



ORDINARY MEETING

MINUTES

23 JANUARY 2018

The resolutions contained within these minutes were confirmed at Council Meeting
on 6 February 2018.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, ANZAC PARADE, YEPPON ON TUESDAY, 23 JANUARY 2018 COMMENCING AT 9:04AM

1 OPENING

2 PRESENT

Members Present:

Mayor, Councillor Bill Ludwig (Chairperson)
Deputy Mayor, Councillor Nigel Hutton
Councillor Adam Belot
Councillor Jan Kelly
Councillor Glenda Mather
Councillor Graham Scott
Councillor Tom Wyatt

In Attendance:

Mr Brett Bacon – Acting Chief Executive Officer / Director Community and Planning Services
Ms Andrea Ellis – Acting Director Corporate Services
Mr Dan Toon – Director Infrastructure Services
Ms Debra Howe – Director Strategic Growth and Development
Ms Lucy Merry – Executive Support Officer

3 LEAVE OF ABSENCE / APOLOGIES

3.1 LEAVE OF ABSENCE FOR COUNCILLOR GRAHAM SCOTT - 24 JANUARY - 5 FEBRUARY 2018 INCLUSIVE

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Graham Scott has requested an unpaid leave of absence for the period 24 January to 5 February 2018 inclusive.

COUNCIL RESOLUTION

THAT unpaid Leave of Absence be granted to Councillor Graham Scott for the period 24 January to 5 February 2018 inclusive.

Moved by: Deputy Mayor, Councillor Hutton
Seconded by: Councillor Kelly

MOTION CARRIED

4 PUBLIC FORUMS/DEPUTATIONS

Nil

5 MAYORAL MINUTE

Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 12 December 2017 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

COUNCIL RESOLUTION

THAT the minutes of the Special Meeting held on 18 December 2017 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

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

8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4.1

Attachments: 1. **Business Outstanding Table - 23 January 2018** [⇒](#)

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

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

COUNCIL RESOLUTION

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

Moved by: Councillor Kelly

Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

9 PRESENTATION OF PETITIONS

Nil

**10 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE
 REPORTS**

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 VERSION 1 PLAYGROUND SHADE POLICY

File No: 21.2.1
Attachments: 1. [Draft Policy](#)⇒
Responsible Officer: Dan Toon - Director Infrastructure Services
Author: Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Council's adoption of version 1 of the Playground Shade Policy.

COUNCIL RESOLUTION

THAT Council adopt the Playground Shade Policy (v1).

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Belot

MOTION CARRIED

9.26AM Acting Chief Executive Officer Brett Bacon left the meeting due to a perceived conflict of interest in respect of item 12.2 - Regional Arts Development Fund - Individual Professional Development Grant 2017/2018.

12.2 REGIONAL ARTS DEVELOPMENT FUND - INDIVIDUAL PROFESSIONAL DEVELOPMENT GRANT 2017/2018

File No: GS15.2.5
Attachments: Nil
Responsible Officer: David Mazzaferri - Manager Disaster Management, Recovery and Resilience
Author: Judy Coultie - Cultural Development Officer

SUMMARY

A Regional Arts Development Fund Application has been received from Michelle Black for an amount of \$813.50 for individual professional development. Individual professional grants are available between rounds of funding.

COUNCIL RESOLUTION

THAT in accordance with the recommendation of the Livingstone Regional Arts Development Fund Committee, the following grant application be funded from the Regional Arts Development Fund.

Name	Purpose of Grant	\$Total Project Expenses	\$ Grant Requested	\$ Grant Recommended
Michelle Black	Towards costs of attending a printmaking workshop (Mokulito – wood lithography) and associated travel and accommodation costs with specialist printmaker Barbie Kjar to be held at the Baldessin Press & Studio.	\$1541.70	\$813.50	\$813.50

Moved by: Councillor Kelly
Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

9:35AM – Acting Chief Executive Officer returned to the meeting.

12.3 MONTHLY FINANCIAL REPORT FOR PERIOD ENDING 30 NOVEMBER 2017

File No: FM12.14.1
Attachments: 1. [Monthly Financial Report - November 2017](#) ⇨
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Andrea Ellis - Acting Director Corporate Services

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the period ended 30 November 2017 by the Chief Financial Officer.

COUNCIL RESOLUTION

THAT the Livingstone Shire Council Monthly Financial Report for the period ended 30 November 2017 be received.

Moved by: Councillor Kelly
Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

12.4 MONTHLY FINANCIAL REPORT FOR PERIOD ENDING 31 DECEMBER 2017**File No:** FM12.14.1**Attachments:** 1. **Monthly Report - December 2017** [↗](#)**Responsible Officer:** Andrea Ellis - Acting Director Corporate Services**Author:** Matthew McGoldrick - Interim Chief Financial Officer

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the period ended 31 December 2017 by the Chief Financial Officer.

COUNCIL RESOLUTION

THAT the Livingstone Shire Council Monthly Financial Report for the period ended 31 December 2017 be received.

