



# **ORDINARY MEETING**

## **MINUTES**

**19 MAY 2020**

The resolutions contained within these Minutes were confirmed at the Ordinary Council meeting held on 16 June 2020.

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**MINUTES OF THE ORDINARY MEETING HELD AT YEPPON TOWN HALL, 25 NORMANBY STREET, YEPPON ON TUESDAY, 19 MAY 2020 COMMENCING AT 9.10AM**

**1 OPENING**

**Opening Prayer**

The opening prayer was delivered by *Pastor Lance Warcon* of *360 Church Yeppoon*.

**2 PRESENT**

Members Present:

Mayor, Councillor Andrew Ireland (Chairperson)  
Councillor Nigel Hutton  
Councillor Adam Belot  
Councillor Pat Eastwood  
Councillor Glenda Mather  
Councillor Tanya Lynch  
Councillor Andrea Friend

Officers in Attendance:

Mr Brett Bacon – Acting Chief Executive Officer  
Mr Dave Mazzaferri – Acting Executive Director Liveability and Wellbeing  
Mr Scott Casey – Acting Executive Director Infrastructure  
Mrs Andrea Ellis – Chief Financial Officer  
Mr Matthew Willcocks - Chief Technology Officer  
Mrs Belinda Housman – Acting Chief Human Resources Officer  
Mrs Melissa Warwick – Senior Strategic Planner  
Mrs Tammy Wardrop – Planning Officer  
Mr Dev Krishnasamy – Principal Development Engineer  
Ms Justine Schofield – Executive Support Officer

**3 LEAVE OF ABSENCE / APOLOGIES**

Nil

## **4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **COUNCIL RESOLUTION**

THAT the minutes of the Ordinary Meeting held on 21 April 2020 be taken as read and adopted as a correct record.

**Moved by: Councillor Mather**

**Seconded by: Councillor Friend**

**MOTION CARRIED UNANIMOUSLY**

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

**6 PUBLIC FORUMS/DEPUTATIONS**

Nil



## 7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

### 7.1 LIFTING MATTERS LAYING ON THE TABLE - COUNCILLOR MATHER - LAMBERTON STREET

**File No:** GV13.4.4  
**Attachments:** Nil  
**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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#### SUMMARY

*This report is being presented to Council in order for the stated matter to be formally lifted from the table prior to being dealt with at this meeting.*

#### COUNCIL RESOLUTION

THAT Council resolve that the report *Notice of Motion - Councillor Mather – Lamberton Street*, which is currently 'laying on the table' within the Business Outstanding Table awaiting return to a Council meeting, be lifted from the table to be dealt with later in this meeting.

**Moved by:** Councillor Mather  
**Seconded by:** Councillor Eastwood

**MOTION CARRIED UNANIMOUSLY**

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**7.2 LIFTING MATTERS LAYING ON THE TABLE - MAYORAL MINUTE – LAND ZONING REVIEW KINKA BEACH**

**File No:** GV13.4.1  
**Attachments:** Nil  
**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer  
**Author:** Nicole Robertson - Coordinator Executive Support

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**SUMMARY**

*This report is being presented to Council in order for the stated matter to be formally lifted from the table prior to being dealt with at this meeting.*

**COUNCIL RESOLUTION**

THAT Council resolve the report titled *Mayoral Minute – Land Zoning Review Kinka Beach*, which is currently 'laying on the table' within the Business Outstanding Table awaiting return to a Council meeting, be lifted from the table to be dealt with later in this meeting.

**Moved by:** Councillor Hutton  
**Seconded by:** Councillor Eastwood

**MOTION CARRIED UNANIMOUSLY**

**7.3 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING**

**File No:** GV13.4.1  
**Attachments:** 1. Business Outstanding  
**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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**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 Meetings, as at 11 May 2020, is presented for Councillors' information.*

**COUNCIL RESOLUTION**

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

**Moved by:** Councillor Mather  
**Seconded by:** Councillor Eastwood

**MOTION CARRIED UNANIMOUSLY**

**8 PRESENTATION OF PETITIONS**

Nil

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## 9 MAYORAL MINUTE

### 9.1 MAYORAL MINUTE - LAND ZONING REVIEW KINKA BEACH

**File No:** GV13.4.3  
**Attachments:** Nil  
**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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#### SUMMARY

*This Mayoral Minute was previously presented by the former Mayor, Bill Ludwig at the Special Council meeting held on 19 December 2019. Council resolved to lay the matter on the table and be returned to a future Council meeting.*

*This matter is now being presented to Council for consideration.*

#### RECOMMENDATION

THAT Council call for expressions of interest, from suitably qualified planning consultants, to undertake an assessment of the area of land shown in the attachment to this report to determine its suitability for zonings other than rural, including Emerging Community Zone.

