



ORDINARY MEETING

MINUTES

5 FEBRUARY 2019

The resolutions contained within these minutes were confirmed at the Council meeting held on 19 February 2019

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 5 FEBRUARY 2019 COMMENCING AT 9.08AM

1 OPENING

2 PRESENT

Members Present:

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

Officers in Attendance:

Mr Dan Toon – Acting Chief Executive Officer
Mr Brett Bacon – Executive Director Liveability and Wellbeing
Mrs Andrea Ellis – Chief Financial Officer
Mr Matthew Willcocks - Chief Technology Officer
Mr Nick Sheehan - Chief Human Resources Officer
Mr David Battese – Manager Liveability
Ms Erin McCabe – Coordinator Development Assessment
Mrs Jenna Davies – Principal Planning Officer
Mr Scott Williams – Internal Auditor
Ms Nicole Robertson – Coordinator Executive Support

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 22 January 2019 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly

Seconded by: Councillor Belot

MOTION CARRIED

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

6 PUBLIC FORUMS/DEPUTATIONS

Nil

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 MAYORAL MINUTE

9.1 MAYORAL MINUTE - CAPRICORN COAST INTERNATIONAL WOMEN'S DAY EVENT COMMITTEE CONTRIBUTION TO A SHADE STRUCTURE FOR THE YEPPON LAGOON

File No: CR2.13.3
Attachments: Nil
Responsible Officer: Bill Ludwig - Mayor

SUMMARY

This mayoral minute pertains to an approach from the Capricorn Coast International Women's day event committee to contribute funds towards the erection of shade structures within the Yeppoon Lagoon precinct.

COUNCIL RESOLUTION

THAT Council resolves to:

- 1) recognise the generous offer from the Capricorn Coast International Women's day event committee to raise funds for the erection of shade structures within the Yeppoon Lagoon precinct and offer its support to the committee in its endeavours;
- 2) recognise that the Capricorn Coast International Women's day event committee may undertake fund raising over a two-year period; and
- 3) give consideration to the inclusion of additional shade structures in the capital works programme for the relevant financial year as well as seeking matching funding from all appropriate State and Federal funding streams.

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

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE REPORTS

11.1 LIFTING MATTERS LAYING ON THE TABLE

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Nicole Robertson - Coordinator Executive Support
Author: Sue Schluter - Executive Assistant to Mayor

SUMMARY

This report is being presented to Council in order for the stated matters to be formally lifted from the table prior to being dealt with during this meeting of 5th February 2019.

COUNCIL RESOLUTION

THAT the following matter/s, that Council resolved to 'Lay on the Table' at a previous meeting, be lifted from the table to be dealt with later during this meeting:

- Audit, Risk and Business Improvement Committee Meeting – 10 December 2018.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Mather

MOTION CARRIED

11.2 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 10 DECEMBER 2018

File No:	GV13.4.2
Attachments:	Nil
Responsible Officer:	Rodney Chapman - Coordinator Governance Andrea Ellis - Chief Financial Officer
Author:	Tanya Callaghan - Support Services Officer

SUMMARY

This matter was presented to the Council meeting held on Tuesday 22nd January 2019 and was 'laid on the table' pending correction in the report. This matter is now presented to Council to be dealt with.

The Audit, Risk and Business Improvement Committee met on 10 December 2018 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 Committee held on 10 December 2018 be received and the following recommendations contained within those minutes be adopted.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

THAT the minutes of the Audit, Risk and Business Improvement Committee held on 12 October 2018 be taken as read and adopted as a correct record.

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 ARABIC ANNUAL PROGRAM OF WORK FOR 2019

THAT the Committee endorse the proposed Annual Program of Work for 2019.

7.4 CFO UPDATE

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

7.5 ISSUES EMERGING FROM THE 2017-18 FINANCIAL STATEMENT PROCESS

THAT the Audit Risk and Business Improvement Committee note the issues emerging from the financial statement process as reported.

7.6 REVIEW OF EXTERNAL AUDITOR EFFECTIVENESS

THAT it be noted that a discussion considering the effectiveness of the external audit has occurred.

7.7 EXTERNAL AUDITOR'S UPDATE

THAT the Committee receive the update from the external auditors.

