted residents                                    | June 2025                                               |
| <b>Theme 3. Flying-fox animal welfare</b>                                                                                |                                                                                                                                                                              |                                                         |
| 3.1. To undertake roost management activities in Collinsville in a manner that does not harm the flying-fox              | 3.1.a. During monitoring activities, record breeding status (e.g., late pregnancy) and life stages present (creched young)                                                   | Twice month, and daily during all management activities |
|                                                                                                                          | 3.1.b. Immediately cease any management activities if vulnerable life-cycle stages are present (e.g., late pregnancy, birthing, creching)                                    | Daily during all management activities                  |
|                                                                                                                          | 3.1.c. Immediately cease any management activities if the triggers identified in the relevant Codes of Practice (e.g., mortality, pro-longed disturbance, etc.) are observed | During and immediately after all management activities  |

| Goals                                                                                                                          | Objectives/Actions                                                                                                                                                                              | Due date/Timing                         |
|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <b>Theme 4. Roost management</b>                                                                                               |                                                                                                                                                                                                 |                                         |
| 4.1. Where a roost in Collinsville becomes a problem, roost management is undertaken in an efficient and cost-effective manner | 4.1.a. Conduct reviews of management issues and dispersal options, consider potential roost locations and evaluate likelihood of a successful dispersal                                         | As required                             |
|                                                                                                                                | 4.1.b. Roost management actions are documented                                                                                                                                                  | Within 1 month of completion of actions |
| 4.2. Remain up-to-date on suitable methods for managing the flying-fox roosts at Collinsville                                  | 4.2.a. Update evaluation of potential methods for managing flying-fox roosts for Collinsville in relation to new methods revealed during networking and literature review activities            | Annually (minimum)                      |
| <b>Theme 5. Policy and administration</b>                                                                                      |                                                                                                                                                                                                 |                                         |
| 5.1. To ensure the management of flying-fox roosts in Collinsville comply with legislation, policy and best practice           | 5.1.a. Ensure key Council staff have read and understand the relevant Code of Practice and Guidelines (see <b>Section 6.0</b> ) for determining suitable management activities and requirements | Ongoing                                 |
|                                                                                                                                | 5.1.b. Notify DETSI on management activities at least two business days prior to management activities                                                                                          | Ongoing                                 |
|                                                                                                                                | 5.1.c. Submit a DETSI evaluation form on the outcomes of the management actions within six weeks                                                                                                | Ongoing                                 |
| 5.2. To ensure this roost management plan – Collinsville is appropriate and practical                                          | 5.2.a. Review and amend (if required) the Flying-fox Roost Management Plan - Collinsville                                                                                                       | Annually                                |
| 5.3 Allocate budget for flying-fox management at Collinsville                                                                  | 5.3.a. Identify and annually review budget requirements for the management of flying-fox roosts in Collinsville                                                                                 | Annually                                |

### 5.2.2 Success of Roost Dispersal in Australia

It should be noted that previous efforts to disperse flying-fox roosts with a range of methods from urban areas in Australia have largely proven ineffective. Key findings of assessments of dispersal attempts (as per Roberts and Eby, 2013; Roberts et al., 2020), include:

1. **Limited reduction in local numbers:** In 94% of cases, dispersals failed to reduce flying-fox numbers locally, with animals remaining nearby.
2. **Minimal roost relocation distance:** Approximately 63% of relocations were within 600 m, with 88% establishing replacement roosts within 1 km, often leading to new conflict sites.
3. **Unpredictable replacement roosts:** New roost locations couldn't be reliably predicted.
4. **Persistent conflict:** Up to 77% of dispersals saw ongoing conflict at the original or nearby sites, even years later.
5. **Need for repeat actions:** Repeat dispersals were usually necessary unless vegetation was extensively removed.
6. **High costs:** Dispersal costs ranged from tens to hundreds of thousands of dollars, with limited success for efforts under \$250,000.
7. **Long-term impact unclear:** Outcomes are often unknown for several years post-dispersal.

The limited success of dispersal efforts may stem from the long lifespan and migratory habits of flying-foxes, particularly as they typically return to established sites. Relocations often require extensive vegetation removal and ongoing interventions, with relocations typically occurring only within 200 m to 2 km of the original site.

### 5.3 Avoiding Impacts to Flying-foxes

As per Queensland Government legislation, codes of practice and guidelines, management activities must be undertaken in a manner that minimises impacts to flying-foxes, particularly relating to distress and/or harm.

This includes avoiding management activities during times of high vulnerability, such as late pregnancy, birthing and when young are crèched at the roost while the mother is away foraging.

At other times of the year, a person knowledgeable about flying-fox behaviour is required to be present during the early days of dispersal attempts, and is recommended to be present during other less active management activities, to monitor distress levels in the flying-fox colony. In particular, indicators of distress in flying-foxes includes:

- panting and/or wing fanning,
- spreading saliva on their body by licking,
- moving within two metres of the ground,
- laboured flight or flying close to the ground,
- remaining within the roost despite continuing causes of distress (e.g. too weak to move or protecting crèched young,
- more than 30% of the flying-foxes taking flight at one time during the day, and/or
- flying-foxes flying in circles above a flying-fox roost.

