

Livingstone

Shire Council

ORDINARY MEETING

MINUTES

23 JUNE 2015

The Council resolutions contained within these minutes will be confirmed at the next Council meeting on 14 July 2015.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, ANZAC PARADE, YEPPON ON TUESDAY, 23 JUNE 2015 COMMENCING AT 9:00AM

1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Mr Justin Commons – Chief Executive Officer
Ms Chris Murdoch – Director Corporate Services
Mr Brett Bacon – Director Community and Planning Services
Mr Dan Toon – Director Infrastructure Services
Ms Suzanne Pambid – Personal Assistant to the CEO
Mrs Darryl Schurmann – Manager Finance
Ms Rachel Jackson – Coordinator Property and Procurement
Ms Trish Weir – Manager Customer Engagement and Communications
Ms Rebecca French – Coordinator Marketing and Communications
Mr Lincoln Bertoli – Marketing and Media Officer

3 LEAVE OF ABSENCE / APOLOGIES

Councillor Jan Kelly has tendered her apology and will not be in attendance.

COUNCIL RESOLUTION

THAT the apology tendered for the absence of Councillor Kelly be 'received'

Moved by: Mayor Ludwig
Seconded by: Councillor Hutton
MOTION CARRIED

4 PUBLIC FORUMS/DEPUTATIONS

Nil

5 MAYORAL MINUTE

5.1 GKI REVITALISATION AND IWASAKI DEVELOPMENT PROJECT UPDATES TO COUNCIL

File No: ED8.3.2

Responsible Officer: Justin Commons - Chief Executive Officer

SUMMARY

The Federal Government's stated objectives in both their recently adopted budget and the recently released Northern Australia White Paper is to boost tourism and provide infrastructure to create investment opportunities that will generate jobs and grow the region's population base.

In the tourism sector the Capricorn Coast has two major projects that will make a huge contribution to achieving the outcomes that this region and Northern Australia need to generate jobs and grow our economy. These two projects are the already approved GKI Revitalisation Master Plan and the proposed Capricorn Resort integrated development proposal.

In view of the importance of these two projects coming on-line for the region's long-term economic growth and to assist in our post-cyclone economic recovery I am moving the following motion:

That Council invite both the Iwasaki Sangyo Company and GKI Revitalisation proponents (Tower Holdings) to present updates of their respective developments so Council can workshop with the proponents, and relevant State and Federal Government agencies, to explore ways to assist and facilitate these two signature projects to advance in a timely manner.

Tourism has been flagged as one of the key industries that our region needs to capitalise on and grow to enhance and diversify of regional economy. Both Capricorn Resort and GKI have been 'flagship' developments and major employment generators in the past.

Council has an opportunity and obligation to continue to work pro-actively with both developments to ensure that they can be advanced in a sustainable manner and once again play a key role in generating employment and economic growth in our region.

Facilitating these developments to proceed in a timely manner will in turn generate flow-on jobs and economic stimulus from the construction sector through to the entire hospitality industry supply chain including primary producers to trades and associated service industries. In doing so Council can play a pivotal role in ensuring our region has every opportunity to grow and prosper.

COUNCIL RESOLUTION

THAT Council invite both the Iwasaki Sangyo Company and GKI Revitalisation proponents (Tower Holdings) to present updates of their respective developments so

Council can workshop with the proponents, and relevant State and Federal Government agencies, to explore ways to assist and facilitate these two signature projects to advance in a timely manner.

Moved by: Mayor Ludwig
Seconded by: Deputy Mayor, Councillor Scott

MOTION CARRIED

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 9 June 2015 be taken as read and adopted as a correct record.

Moved by: Councillor Hutton

Seconded by: Councillor Wyatt

MOTION CARRIED

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

Councillor Mather indicated a Conflict of Interest in relation to Item 12.1

8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4.1
Attachments: 1. Business Outstanding Report - 23 June 2015
Responsible Officer: Justin Commons - Chief Executive Officer

SUMMARY

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

COUNCIL RESOLUTION

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

Moved by: Councillor Hutton
Seconded by: Councillor Mather

MOTION CARRIED

8.2 LIFTING MATTERS LAYED ON THE TABLE

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Justin Commons - Chief Executive Officer
Author: Justin Commons - Chief Executive Officer

SUMMARY

The Business Outstanding table is used as a tool to identify when reports are due back to the table. Items lying on the table require a report to be lifted from the table before being dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the current meeting on 23 June 2015

