

# **Livingstone**

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## Shire Council

### **ORDINARY MEETING**

### **MINUTES**

**13 OCTOBER 2015**

The Council resolutions contained within these minutes were confirmed at the Council meeting on 27 October 2015.

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**MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, ANZAC PARADE, YEPPON ON TUESDAY, 13 OCTOBER 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 Jan Kelly  
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  
Ms Erin McCabe - Coordinator Development Assessment  
Ms Jenna Brosseuk – Senior Planning Officer  
Ms Melissa Minter - Coordinator Community Partnerships  
Mr Jared Thomsen - Sports & Education Officer  
Ms Judy Couttie - Cultural Development Officer

**3 LEAVE OF ABSENCE / APOLOGIES**

Nil

**4 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 5 MAYORAL MINUTE

### 5.1 MAYORAL MINUTE - YEPPOON TO BECOME RV FRIENDLY TOWN

**File No:** TBC  
**Attachments:** Nil  
**Responsible Officer:** Justin Commons - Chief Executive Officer

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#### SUMMARY

*Mayor will be presenting a Mayoral Minute with regard to Caravanning Queensland – Caravan Parks Association of Queensland Limited in relation to a pilot programme of signage advising that LSC are an RV friendly community.*

#### *Suspension of Standing Orders*

#### COUNCIL RESOLUTION

##### 9.13AM

That pursuant to s34(1)(j) and s43(1) Council Meeting Procedures the provisions of the Livingstone Shire Council Meeting Procedures be suspended to allow adequate time for informal discussion on Item 5.1 prior to entering into formal debate.

**Moved by:** Councillor Mather

**Seconded by:** Councillor Kelly

**MOTION CARRIED UNANIMOUSLY**

#### *Resumption of Standing Orders*

#### COUNCIL RESOLUTION

##### 9.30AM

That pursuant to s34(1)(j) and s43(3) Council Meeting Procedures the provisions of the Livingstone Shire Council Meeting Procedures be resumed.

**Moved by:** Councillor Mather

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

**MOTION CARRIED UNANIMOUSLY**

#### COUNCIL RESOLUTION

THAT Livingstone Shire Council accept Caravanning Queensland's invitation to be the first Queensland LGA to officially participate in "Community Welcomes Recreational Vehicle" program.

**Moved by:** Mayor Ludwig

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

**MOTION CARRIED UNANIMOUSLY**

**5.2 LETTER OF APPRECIATION FROM DAVID GOODWIN****Responsible Officer: Justin Commons - Chief Executive Officer**

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**SUMMARY**

A letter of appreciation from David Goodwin in relation to the service he received from Livingstone Shire Council Officers was presented to Councillors.

**COUNCIL RESOLUTION**

THAT Council receive the letter of appreciation from David Goodwin as read and tabled.

**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 22 September 2015 be taken as read and adopted as a correct record.

**Moved by:** Councillor Kelly

**Seconded by:** Councillor Mather

**MOTION CARRIED**

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

Nil

**8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS**

Nil

## **9 PRESENTATION OF PETITIONS**

### **9.1 PETITION REQUESTING DOG OFF LEASH PARK FOR LSC**

**File No:** CR2.13.3

**Attachments:**

- 1. Email from Cr Hutton requesting his intention to present two petitions**
- 2. Petition Signatures**
- 3. Petition Comments**

**Responsible Officer:** Justin Commons - Chief Executive Officer

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#### **SUMMARY**

Council has received the attached petition from Councillor Nigel Hutton and petitioners requesting a dog off leash park for Livingstone Shire Council.

#### **COUNCIL RESOLUTION**

THAT the petition requesting a dog off leash park for Livingstone Shire Council be received.

**Moved by:** Councillor Hutton

**Seconded by:** Councillor Kelly

**MOTION CARRIED**

**10 BUSINESS IMPROVEMENT COMMITTEE REPORTS**

Nil

**11 COUNCILLOR/DELEGATE REPORTS**

Nil

## 12 REPORTS

### 12.1 CAPRICORN COAST HISTORICAL SOCIETY INCORPORATED TENURE RENEWAL AND REQUEST FOR ADDITIONAL SPACE

**File No:** CP2.15.3  
**Attachments:** Nil  
**Responsible Officer:** Ian Dare - Manager Community Wellbeing  
Brett Bacon - Director Community & Planning Services  
**Author:** Melissa Minter - Co-ordinator Community Partnership

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#### SUMMARY

*This report pertains to the renewal of the tenure for the Capricorn Historical Society Incorporated and considers a request from the organisation for additional space for storage and to provide capacity to expand its operations.*

#### COUNCIL RESOLUTION

THAT the Capricorn Coast Historical Society:

- 1) be granted an extension of their existing tenure to include one bay of the Council-occupied shed; and
- 2) tenure arrangements be formalised from 1 January 2014 for a three (3) by three (3) year period with the annual payment for each being set at \$1 per annum.