7.8 INTERNAL AUDIT METHODOLOGY

THAT the Committee receive this report on the Internal Audit Methodology.

7.9 INTERNAL AUDIT UPDATE

THAT the Committee receive the report on Internal Audit.

7.10 OVERVIEW OF POLICY FRAMEWORK

THAT the Committee receive the overview of the Policy Framework.

7.11 REVIEW OF OPERATIONAL RISK REGISTER – INFRASTRUCTURE

THAT the update of the overview of Enterprise Risk Management provided by the Executive Director of Infrastructure be received.

7.12 BUSINESS IMPROVEMENT CHARTER AND APPROACH

THAT the Audit, Risk and Business Improvement Committee receive the update report.

7.13 BUSINESS TRANSFORMATION TEAM WORKS PROGRAMME

THAT the Audit, Risk and Business Improvement Committee receive the report.

7.14 BUSINESS IMPROVEMENT UPDATE

THAT the Audit, Risk and Business Improvement Committee receive the Business Improvement update report.

11.1 RISK MANAGEMENT

THAT the Committee receive the Risk Management Report for information.

11.2 CONFIRM WHETHER MEMBER'S BRIEFING SESSION IS REQUIRED

THAT it is confirmed there is no requirement for a Member's Briefing following the meeting.

11.3 CEO UPDATE ON EMERGING ISSUES

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

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED

12 REPORTS

12.1 AMENDMENT TO ORDINARY COUNCIL MEETING SCHEDULE 2019

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Dan Toon - Acting Chief Executive Officer
Author: Sue Schluter - Executive Assistant to Mayor

SUMMARY

This report serves to amend the start time for the remaining Ordinary Council Meetings for 2019.

COUNCIL RESOLUTION

THAT Council resolve to amend the start time for Ordinary Council Meetings for the remainder of 2019 from 9am to 8.30am.

Moved by: Councillor Kelly

Seconded by: Councillor Belot

MOTION CARRIED

12.2 AMENDMENT TO ORDINARY COUNCIL MEETING - 5 MARCH 2019

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Nicole Robertson - Coordinator Executive Support
Author: Sue Schluter - Executive Assistant to Mayor

SUMMARY

This report serves to amend the date and start time for the Ordinary Council meeting scheduled for 5 March 2019.

COUNCIL RESOLUTION

THAT Council resolve to amend the date and start time of the Ordinary Council meeting, currently scheduled for 5th March 2019, to 10.30am on Monday 4th March 2019 to facilitate the Mayor and Deputy Mayor's commitment to the establishment of the sister schools programme with Yangzhong.

Moved by: Councillor Kelly
Seconded by: Councillor Eastwood

MOTION CARRIED

**12.3 PROPOSED PERMANENT ROAD CLOSURE ADJOINING LOT 50 ON E15610 -
37-39 THOMAS STREET, EMU PARK**

File No: GR14.4.2

Attachments: 1. Aerial Image of 37-39 Thomas Street, Emu Park [↗](#)

Responsible Officer: Mark McLean - Principal Property Officer
David Mazzaferri - Manager Disaster Management, Recovery and Resilience
Brett Bacon - Executive Director Liveability and Wellbeing

Author: Maddie Crigan - Property Officer

SUMMARY

The purpose of this report is to provide information in relation to a proposal by the owner of Lot 50 on E15610 – 37-39 Thomas Street, Emu Park to close part of the road reserve adjoining his property, to align the front boundary of the property with the neighbouring properties.

COUNCIL RESOLUTION

THAT Council resolve to offer no objection to the proposed permanent road closure adjoining Lot 50 on E15610, known as 37-39 Thomas Street, Emu Park.

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

MOTION CARRIED

**12.4 ESTABLISHMENT OF TENURE AGREEMENT - CAPRICORN COAST
LANDCARE INCORPORATED AND NAG BROADCASTING ASSOCIATION**

File No: CP5.9.2

Attachments:

1. Room D Education Centre Community Centre [⇒](#)
2. Fixed Term Joint Tenancy Agreement [⇒](#)

Responsible Officer: David Mazzaferri - Manager Disaster Management, Recovery and Resilience
Brett Bacon - Executive Director Liveability and Wellbeing

Author: Suzanne Hamilton - Administration Supervisor

SUMMARY

This report discusses the establishment of tenure agreements with Capricorn Coast Landcare Incorporated and NAG Broadcasting Association Incorporated, to formalise access to their respective spaces within the Education Centre (Community Centre).