Moved by: Deputy Mayor, Councillor Hutton**Seconded by:** Councillor Scott**MOTION CARRIED**

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

13.1 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - REPLACEMENT OF WHEELIE BINS YAAMBA, KEPPEL SANDS CARAVAN PARK

File No: GV13.4.4
Attachments: 1. Notice of Motion [⇒](#)
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 23 January 2018, as follows:

RECOMMENDATION

THAT the six wheelie bins removed from both the Yaamba Rest Area and Keppel Sands Caravan Park be returned to those locations to service their patrons and visitors.

Moved by: Councillor Mather

Seconded by: Councillor Wyatt

COUNCIL RESOLUTION

THAT the matter be referred to a Workshop meeting for further discussion and consideration.

Moved by: Mayor Ludwig

Seconded by: Councillor Kelly

MOTION CARRIED

13.2 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - SPILLAGE STREET LIGHT, ZILZIE

File No: GV13.4.4
Attachments: 1. [Notice of Motion](#)⇒
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 23 January 2018, as follows:

RECOMMENDATION

THAT Council arrange, as soon as possible, the shading of the light affecting the residents at 26 and 28 Alexander Street, Zilzie due to the night time spillage into the bedrooms and the inability to open the windows and blinds. The light in question is on the stairway between Alexander and Whiting Street.

The motion was withdrawn as the matter is currently with Ergon Energy awaiting the erection of a shade cover on the light.

13.3 QUESTIONS ON NOTICE - COUNCILLOR GLENDA MATHER - WORKS ROSS CREEK

File No: GV13.4.4
Attachments: 1. [Questions on Notice](#)
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Glenda Mather indicated her intention to place the following Questions on Notice in relation to works at Ross Creek at the next Council Meeting 23 January 2018, as follows:

1. *Does Council hold a register of all / most jetty tenures within Ross Creek?*
2. *Has the registered jetty owner / occupier of 38 been approached in relation to the works being carried out at that site, including the alleged removal of marine vegetation? If so, what was the outcome?*
3. *Who or which department is responsible for issuing permits for works proposed to be carried out on banks of the creek?*
4. *What type of permit / approval if any, is likely to be required by Council?*
5. *Has the issuing department been contacted by Council to establish the position in this case?*
6. *Can you confirm whether the works currently being undertaken on jetty 38 is not a Council project?*
7. *What is Council's current progress in relation to settling jetty tenures which have been unresolved over many years?*

COUNCIL RESOLUTION

THAT the questions on notice be received.

Moved by: Councillor Mather
Seconded by: Deputy Mayor, Councillor Hutton
MOTION CARRIED

13.4 NOTICE OF MOTION - COUNCILLOR ADAM BELOT - AUSTRALIA DAY DATE

File No: GV13.4.4
Attachments: 1. [Notice of Motion](#)⇒
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Adam Belot has indicated his intention to move the following Notice of Motion at the next Council Meeting 23 January 2018, as follows:

COUNCIL RESOLUTION

THAT Livingstone Shire Council send a letter via urgent post to the office of the Prime Minister of Australia outlining Livingstone Shire Council's ongoing support for the current Australia Day date of January 26.

Moved by: Councillor Belot
Seconded by: Deputy Mayor, Councillor Hutton

MOTION LOST**DIVISION:**

Crs A Belot, G Mather and T Wyatt voted in the affirmative.

Crs N Hutton, J Kelly, B Ludwig and G Scott voted in the negative.

14 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

COUNCIL RESOLUTION

10AM

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

15.1 Water Usage Account Complaint - 222 Angela Road, Rockyview

This report is considered confidential in accordance with section 275(1)(d), of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED

COUNCIL RESOLUTION

10:03AM

THAT the meeting moves out of closed session and be opened to the public.

Moved by: Councillor Kelly

Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

15 CONFIDENTIAL REPORTS

15.1 WATER USAGE ACCOUNT COMPLAINT - 222 ANGELA ROAD, ROCKYVIEW

File No: RV25.5.7

Attachments: Nil

Responsible Officer: Dan Toon - Director Infrastructure Services

Author: Sean Fallis - Manager Water and Waste Operations

This report is considered confidential in accordance with section 275(1)(d), of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

SUMMARY

This report involves a request from the property owners of 222 Angela Road, Rockyview to adjust their water usage and charges for the quarter ending 7 February 2017 in line with previous amounts.

COUNCIL RESOLUTION

THAT Council resolves, for the reasons detailed in the conclusion section of this report, that the water charge for the property located at 222 Angela Road, Rockyview be reduced by \$796.34 for the quarter ending 7.2.17.

Moved by: Councillor Wyatt

Seconded by: Councillor Mather

MOTION CARRIED

16 URGENT BUSINESS QUESTIONS

17 CLOSURE OF MEETING

There being no further business the meeting closed at 10.04AM.

Bill Ludwig
CHAIRPERSON

DATE