#### PROCEDURAL MOTION

That pursuant to s2.19.5 of Livingstone Shire Council's Meeting Procedures Policy the meeting proceeds to the next item of business

**Moved by:** Councillor Mather

**Seconded by:**

**MOTION CARRIED UNANIMOUSLY**

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**9.2 MAYORAL MINUTE - PACIFIC HEIGHTS ROAD**

**File No:** CR2.13.24  
**Attachments:** Nil  
**Responsible Officer:** Andrew Ireland - Mayor

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**SUMMARY**

*This Mayoral Minute is presented to Council for consideration in relation to Pacific Heights Road, Yeppoon.*

**COUNCIL RESOLUTION**

THAT Council:

- 1) Resolves for Council Officers to prepare a report to Council outlining options and costs for reducing the speed and volume of traffic along Pacific Heights Road, and
  - a) that these options consider the following:
    - Reducing the speed limit to 40kph;
    - Increasing the number of speed signs along Pacific Heights Road to remind motorists of the speed limit
    - The construction of a suitably positioned roundabout along Pacific Heights Road;
    - In conjunction with the Queensland Police Service, the installation of speed cameras along Pacific Heights Road;
    - Installing painted traffic markers/lines for traffic calming; and
  - b) that the report from officers be presented to Council no later than July 2020.

**Moved by:** Mayor, Councillor Ireland

**Seconded by:** Councillor Mather

**MOTION CARRIED UNANIMOUSLY**

**9.3 MAYORAL MINUTE - PROPOSED BOUNDARY RE-ALIGNMENT BETWEEN LIVINGSTONE SHIRE COUNCIL AND ROCKHAMPTON REGIONAL COUNCIL**

**File No:** GV13.2.1  
**Attachments:** Nil  
**Responsible Officer:** Andrew Ireland - Mayor

**SUMMARY**

*This Mayoral Minute is presented for consideration of Council in relation to the boundary re-alignment between Livingstone Shire Council and Rockhampton Regional Council.*

***Suspension of Standing Orders*****PROCEDURAL MOTION**

9.58AM

That pursuant to s2.19.1(i) and s2.19.13 of Livingstone Shire Council's Meeting Procedures Policy the provisions of the Meeting Procedures be suspended to allow adequate time for informal discussion on Item 9.3 – Mayoral Minute – Proposed Boundary Realignment between Livingstone Shire Council and Rockhampton Regional Council prior to entering into formal debate.

**Moved by:** Deputy Mayor, Councillor Belot  
**Seconded by:** Councillor Mather

**MOTION CARRIED**

***Resumption of Standing Orders*****PROCEDURAL MOTION**

10.12AM

That pursuant to s2.19.1(i) and s2.19.13 of Livingstone Shire Council's Meeting Procedures Policy the provisions of the Meeting Procedures be resumed.

**Moved by:** Councillor Mather  
**Seconded by:** Deputy Mayor, Councillor Belot

**MOTION CARRIED**

**COUNCIL RESOLUTION**

THAT Council writes to the Hon. Stirling Hinchcliffe, Minister for Local Government, Racing and Multicultural Affairs; and the Premier the Hon. Anastasia Palaszczuk advising that the newly elected Livingstone Shire Council does not support a boundary review as recommended by the Minister to the Boundary Commissioner in 2019, as:

1. Council values all areas of the shire equally and does not wish to relinquish Glenlee, Glendale, and Rockyview to Rockhampton Regional Council; and
2. The suburbs of Glenlee, Glendale, and Rockyview are key areas of our shire that are included in Council's future economic development plans.

**Moved by:** Mayor, Councillor Ireland  
**Seconded by:** Councillor Friend

**MOTION CARRIED UNANIMOUSLY**

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**9.4 MAYORAL MINUTE - PIPELINE FROM CAPRICORN COAST MAINLAND TO GREAT KEPPEL ISLAND**

**File No:** GR14.4.1  
**Attachments:** Nil  
**Responsible Officer:** Andrew Ireland - Mayor

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**SUMMARY**

*This Mayoral Minute is presented for consideration of the maintenance of the pipeline from Capricorn Coast Mainland to Great Keppel Island following construction.*

**COUNCIL RESOLUTION**

THAT Council:

- 1) Writes to the Queensland Department of Innovation and Tourism Industry Development offering support for development on Great Keppel Island; and
- 2) Clearly articulates in its correspondence with the Department of Innovation and Tourism Industry Development that Council's responsibility for the maintenance of the proposed water supply infrastructure to Great Keppel Island would conclude at the point where it leaves the mainland.

**Moved by:** Mayor, Councillor Ireland

**Seconded by:** Councillor Mather

**MOTION CARRIED UNANIMOUSLY**

Mayor Ireland sought leave of the meeting to suspend meeting procedures for morning tea.

**Leave granted**

Meeting procedures were suspended at 10:41am.

Meeting procedures resumed at 11:09am.



