



ORDINARY MEETING

MINUTES

19 JUNE 2018

The resolutions contained within these minutes were confirmed at Council Meeting
on 3 July 2018.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 19 JUNE 2018 COMMENCING AT 9:02AM

1 OPENING

2 PRESENT

Members Present:

Deputy Mayor, Councillor Nigel Hutton (Chairperson)
Councillor Adam Belot
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
Mr Shane Weir - Acting Chief Human Resources Officer
Miss Sue Schluter – Executive Assistant to Mayor
Miss Justine Schofield – Executive Support

3 LEAVE OF ABSENCE / APOLOGIES

3.1 LEAVE OF ABSENCE FOR COUNCILLORS LUDWIG AND EASTWOOD

File No: GB13.4.1
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillors Bill Ludwig and Pat Eastwood requested a leave of absence for 19 June Council Meeting.

COUNCIL RESOLUTION

THAT Leave of Absence be granted to Councillors Bill Ludwig and Pat Eastwood for 19 June Council Meeting to attend the National General Assembly of Local Government being held in Canberra.

Moved by: Councillor Kelly
Seconded by: Councillor Mather

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 5 June 2018 be taken as read and adopted as a correct record.

Moved by: Councillor Mather

Seconded by: Councillor Kelly

MOTION CARRIED

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

8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

Nil

9 PRESENTATION OF PETITIONS

9.1 PETITION REQUESTING INSTALLATION OF TRAFFIC CALMING IN THE PEDESTRIAN PRECINCT OF QUEEN STREET, YEPPON (FROM THE CARPARK OF IGA TO THE YEPPON KINDERGARTEN)

File No: GV13.4.1
Attachments: 1. Install Traffic Calming in the Pedestrian Precinct of Queen Street
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Council has received the following petition from Ms Pam Purton (member Queen Street Hall Committee) requesting installation of traffic calming in the pedestrian precinct of Queen Street (from the carpark of IGA to the Yeppoon Kindergarten).

COUNCIL RESOLUTION

THAT the petition requesting installation of traffic calming in the pedestrian precinct of Queen Street (from the carpark of IGA to the Yeppoon Kindergarten) be received.

Moved by: Councillor Kelly
Seconded by: Councillor Mather

MOTION CARRIED

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

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 CLOSED CIRCUIT TELEVISION (CCTV) POLICY

File No: CM4.7.14

Attachments: 1. Closed Circuit Television (CCTV) Policy

Responsible Officer: Andrea Ellis - Chief Financial Officer

Author: Rodney Chapman - Acting Coordinator Corporate Governance

SUMMARY

With the recent expansion of Council's CCTV network in public areas within newly constructed Council infrastructure, adoption of the Closed Circuit Television (CCTV) Policy is sought to enhance community awareness and ensure continued management of information and vision acquired by CCTV is collected, used and disclosed only for its intended purposes and in strict accordance with governing legislation.

COUNCIL RESOLUTION

THAT the Closed Circuit Television (CCTV) Policy (Community Policy) be adopted by Council.

Moved by: Councillor Mather

Seconded by: Councillor Belot

MOTION CARRIED

12.2 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 MAY 2018

File No: FM12.14.1
Attachments: 1. Monthly Financial Report - May 2018

Responsible Officer: Andrea Ellis - Chief Financial Officer
Author: Damien Cross - Senior Accountant

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the period ending 31 May 2018 by the Chief Financial Officer.

COUNCIL RESOLUTION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 31 May 2018 be received.

Moved by: Councillor Mather
Seconded by: Councillor Wyatt

MOTION CARRIED

12.3 ASSET CAPITALISATION POLICY**File No:** FM12.9.2**Attachments:** 1. Asset Capitalisation Policy**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Damien Cross - Senior Accountant

SUMMARY

Council's Asset Capitalisation Policy has been reviewed and is now presented to Council for adoption in accordance with Section 206 of the Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT Council adopt the Livingstone Shire Council Asset Capitalisation Policy as contained in Attachment One.

