



ORDINARY MEETING

MINUTES

1 AUGUST 2017

The resolutions contained within these minutes were confirmed at Council Meeting on 15 August 2017.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, ANZAC PARADE, YEPPON ON TUESDAY, 1 AUGUST 2017 COMMENCING AT 9.07AM

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

Apologies:

Councillor Jan Kelly

In Attendance:

Mrs Chris Murdoch – Chief Executive Officer
Mr Ron Posselt – Director Corporate Services
Mr Brett Bacon – Director Community and Planning Services
Mr Dan Toon – Director Infrastructure Services
Ms Debra Howe – Director Strategic Growth and Development
Mrs Linda Benson – Coordinator Executive Support
Mrs Andrea Ellis – Chief Financial Officer
Ms Erin McCabe – Coordinator Development Assessment
Mr David Battese – Manager Strategy and Development
Mr Jared Thomsen – Senior Sport and Education Officer Community Partnerships
Kerry Mulcahy – Development Officer Development Assessment
Melissa Minter – Coordinator Community Partnerships
Jodie Roche – Development Officer Development Assessment
Maddie Ward – Senior Planning Officer Development Assessment
Melissa Warwick – Senior Strategic Planner Strategy and Development

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 PUBLIC FORUMS/DEPUTATIONS

Nil

5 MAYORAL MINUTE

Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 18 July 2017 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**

8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

Nil

9 PRESENTATION OF PETITIONS

Nil

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

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 OFFICE OF THE DEPUTY MAYOR

File No: GV13.4.1

Attachments: 1. **Mayoral Minute - Office of the Deputy Mayor - 18 July 2017** [↔](#)

Responsible Officer: Chris Murdoch - Chief Executive Officer

Author: Linda Benson - Coordinator Executive Support

SUMMARY

The Office of the Deputy Mayor is declared vacant on 1 August 2017. This followed the tabling of a Mayoral Minute on 18 July 2017 whereby Councillors were informed that Councillor Graham Scott would stand down as Deputy Mayor to provide the opportunity for the elected member group to develop broader leadership capacity.

COUNCIL RESOLUTION

THAT Council appoint Councillor Nigel Hutton as Deputy Mayor from the elected members.

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

MOTION CARRIED

12.2 2018 YEPPOON SHOW HOLIDAY

File No: LE19.2.1
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Linda Benson - Coordinator Executive Support

SUMMARY

A letter has been received from the Office of Industrial Relations, Queensland Treasury to complete the on-line notification of their intended special holidays for 2018 by 11 August 2017.

COUNCIL RESOLUTION

THAT Councillors approve the Yeppoon Show Holiday be held on Friday 15 June 2018.

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

MOTION CARRIED

12.3 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 11 JULY 2017

File No: GV13.4.2
Attachments: 1. [ARaBIC Minutes Unconfirmed 11 July 2017](#) ⇨
Responsible Officer: Ron Posselt - Director Corporate Services
Author: Robyn Black - Executive Assistant to the Director Corporate Services

SUMMARY

The Audit, Risk and Business Improvement Committee met on 11 July 2017 and this report provides the recommendations from the committee for consideration and adoption by Council. The reports from the meeting are available for viewing by Councillors on the Councillor Portal.

COUNCIL RESOLUTION

THAT the unconfirmed minutes of the Audit, Risk and Business Improvement Committee meeting held on 11 July 2017 be received and the following officer's recommendations contained within those minutes be adopted.

1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

THAT the minutes of the Audit, Risk and Business Improvement Committee held on 26 April 2017 be taken as read and adopted as a correct record.

6.1 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

THAT the Business Outstanding Table for the Audit, Risk and Business Improvement Committee meeting be received.

7.1 COMMITTEE WORK PROGRAM STATUS

THAT the Committee receives the status of the Annual Work Program.

7.2 EXECUTIVE LEADERSHIP TEAM UPDATE TO THE COMMITTEE

THAT the Committee receives the verbal updates provided by the leadership team on key activities or issues.

7.3 RESULTS OF COMMITTEE SELF-ASSESSMENT

THAT Council note the results of the Audit, Risk and Business Improvement Committee annual self-assessment process.

7.4 CFO UPDATE

THAT the Audit Risk and Business Improvement Committee receive the Chief Financial Officer's update.

7.5 EXTERNAL AUDITOR'S UPDATE

THAT the Committee receive the External Auditor's Update Report.

7.6 FINAL INTERNAL AUDIT PLAN FOR 2017-18

THAT the Committee endorse the 2017-18 Internal Audit Plan. This report is to be brought back to Council as a separate agenda item for consideration.

7.7 INTERNAL AUDIT UPDATE

THAT the Committee receive the report on Internal Audit.

7.8 INTERNAL AUDIT REPORT ON PAYROLL PROCESSES

THAT the Committee endorse the Internal Audit Report on Payroll Processes for consideration by Council.

7.9 INTERNAL AUDIT REPORT ON ICT GOVERNANCE

THAT the Committee endorse the Internal Audit Report on ICT Governance for consideration by Council.

7.10 UPDATE ON DEVELOPMENT OF AN INTERNAL CONTROL FRAMEWORK

THAT the Committee receive this report on the progress on development of an Internal Control Framework.

7.11 BUSINESS IMPROVEMENT UPDATE

THAT the Committee receive the Business Improvement Update report.

7.12 FINANCIAL SUSTAINABILITY MONITORING

THAT the Audit Risk and Business Improvement Committee note the Financial Sustainability Monitoring report.