COUNCIL RESOLUTION

THAT Council resolves to enter individual tenure agreements with Capricorn Coast Landcare Incorporated and NAG Broadcasting Association Incorporated over the shared space known as Room D within the Education Centre (78 John Street, Yeppoon) for a period of one (1) year with an option to renew for a further three (3) year period.

Moved by: Mayor Ludwig
Seconded by: Councillor Kelly

MOTION CARRIED

12.5 OPERATIONAL PLAN 2018-19 Q2 PROGRESS REPORT**File No:** CM4.6.2**Attachments:**

1. **Oganisational KPI's** [⇒](#)
2. **Operational KPI's** [⇒](#)

Responsible Officer: Rodney Chapman - Coordinator Governance
Andrea Ellis - Chief Financial Officer**Author:** Suzanne Pambid - Governance Officer

SUMMARY

The 2018-19 Operational Plan progress report for Quarter 2 as at 31 December 2018 is presented, pursuant to Section 174(3) of the Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT the 2018-19 Operational Plan progress report for Quarter 2 as at 31 December 2018 be received.

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

12.6 RECOVERY AND RESILIENCE IMPLEMENTATION PLAN CENTRAL QUEENSLAND FIRES - THE CAVES

File No: ES9.10.2

Attachments: 1. Recovery and Resilience Implementation Plan Central Queensland Fires - The Caves [⇒](#)

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing

Author: David Mazzaferri - Manager Disaster Management, Recovery and Resilience

SUMMARY

Following the Central Queensland Fires, a Recovery and Resilience Implementation Plan has been drafted. The plan is based on the principles of disaster recovery: community led approaches, co-ordination of all activities, effective communication and acknowledging and building capacity.

COUNCIL RESOLUTION

That Council resolves to adopt the Recovery and Resilience Implementation Plan Central Queensland Fires – The Caves (as contained in Attachment One).

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

MOTION CARRIED

12.7 PROJECTS FOR THE 2019-21 LOCAL GOVERNMENT GRANTS AND SUBSIDIES PROGRAM (LGGSP) APPLICATION

File No: GS15.2.7
Attachments: 1. 2019-21 LGGSP Program Guidelines [⇒](#)
Responsible Officer: Dan Toon - Acting Chief Executive Officer
Author: Kat Groves - Executive Assistant to Director Infrastructure Services

SUMMARY

This report provides information regarding projects for an application to The Department of Infrastructure, Local Government and Planning which is responsible for administering the Local Government Grants and Subsidies Program (LGGSP). Funding available for the 2019-21 LGGSP is \$57.9 million.

Confirmation by resolution of Council is sought for projects to be submitted for the 2019-2021 Grants and Subsidies Program.

COUNCIL RESOLUTION

THAT Council resolves that:

1. The CEO is authorised to make application via the Grants and Subsidies Portal (as outlined in the attached LGGSP 2019-21 Guidelines) for subsidy funding for the projects identified in this report, with the priority as listed, to the Department of Infrastructure, Local Government and Planning for the 2019-21 Grants and Subsidies Program.
2. It acknowledges that the submission of the Funding Application does not guarantee funding approval for either all or part of the funding being sought and that Council will need to deliver the projects by 30 June 2021 if successful.
3. It acknowledges that should this application be successful, that the projects will not commence until funding has been approved and funding arrangements have been entered into with the Department.

Moved by: Councillor Kelly
Seconded by: Councillor Mather

MOTION CARRIED

12.8 AMENDMENT TO DECLARATION OF SERVICE AREA - YEPPON EAST & YEPPON WEST

File No: SD29.9.3

Attachments:

1. **Map 10 - Sewerage Service Area - Yeppon East** [↗](#)
2. **Map 11 - Water Service Area - Yeppon East** [↗](#)
3. **Map 12 - Sewerage Service Area - Yeppon West** [↗](#)
4. **Map 13 - Water Service Area - Yeppon West** [↗](#)

Responsible Officer: Dan Toon - Acting Chief Executive Officer
Michael Prior - Manager Infrastructure Operations

Author: Chris Wright - Graduate Engineer

SUMMARY

This report seeks a Council resolution to amend the declaration of the Water Supply and Sewerage Service Area by adding the Yeppon East and Yeppon West areas to the service area.