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

12.4 YEPPOON LAGOON OPERATING HOURS

File No: 18-060
Attachments: 1. Lane 4 Attendance Record - Pre 8am and Post 6pm
Responsible Officer: Dan Toon - Executive Director Infrastructure
Author: Daniel Pearce - Manager Assets & GIS

SUMMARY

This report provides a follow-up to the Council Workshop report on 4 June 2018 to support the recommendation to implement winter operating hours for the lagoon immediately.

COUNCIL RESOLUTION

THAT Council endorses implementation of winter operating hours for the lagoon effective from the 8th June 2018.

Moved by: Councillor Belot
Seconded by: Councillor Kelly

MOTION CARRIED

12.5 LOCAL GOVERNMENT INFRASTRUCTURE PLAN - ADOPTION AND COMMENCEMENT

File No:	LU18.3.5
Attachments:	1. Livingstone Shire Local Government Infrastructure Plan
Responsible Officer:	David Battese - Manager Strategy & Development Brett Bacon - Executive Director Liveability and Wellbeing
Author:	Melissa Warwick - Senior Strategic Planner

SUMMARY

There is a requirement for local governments to have in place a Local Government Infrastructure Plan by 30 June 2018. On 1 May 2018, Council resolved to advance the Local Government Infrastructure Plan without change following the review of submissions. The final Local Government Infrastructure Plan and required documentation was referred to Council's appointed reviewer for review on 1 May 2018 as required by Statutory Guideline 01/16 - Making and amending local planning instruments.

With the completion of the abovementioned review, the Local Government Infrastructure Plan was recommended for referral to the Minister on 11 May 2018 by Council's appointed reviewer. Council wrote to the Minister, Hon Cameron Dick on 14 May 2018 seeking approval to adopt. Council received written advice from the Minister on 6 June 2018 that it may now proceed to adopt the proposed Local Government Infrastructure Plan.

The Livingstone Shire Local Government Infrastructure Plan will become Part Four of the Livingstone Planning Scheme 2018 which commenced on 1 May 2018.

COUNCIL RESOLUTION

THAT Council resolve to:

- 1) adopt the proposed Local Government Infrastructure Plan as Part of the *Livingstone Planning Scheme 2018* to commence on 25 June 2018; and
- 2) place required notices into the Government gazette and a newspaper circulating locally; and
- 3) make the Local Government Infrastructure Plan available on the Council's website as part of the *Livingstone Planning Scheme 2018* in accordance with *Statutory Guideline 01/16 - Making and amending local planning instruments*.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED

12.6 CAPRICORN COAST RECREATION CENTRE - INVITATION TO LEASE

File No: CP5.9.2
Attachments: Nil
Responsible Officer: David Mazzaferri - Manager Disaster Management, Recovery and Resilience
Brett Bacon - Executive Director Liveability and Wellbeing
Author: Jared Thomsen - Senior Sport & Education Officer

SUMMARY

Expressions of interest were recently called from local community, sport, and / or recreation organisations interested in leasing the Capricorn Coast Recreation Centre. This report outlines the relevant details surrounding the Invitation to Lease process, the responses received from interested organisations, as well as the operational assessment of those responses.

COUNCIL RESOLUTION

THAT, in line with the outcome of the Invitation to Lease process, Council issue a lease agreement over the Capricorn Coast Recreation Centre (29-35 Cordingley Street, Yeppoon) to the Yeppoon Gymnastics and Movement Centre Incorporated, with such lease being for a period of one year, with an option for a further nine years.