7.13 REVIEW OF OPERATIONAL RISK REGISTER - CORPORATE SERVICES

THAT the Review of Operational Risk Register – Corporate Services Report be received.

7.14 POSITION PAPER NON-CURRENT ASSET REVALUATIONS

THAT ARaBIC note the results of the 2016-17 non-current asset revaluations and endorse the report for consideration by Council.

12.1 RISK MANAGEMENT

THAT the Committee receive the Risk Management Report.

12.2 CEO UPDATE ON EMERGING ISSUES

THAT the Committee receives the verbal update provided by Chief Executive Officer on emerging issues.

Moved by: Councillor Hutton

Seconded by: Councillor Mather

MOTION CARRIED

12.4 MONTHLY FINANCIAL REPORT FOR PERIOD ENDING 30 JUNE 2017

File No: FM12.14.1
Attachments: 1. **Monthly Financial Report - June 2017** [↗](#)

Responsible Officer: Ron Posselt - Director Corporate Services
Author: Andrea Ellis - Chief Financial Officer

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the period ended 30 June 2017 by the Chief Financial Officer.

COUNCIL RESOLUTION

THAT the Livingstone Shire Council Monthly Financial Report for the period ended 30 June 2017 be noted.

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

MOTION CARRIED

12.5 INTERNAL AUDIT PLAN FOR 2017-18

File No: CM4.2.2

Attachments:

1. [2017-18 Annual Audit Plan](#)
2. [Strategic Audit Plan 2017 - 2021](#)

Responsible Officer: Ron Posselt - Director Corporate Services

Author: Scott Williams - Internal Auditor

SUMMARY

The planning process to produce the Internal Audit Plan for 2017-18 has been completed involving the Executive Leadership Team and the Audit Risk and Business Improvement Committee. The process also develops a strategic audit plan covering the following three financial years. The plan is being presented to Council for their approval.

COUNCIL RESOLUTION

THAT Council approve the 2017-18 Annual Audit Plan.

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

MOTION CARRIED

12.6 GET PLAYING PLACES AND SPACES PROGRAMME - FUNDING APPLICATION

File No: GS15.2.7
Attachments: 1. [Get Playing Places and Spaces Fact Sheet](#)
Responsible Officer: Ian Dare - Manager Community Wellbeing
Brett Bacon - Director Community & Planning Services
Author: Jared Thomsen - Senior Sport & Education Officer

SUMMARY

This report discusses a proposed application for funding from the Queensland Government's Get Playing Places and Spaces programme.

COUNCIL RESOLUTION

THAT Council supports an application for \$150,000 from the Queensland Government's *Get Playing Places and Spaces* programme for the construction of equipment at the Barmaryee Multisport Precinct to support increased participation in active recreation.

Moved by: Councillor Wyatt
Seconded by: Councillor Hutton

MOTION CARRIED

12.7 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A LOCAL UTILITY (BOAT HARBOUR CAR TRAILER PARK EXTENSION) AND OPERATIONAL WORKS FOR STORMWATER WORKS, ACCESS AND PARKING WORKS, SITE WORKS, LANDSCAPING WORKS AND ROAD WORKS.

File No: D-25-2017

Attachments:

1. [Locality Plan](#)
2. [Proposal Plan](#)
3. [Landscaping Plan](#)

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

Author: Kerry Mulcahy - Development Officer

SUMMARY

Application D-25-2017 for a Development Permit for a Material Change of Use for a Local utility (boat harbour car trailer park extension) and Operational Works for stormwater works, access and parking works, site works, landscaping works and road works was presented at the Council Meeting of 4 July 2017. At the meeting Councillors requested that the report be laid on the table pending additional information from the developer on the proposal including consideration of alternative surface treatment options. An invitation was extended to the developer, being the Department of Transport and Main Roads and the department's representative and planning consultant made a deputation at the Councillor Workshop of 18 July 2017. The developer confirmed that no changes are proposed to the application and as such, the matter is back before Council in the original form as presented at the Council meeting.

Development Application Number: D/25-2017

Applicant: The Department of Transport and Main Roads

Real Property Address: Lot 129 on CP854911

Common Property Address: Lot 129 Vin E Jones Memorial Drive, Rosslyn

Area of Site: 3,886 square metres

Planning Scheme: *Livingstone Shire Planning Scheme 2005*

Planning Scheme Zoning: Special Purpose Zone

Planning Scheme Overlays: Overlay Map O1 - Protected Areas 100 metres Buffer;
Overlay Map O2 - Erosion Prone; and
Planning Scheme Map PSM10 - Locally Significant Vegetation

Existing Development: Vacant land

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for a Local utility (boat harbour car trailer park extension) and Operational Works for stormwater works, access and parking works, site works, landscaping works and road works

Level of Assessment: Impact Assessable

Submissions: Eleven (11) Properly Made Submissions

Referral Agency(s): Nil
 Adopted Infrastructure Charges Area: Not applicable
 Application Progress:

Application Lodged:	3 February 2017
Acknowledgement Notice Issued:	3 February 2017
Request for Further Information sent:	1 March 2017
Request for Further Information responded to:	22 March 2017
Submission period commenced:	28 March 2017
Submission period end:	19 April 2017
Council first request for additional time:	4 May 2017
Council second request for additional time:	29 May 2017
Last receipt of information from applicant:	28 June 2017
Statutory determination date:	17 July 2017