COUNCIL RESOLUTION

THAT the following matters "lying on the table" in the Business Outstanding table due to return to the Council Meeting, be lifted from the table and be dealt with accordingly:

- Baptist Union of Queensland – Request for a Trustee Lease over Reserve (R721), 46 Dawson Road Glenlee

Moved by: Deputy Mayor, Councillor Scott
Seconded by: Councillor Wyatt

MOTION CARRIED

9 PRESENTATION OF PETITIONS

Nil

9.1 EMU PARK RETIREMENT VILLAGE - INSTALLATION OF PATHWAY

File No: CR2.13.2

Responsible Officer: Justin Commons - Chief Executive Officer

SUMMARY

COUNCIL RESOLUTION

THAT the petition requesting the installation of a pathway be received and acknowledged advising the petitioners that their request will be considered and included in Council's forward works budget.

Moved by: Mayor Ludwig

Seconded by: Deputy Mayor, Councillor Scott

MOTION CARRIED

10 BUSINESS IMPROVEMENT COMMITTEE REPORTS

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 BAPTIST UNION OF QUEENSLAND - REQUEST FOR A TRUSTEE LEASE OVER RESERVE (R721), 46 DAWSON ROAD GLENLEE

File No:	CP5.9.1
Attachments:	1. Survey Plan 2. Petition from local Glenlee residents
Responsible Officer:	Darryll Schurmann - Manager Finance Chris Murdoch - Director Corporate Services
Author:	Rachel Jackson - Coordinator Property and Procurement

SUMMARY

The Baptist Union of Queensland (Carinity) is seeking approval from Council for the issue of a Trustee Lease over Reserve (R721). The reserve is required to provide a buffer zone which would support BUQ's proposed school for disadvantaged children's program.

COUNCIL RESOLUTION

THAT Council:

- (a) support and resolve to provide a 1 x 10 year Trustee Lease for a nominal rent amount of \$1 over the whole of the lot followed by 2 x 10 year consecutive terms over part of lot, to the Baptist Union of Queensland for Lot 142 on CP900425 (46 Dawson Road, Glenlee); and
- (b) receive the petition from local residents in Glenlee regarding this matter and send a letter acknowledging receipt to the petitioners.

Moved by: Mayor Ludwig
Seconded by: Deputy Mayor, Councillor Scott
MOTION CARRIED UNANIMOUSLY

9.07AM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Glenda Mather disclosed a conflict of interest in respect of Item 12.1, the Councillor considered her position, and left the meeting.

9.30AM

Councillor Mather returned to the meeting.

9.35AM

Mayor Ludwig left the meeting and Councillor Scott assumed the Chairperson responsibilities.

12.2 CAPRICORN ENTERPRISE 2015-16 KEY PERFORMANCE INDICATORS**File No:** ED8.2.1**Attachments:**

1. Capricorn Enterprise Funding Agreements 2014-2018 Schedules B & C
2. Capricorn Enterprise KPI Report for 2014/15
3. Capricorn Enterprise KPI's 2015_2016

Responsible Officer: Justin Commons - Chief Executive Officer**Author:** Suzanne Pambid - PA to the CEO

SUMMARY

For Council to endorse Capricorn Enterprise key performance indicators for 2015/16 and confirm Council's 2015/16 funding contribution to Capricorn Enterprise.

11.56AM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Graham Scott disclosed a perceived conflict of interest in respect of Item 12.2, the Councillor considered his position, and left the meeting.

COUNCIL RESOLUTION

THAT

- (1) Funding to be provided to Capricorn Enterprise for 2015/16 be the same amount as in 2014/15 (being \$300,000 cash and \$50,000 in kind), and*
- (2) the proposed key performance measures for Capricorn Enterprise for 2015/16 be endorsed including an additional KPI relating to Capricorn Enterprise's contribution to post cyclone Marcia economic recovery activities.*

Moved by: Councillor Hutton**Seconded by:** Councillor Wyatt**MOTION CARRIED UNANIMOUSLY****11.58AM**

Councillor Scott returned to the meeting.