Moved by: Councillor Kelly
Seconded by: Councillor Mather

MOTION CARRIED UNANIMOUSLY / LOST

12.7 DECISION ASSESSMENT FOR DEVELOPEMENT APPLICATION FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A MEDICAL CENTRE (EXTENSION)

File No: D-10-2018

Attachments:

1. Locality Plan
2. Proposal plans

Responsible Officer: Erin McCabe - Co-ordinator Development Assessment
David Battese - Manager Strategy & Development

Author: Jenna Brosseuk - Senior Planning Officer

SUMMARY

Applicant: Yeppoon Family Practice Building Group

Consultant: Gideon Town Planning

Real Property Address: 23 William Street, Emu Park

Common Property Address: Lot 2 on SP175213

Area of Site: 796 square metres

Planning Scheme: *Livingstone Shire Planning Scheme 2005*

Planning Scheme Zoning: Residential Zone, R2 Precinct

Planning Scheme Overlays: Overlay Map O8 – Potential Acid sulfate soils (land below twenty metres Australian Height Datum)
Overlay Map O9 – Capricorn Coast Landscape Area (Precinct B)

Existing Development: Medical centre

Existing Approvals: Town Planning Consent No 824 for a Surgery GP issued on 12 March 1991
Development Permit D-Y/2003-183 for a Material Change of Use for a Professional office
Development Permit D-Y/2006-125 for Reconfiguring a Lot (two lots into two lots)
Development Application 2-2018/BONRI for Building over or near relevant infrastructure

Approval Sought: Development Permit for a Material Change of Use for a Medical Centre (extension)

Level of Assessment: Impact assessable

Submissions: Nil

Referral Agency(s): Department of State Development, Manufacturing, Infrastructure and Planning (as a concurrence agency)

Adopted Infrastructure Charges Area: Charge area one

Application Progress:

Application Lodged:	23 January 2018
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Confirmation notice issued:	23 January 2018
Concurrence Agency Response:	6 February 2018
Request for Further Information sent:	7 February 2018
Request for Further Information responded to:	2 March 2018
Submission period commenced:	5 March 2018
Submission period end:	23 March 2018
Notice of compliance received:	28 March 2018
Last receipt of information from applicant:	18 April 2018
Council request for extension of Decision Stage:	5 June 2018
Agreement from applicant for extension of Decision Stage:	13 June 2018
Statutory determination date:	19 June 2018

COUNCIL RESOLUTION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for a Medical Centre (extension), made by Yeppoon Family Practice Building Group, on Lot 2 on SP175213, and located at 23 William Street, Emu Park, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following reasons to justify the decision despite the conflict:

- (a) The development does not comply with Desired Environmental Outcome (j) as the development is not in a zone intended for a Medical centre to locate. Further, the development does not comply with Specific Outcome O1 of the Residential Zone Code as the development is not listed as a preferred land use.
- (b) Despite the non-compliance, the use established in 1991 and has co-located with the surrounding residential uses effectively. The proposal is for an additional 73.6 square metres of gross floor area and will allow for the internal renovation to provide additional Medical centre services to the Emu Park locality.
- (c) The development does not comply with Specific Outcome O10 of the Residential Zone Code as the development does not provide for all the car parking on-site.
- (d) Despite the non-compliance, an additional car parking space is provided on-site and utilises all available area on-site to provide the additional space. Further, there is existing sealed car parking available in the Hill Street road reserve and was previously widened to accommodate parking for the Medical centre use.
- (e) The development does not compromise the achievement of the state interest – natural hazards, risk and resilience outlined in the *State Planning Policy*.
- (f) The development does not compromise the achievement of regional outcomes outlined in the *Central Queensland Regional Plan*.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for a Medical Centre (extension), made by Yeppoon Family Practice Building Group, on Lot 2 on SP175213, and located at 23 William Street, Emu Park, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the commencement of use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 1.6.1 Building Work; and
- 1.6.2 Plumbing and Drainage Work.
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	SD.101, Revision 05	12 December 2017
Proposed floor plan	SD.202, Revision 05	12 December 2017
North west elevation and South west elevation	SD.401, Revision 05	12 December 2017
South east elevation and North east elevation	SD.402, Revision 05	12 December 2017

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Building Works.

