



ORDINARY MEETING

MINUTES

21 NOVEMBER 2017

The resolutions contained within these minutes were confirmed at Council Meeting
on 5 December 2017.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, ANZAC PARADE, YEPPON ON TUESDAY, 21 NOVEMBER 2017 COMMENCING AT 9.12AM

1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Mrs Chris Murdoch – Chief Executive Officer
Ms Andrea Ellis – Acting 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
Mr David Battese – Manager Strategy and Development
Ms Erin McCabe – Coordinator Development Assessment
Ms Maddie Ward – Senior Planning Officer
Ms Melissa Warwick – Senior Strategic Planner
Mr Russell Claus – Urban Strategist
Ms Sonia Barber – Senior Economic Development Officer
Ms Lucy Merry – Executive Support Officer

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 23 October 2017 be taken as read and adopted as a correct record.

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

MOTION CARRIED

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 7 November 2017 be taken as read and adopted as a correct record.

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

MOTION CARRIED

7 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Adam Belot disclosed a perceived conflict of interest in respect of Item 15.1 - Water Connection Charges for Surf Lakes – PQUOTE24/2017 due to knowing the applicant for a number of years. Councillor Belot announced his intention to remain in the room and to vote on the matter.

Councillor Belot advised that this personal interest is not of sufficient significance that it will lead to making a decision on this matter that is contrary to the public interest. He further stated that he honestly believes that he will best perform his responsibility of serving the overall public interest of the whole of Council's area by participating in this discussion and voting on this matter.

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 Table - 21 November 2017** [⇒](#)
Responsible Officer: Chris Murdoch - 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 Mather
Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

9 PRESENTATION OF PETITIONS

Nil

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

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 NERIMBERA BOAT RAMP

File No: CP5.4.4

Attachments:

1. [GHD Priority 2 Site Nerimbera](#)
2. [GHD Concept Layout](#)
3. [Sample Deed of Agreement](#)

Responsible Officer: Dan Toon - Director Infrastructure Services

Author: Michael Prior - Manager Infrastructure Operations

SUMMARY

The Department of Transport and Main Roads (TMR) is proposing to upgrade the Nerimbera Boat Ramp Facility located on the northern bank of the Fitzroy River at the end of Saint Christopher's Chapel Road, Nerimbera. The proposal scope is to formalise the current car parking area to support the recent TMR upgrading of the facility from 2 to 4 ramp lanes, by constructing a bitumen sealed 90 car-trailer unit car park adjacent to the ramp.

TMR is seeking a Council decision whether or not to support the project and seeking a response to the proposal.

COUNCIL RESOLUTION

THAT Council;

1. accept the offer from the Department of Transport and Main Roads to fund construction of a bitumen sealed 90 car-trailer unit car park adjacent to the Nerimbera boat ramp;
2. Authorise the Chief Executive Officer to sign the Deed of Agreement with the Department of Transport and Main Roads;
3. Acknowledge that it will be required to fund the construction of the realigned section of St Christophers Chapel Road and a new vehicular access to Lot 88 CP899973 in the 2018/19 financial year.

Moved by: Mayor Ludwig

Seconded by: Councillor Kelly

MOTION CARRIED UNANIMOUSLY

12.2 CYCLE NETWORK LOCAL GOVERNMENT GRANTS PROGRAM - SHARED PATH FUNDING**File No:** 17-044**Attachments:**

1. Hill Street Shared Path Extension - Option 1 [⇒](#)
2. Hill Street Shared Path Extension - Option 2 [⇒](#)
3. Barmaryee Road Shared Path [⇒](#)
4. Farnborough Road, Little Lane Shared Path [⇒](#)
5. Tanby Road Shared Path [⇒](#)
6. Adelaide Park Road Shared Path [⇒](#)
7. Taranganba Road Shared Path (Missing Link) [⇒](#)
8. Statue Bay Shared Path (Missing Link) [⇒](#)

Responsible Officer: Dan Toon - Director Infrastructure Services**Author:** Amal Meegahawattage - Co-ordinator Infrastructure Planning**SUMMARY**

The purpose of this report is to gain approval for shared path links to apply for funds under the Cycle Network Local Government Grants Program 2018/19.