**12.3 ADOPTION OF NEW INFRASTRUCTURE CHARGES RESOLUTION
LIVINGSTONE SHIRE COUNCIL (NO.2) 2015**

File No: LU18.3.5

Attachments: 1. **Adopted Infrastructure Charges Resolution
No. 2 – 30 June 2015**

Responsible Officer: **Brett Bacon - Director Community & Planning Services**

Author: **Melissa Warwick - Senior Strategic Planner
Jamie McCaul - Manager Infrastructure Planning and
Design**

SUMMARY

This report outlines amendments to the current Adopted Infrastructure Charges Resolution (No. 1) 2014 to accommodate statutory changes to infrastructure charging arrangements and to update the schedule of works. This report proposes a new Infrastructure Charges Resolution (No. 2) Livingstone Shire 2015, which responds to the State Government's requirements and the fair value charges.

COUNCIL RESOLUTION

THAT Council :

1. adopt the attached Infrastructure Charges Resolution (No. 2) Livingstone Shire 2015 (attachment one) to commence on Tuesday 30 June;
2. in accordance with council statutory obligation, notify the development industry representatives directly of the new resolution;
3. publicly notify the *Adopted Infrastructure Charges Resolution (No. 2) Livingstone Shire 2015* and post the Charges Resolution onto Council's website in order for the charges to have effect; and
4. notify the Minister Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade, Jackie Trad, that the newly adopted Infrastructure Charges Resolution has charges well below the maximum as stated in the State Planning Regulatory Provision (adopted charges).

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

Seconded by: **Councillor Mather**

MOTION CARRIED

12.4 DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (PART OF THREE (3) LOTS INTO FORTY-SEVEN (47) LOTS AND A MATERIAL CHANGE OF USE FOR FORTY-SEVEN (47) DWELLING HOUSES.

File No: D/26-2015

Attachments: 1. Proposal Plan
2. Locality Plan

Responsible Officer: Brett Bacon - Director Community & Planning Services
Erin McCabe - Co-ordinator Development Assessment

Author: Madelaine Ward - Senior Planning Officer

SUMMARY

Development Application Number: D/26-2015

Applicant: Dr Peter Dunbar C/-RPS

Real Property Address: Lot 11 on SP196244; Lot 12 on SP196244 and Lot 19 on RP600698, Parish of Murchison

Common Property Address: Lot 11, 12 and 19 Dawson Road, Glenlee

Total Site Area: 2,096 hectares

Planning Scheme: Livingstone Shire Planning Scheme 2005

Planning Scheme Zoning: Rural Zone

Planning Scheme Overlays: Overlay Map O1: Airport Affected Land; Overlay Map O2: Drainage Problem; Overlay Map O5: Bushfire Hazard; Overlay Map O8: Potential Acid Sulfate Soils (twenty (20) metres Australian Height Datum)

Existing Development: Grazing

Existing Approvals: Nil

Approval Sought: Development Permit for Reconfiguring a Lot (part of three (3) lots into forty-seven (47) lots and a Material Change of Use for forty-seven (47) Dwelling Houses.

Level of Assessment: Code Assessable

Submissions: Not Applicable

Referral Agency(s): Ergon Energy and Powerlink (advice)

Adopted Infrastructure Charges Area: Outside the Priority Infrastructure Area

Application Progress:

<i>Application Properly Made:</i>	20 February 2015
<i>Acknowledgement Notice sent:</i>	20 February 2015
<i>Request for Further Information sent:</i>	18 March 2015
<i>Referral Agency (Ergon Energy) Response:</i>	27 March 2015
<i>Referral Agency (Powerlink) Response:</i>	20 April 2015
<i>Request for Further Information responded to:</i>	20 May 2015
<i>Council Meeting date:</i>	23 June 2015

<i>Extension to the Decision Stage until:</i>	<i>16 July 2015</i>
<i>Statutory determination date:</i>	<i>16 July 2015</i>

COUNCIL RESOLUTION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (part of three (3) lots into forty-seven (47) lots) and a Material Change of Use for forty-seven (47) Dwelling houses (one dwelling on each lot), made by Dr Peter Dunbar C/- RPS, on Lot 11 on SP196244, Lot 12 on SP196244 and Lot 19 on RP600698, Parish of Murchison, and located at Lot 11, 12 and 19 Dawson Road, Glenlee, Council resolves to Approve the application despite its conflict with the planning scheme and provides the following grounds to justify the decision despite the conflict:

- (a) The subject site is considered an infill growth corridor between the Rockhampton Regional Council urban area and existing large urban allotments at Glenlee and Glendale. Therefore the proposal offers an opportunity for a lifestyle choice in this part of Livingstone Shire.
- (b) The development will result in an orderly and logical expansion of existing infrastructure to service the community to the expected standards.
- (c) Each allotment will allow for one (1) Dwelling house on each newly created allotment and each allotment will be developed in accordance with the Park Residential Zone Code.
- (d) The proposal does not conflict with the relevant requirements of the State Planning Policy – July 2014 and will not adversely impact upon any State Interests.
- (e) The proposal will not adversely impact upon the achievement of the Shire's Environmental Outcomes under the *Livingstone Shire Planning Scheme 2005*.

