



# **ORDINARY MEETING**

## **MINUTES**

**4 DECEMBER 2018**

The resolutions contained within these minutes were confirmed at the Council meeting held on 18 December 2018.

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**MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 4 DECEMBER 2018 COMMENCING AT 9:02AM**

**1 OPENING**

**2 PRESENT**

Members Present:

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

In Attendance:

Mrs Chris Murdoch – Chief Executive Officer  
Mr Brett Bacon – Executive Director Liveability and Wellbeing  
Mr Dan Toon – Executive Director Infrastructure  
Mrs Andrea Ellis – Chief Financial Officer  
Mr Matthew Willcocks - Chief Technology Officer  
Miss Sue Schluter – Executive Assistant to Mayor

**3 LEAVE OF ABSENCE / APOLOGIES**

Nil

**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 20 November 2018 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**

Nil

**9 PRESENTATION OF PETITIONS**

Nil

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

Nil

**11 COUNCILLOR/DELEGATE REPORTS**

Nil

## 12 REPORTS

### 12.1 CHANGING CLASSIFICATION APPLICATION AND RENAMING OF LIVINGSTONE SHIRE COUNCIL

<b>File No:</b>	<b>ED8.5.12</b>
<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Brett Bacon - Executive Director Liveability and Wellbeing</b>
<b>Author:</b>	<b>Debra Howe - Director Strategic Growth &amp; Development</b>
<b>Previous Items:</b>	<b>12.2 - City Status Classification Application - Ordinary Council - 25 Feb 2014 9:00am</b>

#### SUMMARY

*This report relates to an outstanding Action Item from Council Meeting in February 2014 regarding City Status Classification which was reallocated in late 2017 from Governance to Economy and Places to progress and has been discussed on several occasions since.*

#### COUNCIL RESOLUTION

THAT Council resolve to:

- 1) reconfirm its commitment to proceed with a formal change of classification application for the Livingstone Shire Council area;
- 2) prior to submitting the change of classification application, utilise Council's 'Get Involved' software to inform the community members with a registered address within Livingstone Shire local government area of the intention to undertake the change of classification process and that the preferred new local government area name is Capricorn Coast Regional Council; and
- 3) subject to the findings of the community information sharing, resolve to proceed with the change of classification process, and submit a formal written application to the Minister for Local Government responding to the legislative criteria, nominating Capricorn Coast Regional Council as its preferred name for the local government area.
- 4) note that the cost of rebranding is to be operational over time as part of the organic process of updating items as part of their natural life.

**Moved by: Councillor Kelly**

**Seconded by: Councillor Wyatt**

#### DIVISION:

Crs B Ludwig, N Hutton, PE Eastwood, J Kelly, and T Wyatt voted in the affirmative.

Crs A Belot and G Mather voted in the negative.

#### MOTION CARRIED

**12.2 LOCATION OF PATHWAYS IN URBAN AREAS**

**File No:** RD28.1.4  
**Attachments:** Nil  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer  
**Author:** Brett Bacon - Executive Director Liveability and Wellbeing

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**SUMMARY**

*This report discusses the location of pathways within urban areas and the factors for determining which roads require a pathway.*

**COUNCIL RESOLUTION**

THAT Council receive the report regarding the location of pathways within urban areas.

**Moved by:** Deputy Mayor, Councillor Hutton

**Seconded by:** Councillor Kelly

**MOTION CARRIED**

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**12.3 RESPONSE TO NOTICE OF MOTION - MAINTENANCE OF SLEIPNER AND MOUNT CHALMERS ROADS, MOUNT CHALMERS**

**File No:** CR2.13.37  
**Attachments:** 1. [Notice of Motion](#)⇒  
**Responsible Officer:** Dan Toon - Executive Director Infrastructure Services  
**Author:** Jeff Carter - Manager Construction & Maintenance

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**SUMMARY**

*This report provides information pertaining to the planned maintenance of Sleipner and Mount Chalmers Roads, Mount Chalmers.*

**COUNCIL RESOLUTION – PROCEDURAL MOTION**

That pursuant to Council Meeting Procedures the provisions of the Livingstone Shire Council Meeting Procedures be suspended to allow adequate time for informal discussion on Item 12.3 prior to entering into formal debate.

**Moved by:** Councillor Belot

**MOTION CARRIED**

**COUNCIL RESOLUTION – PROCEDURAL MOTION**

That pursuant to Council Meeting Procedures the provisions of the Livingstone Shire Council Meeting Procedures be resumed.