COUNCIL RESOLUTION

RECOMMENDATION A

THAT That in relation to the application for a Development Permit for a Material Change of Use (Local Utility) and Operational Works (stormwater works, access and parking works, site works, landscaping works and road works), made by Department of Transport and Main Roads, on Lot 129 on CP854911 and located at Lot 129 Vin E Jones Memorial Drive, Rosslyn, Council resolves to approve the application subject to the following conditions:

PART A: MATERIAL CHANGE OF USE

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the commencement of use, unless otherwise stated.
- 1.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.7 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>
Title Sheet, Sheet 1 of 1	702817 Revision D	12 June 2017
Planting Plan	702833 Revision B	12 June 2017
Planting Details	702834 Revision B	12 June 2017

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the commencement of use.
- 3.0 ROAD WORKS
- 3.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of the Development Permit for Operational Works (road works) in Part B of this permit.
- 3.2 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)*.
- 3.3 Public use areas including intersections between Shoreline Close and site entry and exit must be provided with public space lighting in accordance with *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.
- 4.0 ACCESS WORKS
- 4.1 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 the Development Permit for Operational Works (access works and parking works) in Part B of this permit.
- 4.2 All ingress and egress movements to and from the development must be in a forward direction (forward gear).
- 4.3 All vehicle operations associated with the proposed use must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Manual of Uniform Traffic Control Devices (Queensland)*.
- 5.0 STORMWATER
- 5.1 All stormwater 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 the Development Permit for Operational Works (stormwater works) in Part B of this permit.
- 5.2 All stormwater runoff must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 5.3 All stormwater runoff must not adversely affect the upstream or downstream land

when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance.

- 5.4 All ongoing maintenance and management actions necessary for the proposed stormwater quality management devices must be carried out by suitably qualified person(s) in a timely manner. A completed log book must be maintained and must be available on-site for inspection by Council and /or relevant authorities.

6.0 SITE WORKS

- 6.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"* and the provisions of the Development Permit for Operational Works (site works) in Part B of this permit.

- 6.2 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.

- 6.3 Any retaining structures one metre or above in height must be separately certified on completion of construction for compliance with the design. In this regard a completed form 16 (upon completion) must be submitted to Council.

- 6.4 All site works must be undertaken to ensure that no actionable nuisance results from:

6.4.1 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);

6.4.2 an increase in downstream or upstream flood inundation levels; and

6.4.3 increase in velocity profiles;

7.0 LANDSCAPING WORKS

- 7.1 All landscaping works must be designed and constructed in accordance with the approved plans (refer to condition 2.1) and the provisions of the Development Permit for Operational Works (landscaping works) in Part B of this permit.

- 7.2 Landscaping, or any part thereof, upon reaching full maturity, must not:

(i) obstruct sight visibility zones as defined in the *Austrroads 'Guide to Traffic Engineering Practice'* series of publications;

(ii) adversely affect any road lighting or public space lighting; or

(iii) adversely affect any Council infrastructure, or public utility plant.

8.0 ELECTRICITY AND TELECOMMUNICATIONS

- 8.1 Electricity and telecommunication (if necessary) connections must be provided to the proposed development to the standards of the relevant authorities.

9.0 ASSET MANAGEMENT

- 9.1 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.

- 9.2 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.

- 9.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be

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

10.0 ENVIRONMENTAL

10.1 The Erosion and Sediment Control Plan approved as part of the Development Permit for Operational Works must be part of the contract documentation for the development works.

10.2 The Erosion and Sediment Control 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 and Sediment Control Plan must be available on-site for inspection by Council Officers during those works.

11.0 OPERATING PROCEDURES

11.1 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 Vin E Jones Memorial Drive and Shoreline Close.

PART B: OPERATIONAL WORKS

12.0 ADMINISTRATION

12.1 The approved use and development must be completed and maintained generally in accordance with the approved drawings and documents, except where amended by the conditions of this Decision Notice.

<u>Plan/Document Name</u>	<u>Plan Number</u>	<u>Dated</u>
Title Sheet	702817 Revision D	12 June 2017
Typical Sections and Details	702818 Revision D	12 June 2017
Erosion and Sediment Control Plan	702819 Revision D	12 June 2017
Bulk Earthworks Plan	702820 Revision D	12 June 2017
Bulk Earthworks Cross Sections Sheet 1 of 3	702821 Revision D	12 June 2017
Bulk Earthworks Cross Sections Sheet 2 of 3	702822 Revision D	12 June 2017
Bulk Earthworks Cross Sections Sheet 3 of 3	702823 Revision D	12 June 2017
Setout Tables	702824 Revision D	12 June 2017
Longitudinal Sections – Carpark Sheet 1 of 2	702825 Revision D	12 June 2017
Longitudinal Sections – Retaining Wall & Footpath Sheet 2 of 2	702826 Revision D	12 June 2017
Stormwater Layout Plan	702827 Revision D	12 June 2017

Stormwater Longitudinal Section	702828 Revision D	12 June 2017
Stormwater Calculation Tables	702829 Revision D	12 June 2017
Signs and Linemarking Plan Sheet 1 of 2	702830 Revision D	12 June 2017
Signs and Linemarking Plan Sheet 2 of 2	720831 Revision D	12 June 2017
Planting Treatments – Retain and Remove	720382 Revision B	12 June 2017
Planting Plan	702833 Revision B	12 June 2017
Planting Details	702834 Revision B	12 June 2017