3.0 ACCESS WORKS

- 3.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines* and *Australian*

Standard AS2890 "Off Street Car Parking".

- 3.2 One (1) additional parking space must be provided on-site.
- 3.3 Parking and associated vehicle manoeuvring areas must be sealed.
- 3.4 All stormwater runoff from parking and vehicular manoeuvring areas must be collected on the site and must drain so as to demonstrate lawful discharge in accordance with *Queensland Urban Drainage Manual*.
- 4.0 PLUMBING AND DRAINAGE WORKS
- 4.1 A Development Permit for Operational Works (plumbing and drainage works) must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.3 The development must be connected to Council's reticulated water supply and sewerage network.
- 4.4 The existing sewer connection must be relocated such that the connection will meet the provisions of *Queensland Development Code, Mandatory Part 1.4*.
- 4.5 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 5.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 5.1 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 5.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.
- 6.0 SITE WORKS
- 6.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 6.2 Site works must be constructed such that they do not, at any time, in any way adversely restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or damage infrastructure.
- 6.3 The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Building Works submission.
- 6.4 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt.
- 7.0 BUILDING WORKS
- 7.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site and must include reclassification of the building.

- 7.2 All works must be undertaken in accordance the Acceptable Solutions of the *Queensland Development Code, Mandatory Part 1.4* or a Building over or near relevant infrastructure permit issued by Council.
- 8.0 LANDSCAPING WORKS
- 8.1 A minimum one (1) metre wide landscape buffer must be established in accordance with the approved plans (refer to condition 2.1). The landscaping must include endemic species and must be within the property boundary.
- 8.2 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 8.3 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austrroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 8.4 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).
- 9.0 ELECTRICITY AND TELECOMMUNICATIONS
- 9.1 Electricity and telecommunication connections must be provided to the development to the standards of the relevant authorities.
- 10.0 ASSET MANAGEMENT
- 10.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 10.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 10.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 11.0 ENVIRONMENTAL
- 11.1 An Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 12.0 OPERATING PROCEDURES
- 12.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*'.
- 12.2 All waste storage areas must be kept in a clean and tidy condition.
- 12.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking

of construction machinery or contractors' vehicles will be permitted in William Street or Hill Street.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public Health Act 2005*.

NOTE 3. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 4. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 5. Landscaping

Any Landscaping Works proposed outside the property boundaries must be in accordance with an Application to Undertake Alterations or Improvements to a Council Controlled Areas and Roads.

NOTE 6. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Material Change of Use for a Medical Centre (extension), made by Yeppoon Family Practice Building Group, on Lot 2 on SP175213, and located at 23 William Street, Emu Park, Council resolves to issue an Infrastructure Charges Notice for the amount of \$6,241.00.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Belot

MOTION CARRIED

12.8 APPOINTMENT OF SEXTONS

File No: CM4.7.21
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Brett Bacon - Executive Director Liveability and Wellbeing

SUMMARY

This report pertains to the appointment and revocation of certain positions within Council as Sextons.

COUNCIL RESOLUTION

- (1) THAT Council resolve to appoint the positions of Executive Director Liveability and *Wellbeing*, Manager Community Wellbeing and Co-ordinator Open Spaces as Sexton to fulfil the obligations required under:
 - (a) *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;*
 - (b) *Council's Management of Local Government Cemeteries and Undertaking Regulated Activities Regarding Human Remains Policy;* and
 - (c) *Council's Management of Local Government Cemeteries and Undertaking Regulated Activities Regarding Human Remains Procedure.*
- (2) THAT Council resolve to revoke the appointment of the position of Manager Construction and Maintenance as Sexton.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

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

Nil

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 at 9.37am.

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.

15.1 Write Off - Bad Debt

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 .

15.2 Water Charges Dispute - L92 LN2550

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 .