**Moved by:** Deputy Mayor, Councillor Hutton

**MOTION CARRIED**

**COUNCIL RESOLUTION**

THAT Council receive the following report in response to the Notice of Motion from Councillor Mather.

**Moved by:** Mayor Ludwig

**Seconded by:** Councillor Kelly

**MOTION CARRIED**



## 13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

### 13.1 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - ROADWORKS MT CHALMERS

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

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#### SUMMARY

*Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 4 December 2018, as follows:*

#### COUNCIL RESOLUTION

THAT due to the condition of both Sleipner and Mt Chalmers Road, maintenance be carried out on the rough sections on both roads prior to the Christmas break-up if there is no current plan to do so.

**Moved by:** Councillor Mather  
**Seconded by:** Councillor Wyatt

#### MOTION LOST

#### DIVISION:

Crs G Mather and T Wyatt voted in the affirmative.

Crs A Belot, PE Eastwood, N Hutton, J Kelly and B Ludwig 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

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 at 10.06am.

#### 15.1 Acquisition of Easements for Drainage Purposes - Zilzie

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

and that item 15.2 is moved from confidential to late items as it was not deemed to be confidential.

**Moved by: Councillor Kelly**

**Seconded by: Councillor Mather**

**MOTION CARRIED**

### COUNCIL RESOLUTION

THAT the meeting moves out of closed session and be opened to the public 10.08am.

**Moved by: Councillor Mather**

**Seconded by: Councillor Kelly**

**MOTION CARRIED**

## 15 CONFIDENTIAL REPORTS

### 15.1 ACQUISITION OF EASEMENTS FOR DRAINAGE PURPOSES - ZILZIE

**File No:** 5.2.2-002 and 5.2.2-003

**Attachments:**

1. Locality Plan
2. Drawing No 17-112-04

**Responsible Officer:** Dan Toon - Executive Director Infrastructure Services

**Author:** Carrie Burnett - Policy & Planning Officer

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

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#### SUMMARY

*This report relates to the acquisition of drainage easements over existing stormwater drainage pipes.*

#### COUNCIL RESOLUTION

THAT Council resolve to authorise the Chief Executive Officer to commence negotiations with the owners of Lot 70 RP604071 and Lot 71 RP604071 to dedicate drainage easements as shown on Drawing No 18-093-01.

**Moved by:** Councillor Kelly

**Seconded by:** Deputy Mayor, Councillor Hutton

**MOTION CARRIED**

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## 16 URGENT BUSINESS\QUESTIONS

NOTE - ITEM 15.2 IS MOVED FROM CONFIDENTIAL TO LATE ITEMS AS IT WAS NOT DEEMED TO BE CONFIDENTIAL

### 15.2 APPOINTMENT OF EXECUTIVE DIRECTOR LIVEABILITY AND WELLBEING TO CAPRICORN ENTERPRISE COMMITTEES AND INVEST CAPRICORN COAST REGION LEADERSHIP ALLIANCE

**File No:** ED8.5.12

**Attachments:**

1. Invest Capricorn Coast Region Leadership Alliance - Terms of Reference version Four
2. Invest Capricorn Coast Region Leadership Alliance - Terms of Reference version Four with Track Changes

**Responsible Officer:** Chris Murdoch - Chief Executive Officer

**Author:** Debra Howe - Director Strategic Growth & Development

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#### SUMMARY

The purpose of this report is to seek Council's support in appointing the Executive Director Liveability and Wellbeing to the Capricorn Enterprise Economic Development Committee, Capricorn Enterprise Tourism Management Committee and the Invest Capricorn Coast Region Leadership Alliance.

#### COUNCIL RESOLUTION

THAT Council:

- 1) appoint Executive Director Liveability and Wellbeing as Council's representative on the Capricorn Enterprise Economic Development Committee, Capricorn Enterprise Tourism Management Committee and the Invest Capricorn Coast Region Leadership Alliance, and
- 2) adopt the updated version of the Invest Capricorn Coast Region Leadership Alliance Terms of Reference (refer Attachments One).

**Moved by:** Deputy Mayor, Councillor Hutton

**Seconded by:** Councillor Kelly

**MOTION CARRIED**

**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 10.15am.

\_\_\_\_\_  
<Insert Chairperson Name>  
CHAIRPERSON

\_\_\_\_\_  
DATE