**10 COUNCILLOR/DELEGATE REPORTS**

Nil

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

Nil

## 12 REPORTS

### 12.1 BUSHFIRE RATES RELIEF

<b>File No:</b>	<b>RV25.5.2</b>
<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Brett Bacon - Acting Chief Executive Officer</b>
<b>Author:</b>	<b>David Mazzaferri - Acting Executive Director - Liveability &amp; Wellbeing</b>

### SUMMARY

*This report is to recommend the rescinding of Resolution 9.2-2 of Councils Ordinary Meeting on the 17<sup>th</sup> March 2020 and replace with a resolution that supports the use of Category D Bushfire Recovery Exceptional Assistance Immediate Support Package for the rate relief of the fifteen (15) properties destroyed in the Cobraball Fire of 2019.*

### COUNCIL RESOLUTION

THAT Council resolve:

- To rescind Resolution 9.2 – 2 of its Ordinary Meeting on 17 March 2020, which resolved to:

*THAT, in the event that the request to the State Government is denied, Council grant a hardship concession to the owners of the fifteen (15) properties identified below, who lost their homes during the Cobraball fire, by way of rebate for all of the rates and charges payable to Council for the rating period from 1 January 2020 to 30 June 2020.*

<i>Lot and Plan</i>	<i>Assessment Number</i>
<i>Lot 5 on RP615216</i>	<i>139321</i>
<i>Lot 1 on RP608134</i>	<i>139446</i>
<i>Lot 2 on RP614862</i>	<i>139457</i>
<i>Lot 2 on RP614695</i>	<i>137379</i>
<i>Lot 1 on RP614695</i>	<i>137378</i>
<i>Lot 1 on RP602818</i>	<i>137377</i>
<i>Lot 3 on RP602798</i>	<i>137374</i>
<i>Lot 2 on RP616174</i>	<i>137372</i>
<i>Lot 2 on SP286143</i>	<i>143077</i>
<i>Lot 2 on RP602413</i>	<i>137410</i>
<i>Lot 40 on RP843061</i>	<i>137275</i>
<i>Lot 39 on RP843061</i>	<i>137274</i>
<i>Lot 1 on SP201920</i>	<i>143738</i>
<i>Lot 2 on RP812798</i>	<i>137325</i>
<i>Lot 2027 on LIV40670</i>	<i>139281</i>

- Council grant a concession under the provisions contained within Part 10 of the Local Government Regulation 2012, on the basis that the payment of rates or charges will cause hardship to the landowner.

The hardship concession directly relates to those Ratepayers (15) identified below. all properties listed have been assessed and identified by Queensland Fire and Emergency Services as having lost homes due to the 'declared event' Cobraball Fire 2019.

The concession provided under Section 121(a) will be a rebate for all of the rates and charges payable to Council for the rating period from 1 January 2020 to 30 June 2020 utilising Category D Bushfire Recovery Exceptional Assistance Immediate Support Package.

<b>Lot and Plan</b>	<b>Assessment Number</b>
Lot 5 on RP615216	139321
Lot 1 on RP608134	139446
Lot 2 on RP614862	139457
Lot 2 on RP614695	137379
Lot 1 on RP614695	137378
Lot 1 on RP602818	137377
Lot 3 on RP602798	137374
Lot 2 on RP616174	137372
Lot 2 on SP286143	143077
Lot 2 on RP602413	137410
Lot 40 on RP843061	137275
Lot 39 on RP843061	137274
Lot 1 on SP201920	143738
Lot 2 on RP812798	137325
Lot 2027 on LIV40670	139281

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

**Seconded by:** Councillor Eastwood

**MOTION CARRIED UNANIMOUSLY**

**12.2 DEVELOPMENT APPLICATION D-255-2019 FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (ONE LOT INTO THREE LOTS) AT 93 CHARCOAL ROAD, ROSSMOYA**

**File No:** D-255-2019

**Attachments:**

1. **Locality Plan and Surrounding Agricultural Uses Plan**
2. **Proposal Plans**
3. **Overlay Plans**
4. **Bushfire Hazard Assessment and Management Plan**
5. **Agricultural Report**

**Responsible Officer:** **Melissa Warwick - Principal Strategic Planner**  
**David Battese - Manager Liveability**

**Author:** **Tammy Wardrop - Principal Planning Officer**

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**SUMMARY**

*Applicant:* C B, J E and S L Wolfenden and K M Hamilton

*Consultant:* C/- Ms Karen Norton  
Masters Surveying

*Real Property Address:* Lot 53 on LN599

*Area of Site:* 120.8 hectares

*Planning Scheme:* Livingstone Planning Scheme 2018

*Planning Scheme Zone:* Rural

*Planning Scheme Overlays:* OM02 Agricultural Land Class A and Class B  
OM07 Biodiversity – Habitat and Vegetation

- MSES Regulated vegetation

OM10 Biodiversity – Wetlands and Waterways

- MSES Watercourse

OM11 Biodiversity – Stream Order

- Watercourse stream order 1 and 2
- Waterway Potential Assessment Area

OM12 Bushfire Hazard Area

- High Potential Bushfire Intensity
- Medium Potential Bushfire Intensity
- Potential Impact Buffer

OM15 Drainage Problem Area  
OM20 Road Hierarchy – Rural Access

*Existing Development:* Dwelling house and Cropping

*Level of Assessment:* Impact Assessable

*Submissions:* No submissions received

*Referral matters:* Nil

Infrastructure Charge Area:

Outside the Priority Infrastructure Area

Application progress:

Application received:	5 November 2019
Application properly made:	5 November 2019
Development control unit meeting:	6 November 2019
Change to application received (amended proposal plan):	14 November 2019
Confirmation notice issued:	19 November 2019
Information request issued:	4 December 2019
Information request response received:	18 December 2019
Amended proposal plan received:	19 December 2019
Public notification period:	30 January 2020 to 21 February 2020
Notice of compliance received:	20 February 2020
Submission consideration period:	Nil submissions received
Change to application received (amended proposal plan):	21 February 2020
Decision period commenced:	21 February 2020
Extension by agreement	25 March 2020
Council workshop date:	28 April 2020
Council meeting date:	19 May 2020
Statutory determination date:	27 May 2020