- 12.2 A set of the above stamped approved plans are returned to you as the Applicant who must supply a copy to the contractor, which must be retained on site at all times during construction.
- 12.3 Where there is any conflict between the conditions of this Decision Notice and the details shown on the approved plans and documents, the conditions of this Decision Notice must prevail.
- 12.4 If after the issue of this Decision Notice Approval for construction, errors, omissions or insufficient details are noted on the approved plans, such deficiencies must be corrected prior to construction, or if noted during construction, approval obtained from Council to correct the error, omission or deficiency. Council reserves the right to withhold approval of construction until such remedies are complete and accepted.
- 12.5 Where the approved plans or the *Capricorn Municipal Development Guidelines* are silent on any matter regarding specifications for materials (to be permanently incorporated into the works) or silent on any matter regarding construction standards, the specified requirements in the *Standard Specification – Roads (Main Roads)* and *Standard Drawings – Roads (Main Roads)* must prevail. For water supply and sewer infrastructure, the relevant Australian Standard should be used to address any relevant matter where the *Capricorn Municipal Development Guidelines* are silent.
- 12.6 Under Part 1 Clause 1.10 of the *Manual of Uniform Traffic Control Devices Queensland*, Council delegates the Principal Contractor the responsibility for the installation of all official traffic signs, as detailed in the approved plans, installed in accordance with the methods, standards and procedures prescribed in the *Manual of Uniform Traffic Control Devices*, or other duly approved documents.
- 12.7 All works must comply with the *Capricorn Municipal Development Guidelines* and/or other relevant standards and policies pursuant to this Decision Notice, or as approved in writing by Council.
- 12.8 All works must be supervised by a Registered Professional Engineer of Queensland who is experienced in all relevant aspects of civil construction.
- 12.9 All construction work and other associated activities are permitted only between 0630 hours and 1830 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the *Environmental Protection Act* and *Environmental Protection Regulations* must be observed at all times.
- 12.10 Any proposed works within the vicinity (or zone of influence) of existing Council

infrastructure must not adversely affect the integrity of the infrastructure. Any restoration works required on existing Council infrastructure as a result of proposed works must be undertaken at no cost to Council.

- 12.11 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.

13.0 INSPECTION REQUIREMENTS

- 13.1 Joint inspections with the Project Superintendent/Consulting Engineer, the Principal Contractor and Council's Operational Works Inspector(s) are required. All works must conform with the inspection and test plan as defined by the *Capricorn Municipal Development Guidelines*.

- 13.2 A pre-start meeting must be held, prior to the commencement of any construction, in accordance with section CP1.08 – Notice to commence works and CP1.09 – Pre-start meeting of the *Capricorn Municipal Development Guidelines*. The following information must be presented prior to, or at the meeting:

2.2.1 a copy of the Contractor's Public Liability Insurance Policy for a minimum of twenty (20) million dollars indemnifying Council against all claims resulting from the construction works of this Development;

2.2.2 notification of the Principal Contractor for the works;

2.2.3 a programme of works, demonstrating all major activities and milestones; and

2.2.4 a Traffic Management Plan must be submitted to council for review. This Traffic Management Plan must address the following issues:

- (i) safe and accessible pedestrian movement in and around the site over the life of the project;
- (ii) access and egress for the site over the life of the project;
- (iii) haul routes for earthworks and other construction activities over the life of the project;
- (iv) general traffic guidance around the site over the life of the project; and
- (v) proposed parking areas for construction vehicles, staff working on-site and visitors.

- 13.3 Council's minimum inspection programme is as follows, however this does not preclude the requirement for further inspections if deemed appropriate by Council officers:

2.3.1 Vegetation:

- (i) existing vegetation prior to undertaking *any* works on the site.

2.3.2 Earthworks:

- (i) practical completion.

2.3.3 Stormwater infrastructure:

- (i) pipe laying – prior to backfill;
- (ii) pit positioning and setup;
- (iii) benching;
- (iv) inlet and outlet protection works; and

- (v) swale revegetation completion.

2.3.4 Road works:

- (i) subgrade;
- (ii) sub-base – after kerb set-out (for that portion of the sub-base under the kerb);
- (iii) pre-seal;
- (iv) asphalt placement; and
- (v) final, pavement surfacing, signage, linemarking and street furniture.

2.3.5 Retaining walls:

- (i) footings;
- (ii) first course block placement;
- (iii) drainage and backfill; and
- (iv) final inspection.

2.3.6 Concrete works:

- (i) steel fixing / pre-pour; and
- (ii) final inspection.

2.3.7 Landscaping:

- (i) preparation of garden beds, turf areas and rootball excavation;
- (ii) planting and turf installation including staking (if required); and
- (iii) mulching and final establishment.

14.0 ROAD WORKS

- 14.1 Where a concrete path is proposed initially or ultimately, a maximum cross-fall of two and a half (2.5) per cent must be maintained from the back of the kerb for a minimum distance of three (3) metres towards the lot boundary. Elsewhere, a maximum cross-fall of five (5) per cent must be maintained for a minimum distance of two (2) metres behind the kerb.

15.0 ACCESS

- 15.1 All vehicle access and parking must be designed and constructed in accordance with the approved plans, the *Capricorn Municipal Development Guidelines* and *Australian Standard 2890 Parking and Access*.
- 15.2 Where proposed construction of vehicular or pedestrian access to a development site impacts on existing pedestrian infrastructure, the requirements of *Australian Standard 1428 Design for Access and Mobility* must be maintained.
- 15.3 Pursuant to this Decision Notice, any necessary alterations to existing road furniture, signs and/or pavement markings must be undertaken by the Developer, at no cost to Council.