More information on requirements under legislation or codes of practice to minimise impacts and harm to flying-foxes during management activities are summarised in the Whitsunday Regional Council Flying-fox Management Plan, and detailed fully in:

- *Code of Practice: Low impact activities affecting flying-fox roosts;*
- *Code of Practice: Ecologically sustainable management of flying-fox roosts; and*
- *Flying-fox Roost Management Guideline.*

Links to these documents are provided in **Section 6.0**.

## 6.0 Related Documents

*Code of Practice: Ecologically sustainable management of flying-fox roosts, Nature Conservation Act 1992.* Queensland Department of Environment and Science, 2020.

[https://www.des.qld.gov.au/policies?a=272936:policy\\_registry/cp-wl-ff-roost-management.pdf](https://www.des.qld.gov.au/policies?a=272936:policy_registry/cp-wl-ff-roost-management.pdf)

*Code of Practice: Low impact activities affecting flying-fox roosts.* Queensland Department of Environment and Science, 2020. [https://www.des.qld.gov.au/policies?a=272936:policy\\_registry/cp-wl-ff-roost-management.pdf](https://www.des.qld.gov.au/policies?a=272936:policy_registry/cp-wl-ff-roost-management.pdf)

*Flying-fox Roost Management Guideline.* Queensland Department of Environment and Science, 2020. [https://www.qld.gov.au/\\_data/assets/pdf\\_file/0009/221022/Guideline-Roost-Management.pdf](https://www.qld.gov.au/_data/assets/pdf_file/0009/221022/Guideline-Roost-Management.pdf)

*Operational Policy: Interim policy for determining when a flying-fox congregation is regarded as flying-fox roost under section 88C of the Nature Conservation Act 1992.* Queensland Department of Environment and Science, 2021. [https://www.qld.gov.au/\\_data/assets/pdf\\_file/0011/221024/op-wl-ff-roost-definition.pdf](https://www.qld.gov.au/_data/assets/pdf_file/0011/221024/op-wl-ff-roost-definition.pdf)

Whitsunday Regional Council Flying-fox Management Plan 2025-2030.

<https://www.whitsundayrc.qld.gov.au/community-and-environment/our-environment/pest-management-biosecurity-and-wildlife>

Whitsunday Regional Council Flying-fox Policy 2025-2030.

<https://www.whitsundayrc.qld.gov.au/community-and-environment/our-environment/pest-management-biosecurity-and-wildlife>

Whitsunday Regional Council Flying-fox Roost Management Plan – Collinsville.

<https://www.whitsundayrc.qld.gov.au/community-and-environment/our-environment/pest-management-biosecurity-and-wildlife>

## 7.0 References

- DES (2020).** *Flying-fox Roost Management Guideline*. Wildlife and Threatened Species Operations, Queensland Department of Environment and Science, Brisbane.  
[https://www.qld.gov.au/\\_data/assets/pdf\\_file/0009/221022/Guideline-Roost-Management.pdf](https://www.qld.gov.au/_data/assets/pdf_file/0009/221022/Guideline-Roost-Management.pdf)
- Roberts, B. J. and Eby, P. (2013).** Review of past flying-fox dispersal actions between 1990-2013. Unpublished report. Available at:  
<https://www.environment.nsw.gov.au/resources/animals/flying-fox-2014-subsub/flyingfoxsub-jenny-beatson-part2.pdf>
- Roberts, B. J., Mo, M., Roache, M. and Eby, P. (2020).** Review of dispersal attempts at flying-fox camps in Australia. *Australian Journal of Zoology*, 68, 254-272.
- Vardon, M. J. and Tidemann, C. R. (1998).** Reproduction, growth and maturity in the black flying-fox, *Pteropus alecto* (Megachiroptera : Pteropodidae). *Australian Journal of Zoology*, 46, 329-344.