## OFFICERS RECOMMENDATION

### **RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into three lots), made by C B, J E and S L Wolfenden and K M Hamilton, on Lot 53 on LN599, and located at 93 Charcoal Road, Rossmoya, 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 issue of the Compliance Certificate for the Survey Plan, 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 issue of the Compliance Certificate for the Survey Plan, 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 Operational Works:
- (i) Access Works;
- 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>
Proposed Subdivision of Lot 53 on LN599	R19003-PRO-1 Revision F Sheet 1 of 2	18 February 2020
Proposed Subdivision of Lot 53 on LN599	R19003-PRO-1 Revision F Sheet 2 of 2	18 February 2020
Bushfire Management Plan	40889	16 August 2019

- 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 issue of the submission of a Development Application for Operational Works.
- ## 3.0 ACCESS WORKS
- 3.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 3.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, Australian Standards and the provisions of a Development Permit for Operational Works (access works).
- 3.3 Safe and trafficable gravel access to proposed Lot 2 from the front private access way edge must be provided in accordance with *Capricorn Municipal Development Guidelines Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains*. No upgrade to the existing private access way located within the road reserve is required.
- 3.4 Rural addressing must be provided to each lot in accordance with Council's Rural Addressing Policy and Procedure.

#### 4.0 PLUMBING AND DRAINAGE WORKS

4.1 All internal plumbing and sanitary drainage systems associated within the existing Dwelling house located within Lot 1 must be located wholly within the property boundaries. Any alterations to the existing internal plumbing and sanitary drainage systems associated within the existing dwelling must be at no cost to Council.

#### 5.0 SITE WORKS

5.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.

5.2 The development must be undertaken in accordance with the recommendations in the approved Bush Hazard Assessment and Management Plan dated 16 August 2019 (refer to condition 2.1).

#### 6.0 ELECTRICITY AND TELECOMMUNICATIONS

6.1 Each lot must be provided with on-site energy supply installed in accordance with all laws and regulations and best current practice. (Note: if the development is provided with a reticulated grid electricity supply, the reticulated supply must be provided in accordance with the requirements of the relevant energy supply authority.

6.2 Each lot must be provided with on-site telecommunications infrastructure for the use sufficient to enable contact in normal circumstances with each of the nearest emergency services. (Note: if the development is provided with reticulated telecommunications infrastructure, the reticulated infrastructure must be provided in accordance with the requirements of the relevant telecommunications supply authority.

6.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the issue of the Compliance Certificate for the Survey Plan.

#### 7.0 ASSET MANAGEMENT

7.1 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.

7.2 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.

7.3 Infrastructure associated with any existing uses must remain within the respective property boundaries.

#### 8.0 ENVIRONMENTAL

8.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan.

8.2 The 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.



## 9.0 OPERATING PROCEDURES

- 9.1 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 Charcoal Road.

### 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](http://www.datsima.qld.gov.au)

#### NOTE 2. 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 3. 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 4. Building

All future buildings on the proposed lots must be designed, constructed and certified to satisfy the performance requirements for bushfire ignition risk under the *National Construction Code Building Code of Australia (Volume 2)* and the recommendations in the approved Bush Hazard Assessment and Management Plan dated 16 August 2019 (refer to condition 2.1).

#### NOTE 5. Application to Undertake Alterations or Improvements to Council Controlled Areas and Roads

It is advised that an Application to Undertake Alterations or Improvements to Council Controlled Areas and Roads (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guideline Drawings*) may be accepted in place of the Development Permit for Operational Works (access works).

#### 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 B**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into three lots), made by C B, J E and S L Wolfenden and K M Hamilton, on Lot 53 on LN599, and located at 93 Charcoal Road, Rossmoya, Council resolves to issue an Infrastructure Charges Notice for the amount of \$29,500.00.

**Moved by:** Councillor Mather

**Seconded by:** Councillor Friend

***Matter Lay on Table until later in the Meeting*****COUNCIL RESOLUTION**

That pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table until later in the meeting pending

**Moved by:**                      **Councillor Hutton**

**MOTION CARRIED**

**12.3 REQUEST FOR REDUCTION DEVELOPMENT APPLICATION FEES FOR TWO (2) PROPOSED MATERIAL CHANGE OF USE PROPOSALS FOR EXTRACTIVE INDUSTRY AT LOT 1 KUNWARARA ROAD, CANOONA AND LOT 2349 CANAL CREEK ROAD, CANAL CREEK**

**File No:** LU18.3.5 AND D-113-2020  
**Attachments:** Nil  
**Responsible Officer:** David Battese - Manager Liveability  
David Mazzaferri - Acting Executive Director - Liveability & Wellbeing  
**Author:** Melissa Warwick - Principal Strategic Planner