16.0 STORMWATER

- 16.1 The method of outlet discharge shown indicatively on the approved plans must be inspected and approved prior to Council acceptance.

17.0 SEWERAGE

- 17.1 Works within proximity to the existing sewerage infrastructure must not adversely affect the integrity of the sewer infrastructure. Any repairs required to the infrastructure will be at the developers cost.

18.0 SITE WORKS

- 18.1 All earthworks must be undertaken in accordance with *Australian Standard 3798 Guidelines on Earthworks for Commercial and Residential Developments*.
- 18.2 All earthworks quality control and testing must be in accordance with *Australian Standard 1289 Methods of Testing Soils for Engineering Purposes*.

19.0 LANDSCAPING

- 19.1 Formed hard edges (maintenance edges) constructed of concrete extruded edge in accordance with the *Capricorn Municipal Design Guidelines* must be implemented to enclose gardens and vegetation where it meets the turf.

20.0 ENVIRONMENTAL MANAGEMENT

- 20.1 All vegetation which cannot be mulched on site for use on this development or an approved place of use must be disposed of at a suitable place of disposal. Burning is generally not permitted unless the relevant Fire Authority issues a Permit.
- 20.2 The Principal Contractor is responsible for ensuring that all aspects of the Environmental Management Plan are complied with at all times. The principal contractor must also check the Erosion and Sediment Control Measures at the start and end of each day to ensure the entire site is secure and appropriately prepared in the event of rainfall.
- 20.3 During all stages of the development, operations must be undertaken in a manner that does not allow environmental nuisance caused by noise, aerosols, dust, ash, fumes, light, odour or smoke and must not go beyond the boundaries of the property, as stated in the *Environmental Protection Act 1994* and subordinate legislation.

21.0 UTILITY SERVICES

- 21.1 The Developer is responsible for all costs associated with the supply and installation of any road lighting or public space lighting in accordance with *Australian Standard 1158 Lighting for Roads and Public Spaces*.

22.0 DOCUMENTATION

- 22.1 An Engineers' Certificate of Construction must be submitted by a Registered Professional Engineer of Queensland verifying that all works have been carried out in accordance with Council approved drawings, approval conditions and specifications in relation to the signage and associated structures.
- 22.2 For retaining walls in excess of one metre in height, the construction of the retaining wall must only be undertaken by a licenced tradesperson holding the appropriate licence to do so. A completed Form 16 Inspection Certificate certified by Registered Professional Engineer Queensland (RPEQ) must be submitted to council upon completion.

23.0 AS CONSTRUCTED REQUIREMENTS

- 23.1 "As Constructed" information in the prescribed digital formats must be submitted to Council for review and acceptance prior to inspections or placing the construction "On Defects/Liability Period". The data is to be submitted in accordance with the "As Constructed" submission manual <http://www.livingstone.qld.gov.au/390/Operational-Works> and emailed to enquiries@livingstone.qld.gov.au with a cover note detailing the Development Application reference, legal description of the land, address, estate/subdivision name and stage, Consultant's name and contact details. The final approval of the "As Constructed" submission, in accordance with the *Submission of Digital As Constructed Manual*, must occur prior to the commencement of the Defects Liability period.
- 23.2 By submitting the "as constructed" information to Council, the Consultant grants Council a royalty-free, perpetual, non-exclusive, non-cancellable, non-transferable

licence to:

- a) use, reproduce, adapt, modify, commercially exploit and communicate the Intellectual Property (including by development and distribution of a Derivative Product); and
- b) sub-license Council's right to use, reproduce, adapt, modify, commercially exploit and communicate the Intellectual Property, subject to the terms of this Licence.

23.3 Interpretation of the above intellectual property condition will be subject to the following definitions:

"Intellectual Property" in relation to the "As Constructed" information, includes all copyright, and all rights in relation to registered and unregistered trademarks (including service marks), registered designs and confidential information (including trade secrets and know-how), and all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields; and

"Derivative Product" means a distinct product in which the Intellectual Property is altered, abridged or supplemented, and/or which incorporates additional functionality.

24.0 DEFECTS LIABILITY

24.1 The satisfactory performance and repairs of defects of all contributed assets, infrastructure and its components, constructed, installed and/or purchased by the developer remains the sole responsibility of the developer during the Defects Liability period.

24.2 All infrastructure intended to transfer to Council ownership will be subject to joint inspection at the commencement of the Defects Liability Period and at the expiration of the Defects Liability Period.

24.3 Any defects found during the defects liability period are required to be rectified by the developer during the defects liability period. Defects requiring rectification attract a further 12 month liability period from the date of rectification.

24.4 All relevant conditions of approval within both the Operational Works Decision Notice Approval and the related application Decision Notice Approval will be checked for compliance before the On-defects Liability Period inspection.

25.0 OPERATING PROCEDURES

25.1 All signage must only display or advertise a matter associated with the primary purpose for which the premises is used including information and directional signage.

25.2 All signage must be maintained at all times on the premises by the owner of the premises to the same standard as it was when it was installed.