COUNCIL RESOLUTION

THAT Council approves the following projects for submission to the Cycle Network Local Government Grants Program 2018/19 for 50% funding:

1. Hill Street (Emu Park) Shared Path Extension –\$300,000 ~ \$360,000;
2. Barmaryee Road Shared Path – 2,400m, \$880,000;
3. Farnborough Road / Little Lane Shared Path, \$70,000;
4. Tanby Road Shared Path – 770m, \$310,000;
5. Adelaide Park Road Shared Path - 450m, \$175,000;
6. Taranganba Road Shared Path (Missing Link), 160m, \$67,000; and
7. Statue Bay Shared Path (Missing Link), 750m, \$335,000.

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

12.3 REGIONAL ARTS DEVELOPMENT FUND - INDIVIDUAL PROFESSIONAL DEVELOPMENT GRANT 2017/2018

File No: GS15.2.5
Attachments: Nil
Responsible Officer: David Mazzaferri - Manager Disaster Management, Recovery and Resilience
 Brett Bacon - Director Community & Planning Services
Author: Judy Coultie - Cultural Development Officer

SUMMARY

A Regional Arts Development Fund Application has been received from Nanette Balchin for an amount of \$1,500 for individual professional development. Individual professional grants are available between rounds of funding.

COUNCIL RESOLUTION

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

Name	Purpose of Grant	\$Total Project Expenses	\$ Grant Requested	\$ Grant Recommended
Nanette Balchin	To costs of undertaking an eight month online master class with internationally recognised fibre and mixed media artist and teacher, Jette Clover from Belgium. It will culminate with a three day workshop and professional group exhibition in Newcastle.	\$2953	\$1500	\$1500

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED

12.4 LIVINGSTONE SHIRE COUNCIL / KEPPEL BAY SAILING CLUB / INVERNESS YEPPON COMMUNITY GRANTS SCHEME ROUND ONE 2017 /2018

File No: CR2.15.3

Attachments: Nil

Responsible Officer: David Mazzaferri - Manager Disaster Management, Recovery and Resilience
Brett Bacon - Director Community & Planning Services

Author: Melissa Minter - Co-ordinator Community Partnership

SUMMARY

The August 2017 round of the 2017-2018 Livingstone Shire Council / Keppel Bay Sailing Club / Inverness Yeppon Community Grants Scheme "Focus on the Future" closed on 25 October 2017. A total of twenty-two (22) applications were received and subsequently assessed by the Funding Panel. This report provides an overview of the assessment and makes recommendations pertaining to the distribution of funds from the current round.

COUNCIL RESOLUTION

THAT Council approve the following grant applications, to be funded through Round One of the 2017 -2018 Livingstone Shire Council / Keppel Bay Sailing Club / Inverness Yeppon Community Grants Scheme:

Applicant	Project / Activity / Item	Location	Grant \$
Capricorn Coast Mallet Sports Club Inc	Purchase of sporting equipment	Yeppoon	\$1,398
Capricorn Coast Netball Association Incorporated	Installation of aqua bubbler drinking fountain	Yeppoon	\$2,000
Capricorn Coast Outrigger Canoe Club	Aocra Level one sport specific outrigger coaching course	Yeppoon	\$2,000
Capricorn Coast Parkana Cricket Club Inc	Cricket Pitch Synthetic Turf	Yeppoon	\$2,000
Capricorn Coast PCYC Leadership Development Centre	Purchase of portable speaker/PA with a headset mic	Yeppoon	\$1,900
Cawarral School of Arts Assoc Inc	Purchase of ride on mower	Cawarral	\$2,000
Cockscomb Veteran Retreat	purchase of bore pump	Cawarral	\$2,000
Emu Park Surf Life Saving Club Inc	Expansion of Youth Education Program at Emu Park SLSC	Emu Park	\$2,000
Keppel Coast Arts	Purchase of a marquee (eighteen square metres)	Yeppoon	\$2,000
Keppel Coast Country Music Club Inc	Upgrade musical equipment	Yeppoon	\$2,000
Keppel Sands Community Advancement League Inc	Purchase of polyester marquee	Keppel Sands	\$2,000
Mt. Chalmers Community History Centre Inc	Purchase and installation of window blinds	Mt. Chalmers	\$2,000