RECOMMENDATION B

That in relation to the application for a Development Permit for Reconfiguring a Lot (part of three (3) lots into forty-seven (47) lots) and a Material Change of Use for forty-seven (47) Dwelling houses (one dwelling on each lot), made by Dr Peter Dunbar C/-RPS on Lot 11 on SP196244, Lot 12 on SP196244 and Lot 19 on RP600698, Parish of Murchison, and located at Lot 11, 12 and 19 Dawson Road, Glenlee, Council resolves to Approve the application subject to the following conditions:

PART A – RECONFIGURING A LOT (PART OF THREE LOTS INTO FORTY-SEVEN LOTS)

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;
 - (iii) Water Works;
 - (iv) Stormwater Works;
 - (v) Site Works; and
 - (vi) Landscaping 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>
Plan of subdivision stage 1 allotment layout	118314-14 (Rev A)	10 December 2014
Landscape Plans	119790_DA_L1.1	15 January 2015

- 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 Operational Works.

3.0 STAGED DEVELOPMENT

- 3.1 This approval is for a development to be undertaken in three (3) discrete stages, namely:
- 3.1.1 Lot 1 to 16 and Lot 47 (Stage 1a);
 - 3.1.2 Lot 17 to 24 and Lot 38 to 46 (Stage 1b); and
 - 3.1.3 Lot 25 to 37 (Stage 1c);
- in accordance with the approved proposal plan (refer to condition 2.1).
- 3.2 Stage 1a must be completed prior to any other Stage. Stage 1b must be completed prior to Stage 1c.
- 3.3 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 3.4 Unless otherwise expressly stated, the conditions must be read as being applicable

only to the particular stages(s) being developed.

4.0 ROAD WORKS

- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 4.2 All works, including associated drainage works, must be designed and constructed in accordance with the approved plans (refer to condition 2.1), the *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) and road reserve(s) at the time of making the application.
- 4.4 The intersection at Dawson Road and Road A must be designed and constructed to a basic auxiliary right/left type intersection in accordance with *Austrroads Guide to Road Design: Part 4A "Unsignalised and Signalised Intersections"*
- 4.5 All new *cul-de-sac* roads shown on the approved plans (refer to condition 2.1) must comply with all requirements for a road classification of "Access Place" in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.6 The design and construction of all terminating roads must include a temporary turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.
- 4.7 The area taken up by temporary turning areas at the ends of roads must be covered by either easements in favour of Council or such other tenure arrangements that are satisfactory to Council. Arrangements must be finalised as part of a Development Permit for Operational Works (road works).
- 4.8 Details of the bus set-down area must be provided with any application for a Development Permit for Operational Works (road works).
- 4.9 All pathways within road reserves (including access ramps) must:
- 4.9.1 be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*;
 - 4.9.2 incorporate kerb ramps at all road crossing points;
 - 4.9.3 be provided with public space lighting in accordance with *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.
- 4.10 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 4.11 Any application for a Development Permit for Operational Works (road works) must include details of the Council approved road names for all new roads.
- 4.12 Retaining structures must not be constructed within road reserves unless approved as part of a Development Permit for Operational Works (road works). Retaining walls must be wholly contained within the proposed private allotments and not be constructed as Council-owned infrastructure.
- 4.13 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.

A detailed inspection and 'As Constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works,

including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.

5.0 ACCESS WORKS

- 5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Off Street Car Parking"* and the provisions of a Development Permit for Operational Works (access works).
- 5.3 All vehicular access to and from proposed Lot(s) must be via the proposed internal roads only. Direct vehicular access to Dawson Road or any Major Urban Collector Road is not permitted. A property note to this effect will be entered against lots 1, 2, 3, 4, 7, 8, 11, 12 and lots 32 to 47.
- 5.4 The proposed access option from the internal Major Urban Collector Road is not approved.
- 5.5 Any application for a Development Permit for Operational Works (access works) must be accompanied by details to demonstrate safe and lawful vehicle access to proposed lots 12, 13 and 14.
- 5.6 The access to proposed Lots 4, 7 8, and 11 must be designed and constructed to a sealed or equivalent standard.