25.3 Any lighting devices associated with the signage, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents or motorists. Night lighting must be designed, constructed and operated in accordance with 'Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting'.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act*, 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 Partnerships website <https://www.datsip.qld.gov.au/>

NOTE 2. Asbestos Removal

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

NOTE 3. General Environmental Duty

The *Environmental Protection Act 1994*, *Environmental Protection (Water) Policy 2008*, *Environmental Protection (Air) Policy 2008* and *Environmental Protection (Noise) Policy 2008* control the way in which dust emissions, soil erosion and sediment control are dealt with on building and development sites. It is the responsibility of the Developer to ensure compliance with the aforementioned legislative requirements. Non-compliance issues are regulated by the Department of Environmental and Heritage Protection which may investigate and act on any complaint/s received in relation to the release of regulated contaminants from a site.

NOTE 4. General Safety Of Public During Construction

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

NOTE 5. Construction Specifications

The *Capricorn Municipal Development Guidelines* construction specifications must be used for the construction works, unless alternative specifications have been granted written Council approval.

NOTE 6. Water and Sewerage Services

In accordance with the *Water Supply (Safety and Reliability) Act 2008*, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure Services is the department responsible for water and sewerage services. Infrastructure Services can provide cost estimates for any water and sewerage works if requested.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use (Local Utility) and Operational Works (stormwater works, access and parking works, site works, landscaping works and road works), made by Department of Transport and Main Roads, on Lot 129 on CP854911 and located at Lot 129 Vin E Jones Memorial Drive, Rosslyn, Council resolves not to issue an Infrastructure Charges Notice given the use is a minor use and a nil charge is applicable.

Moved by: Councillor Wyatt

Seconded by: Mayor Ludwig

MOTION CARRIED**DIVISION:**

Crs N Hutton, B Ludwig, G Scott and T Wyatt voted in the affirmative.

Crs A Belot and G Mather voted in the negative.

12.8 VERSION 2 UPGRADING OF UNSEALED RURAL ROADS TO A HIGHER STANDARD POLICY**File No:** CM4.7.28**Attachments:**

1. [Draft Policy \(v2\)](#)
2. [Ordinary Meeting Agenda 8 April 2014](#)
3. [Councillor Workshop Agenda 27 June 2017](#)

Responsible Officer: Dan Toon - Director Infrastructure Services**Author:** Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Council's adoption of version 2 of the Upgrading of Unsealed Rural Roads to a Higher Standard Policy.

COUNCIL RESOLUTION

THAT Council adopt the Upgrading of Unsealed Rural Roads to a Higher Standard Policy (v2).

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

12.9 VERSION 2 UPGRADING OF UNSEALED RURAL ROADS TO SEALED STANDARD POLICY AND PROCEDURE**File No:** CM4.7.28**Attachments:**

1. Draft Policy (v2) [⇒](#)
2. Draft Procedure (v2) [⇒](#)
3. Ordinary Meeting Agenda 22 April 2014 [⇒](#)
4. Councillor Workshop 1 April 2014 [⇒](#)
5. Councillor Workshop 27 June 2017 [⇒](#)

Responsible Officer: Dan Toon - Director Infrastructure Services**Author:** Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Council's adoption of version 2 of the Upgrading of Unsealed Rural Roads to Sealed Standard Policy.

COUNCIL RESOLUTION

THAT Council:

1. Adopt the Upgrading of Unsealed Rural Roads to Sealed Standard Policy (v2); and
2. Endorse the approval of the Upgrading of Unsealed Rural Roads to Sealed Standard Procedure (v2) by the Director Infrastructure Services.

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

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

13.1 NOTICE OF MOTION - COUNCILLOR NIGEL HUTTON - DEMOCRACY IN THE DIGITAL AGE

File No: GV13.4.4
Attachments: 1. NOM - Democracy in the Digital Age [⇒](#)
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Nigel Hutton has indicated his intention to move the following Notice of Motion at the next Council Meeting 1 August, as follows:

COUNCIL RESOLUTION

THAT Council request a report by officers to investigate the cost and application of digital technologies that allow the video and sound recording of Council Meetings to provide community access via the Council website in real-time and post meeting casting. That said report be provided by October 2017.

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

13.2 NOTICE OF MOTION - COUNCILLOR ADAM BELOT - PUTNEY BEACH SAND OPTION

File No: GV13.4.3
Attachments: 1. [Putney Beach Sand Option](#) ⇨
Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Adam Belot has indicated his intention to move the following Notice of Motion at the next Council Meeting on 1 August 2017, as follows:

COUNCIL RESOLUTION

THAT LSC invite as a matter of urgency the Department of Environment and Heritage Protection and the Lease holders of the Hideaway to attend a meeting to discuss and review, the Erosion Protection Works – Environmental Management Plan, that appears to nominate sand removal from areas within a ‘wide zone of wind built dunes colonised by herbaceous pioneer dune species’ (Department of Environment and Heritage Protection) along Fisherman’s Beach, as opposed to other sources of sand that is required to fill revetment wall bags along Putney Beach.

Moved by: Councillor Belot
Seconded by: Councillor Mather

MOTION CARRIED UNANIMOUSLY

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

Leave granted

Meeting procedures were suspended at 10:14am.

Meeting procedures resumed at 10:37am.

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**10:37AM**

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 Question on Notice - Panorama Drive Update

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 Sister City and Trade Missions

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 - Landscaping works at The Pines Estate Stage 1A and 1B

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 Request for Reduced Infrastructure Charges for a Development Permit for a Retirement Facility

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 .

16.5 Draft Livingstone Planning Scheme submission review and resolution - Notice of change of direction from resolution for localities of Glenlee and Rockyview regarding Rural Residential zone generally

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.