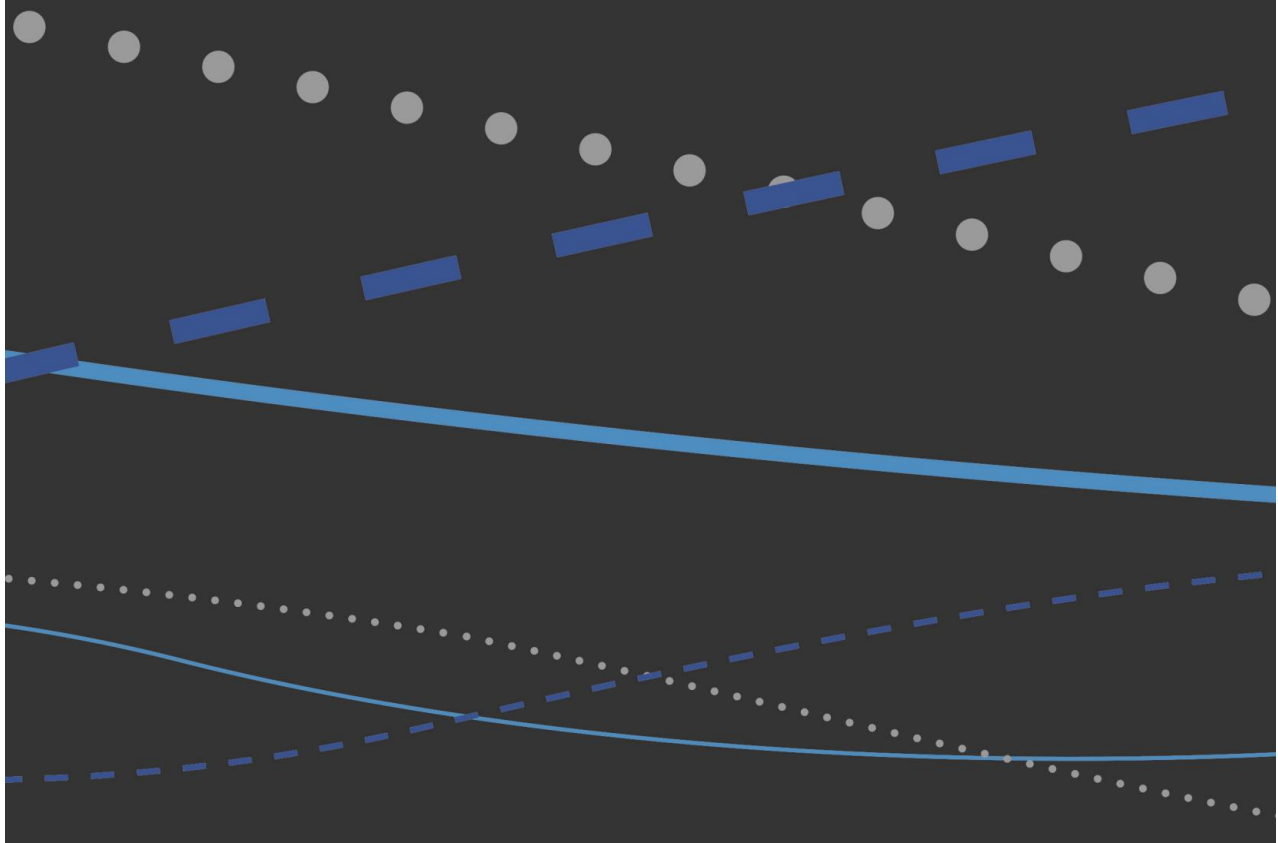




# ***Flying Fox Strategy & Collinsville Roost Management Plan***

## **Consultation Report**

Date: 8 July 2024



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Document History

| Title  | Version No. | Date        | Author           | Reviewer    | Approved by |
|--------|-------------|-------------|------------------|-------------|-------------|
| Report | 1.0         | 8 July 2024 | Jonathan Cutting | Scott Hardy |             |



## 1. Executive Summary

Council is developing a Collinsville Roost Management Plan and Region-wide Flying Fox Strategy, that informs how we budget, resource and manage Flying fox management actions into the future. Currently, only one urban roost exists in Collinsville, however, several roosts have appeared in urban areas in the past, most recently in Proserpine.

Consultation was open from Monday 4 June – Sunday 7 July 2024, for a period of 34 days. A total of 29 individual submissions were received during the consultation period. Key feedback included:

- Identification of the significant impact of Flying fox on people, lifestyle, property, and assets.
- Strong desire from some submitters to re-locate Flying fox and put people first.
- Mix of responses to intensive actions, such as pyrotechnics and tree trimming, which is strongly supported by majority of directly affected residents, but less so for those further away from roosts.
- Less support for all management actions, the further away from the roost residents are.
- If Flying fox unable to be relocated, support for financial incentives for resident's lifestyle mitigations, education, and planting roost trees outside of town.
- Some concerns about animal welfare and support for live alongside roost management options, only from persons not directly affected by Flying fox.

All submission contents have been collated in this report. Submission themes will be considered by Council officers during the development of a Region-wide Flying Fox Strategy and in consideration of next steps to manage Flying fox in Collinsville, within the Roost Management Plan.

WRC will report back to the community to close the loop and demonstrate how the feedback was taken into consideration.

## 2. Background

Flying-foxes are a keystone species, for their critical role in long-distance pollination and seed dispersal. These ecosystem services are particularly important over fragmented landscapes and to allow forests to adapt to threats, such as climate change.

Within the Whitsunday Region, two species are most prevalent:

- Little Red Flying Fox – migratory, often appearing in our Region from July – November, and
- Black Flying Fox – a permanent population in Collinsville with migratory influxes throughout the year.

The activities of Flying foxes sometimes bring them into conflict with residents. Primary concerns include noise, odour, droppings, feeding on fruit trees, human health and disease.