Sandhills Community Sports and Social Club Inc	Water Tank	Keppel Sands	\$2,000
The Caves Progress & Agricultural Society Inc	Installation of fans in the Pavilion	The Caves	\$2,000
Wildlife Rehabilitation HQ Inc	Wildlife Rehabilitation Enclosures	Woodbury	\$1,528
Yeppoon Junior Rugby League Football Club Inc	Install 100v Line System for PA system	Yeppoon	\$2,000
Yeppoon Meals on Wheels	Essential Kitchen Equipment	Yeppoon	\$1,870
Yeppoon Recreation Youth Club Inc	Projector screen	Yeppoon	\$1,900
TOTAL			\$34,596

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

12.5 DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING UNITS (SEVEN UNITS)

File No: D-170-2017

Attachments:

1. Attachment 1 - Locality Plan [⇒](#)
2. Attachment 2 - Site Plan and Landscape Plan [⇒](#)
3. Attachment 3 - Ground floor plan [⇒](#)
4. Attachment 4 - Second floor plan [⇒](#)
5. Attachment 5 - 3D Views [⇒](#)

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

Author: Madelaine Ward - Senior Planning Officer

SUMMARY

Applicant: Brian Bonde

Consultant: Capricorn Engineering and Drafting Service

Real Property Address: 9 Keppel Street, Meikleville Hill

Common Property Address: Lot 57 on RP602184

Area of Site: 2,023 square metres

Planning Scheme: *Livingstone Shire Planning Scheme 2005*

Planning Scheme Zoning: Residential Zone R2 precinct

Planning Scheme Overlays: OM9 - Farnborough Groundwater Area

Existing Development: Dwelling house and swimming pool

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for Multiple dwelling units (7 units)

Level of Assessment: Impact Assessable

Submissions: One (1) properly made submission

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area One

Application Progress:

Application Lodged:	5 September 2017
Application properly made:	6 September 2017
Confirmation Notice issued:	7 September 2017
Information request not required letter sent:	18 September 2017
Submission period commenced:	4 October 2017
Notice of intention to commence public notification received:	27 September 2017
Submission period end:	26 October 2017
Notice of compliance received:	30 October 2017
Council meeting date:	21 November 2017

Statutory determination date:

18 December 2017

COUNCIL RESOLUTION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Multiple dwelling units (seven units), made by Brian Bonde, on Lot 57 on RP602184, and located at 9 Keppel Street, Meikleville Hill, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.

1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the 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 the use, unless otherwise stated.

1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:

1.6.1 Operational Works:

(i) Access Works;

(ii) Roof and Allotment Drainage Works; and

1.6.2 Plumbing and Drainage Works**1.6.3 Building works**

1.7 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.

1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

1.9 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.

1.10 A Community Management Statement in accordance with the approved layout plan (refer to condition 2.1) must be submitted prior to the commencement of the use.

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>
Locality Plan	Drawing no: 17-162-C,	1 June 2017

	sheet no: 000, rev: 1	
Site Plan	Drawing no: 17-162-C, sheet no: 001, rev: 3	1 June 2017
Ground Floor Plan	Drawing no: 17-162-C, sheet no: 100, rev: 3	1 June 2017
Level 1 Floor Plan	Drawing no: 17-162-C, sheet no: 101, rev: 3	1 June 2017
Elevations	Drawing no: 17-162-C, sheet no: 200, rev: 3	1 June 2017
3D Views	Drawing no: 17-162-C, sheet no: 400, rev: 3	1 June 2017
3D Views	Drawing no: 17-162-C, sheet no: 401, rev: 1	1 June 2017
3D Views	Drawing no: 16-423-C, sheet no: 402, rev: 4	28 June 2017
Title Sheet	D17.137-00	August 2017
Existing Site Plan	D17.137-01, sheet 01 of 04, prepared by Dileigh Consulting Engineers Pty. Ltd	August 2017
Proposed Site Plan	D17.137-02, sheet 02 of 04, prepared by Dileigh Consulting Engineers Pty. Ltd	August 2017
Stormwater Detention Calculations and Details	D17.137-03, sheet 03 of 04, prepared by Dileigh Consulting Engineers Pty. Ltd	August 2017
External Catchment Plan	D17.137-03, sheet 04 of 04, prepared by Dileigh Consulting Engineers Pty. Ltd	August 2017

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.
- 3.0 **ACCESS WORKS**
- 3.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 3.2 All works must be designed and constructed in accordance with the approved plans

(refer to condition 2.1), *Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Off Street Car Parking"* and the provisions of a Development Permit for Operational Works (access works).