16.6 Awards Australia Nominees

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 (Individual and groups are named confidential for privacy reasons.).

16.7 Long Term Investigation Matter

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.

Moved by: Councillor Mather

Seconded by: Councillor Wyatt

MOTION CARRIED

11:36AM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Scott disclosed a perceived conflict of interest in respect of Item 16.3 and Item 16.4 due to his business having dealings with the developers, the Councillor considered his position, did not take part in the debate and left the meeting.

11:51PM Councillor Belot left the meeting.

11:53PM Councillor Belot returned to the meeting.

12:17PM Councillor Scott returned to the meeting.

COUNCIL RESOLUTION

12:34PM

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

Moved by: Councillor Hutton

Seconded by: Councillor Mather

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 QUESTION ON NOTICE - PANORAMA DRIVE UPDATE

File No: GV13.4.1
Attachments: 1. Question on Notice - Panorama Drive Update
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Linda Benson - Coordinator Executive Support

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

Councillor Glenda Mather has indicated her intention to move the following Question on Notice at the next Council Meeting on 1 August 2017, as follows:

I understand an approach has been made to the state government to advance further funding to the Panorama Drive project.

Question 1: Who made that approach, and to whom?

Question 2: What was the quantum of that request?

Question 3: What was the reason given for the request?

Was the request in writing, if so please provide a copy.

Question 4: As the matter was not raised at, or approved by the table, where did the authority come from to approach the state for further funding?

Question 5: What payments (increments) have been made to date, and for which completed section of the project.

Question 6: Please provide an update on further variations and reasons to date beyond the \$2.2M figure previously supplied.

COUNCIL RESOLUTION

THAT the Question on Notice be received.

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

16.2 SISTER CITY AND TRADE MISSIONS**File No:** ED8.5.20

- Attachments:**
1. **Draft Sister Cities Policy**
 2. **Michelle Landry Invitation to Mayor for Singapore delegation**
 3. **Invitation for Ministerial Business Mission to Singapore**
 4. **Livingstone Projects for the Singapore Investment Trade Mission**
 5. **Invitation from Zhang De Jun, Mayor of Yangzhong City**
 6. **Invitation to Mayor to meet with Businessman Mr Ding in Shanghai**
 7. **International Relations Grants Program Australia-China Council 2017 - Grant Application - Council Report Tabled 16 May 2017**
 8. **Unsuccessful Letter - Australia-China Council 2017 - Funding Application**

Responsible Officer: Debra Howe - Director Strategic Growth and Development**Author:** Elle Wallin - Projects 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

The purpose of this project is to broaden opportunities for our community, drive economic outcomes and grow the potential of the Capricorn Coast region. While further exploring the Sister Cities relationships and capitalizing on international relationship opportunities with China and Singapore.

A Sister Cities Policy, refer Attachment 1, has been developed to help guide Council's intentions of entering into Sister/Friendship City relationships that affiliate the Capricorn Coast region with cities in other countries where such relationships have a significant positive influence on the communities involved.

COUNCIL RESOLUTION

THAT Council adopts of the Sister Cities Policy and supports a delegation travelling to China in September 2017 to establish a Friendship City Agreement with Yangzhong and accepts the invitation from Australian Government for Livingstone Shire Council delegates to participate in a Ministerial Business Mission to Singapore in August 2017.

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

**16.3 COMPLIANCE MATTER - LANDSCAPING WORKS AT THE PINES ESTATE
STAGE 1A AND 1B****File No:** D-531-2013**Attachments:**

1. Aerial and Extend of Works Plan
2. Approved Plans
3. As Constructed Landscaping Plans
4. Compliance Letter 22 October 2015
5. Site Picture Views Legend
6. Compliance Letter 7 May 2015

Responsible Officer: Erin McCabe - Co-ordinator Development Assessment
David Battese - Manager Strategy & Development**Author:** Jodie Roche - Development 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.

SUMMARY

This matter relates to landscaping works undertaken for The Pines entry statement area.

COUNCIL RESOLUTION

THAT Council resolve to proceed with option One (A) of this report which is the modified version of option One that Council indicated was its preferred position during the workshop of the 18 July 2017.

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

16.4 REQUEST FOR REDUCED INFRASTRUCTURE CHARGES FOR A DEVELOPMENT PERMIT FOR A RETIREMENT FACILITY**File No:** D-158-2016**Attachments:** 1. Representations for reduced Infrastructure Charges**Responsible Officer:** David Battese - Manager Strategy & Development**Author:** Erin McCabe - Co-ordinator Development Assessment

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 matter relates to a request by the applicant to reduce the infrastructure charges payable for a material change of use for a retirement village on Part of Lot 4011 on SP285479 and Lot 4003 on SP280128. Ordinary Council, at its meeting on 20 June 2017 resolved that the matter be referred to the Councillor Workshop meeting to be held on 27 June 2017. The matter was subsequently referred to a further Councillor Workshop at the request of the Mayor whereby the operator was invited to present the proposal and operations to Councillors. The deputation occurred on 18 July 2017.

The report is before Council to finalise a decision on the request to reduced infrastructure charges now that that Councillors have heard information from the operator.

OFFICER'S RECOMMENDATION

THAT Council resolve not to support the request to reduce the infrastructure charges associated with a development approval for a material change of use for a retirement village on Part of Lot 4011 on SP285479 and Lot 4003 on SP280128 and maintain the requirement to pay the full infrastructure charge.

Mayor Ludwig requested Councillors consider trialling a 20% rebate on the Infrastructure Agreement, reducing the charges per unit to \$12,000.