6.0 WATER WORKS

- 6.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, the *Water Supply (Safety and Reliability) Act*, the *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 6.3 All lots within the development must be connected to Council's reticulated water network and must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 6.4 Any application for a Development Permit for Operational Works (water works) must be accompanied by a detailed reticulated water network analysis to demonstrate that the proposed development will have the minimum pressure and fire containment requirements in accordance with the design criteria outlined in the *Capricorn Municipal Development Guidelines*. In addition, water services to the existing properties in the vicinity must not be adversely affected by this development.
- 6.5 Water infrastructure must be provided (if necessary) to the development or stage boundaries for connectivity.

7.0 STORMWATER WORKS

- 7.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 7.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Urban Stormwater Quality Planning Guidelines*, *State Planning Policy*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 7.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land or damage infrastructure when compared to pre-development condition by way of blocking, altering or diverting existing

- stormwater runoff patterns or cause an actionable nuisance.
- 7.4 Any application for Operational works (stormwater works) must include all areas of the proposed development, and all other land, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.
- 7.5 Each allotment must be designed so as to be self-draining.
- 7.6 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by a Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 7.7 Any drainage easements dedicated over the major overland flow paths or major drainage system must be able to contain all earthworks, batters and include freeboard and access and maintenance provisions consistent with the *Queensland Urban Drainage Manual*.
- 7.8 Vehicular, pedestrian amenity and safety criteria in accordance with the *Queensland Urban Drainage Manual* must be incorporated. The maximum flow depth over any cross drainage structures must be limited to 200 millimetres (maximum) with a twenty (20) per cent blockage factor and demonstrating allowable velocity/depth product(s).
- 7.9 The potential pollutants in stormwater runoff, discharged from the site must be managed in accordance with *Urban Stormwater Quality Planning Guidelines* and *State Planning Policy*.
- 7.10 Any application for a Development Permit for Operational Works (stormwater works) must consider and provide details of a comprehensive bio-retention basin instead of the numerous basins as currently proposed.
- 7.11 Detailed design of the proposed urban waterway/ channel must include all required safety measures and facilities to ensure public safety.
- 8.0 SITE WORKS
- 8.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 8.2 All site works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments*, *State Planning Policy*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 8.3 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 8.3.1 the location of cut and/or fill;
- 8.3.2 the type of fill to be used and the manner in which it is to be compacted;
- 8.3.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
- 8.3.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
- 8.3.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 8.4 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.
- 8.5 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 Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with the approved design.

- 8.6 All site works must be undertaken to ensure that no actionable nuisance results from:
- 8.6.1 an increase in peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive);
- 8.6.2 an increase in downstream or upstream flood inundation levels.
- 9.0 LANDSCAPING WORKS
- 9.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works on the site.
- 9.2 The entry statement must be incorporated as part of the boundary fencing for lots 12 and 47 and must not be located in the road reserve.
- 9.3 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and must include, but is not limited to, the following:
- 9.3.1 A plan documenting the "Extent of Works" and supporting documentation which includes:
- (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
 - (ii) the extent of soft and hard landscape proposed;
 - (iii) important spot levels and/or contours.
 - (iv) levels of the trees to be retained shall be provided in relation to the finished levels of the proposed works;
 - (v) underground and overhead services;
 - (vi) typical details of critical design elements (stabilisation of batters, retaining walls, fences);
 - (vii) details of landscape structures including areas of deep planting; and
 - (viii) specification notes on mulching and soil preparation.
- 9.3.2 A "Planting Plan" and supporting documentation which includes:
- (i) trees, shrubs and groundcovers to all areas to be landscaped;
 - (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging);
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.
- 9.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads '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.
- 9.5 All landscaping must be constructed and or established, in accordance with the requirements of the Development Permit for Operational Works (landscaping works).
- 9.6 The landscaped areas must be subject to an ongoing maintenance and replanting

programme (if necessary).

10.0 ELECTRICITY AND TELECOMMUNICATIONS

10.1 Electricity and telecommunication connections must be provided to each lot in the proposed development to the standards of the relevant authorities.

10.2 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.

11.0 ASSET MANAGEMENT

11.1 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.

11.2 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.