Presently, there are several roosts within our Region, with a major roost creating the greatest impact for people located in the urban area of Collinsville. The roost fluctuates in numbers throughout the year, with an endemic population of Black Flying Fox ranging from a few hundred to 1,600 (end of May 2024). The annual migration of Little Red Flying Fox from June – November results in peaks of over 26,000.

Collinsville Roost Management actions to date have included:

| Timing                   | Action                                                                                                                                                       | Result                                                                                                 |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| March 2021               | Observed new roost establishing in Pelican Park, Collinsville                                                                                                |                                                                                                        |
| September - October 2022 | Observed population increase to 26,000 with migration of Little Red Flying-fox. Installation of wavy men, tree trimming, canopy irrigation, smoke and noise. | Some wavy men were temporarily successful, but Flying fox became accustomed to them and other actions. |
| March 2023               | Mobile smokers, noise and lights.                                                                                                                            | Limited effect, Flying fox return following campaign                                                   |
| August 2023              | Canopy irrigation, operation of mobile smokers at private, noise and lights.                                                                                 | Limited effect, Flying fox return following campaign                                                   |
| October 2023             | <i>Consultant led 2-week pyrotechnic campaign. (Figure 1)</i>                                                                                                | Temporarily re-located Flying fox to Pelican Creek, before they returned to urban roost.               |



**Figure 1:** October 2023 pyrotechnic campaign to nudge Flying fox toward Pelican Creek preferred roost location.

Consultation sought feedback on the following, to inform the Roost Management Plan and Region wide Strategy:

- Understanding community sentiment and experiences with Flying fox,
- Understanding of Flying fox impacts on residents,
- Perception of Flying fox management actions and preferred approaches, and
- Concerns and limitations for Flying fox management actions.

### 3. Overview of the Consultation

The consultation process occurred between Monday 4 June – Monday 7 July 2024 for a period of 28 days utilising our Online Engagement Portal. Communication tools to raise awareness of the consultation period included:

- Project page and fact sheet on our Online Engagement Portal - Yoursay Whitsunday.
- Social media post (4)
- Newspaper notice (4)
- Direct email of key stakeholders and Yoursay members interested in Cannonvale Parks and community facility projects (126)
- Poster on Telecentre digital noticeboards & customer service centre
- Hardcopy surveys in customer service centre
- Information stall at Collinsville Shopping Centre & Darcy Munro Park
- Public meetings with consultant (2)

Two Facebook posts received average reach, including:

- Post impressions – 9,964 - The number of times a post was on screen.
- Post reach – 9,555 - The number of people who saw posts at least once.
- Link clicks – 463 - The number of times people engaged with a link in a post

Our Online Engagement Portal *Yoursay Whitsunday* attracted 46 'informed' visitors during the consultation period. 'Informed visitors' interacted with fact sheets or links on the project page. The public meeting attracted 16 residents, with discussion including management options to date, Council's Flying fox policy and collaborative discussion on the way forward. Refer to Appendix A

#### 3.1 Purpose of the consultation

To consult with Whitsunday Region residents on Flying fox impacts, options for managing Flying fox in Collinsville and regional Flying Fox Strategy. Under the IAP2 Public Participation Spectrum, WRC was seeking to **consult** the community.

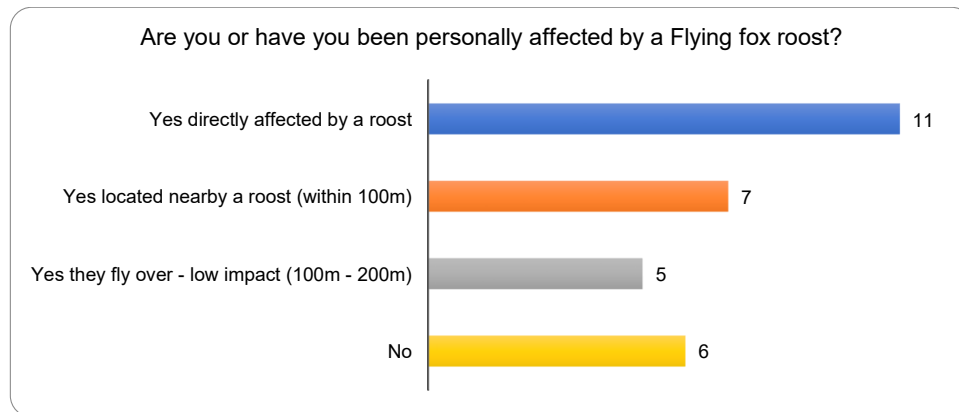
#### 3.2 Who was consulted

All residents in the Whitsunday Region were invited to participate and the consultation was open to anyone online. Targeted efforts included an information stall, public meeting and direct email to local businesses, relevant community groups, environmental groups and interested residents.

