



# **ORDINARY MEETING**

## **MINUTES**

**2 OCTOBER 2018**

The resolutions contained within these minutes were confirmed at Council Meeting  
on 16 October 2018.

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**MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPOON ON TUESDAY, 2 OCTOBER 2018 COMMENCING AT 9:03AM**

**1 OPENING**

**2 PRESENT**

Members Present:

Mayor, Councillor Bill Ludwig (Chairperson)  
Deputy Mayor, Councillor Nigel Hutton  
Councillor Adam Belot  
Councillor Pat Eastwood  
Councillor Glenda Mather – arrived at 9.06am  
Councillor Tom Wyatt

In Attendance:

Mrs Chris Murdoch – Chief Executive Officer  
Mr Brett Bacon – Executive Director Liveability and Wellbeing  
Mr Dan Toon – Executive Director Infrastructure  
Mrs Andrea Ellis – Chief Financial Officer  
MS Nicole Robertson – Coordinator Executive Support

### 3 LEAVE OF ABSENCE / APOLOGIES

#### 3.1 LEAVE OF ABSENCE FOR COUNCILLOR JAN KELLY 2 - 5 OCTOBER 2018 INCLUSIVE

**File No:** 13.4.1  
**Attachments:** Nil  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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#### SUMMARY

*Councillor Jan Kelly requested a leave of absence from 2 – 5 October 2018 inclusive.*

#### COUNCIL RESOLUTION

THAT Leave of Absence be granted to Councillor Jan Kelly for the period 2 – 5 October 2018 inclusive.

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

**Seconded by:** Councillor Wyatt

**MOTION CARRIED**

**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 September 2018 be taken as read and adopted as a correct record.

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

**Seconded by:** Councillor Eastwood

**MOTION CARRIED**



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

### ***Conflict of Interest***

In accordance with s173(2) of the Local Government Act 2009, Councillor Mather disclosed a conflict of interest in respect of Item 15.3 due to residing in one of the localities in question, the Councillor considered her position, did not take part in the debate and left the meeting.

**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 LIFTING MATTERS LYING ON THE TABLE

**File No:** GV13.4.1  
**Attachments:** Nil  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer  
**Author:** Lucy Walker - Executive Support Officer

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#### SUMMARY

*The Business Outstanding Table is used as a tool to identify when reports are due back to the table. Items lying on the table require a report to be lifted from the table before being dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the current meeting 2 October 2018.*

#### COUNCIL RESOLUTION

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

1. Notice of Motion – Councillor Adam Belot – Change to Media Policy

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

**MOTION CARRIED**

**12.2 WORKS FOR QUEENSLAND (W4Q) PROGRAM FUNDING REALLOCATION**

**File No:** GS15.2.7-1  
**Attachments:** Nil  
**Responsible Officer:** Dan Toon - Executive Director Infrastructure Services  
**Author:** Jeff Carter - Manager Construction & Maintenance

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**SUMMARY**

*The purpose of this report is to recommend alterations and addition of projects for consideration by Council to submit to the Queensland Government as variations to the currently approved Works for Queensland (W4Q) Program.*

9.06am Councillor Mather attended the meeting.

**COUNCIL RESOLUTION**

THAT Council apply to the State government for the balance of the funds from this round of Works for Queensland funding be applied to Joskeleigh Road as noted in the report, and completing the remedial works to address flooding on Coowonga Road.

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

**MOTION CARRIED**

**12.3 RESPONSE TO NOTICE OF MOTION - THE CAVES WATER SUPPLY**

**File No:** WS32.6.1  
**Attachments:** 1. Notice of Motion from Cr Mather [⇒](#)  
**Responsible Officer:** Dan Toon - Executive Director Infrastructure Services  
**Author:** Sean Fallis - Manager Water and Waste Operations

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**SUMMARY**

*This report provides information on The Caves pipeline.*

**COUNCIL RESOLUTION**

THAT Council receive the following report in response to the attached Notice of Motion from Cr Mather.

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

**MOTION CARRIED**



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

### 13.1 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - THE CAVES WATER SUPPLY

**File No:** GV13.4.4  
**Attachments:** 1. Notice of Motion [⇨](#)  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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#### SUMMARY

*Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 2 October 2018, as follows:*

#### COUNCIL RESOLUTION

THAT Council undertake a health check of the infrastructure supplying water from Ramsay Creek to Mt Charleton, and provide a further report to Council, which will include

- a) the need for any required upgrade/repairs, and
- b) an estimated cost for any upgrade/repairs

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

**13.2 QUESTIONS ON NOTICE - COUNCILLOR GLENDA MATHER - WATER AND SEWER INFRASTRUCTURE KINKA**

**File No:** GV13.4.4  
**Attachments:** 1. QoN - Kinka Infrastructure [⇒](#)  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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**SUMMARY**

*Councillor Glenda Mather indicated her intention to place the following questions on notice in relation to water and sewer infrastructure at Kinka at the next Council Meeting 2 October 2018.*

*Infrastructure to provide estimated timelines for the following services:*

*a) to commence the water and sewer infrastructure to the Kinka area where these services currently do not exist; and*

*b) when these services are expected to be operational*

**COUNCIL RESOLUTION**

THAT the questions on notice be received.