**SUMMARY**

*Groundworks Plus, on behalf of their clients have made representations to council seeking a reduction in development application fees for two (2) proposed new extractive industry applications at Canoona and Canal Creek. The application for Canal Creek was lodged without an accompanying fee on 23 April 2020. The other application is yet to be lodged. Groundworks Plus is a resource, environmental management and land use planning consultancy specializing in the quarry, mining and urban development sectors. The proposal at Canoona will be an extension of an existing quarry with the other proposal at Canal Creek for a new quarry.*

**COUNCIL RESOLUTION**

THAT:

1. In relation to a development application fee over Lot 1 Kunwarara Road (Bruce Highway), Canoona for a Material Change of Use for Extractive Industry that council resolve to reduce the fee from \$151,199 to \$25,110 based on only part of the site, being 25.9 hectares, and the proposed draft 2020/2021 fees and charges which are proposed to change for this type of development application.
2. In relation to a development application fee over 2 Canal Creek Road, Canal Creek for a Material Change of Use for Extractive Industry that council resolve to reduce the fee from \$934,967 to a minimum fee of \$20,000 based on only part of the site, nominally 3.8 hectares, and the proposed draft 2020/2021 fees and charges which have changed for this type of development application.

**Moved by:** Councillor Hutton  
**Seconded by:** Councillor Eastwood

**MOTION CARRIED UNANIMOUSLY**

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**12.4 RESPONSE TO QUESTION WITHOUT NOTICE - COUNCILLOR MATHER - SECURITY OF BOTTLE CHUTE BIN LID TOPS FOR COMMUNITY EVENTS****File No:** WM31.8.3**Attachments:** 1. Ordinary Council Meeting report - 18 February 2020 - Drink Container Recycling at Community Events**Responsible Officer:** Scott Casey - Executive Director Infrastructure**Author:** Jon Edge - Manager Water and Waste Operations

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**SUMMARY**

*Council previously resolved to purchase forty (40) bin lid tops to support source separation and recycling at community events. At the Council meeting on 18 February 2020, Councillor Mather tendered a Question Without Notice asking what security measures can be taken to prevent future bins (with the lids) being stolen at events. This report provides a response to the Question without Notice.*

**COUNCIL RESOLUTION**

THAT Council resolves to receive the report.

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

**12.5 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 APRIL 2020****File No:** FM12.14.1**Attachments:** 1. Monthly Finance Report - April 2020**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Damien Cross - Coordinator - Accounting Services  
Rachel Jackson - Coordinator Procurement

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**SUMMARY**

*Presentation of the Livingstone Shire Council Monthly Financial Report for the period ending 30 April 2020 by the Chief Financial Officer.*

**COUNCIL RESOLUTION**

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 30 April 2020 be received.

**Moved by:** Councillor Mather**Seconded by:** Councillor Lynch**MOTION CARRIED UNANIMOUSLY**

**12.6 OPERATIONAL PLAN 2019-2020 Q3 PROGRESS REPORT**

**File No:** CM4.6.2

**Attachments:** 1. **Operational Plan Performance Report March 2020**

**Responsible Officer:** Rodney Chapman - Coordinator Governance  
Andrea Ellis - Chief Financial Officer

**Author:** Tanya Callaghan - Support Services Officer

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**SUMMARY**

*The 2019-2020 Operational Plan progress report for Quarter 3 as at 31 March 2020 is presented, pursuant to Section 174(3) of the Local Government Regulation 2012.*

**COUNCIL RESOLUTION**

THAT Council notes the 2019-2020 Operational Plan Performance Report March 2020.

**Moved by:** Councillor Hutton

**Seconded by:** Councillor Friend

**MOTION CARRIED UNANIMOUSLY**

**12.7 CORPORATE PLAN 2030**

**File No:** CM4.6.1  
**Attachments:** 1. Corporate Plan 2030  
**Responsible Officer:** Andrea Ellis - Chief Financial Officer  
**Author:** Melissa Minter - Principal Business Improvement Officer

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**SUMMARY**

*This report seeks Council's approval of the new Corporate Plan 2030.*

**OFFICERS RECOMMENDATION**

THAT Council adopts the draft *Corporate Plan 2030* pursuant to section 104(5) of the *Local Government Act 2009* and sections 165 and 166 of the *Local Government Regulation 2012*.

**Moved by:** Councillor Hutton  
**Seconded by:** Councillor Mather

***Matter Lay on Table until later in the Meeting***

**PROCEDURAL MOTION**

That pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table until later in the meeting pending further discussions.

**Moved by:** Councillor Friend

**MOTION CARRIED UNANIMOUSLY**

**12.8 COUNCILLOR PORTFOLIO POLICY AND APPOINTMENTS**

**File No:** CM4.7.36  
**Attachments:** 1. Proposed Councillor Portfolio Policy  
**Responsible Officer:** Andrea Ellis - Chief Financial Officer  
**Author:** Rodney Chapman - Coordinator Governance

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**SUMMARY**

*This report is to present the Councillor Portfolio Policy and proposed portfolio appointments for consideration by Councillors for adoption.*

**COUNCIL RESOLUTION**

THAT Council adopts the Councillor Portfolio Policy with an amendment to 5.3 to substitute "Mayor" with "Council" and "require" to "request".