**Moved by:** Mayor Ludwig  
**Seconded by:** Councillor Hutton

**MOTION CARRIED UNANIMOUSLY**

**12.2 INVITATION TO LEASE - CAPRICORN COAST RECREATION CENTRE**

**File No:** CP5.9.2  
**Attachments:** 1. Invitation to Lease Application Assessment  
**Responsible Officer:** Ian Dare - Manager Community Wellbeing  
Brett Bacon - Director Community & Planning Services  
**Author:** Jared Thomsen - Senior Sport & Education Officer

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**SUMMARY**

*This report discusses the outcome of the Invitation to Lease process for the Capricorn Coast Recreation Centre, including details surrounding the process, responses received, and assessment of received responses.*

Mayor Ludwig noted perceived conflict of interest due to being a patron of the Yeppoon Football Club. Mayor Ludwig chose to stay in the room and participate in the discussion and vote.

**COUNCIL RESOLUTION**

THAT Council issue Keppel Bay Sailing Club Incorporated a Lease over the Capricorn Coast Recreation Centre (Lot 1 on SP201927) in line with the outcome of the Invitation to Lease process.

**Moved by:** Councillor Hutton  
**Seconded by:** Councillor Belot

**MOTION CARRIED UNANIMOUSLY**



**12.3 AUSTRALIA DAY AWARDS JUNIOR CITIZEN OF THE YEAR AGE BRACKET**

**File No:** CR2.2.15  
**Attachments:** Nil  
**Responsible Officer:** Trish Weir - Manager Customer Service  
Chris Murdoch - Director Corporate Services  
**Author:** Meegan Armstrong - Coordinator Stakeholder  
Engagement and Events

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**SUMMARY**

Currently the Young Citizen of the Year is open to candidates up to 18 years in that award year. We propose to increase this to 25 years in the award year.

**COUNCIL RESOLUTION**

THAT the age bracket for the Youth or Young Australian for Livingstone (Australia Day Awards) be increased from 18 years to 25 years.

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

**MOTION CARRIED**

**12.4 REGIONAL ARTS DEVELOPMENT FUND ROUND ONE 2015-2016**

**File No:** GS15.5.2  
**Attachments:** Nil  
**Responsible Officer:** Ian Dare - Manager Community Wellbeing  
**Author:** Judy Couttie - Cultural Development Officer

**SUMMARY**

*Eleven applications were received for Round One of the 2015/2016 Regional Arts Development Fund which closed on Monday 21 September 2015 with a total amount of \$50,065 requested. Total Regional Arts Development Fund money available for the 2015-2016 financial year is \$62,000.*

*The Regional Arts Development Fund Committee assessed the applications and nominated that ten applicants met the programme criteria and recommended they be funded for the total amount of \$37,940.*

**COUNCIL RESOLUTION**

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

| Name                  | Purpose of Grant  | \$ Total Project Expenses | \$ Grant Requested | \$ Grant Recommended |
|-----------------------|---|---------------------------|--------------------|----------------------|
| Bridget Haden Worx    | Towards the costs of an inspiring, inclusive and innovative retrospective art exhibition made up of painting, film and performance art including audience and ATSI partnership participation. | 22,529                    | 7,799              | 7,799                |
| Karin Calvert         | Towards the costs 20 framed photographic prints and accompanying stories on Cyclone Marcia recovery.  | \$24,919                  | \$4,950            | 4,950                |
| Robyn Campbell        | Towards the costs of Radio NAG to contract artist in delivery of 3 workshops in silk screen printing to develop community skills and future merchandising opportunities                       | \$3,370                   | \$1,770            | 1,320                |
| Harmony Working Group | Towards the costs of employing a sculptor to conduct workshops with community to develop piece of public art incorporating the Public   | \$9,930                   | \$2,800            | 2,800                |