11.3 '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 issue of the Compliance Certificate for the Survey Plan. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

12.0 ENVIRONMENTAL

12.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:

- (i) water quality and drainage;
- (ii) erosion and silt/sedimentation management;
- (iii) acid sulphate soils;
- (iv) fauna management;
- (v) vegetation management and clearing;
- (vi) top soil management;
- (vii) interim drainage plan during construction;
- (viii) construction programme;
- (ix) geotechnical issues;
- (x) weed control;
- (xi) bushfire management;
- (xii) emergency vehicle access;
- (xiii) noise and dust suppression; and
- (xiv) waste management.

12.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) objectives;

- (ii) site location / topography;
- (iii) vegetation;
- (iv) site drainage;
- (v) soils;
- (vi) erosion susceptibility;
- (vii) erosion risk;
- (viii) concept;
- (ix) design; and
- (x) implementation, for the construction and post construction phases of work.

12.3 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.

12.4 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.

13.0 OPERATING PROCEDURES

13.1 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 Dawson 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

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. Property Notes

Direct vehicular access from lots 1, 2, 3, 4, 7, 8, 11, 12 and lots 32 to 47 to Dawson road is prohibited.

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council's

Adopted Infrastructure Charges Resolution. The contributions are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 6. Pest Management:

The land subject to the above development application must be free of declared pest plants and animals; as declared at the date of development application in *Local Law No. 3 (Community & Environmental Management) 2011* and Schedule 1 of *Subordinate Local Law 3 (Community & Environmental Management) 2011* and in the *Land Protection (Pest and Stock Route Management) Act 2002* or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.

PART B – MATERIAL CHANGE OF USE FOR A DWELLING HOUSE ON FORTY-SEVEN LOTS

14.0 ADMINISTRATION

- 14.1 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.
- 14.2 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.
- 14.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 14.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 14.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use, unless otherwise stated.
- 14.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 14.6.1 Operational Works:
- (i) Access Works;
- 14.6.2 Plumbing and Drainage Works; and
- 14.6.3 Building Works.
- 14.7 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 14.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 14.9 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.
- 14.10 This approval is for the construction of a Dwelling house and outbuildings necessary for purposes ancillary to the occupation of the Dwelling house on forty-seven (47) of the proposed allotments (as shown on the approved plans) approved in accordance with Part A of this permit. Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit will trigger assessment

against the Planning Scheme.

- 14.11 The Survey Plan created in accordance with Development Permit D/26-2015 for Reconfiguring a Lot (one lot into forty-seven lots) for Lots 1-16 and 47 being part of Stage 1a, must be registered prior to the submission of a development application for building works or plumbing and drainage works for a Dwelling house associated with this approval.
- 14.12 The Survey Plan created in accordance with Development Permit D/26-2015 for Reconfiguring a Lot (one lot into forty-seven lots) for Lots 17-24 and 38-46 being Stage 1b, must be registered prior to the submission of a development application for building works or plumbing and drainage works for a Dwelling house associated with this approval.
- 14.13 The Survey Plan created in accordance with Development Permit D/26-2015 for Reconfiguring a Lot (one lot into forty-seven lots) for Lots 25-37 being Stage 1c, must be registered prior to the submission of a development application for building works or plumbing and drainage works for a Dwelling house associated with this approval.

15.0 APPROVED PLANS AND DOCUMENTS

- 15.1 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 Number</u>	<u>Dated</u>
Plan of Development – Stage 1 Allotment Layout	118314-19	31 March 2015

- 15.2 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.
- 15.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to the submission of a Development Application for Operational Works.
- 16.0 ACCESS WORKS
- 16.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 16.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 15.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access works).
- 16.3 A compliant vehicle access must be designed and constructed for each Dwelling house in accordance with the *Capricorn Municipal Development Guidelines*.
- 16.4 All lots must be designed to ensure vehicular access is achievable in accordance with the standards contained in the *Capricorn Municipal Development Guidelines*, including the maximum allowable grade.

17.0 PLUMBING AND DRAINAGE WORKS

- 17.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 15.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 17.2 Each Dwelling house must be connected to Council's water network. The existing

water connection point(s) on each lot must be retained, and upgraded if necessary, to service each development.

17.3 On-site sewerage treatment and disposal systems and internal sanitary drainage must be provided for each Dwelling house

18.0 ROOF AND ALLOTMENT DRAINAGE WORKS

18.1 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.

18.2 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.