**Moved by:** Mayor, Councillor Ireland

**Seconded by:** Councillor Eastwood

**MOTION CARRIED UNANIMOUSLY**



**12.9 COUNCILLOR REMUNERATION 2020-21****File No:** GV13.5.2**Attachments:****Responsible Officer:** Brett Bacon - Acting Chief Executive Officer**Author:** Andrea Ellis - Chief Financial Officer**SUMMARY**

*This report seeks to inform and advise of legislative requirements with regards to Councillor remuneration.*

***Suspension of Standing Orders*****PROCEDURAL MOTION**

12.49PM

THAT pursuant to s2.19.1(i) and s2.19.13 of Livingstone Shire Council's Meeting Procedures Policy the provisions of the Meeting Procedures be suspended to allow adequate time for informal discussion on Item 12.9 - Councillor Remuneration 2020-21 prior to entering into formal debate.

**Moved by:** Councillor Mather**Seconded by:** Councillor Eastwood**MOTION CARRIED*****Resumption of Standing Orders*****PROCEDURAL MOTION**

12.59PM

THAT pursuant to s2.19.1(i) and s2.19.13 of Livingstone Shire Council's Meeting Procedures Policy the provisions of the Meeting Procedures be resumed.

**Moved by:** Councillor Mather**Seconded by:** Councillor Friend**MOTION CARRIED****COUNCIL RESOLUTION**

That Council:

- 1) receive the annual review of Councillor remuneration conducted by the Local Government Remuneration Commission; and
- 2) resolves that the maximum amount of remuneration payable as provided by the Local Government and Remuneration Tribunal for the 2020/21 period of 2.0 percent will not be payable with the amount of remuneration to increase by a lesser amount, namely 0 percent.

**Moved by:** Mayor, Councillor Ireland**Seconded by:** Councillor Mather**MOTION CARRIED UNANIMOUSLY**

Mayor Ireland sought leave of the meeting to suspend meeting procedures for a meal break.

**Leave granted**

Meeting procedures were suspended at 1.29pm.

Meeting procedures resumed at 2.12pm.

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**12.2 DEVELOPMENT APPLICATION D-255-2019 FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (ONE LOT INTO THREE LOTS) AT 93 CHARCOAL ROAD, ROSSMOYA**

**File No:** D-255-2019

**Attachments:**

1. **Locality Plan and Surrounding Agricultural Uses Plan**
2. **Proposal Plans**
3. **Overlay Plans**
4. **Bushfire Hazard Assessment and Management Plan**
5. **Agricultural Report**

**Responsible Officer:** **Melissa Warwick - Principal Strategic Planner**  
**David Battese - Manager Liveability**

**Author:** **Tammy Wardrop - Principal Planning Officer**

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**SUMMARY**

*Applicant:* C B, J E and S L Wolfenden and K M Hamilton

*Consultant:* C/- Ms Karen Norton  
Masters Surveying

*Real Property Address:* Lot 53 on LN599

*Area of Site:* 120.8 hectares

*Planning Scheme:* Livingstone Planning Scheme 2018

*Planning Scheme Zone:* Rural

*Planning Scheme Overlays:* OM02 Agricultural Land Class A and Class B  
OM07 Biodiversity – Habitat and Vegetation

- MSES Regulated vegetation

OM10 Biodiversity – Wetlands and Waterways

- MSES Watercourse

OM11 Biodiversity – Stream Order

- Watercourse stream order 1 and 2
- Waterway Potential Assessment Area

OM12 Bushfire Hazard Area

- High Potential Bushfire Intensity
- Medium Potential Bushfire Intensity
- Potential Impact Buffer

OM15 Drainage Problem Area  
OM20 Road Hierarchy – Rural Access

*Existing Development:* Dwelling house and Cropping

*Level of Assessment:* Impact Assessable

*Submissions:* No submissions received

*Referral matters:* Nil

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Infrastructure Charge Area:

Outside the Priority Infrastructure Area

Application progress:

Application received:	5 November 2019
Application properly made:	5 November 2019
Development control unit meeting:	6 November 2019
Change to application received (amended proposal plan):	14 November 2019
Confirmation notice issued:	19 November 2019
Information request issued:	4 December 2019
Information request response received:	18 December 2019
Amended proposal plan received:	19 December 2019
Public notification period:	30 January 2020 to 21 February 2020
Notice of compliance received:	20 February 2020
Submission consideration period:	Nil submissions received
Change to application received (amended proposal plan):	21 February 2020
Decision period commenced:	21 February 2020
Extension by agreement	25 March 2020
Council workshop date:	28 April 2020
Council meeting date:	19 May 2020
Statutory determination date:	27 May 2020

**Matter be Lifted from the Table****COUNCIL RESOLUTION**

That pursuant to s2.19.1(d) of Livingstone Shire Council's Meeting Procedures Policy the matter be lifted from the table to be dealt with

**Moved by:** Councillor Hutton

**Seconded by:** Councillor Mather

**MOTION CARRIED**

**COUNCIL RESOLUTION****RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into three lots), made by C B, J E and S L Wolfenden and K M Hamilton, on Lot 53 on LN599, and located at 93 Charcoal Road, Rossmoya, 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 issue of the Compliance Certificate for the Survey Plan, 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 issue of the Compliance Certificate for the Survey Plan, 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 Operational Works:
- (i) Road Works
  - (ii) Access Works;
- 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>
Proposed Subdivision of Lot 53 on LN599	R19003-PRO-1 Revision F Sheet 1 of 2	18 February 2020
Proposed Subdivision of Lot 53 on LN599	R19003-PRO-1 Revision F Sheet 2 of 2	18 February 2020
Bushfire Management Plan	40889	16 August 2019

- 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 issue of the submission of a Development Application for Operational Works.