- 3.3 A complaint vehicle access driveway must be designed and constructed.
- 3.4 Access, parking and associated vehicle manoeuvring areas must be sealed.
- 3.5 All ingress and egress movements to and from the development must be in a forward direction (forward gear).
- 3.6 A minimum of fourteen (14) off-street parking spaces must be provided. The existing parking spaces associated with the existing dwelling unit must be maintained.
- 3.7 All stormwater runoff from parking and vehicular manoeuvring areas must be collected on the site and must drain so as to demonstrate lawful discharge in accordance with *Queensland Urban Drainage Manual*.
- 4.0 PLUMBING AND DRAINAGE WORKS
- 4.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.3 The development must be connected to Council's reticulated sewerage and water networks.
- 4.4 The existing sewerage and water connection point must be retained, and upgraded if necessary, to service the development.
- 4.5 A fire hydrant system complying with the Building Code of Australia and *Australian Standard AS2419.1 (Fire hydrant installations. – System design, installation and commissioning)* must be provided to serve the building.
- 4.6 All internal plumbing and sanitary drainage works for each unit must be independent and in accordance with regulated work under the *Plumbing and Drainage Act*.
- 5.0 WATER WORKS
- 5.1 The proposed development must be provided with a master meter at the property boundary (on the footpath) and sub meters for each sole occupancy unit in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Sub-metering Policy.
- 6.0 SITE WORKS
- 6.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 6.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause an actionable nuisance to adjoining properties or damage infrastructure.
- 7.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 7.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any roof and allotment drainage works on the site.
- 7.2 All stormwater including roof and allotment runoff must achieve demonstrated lawful discharge in accordance with the requirements of the *Queensland Urban Drainage Manual* and *Capricorn Municipal Development Guideline*.
- 7.3 Stormwater runoff must not adversely affect the upstream or downstream land when

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

- 7.4 The detention tank must be provided within the development site.
- 7.5 Any application for Operational Works (roof and allotment drainage works) must include:
- (i) Connection detail of the proposed 375 millimetre diameter to the existing Council stormwater infrastructure;
 - (ii) Details to demonstrate that the minimum horizontal/vertical clearance between the existing and proposed pipe (D100 stormwater outlet pipes) are achieved in accordance with *Capricorn Municipal Development Guidelines*;
 - (iii) Details to ensure the protection of Council's infrastructure located within road verge during the construction phase of the development; and
 - (iv) Details to demonstrate that the proposed stormwater kerb adapters and work in the road verge is design and constructed generally in accordance with *Capricorn Municipal Development Guidelines* standard drawing CMDG-R-061.

9.0 BUILDING WORKS

- 9.1 All upper storey unit windows to the southern boundary (adjoining 11 Keppel Street and 11 Cokas Avenue) must be provided with opaque glazing or retractable screening to protect the privacy of adjoining residents.
- 9.2 A minimum 1.8 metre high, eighty (80) per cent screen, fence must be provided to side (northern and southern) boundaries of the lot, to screen living and open space areas both on the site and on adjoining residential premises.
- 9.3 All external elements, such as air conditioners, must be adequately screened from public view. Noise from any external elements, such as air conditioners, must not exceed 5dB(A) (decibels) above the background ambient noise level, measured at the boundaries of the subject site.
- 9.4 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*'.
- 9.5 Provision of open-air clothes drying facilities must be provided at for each unit and must be screened from public view.

10.0 LANDSCAPING WORKS

- 10.1 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 10.2 The *Rhoeo Dwarf* (Moses in the Cradle), *Diets Bicolor* (Wild Yellow Iris) and *Ophiopogon Intermedians* (Stripey White) ground covers are **not approved** as a ground cover on the Landscaping Plan and must be replaced with:
- (i) *Dianella caerulea* (Blue Flax Lily);
 - (ii) *Myoporum ellipticum* (Coastal Boobialla);
 - (iii) *Lomandra confertifolia* (Matrush);
 - (iv) *Scaevola calandulacea* (Dune Fan Flower); and/or
 - (v) *Hibbertia Scandens* (Snake Vine).
- Shrub species may also be used including:

- (i) *Banksia spinulosa* (Hairpin banksia); or
 - (ii) *Breynia oblongifolia* (Coffee Bush); or
 - (iii) *Vitex trifolia* (Vitex); or
 - (iv) *Eugenia rewardtiana* (Beach Cherry); or
 - (v) *Murraya ovatifoliolata* (Native Mock Orange).
- 10.3 The *Fraxinus Griffithii* (Evergreen Ash) is **not approved** as a tree species on the Landscaping Plan and must be replaced with one (or more) of the following:
- (i) *Cupaniopsis anacardioides* (Tuckeroo); and/or
 - (ii) *Diospyrus geminata* (Scaly Ebony).
- 10.4 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.
- 10.5 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).
- 10.6 Landscaped areas must not conflict with vehicle manoeuvring paths.
- 11.0 ELECTRICITY AND TELECOMMUNICATIONS
- 11.1 Electricity and telecommunication connections must be provided to the proposed development to the requirements of the relevant authority.
- 12.0 ASSET MANAGEMENT
- 12.1 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.
- 12.2 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.
- 12.3 '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.
- 13.0 ENVIRONMENTAL
- 13.1 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.
- 13.2 The Erosion and Sediment Control Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 13.3 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.
- 14.0 OPERATING PROCEDURES
- 14.1 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 Keppel Street road reserve.
- 14.2 The waste storage areas must be:
- (i) designed to obstruct from view the contents of the bin compound from any public place and adjoining properties; and
 - (ii) of a minimum size to accommodate residential type bins in accordance with the *Environmental Protection Act* and *Environmental Protection Regulations*.
 - (iii) kept in a clean, tidy condition in accordance with *Environmental Protection Act* and *Environmental Protection Regulations*.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to

ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 5. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guideline* Drawings) may be accepted in place of the Development Permit for Operational Works (access works).

NOTE 6. Infrastructure Charges Notice

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

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for Multiple dwelling units (seven units), made by Brian Bonde, on Lot 57 on RP602184, and located at 9 Keppel Street, Meikleville Hill, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$126,000.00**.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED

12.6 DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A SHOP AND RESTAURANT

File No: D-163-2017

Attachments: 1. Attachment 1 - Locality Plan⇒
2. Attachment 2 - Proposal Plans⇒

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

Author: Rhiannon Casey - Planning Officer

SUMMARY

Development Application Number: D-163-2017

Applicant: K & A Thorpe

Real Property Address: Lot 1 on RP607486

Common Property Address: 58 Farnborough Road, Yeppoon

Area of Site: 787 square metres

Planning Scheme: *Livingstone Shire Planning Scheme 2005*

Planning Scheme Zoning: Residential Zone, R3 Precinct

Planning Scheme Overlays: Overlay Map O2 – Steep Land and Erosion Prone Land;
Overlay Map O5 – Bushfire Hazard
Overlay Map O8 – Potential Acid Sulfate Soils (land below twenty (20) metres Australian Height Datum; and
Overlay Map O9 – Capricorn Coast Landscape Area – Precinct A and Precinct B; and
Planning Scheme Map 10 – Locally Significant Vegetation

Existing Development: Dwelling house and approval for an Accommodation building (thirty bed backpacker hostel)

Approval Sought: Development Permit for a Material Change of Use for a Shop and Restaurant

Level of Assessment: Impact Assessment

Submissions: Nil

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area One

Application Progress:

Application Lodged:	14 August 2017
Application Properly Made:	15 August 2017
Confirmation Notice issued:	21 August 2017
No Further Information letter issued:	25 August 2017
Submission period commenced:	1 September 2017

Submission period end:	22 September 2017
Notice of Compliance received:	25 September 2017
Decision Assessment Period extended by agreement:	6 November 2017
Statutory determination date:	24 November 2017

COUNCIL RESOLUTION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for a Shop and Restaurant, made by K & A Thorpe, on Lot 1 on RP607486 and located at 58 Farnborough Road, Yeppoon, Council resolves to Approve the development application, despite the conflict with the planning scheme and provides the following grounds to justify the decision despite the conflict:

- (a) The proposed development supports the existing residential use, being an accommodation building, by providing a small-scale complementary commercial offering for patrons of the hostel as well as tourists and travellers accessing the nearby caravan park.
- (b) The development is commensurate to the surrounding commercial development to the north and is not of a scale whereby impacts on the role and function of the Yeppoon Town Centre are anticipated.
- (c) The subject site is readily accessible to existing vehicular, bicycle and pedestrian networks.
- (d) The development does not jeopardise the overall outcomes of the Residential Zone.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for a Shop and Restaurant, made by K & A Thorpe, on Lot 1 on RP607486 and located at 58 Farnborough Road, Yeppoon, Council resolves to approve the application subject to the following conditions:

1.0 **ADMINISTRATION**

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the commencement of use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Plumbing and Drainage Works; and

1.6.2 Building Works.

- 1.7 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 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.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	RP-032B Drawing No SK-002 Revision 5	25 September 2017
Floor Plan	RP-032B Drawing No SK-003 Revision 4	10 August 2017

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

3.0 ACCESS WORKS

- 3.1 All ingress and egress movements to and from the development must be in a forward direction.