### 4. Overview of the Responses

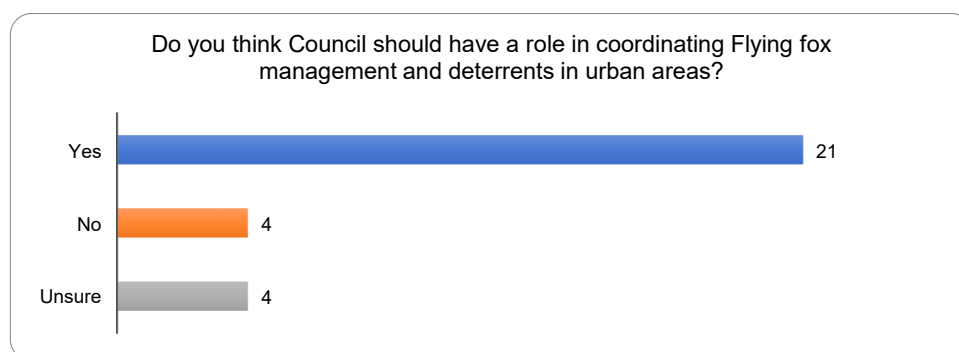
Overall, there were 29 individual submissions received during the consultation period. The consultation sought feedback via written submission or online closed survey questions, which included an option for further comment. Consultation results are set out on the following pages. Refer to **Appendix A** for meeting notes from the public meeting that was held in Collinsville on 2 July 2024.

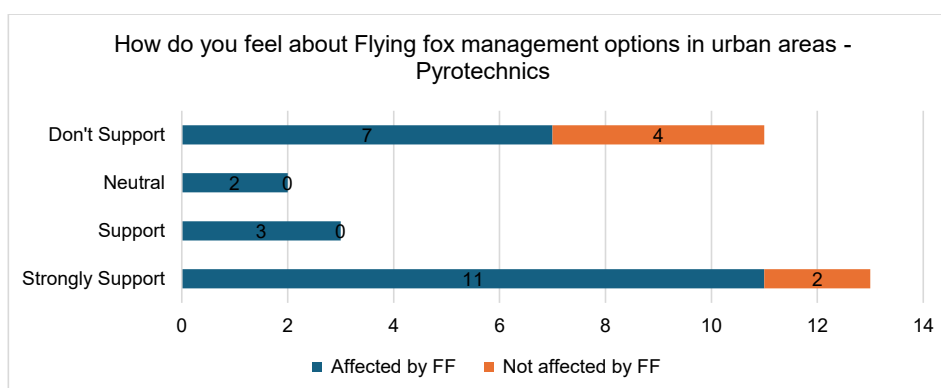
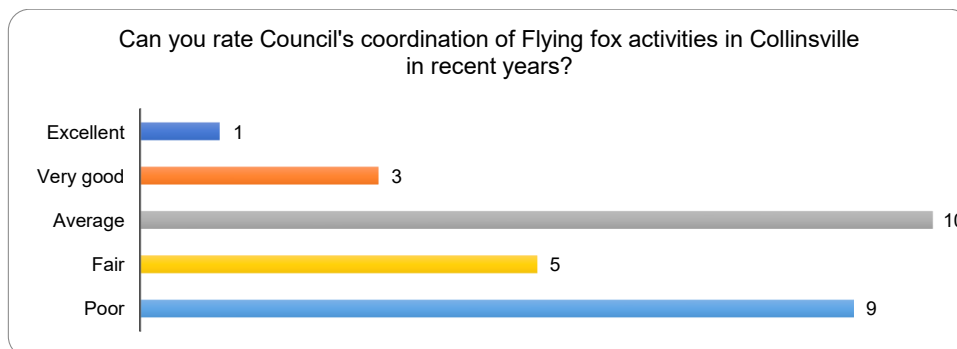
#### 4.1 Analysis of Responses



If personally affected, what were the worst impacts in priority order?

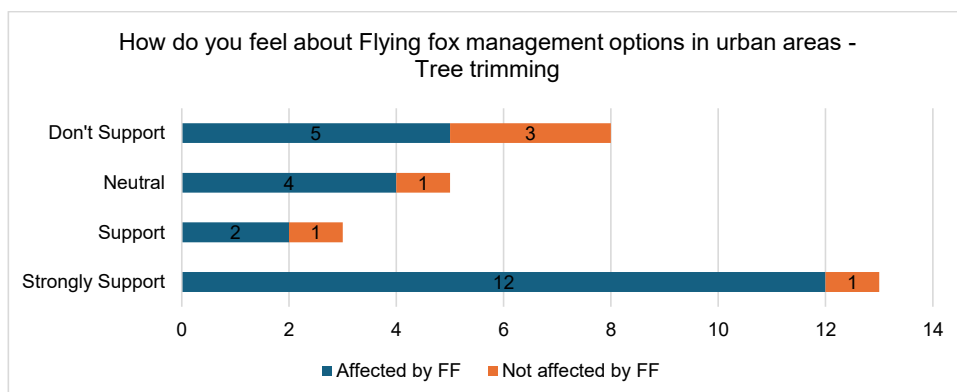
| Impact from Flying fox roost                                      |                                                                                                                              |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| 1. Defecation on property / assets                                | Most significant impacts<br><br>Impacts |
| 2. Noise                                                          |                                                                                                                              |
| 3. Household activities (e.g. hanging out clothes to dry, mowing) |                                                                                                                              |
| 4. Smell                                                          |                                                                                                                              |
| 5. Limiting recreation & enjoyment of outdoors                    |                                                                                                                              |
| 6. Disease                                                        |                                                                                                                              |
| 7. Visual impact                                                  |                                                                                                                              |
| 8. Property value                                                 |                                                                                                                              |
| 9. Fruit trees / vegetation / garden impacts                      |                                                                                                                              |