|                                       | Pledge to be completed by 2016 Harmony Day  |          |          |       |
|---------------------------------------|---|----------|----------|-------|
| Keppel Coast Arts                     | Towards engaging a cinematographer to present a two-day workshop to teach advanced techniques in shooting, editing and grading  | \$3,530  | \$1,800  | 1,800 |
| Keppel Coast Camera Club              | Towards costs of workshops presented by 10 top photography experts at the Annual Convention of Qld affiliated camera clubs  | \$37,750 | \$7,330  | 7,330 |
| Yvonne Moloney-Law & Maaret Sinkko    | Towards costs of exhibition in Brisbane "A Younger Country" by two Livingstone artists to exhibit new works incorporating new artistic techniques. Grant to cover Guest speaker expenses, artist travel, gallery hire & clean and documentation | \$22,720 | \$11,539 | 4,740 |
| Janet Stevenson                       | Towards the costs of professional dramaturg (script editor) to review and edit the script in preparation to bring the production (incorporating songs about Yeppoon and Emu Park) to Livingstone.   | \$6,381  | \$2,000  | 2,000 |
| The Gallery of Fine Arts Inc Emu Park | Towards the costs of professional fees for sculptor to conduct two Bronze Casting Workshops.  | \$2,525  | \$1,425  | 1,425 |
| The Mill Gallery                      | Towards costs of co-ordination, marketing and fees to local artist tutors for a series of 9 art workshops for children and adults from December 2015 to February 2016.  | \$10,053 | \$3,776  | 3,776 |

**Moved by:** Councillor Kelly  
**Seconded by:** Councillor Hutton  
**MOTION CARRIED UNANIMOUSLY**

**12.5 YEPPON SHOW HOLIDAY 2016**

**File No:** LE19.2.1  
**Attachments:** 1. Yeppoon Show Holiday Documentation  
**Responsible Officer:** Chris Murdoch - Director Corporate Services  
**Author:** Suzanne Pambid - PA to the CEO

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**SUMMARY**

*The Office of Industrial Relations as part of the Department of Justice and Attorney General request the gazetted public holidays for Yeppoon to be provided to them for inclusion in the publication of gazetted public and special holidays for Queensland.*

*This information needs to be provided to the Office of Industrial Relations in September each year. Livingstone Shire Council has been given an extension to 13 October 2015.*

**COUNCIL RESOLUTION**

THAT Council resolve that Friday 17 June 2016 be gazetted as the Show holiday for Yeppoon.

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

**MOTION CARRIED**

Councillor Scott sought leave of the meeting to suspend meeting procedures for morning tea.

**Leave granted.**

Meeting procedures were suspended at 10:05am.

Meeting procedures resumed at 10:14am.

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

Nil

**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

#### 10.14AM

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 Land for the Northern Strategic Link Road – Panorama Drive

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 Northern Strategic Link Road - Panorama Drive Alignment

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 .

#### 16.3 Compliance matter associated with access arrangements

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

#### 16.4 Digital Economy Consultancy

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

**Moved by: Councillor Kelly**  
**Seconded by: Councillor Mather**

### MOTION CARRIED

Mayor Ludwig sought leave of the meeting to suspend meeting procedures for lunch.

**Leave granted.**

Meeting procedures were suspended at 11:00am.

Meeting Procedures resumed at 12:30pm.

### COUNCIL RESOLUTION

#### 1.05PM

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

**Moved by: Councillor Kelly**

**Seconded by: Councillor Wyatt**  
**MOTION CARRIED**



## 16 CONFIDENTIAL REPORTS

### 16.1 ACQUISITION OF LAND FOR THE NORTHERN STRATEGIC LINK ROAD – PANORAMA DRIVE

**File No:** 14-118

**Attachments:**

1. Drawing No 14-118-184 (v2) - *(Confidential)*
2. Drawing No 14-118-184 (v4) - *(Confidential)*
3. Drawing No 14-118-184 (v6) - *(Confidential)*
4. Panorama Drive - Option O Alignment - *(Confidential)*
5. Panorama Drive - Option O Alignment (aerial) - *(Confidential)*
6. Land under Council control - *(Confidential)*

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

**Author:** Craig Jepson - Civil Design  
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 take land for road purposes and an easement for drainage purposes for the Northern Strategic Link Road – Panorama Drive.*

#### COUNCIL RESOLUTION

THAT Council authorise the Chief Executive Officer to issue a Notice of Intention to Resume in accordance with Section 7 of the Acquisition of Land Act 1967 for the resumption of:

- a) land from Lot 1 RP602259 described as 'proposed road acquisition area' for the purposes of road generally in accordance with Drawing No. 14-118-184 (v6); and
- b) an easement over Lot 1 RP602259 described as 'proposed drainage easement area' for the purposes of drainage generally in accordance with Drawing No. 14-118-184 (v6).