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Plumbing and Drainage Act, Council's Plumbing and Drainage Policies* and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.3 The development must be connected to Council's reticulated sewerage and water networks.
- 4.4 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 4.5 A sewerage trade waste permit must be obtained for the discharge of any non-domestic waste into Council's reticulated sewerage network.

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 5.1 All stormwater including roof and allotment runoff must achieve demonstrated lawful discharge in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guideline*.
- 5.2 Stormwater runoff must not adversely affect the upstream or downstream land when compared to pre-development conditions by way of blocking, altering or diverting

existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.

6.0 SITE WORKS

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

7.0 LANDSCAPING WORKS

7.1 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 ASSET MANAGEMENT

8.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

8.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

8.3 '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.

9.0 OPERATING PROCEDURES

9.1 The operating hours of the Restaurant and Shop are restricted to;

9.1.1 0600 hours to 1900 hours, Monday to Thursday; and

9.1.2 0600 hours to 2100 hours, Friday to Sunday.

9.2 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 Farnborough Road.

9.3 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed 5dB(A) (decibels) above the background ambient noise level, measured at the boundaries of the subject site.

9.4 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*'.

9.5 A waste storage area must be provided and must be:

9.5.1 designed to obstruct from view the contents of the bins from any public place; and

9.5.2 kept in a clean, tidy condition in accordance with *Environmental Protection*

Act 1994 and the Environmental Protection Regulation 2008.

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 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

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

NOTE 4. General Safety Of Public During Construction

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

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council's *Adopted Infrastructure Charges Resolution (No. 2) 2015*. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 6. Licensable Activities

- a. Council's Environment and Public Health Unit should be consulted to determine whether any approvals are required for licensable activities. Such activities may include storage of flammable and combustible liquid and environmentally relevant activities and food business premises. Approval for such activities is required before 'fitout' and operation.
- b. Council's Local Laws Unit should be consulted to determine whether any approvals are required for licensable activities. Such activities may include footpath dining. Approval for such activities is required before the commencement of use.

NOTE 7. Environmental

- a. 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.

- b. It is advised that part of the subject site is mapped by the Department of Environment and Heritage Protection as containing Regulated Vegetation. The *Vegetation Management Act 1999* has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at: <https://www.qld.gov.au/environment/land/vegetation/management/>
- c. It is advised that the subject site is mapped under the Livingstone Planning Scheme as 'Locally Significant Vegetation' (PSM10a and 10b). Clearing of this vegetation should not be undertaken without the advice of Council's Natural Resource Management Unit.
- d. It is advised that part of the subject site is mapped by the Department of Environment and Heritage Protection as a high priority area for protected plants, which is administered under the *Nature Conservation Act 1992*. Further advice regarding protected plants can be sought from the Department of Environment and Heritage Protection.

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for a Shop and Restaurant, made by K & A Thorpe, on Lot 1 on RP607486 and located at 58 Farnborough Road, Yeppoon, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$2,660.00**.

Moved by: Councillor Scott

Seconded by: Councillor Belot

MOTION CARRIED

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

13.1 NOTICE OF MOTION - COUNCILLOR ADAM BELOT - STAGE 2 WRECK POINT LOOKOUT PROJECT

File No: GV13.4.4
Attachments: 1. [Notice of Motion](#)⇒
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 21 November 2017, as follows:

COUNCIL RESOLUTION

THAT Council request of the funding providers (Federal and State) to reconsider a revised plan of the Stage 2 Wreck Point Lookout Project that identifies safe viewing and walking pathways as identified by local residents at the recent Community Consultation Day at Daniel Park Cooe Bay.

Moved by: Councillor Belot
Seconded by: Councillor Mather

MOTION LOST

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

Leave granted.