## 3.0 ROAD WORKS

- 3.1 Design and construct a section of Charcoal Road to comply with Rural Access Road Standards generally in accordance with the *Capricorn Municipal Development Guidelines*. The extent of the construction must be from the Council maintained road edge (approximately Chainage 1430) up to twenty (20) metres past the common boundary between proposed Lot 2 and Lot 3.
- 3.2 Relocate the existing sign to a suitable location nominated by Council.

#### 4.0 ACCESS WORKS

- 4.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access 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*, Australian Standards and the provisions of a Development Permit for Operational Works (access works).
- 4.3 Safe and trafficable gravel access to proposed Lot 2 from the front private access way edge must be provided in accordance with *Capricorn Municipal Development Guidelines Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains*. No upgrade to the existing private access way located within the road reserve is required.
- 4.4 Rural addressing must be provided to each lot in accordance with Council's Rural Addressing Policy and Procedure.

#### 5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 All internal plumbing and sanitary drainage systems associated within the existing Dwelling house located within Lot 1 must be located wholly within the property boundaries. Any alterations to the existing internal plumbing and sanitary drainage systems associated within the existing dwelling must be at no cost to Council.

#### 6.0 SITE WORKS

- 6.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 6.2 The development must be undertaken in accordance with the recommendations in the approved Bush Hazard Assessment and Management Plan dated 16 August 2019 (refer to condition 2.1).

#### 7.0 ELECTRICITY AND TELECOMMUNICATIONS

- 7.1 Each lot must be provided with on-site energy supply installed in accordance with all laws and regulations and best current practice. (Note: if the development is provided with a reticulated grid electricity supply, the reticulated supply must be provided in accordance with the requirements of the relevant energy supply authority.
- 7.2 Each lot must be provided with on-site telecommunications infrastructure for the use sufficient to enable contact in normal circumstances with each of the nearest emergency services. (Note: if the development is provided with reticulated telecommunications infrastructure, the reticulated infrastructure must be provided in accordance with the requirements of the relevant telecommunications supply authority.
- 7.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the issue of the Compliance Certificate for the Survey Plan.

#### 8.0 ASSET MANAGEMENT

- 8.1 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.
- 8.2 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.

- 8.3 Infrastructure associated with any existing uses must remain within the respective property boundaries.

#### 9.0 ENVIRONMENTAL

- 9.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan.

- 9.2 The 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.

#### 10.0 OPERATING PROCEDURES

- 10.1 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 Charcoal Road.

#### 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](http://www.datsima.qld.gov.au)

##### NOTE 2. 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 3. 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 4. Building

All future buildings on the proposed lots must be designed, constructed and certified to satisfy the performance requirements for bushfire ignition risk under the *National Construction Code Building Code of Australia (Volume 2)* and the recommendations in the approved Bush Hazard Assessment and Management Plan dated 16 August 2019 (refer to condition 2.1).

##### NOTE 5. Application to Undertake Alterations or Improvements to Council Controlled Areas and Roads

It is advised that an Application to Undertake Alterations or Improvements to Council Controlled Areas and Roads (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guideline* Drawings) may be accepted in place of the Development Permit for Operational Works (access works).

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 B**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into three lots), made by C B, J E and S L Wolfenden and K M Hamilton, on Lot 53 on LN599, and located at 93 Charcoal Road, Rossmoya, Council resolves to issue an Infrastructure Charges Notice for the amount of \$29,500.00.

**Moved by:** Councillor Mather

**Seconded by:** Councillor Friend

**MOTION CARRIED**



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**12.7 CORPORATE PLAN 2030**

**File No:** CM4.6.1  
**Attachments:** 1. Corporate Plan 2030  
**Responsible Officer:** Andrea Ellis - Chief Financial Officer  
**Author:** Melissa Minter - Principal Business Improvement Officer

---

**SUMMARY**

*This report seeks Council's approval of the new Corporate Plan 2030.*

***Matter be Lifted from the Table*****PROCEDURAL MOTION**

That pursuant to s2.19.1(d) of Livingstone Shire Council's Meeting Procedures Policy the matter be lifted from the table to be dealt with

**Moved by:** Councillor Mather

**Seconded by:** Councillor Friend

**MOTION CARRIED UNANIMOUSLY**

**COUNCIL RESOLUTION**

THAT Council adopts the draft *Corporate Plan 2030* pursuant to section 104(5) of the *Local Government Act 2009* and sections 165 and 166 of the *Local Government Regulation 2012* with the following amended wording to Section 3.3.3 :-

*Manage threats by collaborating with traditional owners, agencies, community groups and private landholders about land management, protection methods including hazard reduction strategies and conservation policies to ensure the protection of People, Property, and the Environment.*