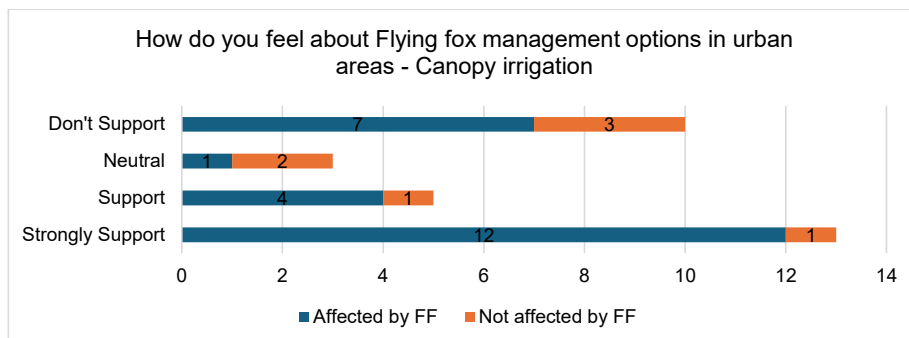
Note – Affected by FF:

Directly affected by FF – 8 strongly support, 1 supports, 2 don't support  
 Within 100m of FF – 2 Strongly support, 1 supports, 1 neutral, 3 don't support  
 Within 100 - 200m of FF – 1 Strongly support, 1 support, 1 neutral, 2 don't support



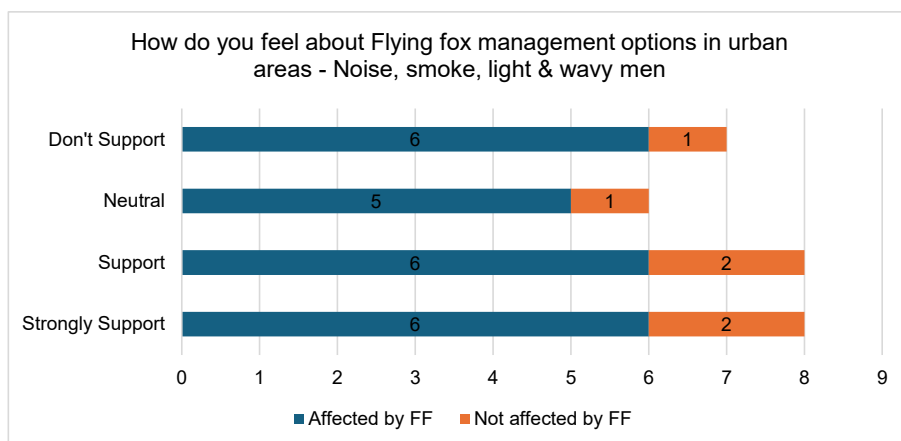
Note – Affected by FF:

Directly affected by FF – 7 strongly support, 1 supports, 2 Neutral, 1 don't support  
 Within 100m of FF – 3 Strongly support, 1 supports, 1 neutral, 2 don't support  
 Within 100 - 200m of FF – 3 Strongly support, 2 don't support



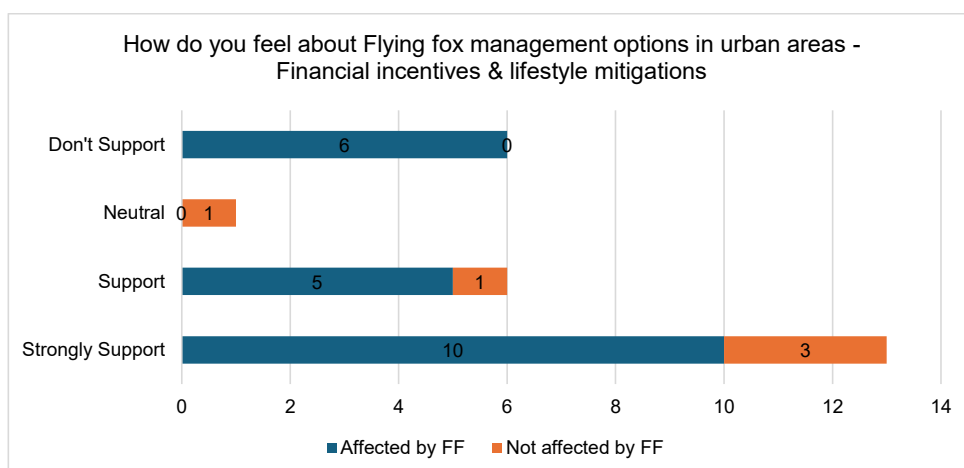
Note – Affected by FF:

Directly affected by FF – 5 strongly support, 1 supports, 2 Neutral, 1 don't support  
 Within 100m of FF – 3 Strongly support, 2 supports, 2 don't support  
 Within 100 - 200m of FF – 3 Strongly support, 2 don't support



Note – Affected by FF:

Directly affected by FF – 6 strongly support, 3 supports, 1 Neutral, 1 don't support  
 Within 100m of FF – 3 Strongly support, 1 supports, 2 Neutral, 1 don't support  
 Within 100 - 200m of FF – 3 Strongly support, 2 don't support



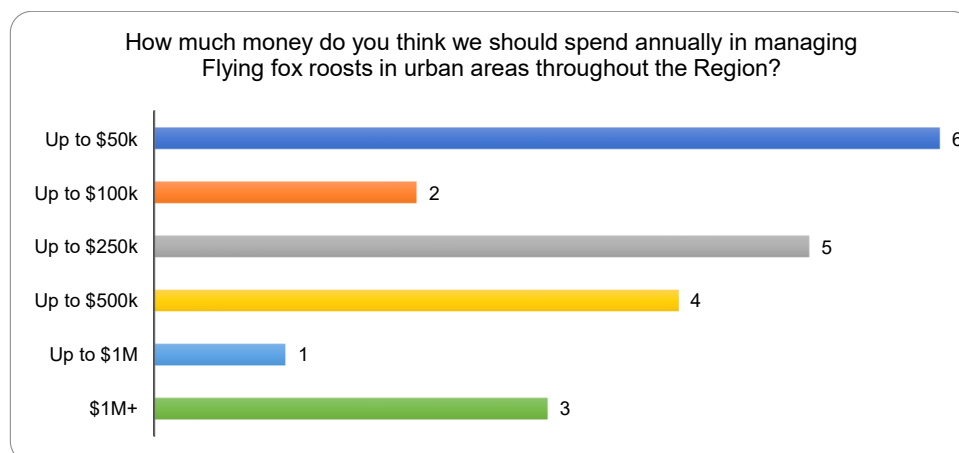
Note – Affected by FF:

Directly affected by FF – 7 Strongly support, 3 supports, 0 Neutral, 1 don't support

Within 100m of FF – 2 Strongly support, 1 support, 4 don't support

Within 100 - 200m of FF – 3 Strongly support, 1 support, 1 don't support

| Comments on management options - Themes                 |                                            |
|---------------------------------------------------------|--------------------------------------------|
| Directly affected by roost to within 200m of roost (22) | Not affected by roost (6)                  |
| Significant human impact from FF 5                      | Animal welfare concerns 2                  |
| Must re-locate them 4                                   | Significant human impact from FF 1         |
| Put people first 3                                      | Must re-locate them 1                      |
| Re-locate Flying fox 2                                  | Not endangered species 1                   |
| Education 2                                             | Don't protect in urban areas 1             |
| Tree trimming 2                                         | Reimburse residents for tree lopping 1     |
| Immediate action 2                                      | Doesn't support pyrotechnics 1             |
| Insufficient consultation before actions 2              | Supports alternates to dispersal 1         |
| Not endangered species 2                                | Risk of splintering roost 1                |
| Supports alternates to dispersal 2                      | Impact wildlife carers 1                   |
| Animal welfare concerns 2                               | Insufficient consultation before actions 1 |
| Talk to each street individually 1                      |                                            |
| Bats hate vibrations 1                                  |                                            |
| Resident expenditure to cut trees 1                     |                                            |
| Lifestyle mitigation 1                                  |                                            |
| Town planning 1                                         |                                            |
| Benefits tourism 1                                      |                                            |
| Doesn't support peppermint oil 1                        |                                            |
| Protect people, property & assets 1                     |                                            |
| Actions comply with State Guidelines 1                  |                                            |
| Community smoking 1                                     |                                            |
| Unsuccessful actions 1                                  |                                            |



Note – Affected by FF:

Directly affected by FF – 1 up to \$50k, 4 up to \$250k, 1 up to \$500k, 1 up to \$1M, 2 \$1M+

Within 100m of FF – 2 up to \$500k, 1 up to \$100k, 1 \$1M+

Within 100 - 200m of FF – 2 up to \$50k, 1 up to \$100k, 1 up to \$250k, 1 up to \$500k

**Is there anything Council could do to help residents live in proximity to a Flying fox roost, if dispersal actions have limited success?**

| Theme                                                               | Frequency |
|---------------------------------------------------------------------|-----------|
| Incentives lifestyle mitigation / Protect people, property & assets | 8         |
| Education                                                           | 6         |
| Significant human impact from FF                                    | 4         |
| Tree trimming                                                       | 4         |
| Put people first                                                    | 3         |
| Plant more trees / Plant roost trees out of town                    | 3         |
| Re-locate Flying fox / immediate action                             | 2         |
| Reimburse residents for tree lopping                                | 2         |
| Cull Flying fox if unable to relocate                               | 2         |
| Vaccination against FF disease                                      | 2         |
| Buyback impacted residents                                          | 1         |
| Town planning buffer                                                | 1         |
| Compensation for moving FF from park to residential area            | 1         |
| Community smoking                                                   | 1         |