Meeting procedures were suspended at 10:31AM.

Meeting procedures resumed at 10:53AM.

14 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

COUNCIL RESOLUTION

10.53AM

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

15.1 Water Connection Charges for Surf Lakes - PQUOTE24/2017

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

15.2 GKI Waste

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

15.3 Potential Sale of Lot 17 Macadamia Drive, The Gateway

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

15.4 Yeppoon Town Clock

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

15.5 Potential Sale of Property

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 Wyatt

Seconded by: Councillor Kelly

MOTION CARRIED

COUNCIL RESOLUTION**11.38AM**

THAT the meeting moves out of closed session and be opened to the public to resolve item 15.1 - Water Connection Charges for Surf Lakes - PQUOTE24/2017.

Moved by: Councillor Kelly
Seconded by: Councillor Wyatt

MOTION CARRIED**COUNCIL RESOLUTION****11.40AM**

THAT the meeting moves into closed session to discuss items 15.2, 15.3, 15.4 and 15.5.

Moved by: Councillor Wyatt
Seconded by: Councillor Kelly

MOTION CARRIED

11:40AM Mayor Ludwig left the meeting.

11:44AM Mayor Ludwig returned to the meeting.

COUNCIL RESOLUTION**11:59AM**

THAT the meeting moves out of closed session and be opened to the public to resolve items 15.2, 15.3, 15.4 and 15.5.

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

MOTION CARRIED

15 CONFIDENTIAL REPORTS

15.1 WATER CONNECTION CHARGES FOR SURF LAKES - PQUOTE24/2017

File No: WS32.3.1

Attachments: 1. Letter from Surf Lakes

Responsible Officer: Dan Toon - Director Infrastructure Services

Author: Sean Fallis - Manager Water and Waste Operations

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

SUMMARY

This report provides information on the request from Surf Lakes, see attached letter, for a reduction in fees and charges for a proposed connection to the Rockhampton – Yeppoon pipeline for the supply of water to a prototype surf wave generator.

OFFICER'S RECOMMENDATION

THAT Council resolves to respond to Surf Lakes Holdings Limited request for relief from charges related to the supply of water for the lake by correspondence stating support for the project but declining the request for reasons addressed in this report.

COUNCIL RESOLUTION

THAT, in accordance with Section 122, subsections (1) (a) and (3) of the Local Government Regulation 2012, given this project could bring substantial future economic activity and benefit to the region, in keeping with the additional information provided by officers at the meeting, Council support the request for a concession by providing water for the initial fill up of the wave pool on a cost plus basis at a charge of \$1.30 per kilolitre (i.e. \$1.27 plus 3 cents per kilolitre).

Moved by: Mayor Ludwig

Seconded by: Councillor Wyatt

MOTION CARRIED

15.2 GKI WASTE**File No:** CP5.8.1**Attachments:** Nil**Responsible Officer:** Dan Toon - Director Infrastructure Services**Author:** Sean Fallis - Manager Water and Waste Operations

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage .

SUMMARY

This report addresses ongoing issues with the Great Keppel Island waste service and a number of commercial properties generating volumes in excess of the service they receive.

COUNCIL RESOLUTION

THAT the commercial properties on Great Keppel Island be provided with the number of bin services and corresponding charges as per the following table:

Lot	Business	No Waste	No Recycling	Annual Charge (16/17 Charges)
39	Holiday Village	7	7	\$ 4,113.30
18	Island Pizza	1	1	\$ 472.50
21	Rainbow Hut	2	2	\$ 1,079.30
27	The Shellhouse	4	4	\$ 2,292.90
	Watersports Shack	2	2	\$ 1,079.30

Further, that Council's Revenue Statement be amended to allow the charges to be applied from the commencement of the 2018/19 financial year.

Moved by: Councillor Belot**Seconded by:** Councillor Kelly**PROCEDURAL MOTION**

That Councillors move onto the next item on the agenda.

Moved by: Councillor Scott**Seconded by:** Councillor Wyatt**MOTION LOST****PROCEDURAL MOTION**

That the matter lay on the table pending the results of the State Government Election and Council know whether there is going to be any infrastructure contributions to GKI.