COUNCIL RESOLUTION**ALTERNATIVE RESOLUTION**

THAT Council resolve to support (in part) the applicants request to reduce the infrastructure charges associated with Development Permit D/158-2016 for a Material change of use for a Retirement village on Part of Lot 4011 on SP 285479 and Lot 4003 on SP 280128 by entering into an Infrastructure agreement to reduce the charges payable to \$12,000 per unit based on an assumption that this specific Retirement Village product will result in an equivalent occupancy rate which is twenty (20) percent less than conventional units i.e. an equivalent full time occupancy of 2 persons rather than 2.5 persons, with the total infrastructure charges payable being \$1,224,000.00.

Moved by: Mayor Ludwig**Seconded by:** Councillor Wyatt**MOTION CARRIED**

12:37PM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Scott disclosed a perceived conflict of interest in respect of item 16.5 due to his business dealings, considered his position, did not take part in the debate and left the meeting.

12:40PM

Councillor Scott returned to the meeting.

12:41PM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Mather disclosed a perceived conflict of interest in respect of item 16.5, considered her position, did not take part in the debate and left the meeting.

12:50PM

Councillor Mather returned to the meeting.

16.5 DRAFT LIVINGSTONE PLANNING SCHEME SUBMISSION REVIEW AND RESOLUTION - NOTICE OF CHANGE OF DIRECTION FROM RESOLUTION FOR LOCALITIES OF GLENLEE AND ROCKYVIEW REGARDING RURAL RESIDENTIAL ZONE GENERALLY**File No:** 18.3.5.4**Attachments:**

1. Proposed Emerging Community zone and Rural Residential zone Glenlee and Rockyview - draft Livingstone Planning Scheme
2. Glenlee - landholdings subject to submissions 64 and 78
3. Combined Strategic Framework Mapping - Livingstone and Rockhampton Planning scheme areas
4. Direction given by the Department of Infrastructure Local Government and Planning regarding amendments to the Strategic Framework

Responsible Officer: David Battese - Manager Strategy & Development
Brett Bacon - Director Community & Planning Services**Author:** Melissa Warwick - Senior Strategic Planner

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.

SUMMARY

At its meeting of 6 June 2017, Council resolved to formally respond to each of the 135 submissions received on the draft Livingstone Planning Scheme.

Subsequent to this resolution the Department of Infrastructure Local Government and Planning commissioned an independent report in relation to the proposed Emerging Community zone and Rural Residential zones around Glenlee and Rockyview. This report was undertaken in response to the concerns raised by Rockhampton Regional Council about the proposed zones.

This report discusses the outcome of the review and any associated implications.

COUNCIL RESOLUTION

THAT Council considers the advice from the Department of Infrastructure Local Government and Planning and resolve to change the resolution for submissions 64 and 78 and the general Emerging Community resolution as outlined in this report. The change will also be stated in writing and be forwarded to the submitters.

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

12:51PM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Hutton disclosed a perceived conflict of interest in respect of Item 16.6 – Awards Australia Nominees due to his position on the Yeppoon Lions Club Committee, Councillor Hutton announced his intention to remain in the room and to vote on the matter.

16.6 AWARDS AUSTRALIA NOMINEES**File No:** CR2.7.4**Attachments:** Nil**Responsible Officer:** Ian Dare - Manager Community Wellbeing
Brett Bacon - Director Community & Planning Services**Author:** Melissa Minter - Co-ordinator Community Partnership

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 (Individual and groups are named confidential for privacy reasons.).

SUMMARY

This report identifies nominees for the Awards Australia 2017 Community Achievement Awards.

COUNCIL RESOLUTION

THAT Council resolve to support the following list of nominees for the Awards Australia 2017 Community Achievement Awards:

- 1) Capricorn Coast Indigenous Mob (NAIDOC Event) in the category of Access Community Services Cultural Diversity;
- 2) Shirley Veach from Yeppoon Senior Citizens in the category of Australia Pacific LNG Community Hero;
- 3) Michelle Kratz for her contribution to bat conservation in the category of Australia Pacific LNG Community Hero;
- 4) Yeppoon Lions Club Incorporated (Pinefest Event and Wreck Point Project) in the category of Awards Australia Community Group of the Year;
- 5) GenYadaba (Saltwater Festival) in the category of Awards Australia Community Group of the Year;
- 6) Cooberrie Park Wildlife Sanctuary in the category of Ricoh Australia Customer Service and; and
- 7) Yeppoon Police Citizens Youth Club (Get set for work programme) in the category of University of Southern Queensland Teaching Excellence.

Moved by: Mayor Ludwig**Seconded by:** Councillor Wyatt**MOTION CARRIED**

16.7 LONG TERM INVESTIGATION MATTER**File No:** CR436824**Attachments:**

1. Location Plan
2. Investigation Summary

Responsible Officer: Chris Murdoch - Chief Executive Officer**Author:** Brett Bacon - Director Community & Planning Services

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 outlines the history associated with a matter which has been the subject of a long term investigation.

COUNCIL RESOLUTION

THAT Council resolves to proceed in accordance with Option Two, with the exception that the matter not be permanently closed, as detailed in the body of this report that no further action will be taken unless and until the complainant can provide verifiable evidence to substantiate the allegations.

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

17 CLOSURE OF MEETING

There being no further business the meeting closed at 12:53 pm.

Bill Ludwig
CHAIRPERSON

DATE