19.0 SITE WORKS

19.1 All earthworks must be undertaken in accordance with *Australian Standard, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.

19.2 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.

19.3 All site works must be undertaken to ensure that there is:

19.3.1 no increase in upstream or downstream flood levels for all levels of immunity up to Q100;

19.3.2 no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and

19.3.3 a lawful point of discharge to which the developed flows from the land drain.

20.0 BUILDING WORKS

20.1 All buildings and structures (including eaves) must be wholly located within the approved building location envelopes and designed and sited in accordance with the building location envelope setbacks and Plan of Development table specified on the approved plans (refer to condition 15.1).

20.2 Habitable areas must be provided with minimum 300 millimetres freeboard above the peak level of the Defined Flood Event.

20.3 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"*.

21.0 ELECTRICITY AND TELECOMMUNICATIONS

21.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

22.0 ASSET MANAGEMENT

22.1 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.

22.2 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.

- 22.3 '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 issue of the commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

23.0 ENVIRONMENTAL

- 23.1 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.

24.0 OPERATING PROCEDURES

- 24.1 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 Dawson Road or the unnamed road network.
- 24.2 Residential waste storage and collection including wheelie bins and recyclable bins are required in accordance with the *Environmental Protection (Waste Management) Regulations*.

ADVISORY NOTES

NOTE 7. 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 8. 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 9. 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 10. Property Notes

- a. A 'blanket' material change of use' applies to this lot. The approval is for a Development Permit for a Material Change of Use for forty-seven (47) Dwelling houses, application D/26-2015. Conditions of this permit must be complied with for each allotment in respect of the siting requirements. Refer to Conditions in this permit, the Building Location Envelopes and the Plan of Development Table detailed on Plan 118314-19 dated 31 March 2015. Any development other than a dwelling house and outbuildings ancillary to residential purposes consistent with the approved plans and the conditions of

this permit will trigger assessment against the Planning Scheme.

- b. Development does not involve lighting that:
- shines light above the horizontal; or
 - is coloured or flashing; or
 - comprises sodium lights or flare plumes; and
 - is arranged in straight parallel lines 500 metres to 100 metres long.

NOTE 11. Pest Management:

The land subject to the above development application must be free of declared pest plants and animals; as declared at the date of development application in *Local Law No. 3 (Community & Environmental Management) 2011* and Schedule 1 of *Subordinate Local Law 3 (Community & Environmental Management) 2011* and in the *Land Protection (Pest and Stock Route Management) Act 2002* or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.

RECOMMENDATION C

That in relation to the application for a Development Permit for Reconfiguring a Lot (part of three (3) lots into forty-seven (47) lots) and a Material Change of Use for forty-seven (47) Dwelling houses (one dwelling on each lot) made by, , Dr Peter Dunbar C/- RPS on Lot 11 on SP196244, Lot 12 on SP196244 and Lot 19 on RP600698, Parish of Murchison, and located at 11, 12 and 19 Dawson Road, Glenlee, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$791,490.00**.

Moved by: Councillor Hutton

Seconded by: Councillor Mather

MOTION CARRIED

COUNCIL RESOLUTION

10.05AM

That the meeting be adjourned until 10.30AM

Moved by: Deputy Mayor, Councillor Scott

Seconded by: Councillor Hutton

MOTION CARRIED

COUNCIL RESOLUTION

10.30AM

That the meeting be resumed

Moved by: Deputy Mayor, Councillor Scott

Seconded by: Councillor Hutton

MOTION CARRIED

12.5 AMENDMENT TO DECLARATION OF SERVICE AREAS

File No: SD29.9.2

Attachments:

1. **Map 6 - Sewerage Service Area Taranganba Taroomball Lammermoor Cooee Bay**
2. **Map 7 - Water Service Area Taranganba Taroomball Lammermoor Cooee Bay**

Responsible Officer: **Jamie McCaul - Manager Infrastructure Planning and Design**
Dan Toon - Director Infrastructure Services

Author: **Tony Lau - Technical Officer**

SUMMARY

This report seeks Council Resolution to amend the Water Supply and Sewerage Service Areas to include the Taranganba, Taroomball, Lammermoor and Cooee Bay areas.

COUNCIL RESOLUTION

THAT Council resolves to amend the Water Supply and Sewerage Service Areas to include the Taranganba, Taroomball, Lammermoor and Cooee Bay areas.