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

**MOTION CARRIED**

**13.3 NOTICE OF MOTION - COUNCILLOR ADAM BELOT - CHANGE TO MEDIA POLICY**

**File No:** GV13.4.4  
**Attachments:** 1. [Notice of Motion](#) ⇒  
**Responsible Officer:** Chris Murdoch - Chief Executive Officer

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**SUMMARY**

*Councillor Adam Belot has indicated his intention to move the following Notice of Motion at the next Council Meeting 4 September 2018, as follows:*

**COUNCIL RESOLUTION**

THAT a review be undertaken of the Media Policy Guidelines and roles/responsibilities, in order to encourage greater Councillors participation and freedom when commenting in the media.

**Moved by:** Councillor Belot  
**Seconded by:** Councillor Eastwood

**MOTION LOST****DIVISION:**

Councillors Belot, Eastwood and Mather voted in the affirmative.  
Councillors Ludwig, Hutton, and Wyatt voted in the negative.

Mayor, Councillor Ludwig exercised his casting vote.

## 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

#### 9.53AM

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 PAINT POT GALLERY ACCOMMODATION

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 Statue Bay Reconstruction Project

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 Proposed Boundary Change - Amended Terms of Reference

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

10:36AM Councillor Eastwood left the meeting.  
10:36AM Deputy Mayor, Councillor Hutton left the meeting.  
10:37AM Deputy Mayor, Councillor Hutton returned to the meeting.  
10:38AM Councillor Eastwood returned to the meeting.  
11:05AM Councillor Mather left the meeting.

### COUNCIL RESOLUTION

#### 11.41AM

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

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

**Seconded by:** Councillor Eastwood

### MOTION CARRIED

## 15 CONFIDENTIAL REPORTS

### 15.3 PROPOSED BOUNDARY CHANGE - AMENDED TERMS OF REFERENCE

**File No:** GR14.1.1

**Attachments:** 1. Amended Terms of Reference

**Responsible Officer:** Chris Murdoch - Chief Executive Officer

**Author:** Nicole Robertson - Executive Support Officer

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

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#### SUMMARY

*In response to the draft Terms of Reference Livingstone Shire Council provided feedback to Department of Local Government, Racing and Multicultural Affairs. The department has taken into account the suggestions from both Council's and provided an amended Terms of Reference for consideration.*

#### COUNCIL RESOLUTION

THAT Council respond to the amended Terms of Reference as per the discussions in the closed session of the Council meeting.

**Moved by:** Mayor Ludwig

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

**MOTION CARRIED UNANIMOUSLY**

11:42AM Councillor Mather returned to the meeting.

**15.2 STATUE BAY RECONSTRUCTION PROJECT****File No:** 14-134**Attachments:** Nil**Responsible Officer:** Chris Murdoch - Chief Executive Officer**Author:** Dan Toon - Executive Director Infrastructure 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 .

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**SUMMARY**

*This report provides information and a recommendation to Council in relation to completion of the Statue Bay Project.*

**COUNCIL RESOLUTION**

THAT Council resolve to proceed in accordance with the recommended action contained in the conclusion section of this report.

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

**15.1 PAINT POT GALLERY ACCOMMODATION**

**File No:** LEA264  
**Attachments:** Nil  
**Responsible Officer:** David Mazzaferri - Manager Disaster Management, Recovery and Resilience  
Brett Bacon - Executive Director Liveability and Wellbeing  
**Author:** Mark McLean - Principal Property Officer

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

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**SUMMARY**

*This report provides information in relation to the provision of accommodation for the Paint Pot Gallery.*

**COUNCIL RESOLUTION**

THAT Council resolve to meet the cost of extending the lease arrangement to accommodate the Paint Pot Gallery, at Shop 3, 18 James Street Yeppoon from 13 November 2018 to 30 June 2019 unless another viable option is found prior to the execution of the lease extension.

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

**16 URGENT BUSINESS QUESTIONS**



## 17 CLOSURE OF MEETING

There being no further business the meeting closed at 11:45 am.

\_\_\_\_\_  
Mayor, Councillor Ludwig  
CHAIRPERSON

\_\_\_\_\_  
DATE