**Moved by:** Councillor Hutton

**Seconded by:** Councillor Mather

**MOTION CARRIED UNANIMOUSLY**

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

### 13.1 NOTICE OF MOTION - COUNCILLOR MATHER - LAMBERTON STREET

**File No:** GV13.4.4  
**Attachments:** 1. Notice of Motion - Lamberton Street Fire Breaks  
**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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#### SUMMARY

*This Notice of Motion was presented at the Ordinary Council meeting of 21 April 2020 where it was resolved that the matter lay on the table pending further discussion to return to a future Council meeting. This matter is now presented for consideration.*

*Councillor Glenda Mather has indicated her intention to move the following Notice of Motion as follows:*

#### RECOMMENDATION

THAT Council undertake the necessary procedures to:

- 1) Arrange for an appropriate fire break to be constructed on Council's land behind the houses in Lamberton Street, Yeppoon with the intention of providing maximum fire from the front; and
- 2) Liaise with the northern property owner to No. 31 Lamberton Street, seeking their co-operation to also provide a fire break on their side where vegetation is substantially impacting the common boundary fence; and
- 3) Identify and resolve the cause of the upstream water being diverted into No. 31.

#### COUNCIL RESOLUTION

THAT Council receives the verbal update on the actions being undertaken as follows:

- 1) Work with landowners in regards to removal of overgrown foliage.
- 2) Development of an adequate fire break on Council land on the northern side of 31 Lamberton Street.
- 3) Community education and engagement activities for residents on the eastern side of Lamberton Street.

**Moved by:** Councillor Mather

**Seconded by:** Councillor Friend

**MOTION CARRIED UNANIMOUSLY**

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**13.2 NOTICE OF MOTION - COUNCILLOR HUTTON - SUSTAINING ANIMAL WELFARE ORGANISATIONS COVID-19****File No:** GV13.4.4**Attachments:** 1. Notice of Motion - Councillor Hutton - Sustaining Animal Welfare Organisations COVID-19**Responsible Officer:** Nicole Robertson - Coordinator Executive Support  
Brett Bacon - Acting Chief Executive Officer

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**SUMMARY**

*Councillor Nigel Hutton has indicated his intention to move a Notice of Motion at the Ordinary Council meeting of 19 May 2020.*

**COUNCIL RESOLUTION**

THAT Council request a brief report by officers to investigate the ongoing costs and needs of animal welfare organisations servicing the Livingstone Shire, with potential funding sources, advocacy opportunities and funding methodologies to inform a decision around council's capacity to provide additional support to these organisations.

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

**14 URGENT BUSINESS QUESTIONS**

## 15 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

2.56 PM

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.

#### 16.1 Acquisition of Easements for Drainage Purposes - Sypher Drive Inverness

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.

#### 16.2 Request for Special Consideration

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:** Councillor Mather

**Seconded by:** Councillor Friend

**MOTION CARRIED**

### COUNCIL RESOLUTION

3.11PM

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

**Moved by:** Councillor Mather

**Seconded by:** Councillor Lynch

**MOTION CARRIED UNANIMOUSLY**

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## 16 CONFIDENTIAL REPORTS

### 16.1 ACQUISITION OF EASEMENTS FOR DRAINAGE PURPOSES - SYPHER DRIVE INVERNESS

**File No:** 5.2.2-006, 5.2.2-007 & 5.2.2-008  
**Attachments:** 1. Drawing No 20-054-01  
**Responsible Officer:** Scott Casey - Executive Director Infrastructure  
**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 seeks Council's approval to commence negotiations with the owners of Lot 3 SP268397, Lot 16 SP268397 and Lot 2 SP110008 to obtain drainage easements over their properties.*

#### COUNCIL RESOLUTION

THAT Council Officers commence negotiations with the owners of Lot 3 SP268397, Lot 16 SP268397 and Lot 2 SP110008 to obtain drainage easements over their properties generally in accordance with Drawing No 20-054-01.

**Moved by:** Councillor Friend

**Seconded by:** Councillor Lynch

**MOTION CARRIED UNANIMOUSLY**

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**16.2 REQUEST FOR SPECIAL CONSIDERATION****File No:** CM2.13.34**Attachments:**

1. Transaction Statement - Assessment Number 129332-1
2. Transaction Statement - Assessment Number 129330-5
3. Transactions Statement - Assessment Number 129324-8

**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Priscilla Graham - Coordinator Revenue

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.

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**SUMMARY**

*It is the intention of this report to obtain Council direction in regard to awarding discount after the due date for payment. The customer has demonstrated extenuating circumstances (directly related to the Cobraball Fire) that prevented payment by the due date.*

*Council officers support the application and the customer fits the majority of the criteria outlined within the adopted Rates Payment Policy. Clarification is sought from the Council due to the customer not having a clear three (3) years on time payment history.*

**COUNCIL RESOLUTION**

*That Council resolve to grant discount (after the due date for payment) under the provisions of the Rates Payment Policy, and consideration of the exceptional circumstances (directly related to the Cobraball Fire 2019) that prevented payment by the due date. The discount will be granted upon assessments outlined below:*

129324-8      \$186.25

129330-5      \$179.95

129332-1      \$179.95

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

**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 3.13pm.



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Mayor Councillor Andy Ireland  
CHAIRPERSON

16 June 2020

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DATE