**Moved by:** Councillor Hutton

**Seconded by:** Councillor Wyatt

**MOTION CARRIED**

**16.2 NORTHERN STRATEGIC LINK ROAD - PANORAMA DRIVE ALIGNMENT****File No:** 14-118

- Attachments:**
1. Panorama Drive - Option O - *(Confidential)*
  2. Drawing No 14-118-013 (v1 - 24 September 2015) - *(Confidential)*
  3. Drawing No 14-118-014 (v1 - 24 September 2015) - *(Confidential)*
  4. Drawing No 14-118-016 (v1 - 24 September 2015) - *(Confidential)*
  5. Drawing No 14-118-017 (v1 - 24 September 2015) - *(Confidential)*
  6. Drawing No 14-118-018 (v1 - 24 September 2015) - *(Confidential)*
  7. Drawing No 14-118-093 (v1 - 24 September 2015) - *(Confidential)*
  8. Drawing No 14-118-094 (v1 - 24 September 2015) - *(Confidential)*
  9. Drawing No 14-118-095 (v1 - 24 September 2015) - *(Confidential)*
  10. Drawing No 14-118-096 (v1 - 24 September 2015) - *(Confidential)*
  11. Drawing No 14-118-097 (v1 - 24 September 2015) - *(Confidential)*
  12. Drawing No 14-118-098 (v1 - 24 September 2015) - *(Confidential)*

**Responsible Officer:** Dan Toon - Director Infrastructure Services  
Stuart Doak - Manager Infrastructure Planning & Design**Author:** Craig Jepson - Civil Design

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 discusses the proposed alignment of Northern Strategic Link Road - Panorama Drive (Segment 2) from Adelaide Park Road to Farnborough Road for acceptance by Council.*

**COUNCIL RESOLUTION**

THAT Council resolves to support the horizontal alignment of the Northern Strategic Link Road - Panorama Drive (Segment 2a and 2b) from Adelaide Park Road to Farnborough Road in accordance with the drawing in Attachment 1.

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

**16.3 COMPLIANCE MATTER ASSOCIATED WITH ACCESS ARRANGEMENTS****File No:** CR331729**Attachments:**

1. Aerial photograph from 23 October 1990
2. Aerial photograph from June-July 2010
3. Aerial photograph from April-May 2014
4. Aerial photograph from June-September 2014
5. Site photographs from 28 September 2014 to 2 October 2014
6. Capricorn Municipal Development Guidelines standard drawings CMDG-R-042 and CMDG-R-043

**Responsible Officer:** Erin McCabe - Co-ordinator Development Assessment  
Brett Bacon - Director Community & Planning Services**Author:** Jenna Brosseuk - Senior Planning Officer

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

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**SUMMARY**

*This report addresses compliance over three (3) land parcels at Emu Park pertaining to access arrangements.*

**COUNCIL RESOLUTION**

THAT Council resolve that officers progress the matter in accordance with options 1.0 and 3.1 of this report.

**Moved by:** Councillor Kelly  
**Seconded by:** Councillor Mather**MOTION CARRIED**

**16.4 DIGITAL ECONOMY CONSULTANCY****File No:** ET10.6**Attachments:** 1. **Proposal from Westmeath Consultancy Services****Responsible Officer:** **Chris Murdoch - Director Corporate Services****Author:** **Linda Benson - PA to Director Corporate Services**

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

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**SUMMARY**

*Approval is sought to engage Westmeath Consultancy Services (Steve Harrison) as an exception to the normal procurement process to assist Council with a range of activities associated with economic strategic plan and digital economy strategy.*

**COUNCIL RESOLUTION**

THAT Westmeath Consultancy Services be engaged to provide services as outlined in the attached proposal on pages 2 – 4 on the basis that there is only one supplier who meets the requirements of this consultancy and is reasonably available.

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

**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 1.07pm.

\_\_\_\_\_  
Bill Ludwig  
CHAIRPERSON

\_\_\_\_\_  
DATE