15.3 Procurement of Electronic Community Engagement Platform

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

Moved by: Councillor Mather

Seconded by: Councillor Wyatt

MOTION CARRIED

COUNCIL RESOLUTION

THAT the meeting moves out of closed session and be opened to the public at 9.51am.

Moved by: Councillor Belot

Seconded by: Councillor Kelly

MOTION CARRIED

15 CONFIDENTIAL REPORTS

15.1 WRITE OFF - BAD DEBT

File No: FM12.1.9

Attachments:

Responsible Officer: Andrea Ellis - Chief Financial Officer

Author: Priscilla Graham - Coordinator Revenue

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 .

SUMMARY

This report addresses the need to write off the aged arrears and interest for the properties, Collins Island (DNRM Lease). The Lease has been cancelled by the relevant State Department. The rate and charges in arrears have been identified as unrecoverable and to be written off as a bad debt.

COUNCIL RESOLUTION

THAT Council resolves to write off the rates & charges in arrears on Assessment 136387-6, L1 PS 116 Collins Island, Stange Bay totaling \$34,390.50.

Moved by: Councillor Kelly

Seconded by: Councillor Mather

MOTION CARRIED

15.2 WATER CHARGES DISPUTE - L92 LN2550**File No:** RV.25.3.3**Attachments:**

1. Record of communication
2. 180105 Email from Dan Toon to CEO & Councillors regarding water usage dispute

Responsible Officer: Dan Toon - Executive Director Infrastructure**Author:** Sean Fallis - Manager Water and Waste Operations

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 .

SUMMARY

This report provides information on an issue involving higher than normal water use at L92 LN2550. The owners cannot explain this use and have requested a reduction in their charges.

This matter was previously considered by Council at its meeting on 1 May 2018 where it was resolved that the interest charges be written off due to the prolonged timeframe the matter has remained unresolved in relation to an unexplained higher than normal water use.

It has been requested by Cr Mather through a Notice of Motion that the matter be reconsidered and: "That given the circumstances surrounding the high quarterly water reading at L92 LN2550 and Council's decision to discontinue the interest charges for the reasons provided, Council resolve to pro-rata the charge for the period in question as a one off consideration".

COUNCIL RESOLUTION

THAT Council have regard to the information provided in this report when deliberating Council Mather's Notice of Motion.

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

15.3 PROCUREMENT OF ELECTRONIC COMMUNITY ENGAGEMENT PLATFORM

File No: IT17.1.2
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Brett Bacon - Executive Director Liveability and Wellbeing

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

SUMMARY

This report pertains to the procurement of an electronic community engagement platform for the administration and management of all of Council's engagement activities.

COUNCIL RESOLUTION

THAT Council resolves to enter into a contract under Section 235(a) of the *Local Government Regulation 2012*, in accordance with the below report, without first inviting written quotes or tenders, as it is satisfied that there is only one vendor which offers the functionality required to fulfil Council's community engagement requirements.

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

MOTION CARRIED

16 URGENT BUSINESSQUESTIONS**COUNCIL RESOLUTION**

THAT Council resolves to lift from the table the Notice of Motion regarding Water Charges, agenda item 13.2 from 5 June 2018 Council Meeting.

Moved by: Councillor Mather

Seconded by: Councillor Wyatt

MOTION CARRIED

Meeting adjourned at 10.05 am for morning tea

Meeting returned at 10.22am

COUNCIL RESOLUTION

THAT given the circumstances surrounding the high quarterly water reading at L92 LN2550 and Council's decision to write off the interest charges for the reasons provided; Council resolves to write off \$827.68 leaving a balance of \$102.02 owing. This being determined on the basis as a one-off consideration of the average charge for the previous 12-mopnth period in question (billing date as at 27 September 2017).

Moved by: Councillor Mather

Seconded by: Councillor Wyatt

MOTION CARRIED LOST

17 CLOSURE OF MEETING

There being no further business the meeting closed at 10.38 am.

<Insert Chairperson Name>
CHAIRPERSON

DATE