**Any further comment's themes (where not already noted above)**

- Consistent re-location program
- Create kids dirt bikes trails - noise impacts Flying fox
- Train line may impact preferred roost
- Compensation from mines for moving bats to Town
- Plant more trees
- Educate internal staff
- Tourism opportunity
- Town planning buffers
- Immediate action before little reds arrive
- Residents can't afford tree trimming

## 5. Recommendations

It is recommended the feedback submitted during the consultation process is considered by WRC when deciding upon upcoming steps for managing the roost in Collinsville and development of Flying Fox Strategy.

The feedback demonstrates:

- Identification of the significant impact of Flying fox on people, lifestyle, property, and assets.
- Strong desire from some submitters to re-locate Flying fox and put people first.
- Mix of responses to intensive actions, such as pyrotechnics and tree trimming, which is strongly supported by majority of directly affected residents, but less so for those further away from roosts.
- Less support for all management actions, the further away from the roost residents are.
- Support for financial incentives for resident's lifestyle mitigations, education, and planting roost trees outside of town, if Flying fox unable to be relocated.
- Some concerns about animal welfare and support for live alongside roost management options, only from persons not directly affected by Flying fox.
- Miscellaneous comments, including:
  - Vibrate trees to move them (evidenced when resident tree trimming)

- Mobilise community effort to use trail bikes or smoke, to shift Flying fox
- Better consultation before future actions undertaken
- Query impact from rail line on preferred roost area at Pelican Creek,
- Desire for immediate action before Little Red Flying fox may settle in (anticipated mid July)

## 6. Next Steps

Council will consider this report when deciding upon upcoming steps for managing the roost in Collinsville and development of Region Flying Fox Strategy.

It is important to close the loop with residents and show how their input has affected the outcome. A Consultation Summary infographic document has been prepared, which will be released to the public and distributed via the website and social media. The Summary will show key statistics and outcomes of the consultation process.

A database of participants has been collated during the consultation process and a direct email will be sent to those participants with a copy of the Consultation Summary.

## Appendix A – Notes from Collinsville Public Meeting

### Meeting details:

**Venue:** Collinsville Community Centre  
**Date:** Tuesday the 2<sup>nd</sup> of July 2024  
**Time:** Start – 5:30pm and Finish 7:07pm  
**Attendees:** 16 people – residents, Council, consultants from Biodiversity Assessment and Management (BAAM)

### Purpose:

- Discuss Flying fox management in Collinsville with focus on:
  - The recent survey to gauge community interest in the use of deterrents such as pyro-technics.
  - Discuss Council's Flying fox Policy
  - Discuss Council's Flying fox Plan, and,
  - Discuss Collinsville Flying fox Roost Plan.

### Meeting notes:

The meeting was structured around four sections:

#### Part 1 – Background

- Scott Hardy provided a PowerPoint presentation on the background to the flying fox issue.

#### Part 2 – Discussion on the use of pyrotechnics

- Scott Hardy provided short videos showing the pyrotechnics.
- There was a discussion on the advantages and disadvantages of the various types of deterrents including pyrotechnics. Scott Hardy said that the main reason why the pyrotechnics were stopped in November 2023 was due to Flying fox creching. The number of staff with suitable firearms licenses was a contributing factor as well.
- There was general support for a pyrotechnic deterrent action. There was not support for a high cost pyrotechnic action. There was support if council conducted the pyrotechnic action itself using council staff on a low cost model. Scott Hardy said that the ideal time for the pyro-technics was July through to September.

#### Resident suggestions:

- Trainees could backfill Council staff who participated in the pyrotechnics operation.
- Introduce Green ants into the trees which the Flying fox don't like.
- Ark Energy has trialled the use of acoustics to deter bats.
- Volunteers could be used to assist – e.g. the Gun club volunteers.

Residents expressed that dogs were impacted by the pyrotechnics.

#### Part 3 - Discussion on Council Flying fox Policy

- There was support for Council to continue to provide a coordinating role to manage the Flying fox.

#### Part 4 – Discussion on Collinsville Roost Plan

- Support for a range of deterrents to be used
- A resident spoke about her experience living with Flying fox and mentioned she has removed approximately 15 dead flying fox from her property – not related to deterrent actions.
- Discussed the use of rate relief for impacted landholders – some support for this tool.

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- Discussed the impact of the Flying fox on the community and the individuals involved.
- A resident said that smoking the Flying fox works but you have to be consistent.
- Need more mulch piles for the residents to do smoking.
- Discussion of subsidies. Limited support for subsidies. Preference for the Flying fox to be removed.
- Need a long-term plan and it being resourced.



Photo: Collinsville Public Meeting – 2 July 2024

## 12 LATE REPORT ITEMS

No agenda items for this section.

## 13 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.