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

15.3 POTENTIAL SALE OF LOT 17 MACADAMIA DRIVE, THE GATEWAY

File No: ED8.5.5
Attachments: Nil
Responsible Officer: Debra Howe - Director Strategic Growth and Development
Author: Jo Fursman - Projects Officer - Acting
Marcus Vycke - Manager Growth and Economic Development

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

Growth and Economic Development are working with potential purchasers, developers and local Real Estate Agents to dispose of and/or develop Council owned land.

An offer has been received for the purchase of vacant industrial land at Lot 17, Macadamia Drive, Hidden Valley within The Gateway Business and Industry Park (The Gateway), which is presented for Council's consideration.

COUNCIL RESOLUTION

THAT Council accept the offer outlined in this report for the vacant land at Lot 17 Macadamia Drive, Hidden Valley.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Scott

MOTION CARRIED

15.4 YEPPON TOWN CLOCK

File No: ED8.5.22

Attachments: Nil

Responsible Officer: Debra Howe - Director Strategic Growth and Development

Author: Russell Claus - Urban Strategist

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

Direction is needed from Council to resolve options regarding the preferred future for the Town Clock. Based on the uncertainties surrounding design difficulties and the costs to develop an acceptable alternative future for the clock structure, Officers believe that funds can be expended to greater effect on other projects.

Other locations present better opportunities for public art interaction and there is no community loss resulting from the removal of the clock since it has been inoperable for most of the time it has been there.

OFFICER'S RECOMMENDATION

THAT Council authorise Officers to proceed with demolition of the clock structure in association with improvements to the median being undertaken as part of the Normanby Street component of the Yeppoon Foreshore and Town Centre Revitalisation Project and that a hoop pine be planted in this location to reflect the historic character of the street.

That Council formerly advises Rotary and Keppel Coast Arts of its decision to remove the clock.

COUNCIL RESOLUTION

THAT

1. Council defer any decision in relation to the clock until we have explored the suggestions put forward from Keppel Coast Arts (KCA) to find a decorative concept that will be in keeping with our Placemaking Strategy.
2. Council have further consultation with Rotary, KCA and other community stakeholders.

Moved by: Mayor Ludwig

Seconded by: Councillor Scott

MOTION CARRIED

15.5 POTENTIAL SALE OF PROPERTY**File No:** ED8.5.5**Attachments:**

1. **Confidential Ordinary Meeting Report - Potential Sale of Property - 05 September 2017**
2. **Valuation - Council**
3. **Valuation - Proposed Purchaser**
4. **Email of Offer**
5. **Rockampton Regional Council Previous Decision**

Responsible Officer: **Debra Howe - Director Strategic Growth and Development****Author:** **Marcus Vycke - Manager Growth and Economic Development**
Jo Fursman - Projects Officer - Acting

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

SUMMARY

The purpose of this report is to update Council on the progress of the disposal of the property adjacent to The Gateway Business and Industry Park which is an industrial facility owned by Council.

The site is determined as a non-current asset therefore has been identified as suitable for disposal. To inform the discussion of the merits of the request to purchase the property, valuations have been obtained, refer Attachments 2 and 3.

COUNCIL RESOLUTION

THAT Council rescinds the resolution adopted at the Ordinary Meeting held on 5 September 2017, "That Council accepts the offer received for purchase of the property adjacent to The Gateway Business and Industry Park and delegate authority to the Chief Executive Officer and Mayor to enter into contract negotiations with the purchaser subject to receiving Ministerial Approval to sell directly to the purchaser", as Ministerial approval is unachievable in a timely manner due to the State Government election being called and caretaker mode activated.

THAT Council endorses the sale by tender of the property adjacent to The Gateway Business and Industry Park and delegate authority to the Chief Executive Officer to enter into contract of sale with the successful tenderer.

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

16 URGENT BUSINESS\QUESTIONS

16.1 FEMALE FACILITIES PROGRAMME - APPLICATION FOR FUNDING

File No: GS15.2.7

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

This report discusses a proposed application for funding from the Queensland Government's Female Facilities Fund.

COUNCIL RESOLUTION

THAT Council supports an application for \$500,000 from the Queensland Government's *Female Facilities Programme* for the construction of an amenities building and change room at the Barmaryee Multisport Precinct to support increased female participation in physical activity and meet the current and future needs of sport and recreation participants.

Moved by: Councillor Kelly

Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

17 CLOSURE OF MEETING

There being no further business the meeting closed at 12.24 PM.

Bill Ludwig
CHAIRPERSON

DATE