Moved by: **Councillor Belot**
Seconded by: **Councillor Wyatt**

MOTION CARRIED

12.6 RESPONSE TO QUESTION ON NOTICE – THE PINES, YEPPOON

File No: D/531-2013
Attachments: 1. Question on Notice - The Pines Garden Maintenance
Responsible Officer: Justin Commons - Chief Executive Officer
Author: Brett Bacon - Director Community & Planning Services

SUMMARY

This report provides a response to a Question on Notice which Councillor Mather proposes to tender to the Council meeting of 23 June 2015.

COUNCIL RESOLUTION

THAT the report providing a response to Councillor Mather's Question on Notice regarding The Pines, Yeppoon Garden Maintenance, be received.

Moved by: Councillor Mather
Seconded by: Councillor Hutton

MOTION CARRIED

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

13.1 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - GKI PROMOTIONAL STATEMENTS TO BE CLARIFIED

File No: GV13.4.4
Attachments: 1. Notice of Motion
2. GKI Brochure
Responsible Officer: Justin Commons - Chief Executive Officer

SUMMARY

Councillor Mather withdrew the original Notice of Motion as published on Council Agenda and replaced it with the following:

COUNCIL RESOLUTION

THAT in the interest of residents and ratepayers in the Livingstone Shire and wider community, Council write to the owner of Tower Holdings, Mr Terry Agnew, asking him the following questions regarding his application to re-develop his lease on Great Keppel Island:

1. Whether the State Government has given him any indication that it might reconsider his application for a casino on the island?
2. If not, how long is he prepared to wait for the State to reconsider its position regarding the casino?
3. What commitment would he give his supporters and the Capricorn Region in relation to the future of the resorts re-development if the state government retains its position of refusal?

Moved by: Councillor Mather

Seconded by: Councillor Belot

MOTION CARRIED

13.2 NOTICE OF MOTION - COUNCILLOR BELOT - COUNCIL MEETINGS HELD AT EMU PARK

File No: GV13.4.4
Attachments: Nil
Responsible Officer: Justin Commons - Chief Executive Officer

SUMMARY

Councillor Belot has indicated his intention to move the following Notice of Motion at the Council Meeting on 23 June 2015, as follows:

COUNCIL RESOLUTION

THAT

1. Council agree to conduct 2 meetings per year at Emu Park in a suitable Livingstone Shire Council building that conforms with section 257 of the *Local Government Regulation*.
2. Council investigate further opportunities to provide Council meetings at other community centres

Moved by: Councillor Belot
Seconded by: Councillor Hutton

MOTION CARRIED

14 URGENT BUSINESS QUESTIONS

Nil

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

11.02AM

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 - James Street Yeppoon

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 Notice of Motion - Councillor Mather - Cordingley Street Works Depot

This report is considered confidential in accordance with section 275(1)(c), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget.

Moved by: Councillor Mather

Seconded by: Councillor Belot

MOTION CARRIED

11.43AM

Mayor Ludwig returned to the meeting and resumed the Chairperson responsibilities.

COUNCIL RESOLUTION

11.51AM

THAT the meeting be reopened to the public

Moved by: Councillor Hutton

Seconded by: Councillor Wyatt

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 ACQUISITION OF EASEMENTS FOR DRAINAGE PURPOSES - JAMES STREET YEPPON

File No: CP5.2.2-001

Attachments:

1. Drawing No. 2012-066-93 - (*Confidential*)
2. Drawing No. 2012-066-94 - (*Confidential*)
3. Drawing No. 2012-066-95 - (*Confidential*)
4. Yeppoon Station Building Heritage Listing

Responsible Officer: Dan Toon - 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 .

SUMMARY

This report seeks Council's approval to take three drainage easements from a property in James Street Yeppoon.

No motion was moved and seconded in relation to this item of business.

16.2 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - CORDINGLEY STREET WORKS DEPOT**File No:** GV13.4.4**Attachments:** Nil**Responsible Officer:** Justin Commons - Chief Executive Officer

This report is considered confidential in accordance with section 275(1)(c), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget.

SUMMARY

Councillor Mather has indicated her intention to move the following Notice of Motion at the Council Meeting on 23 June 2015, as follows:

COUNCIL RESOLUTION

THAT a business case be provided detailing the future development opportunities at Council's Cordingley Street site.

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

17 CLOSURE OF MEETING

There being no further business the meeting closed at 11.58 am.

Bill Ludwig
CHAIRPERSON

DATE