COUNCIL RESOLUTION

THAT pursuant to s 161(3) of the *Water Supply (Safety & reliability) Act 2008*, Council resolves to:

1. Amend its previous declaration of the Sewerage Service Area by adding the parts of Yeppon which are defined on:
 - a) Map 10 'Sewerage Service Area Yeppon East'; and
 - b) Map 12 'Sewerage Service Area Yeppon West'
2. Amend its previous declaration of the Water Service Area by adding parts of Yeppon which are defined on:
 - a) Map 11 'Water Service Area Yeppon East'; and
 - b) Map 13 'Water Service Area Yeppon West'.

Moved by: Councillor Mather

Seconded by: Councillor Kelly

MOTION CARRIED

12.9 REQUEST FOR FEE REDUCTION FOR A DEVELOPMENT APPLICATION FOR AN EXTRACTIVE INDUSTRY**File No:** CR510468**Attachments:**

1. [Locality Plan](#)
2. [Proposal Plan](#)
3. [Request for fee reduction](#)

Responsible Officer: Erin McCabe - Co-ordinator Development Assessment
David Battese - Manager Strategy & Development**Author:** Jenna Brosseuk - Senior Planning Officer

SUMMARY

The report discusses a fee reduction requested for a proposed development application for a Development Permit for a Material Change of Use for an Extractive industry.

COUNCIL RESOLUTION

THAT Council resolve to accept an application fee of \$20,000.00 for a development application for a Development Permit for a Material Change of Use for an Extractive industry generally in accordance with the proposal plan (dated 21 November 2018) over land at Lot 1668 Marlborough Road and Lot 1 Bundesen Road, Marlborough, described as Lot 1668 on SP185342 and Lot 1 on SP232628.

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

12.10 REQUEST FOR FEE WAIVER FOR DEVELOPMENT APPLICATIONS FOR CLEARING VEGETATION FOR BUSHFIRE MANAGEMENT PURPOSES

File No: CR2.13.19
Attachments: Nil
Responsible Officer: Erin McCabe - Co-ordinator Development Assessment
David Battese - Manager Strategy & Development
Author: Jenna Brosseuk - Senior Planning Officer

SUMMARY

This report provides background on the *Livingstone Planning Scheme 2018* provisions for clearing vegetation for bushfire management. In particular, this report focuses on the relevant application requirements and application fee and requests Council waive application fees for clearing for bona fide bushfire management purposes.

COUNCIL RESOLUTION

THAT Council waive development application fees for development applications for clearing for bushfire management purposes and adopt option one for application requirements, as follows:

Option One:

1. The application fee be waived;
2. A completed checklist (to be compiled and be related to the Acceptable Outcomes of the Development Works Code and the relevant Acceptable Outcomes of the relevant Overlay Codes in a simple to respond to checklist);
3. A statement from a Queensland Rural Fire Regional Officer (recommended to be an inspector level and not a volunteer) stating the clearing is for bushfire management purposes or a Bushfire Management Plan;
4. A proposal plan, illustrating where clearing will occur including dimensions;
5. A site photos of the proposed clearing;
6. DA Form 1 for Operational Works; and
7. An Erosion and sediment control plan, if involving the removal of groundcover and the exposure of soil to weather.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Eastwood

MOTION CARRIED

13 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

9.54AM

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.

14.1 Appointment of Members to Audit, Risk and Business Improvement Committee

This report is considered confidential in accordance with section 275(1)(a), of the *Local Government Regulation 2012*, as it contains information relating to the appointment, dismissal or discipline of employees .

Moved by: Councillor Mather

Seconded by: Councillor Kelly

MOTION CARRIED

COUNCIL RESOLUTION

9.59AM

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

Moved by: Councillor Mather

Seconded by: Councillor Wyatt

MOTION CARRIED

14 CONFIDENTIAL REPORTS

14.1 APPOINTMENT OF MEMBERS TO AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE

File No: CM4.2.1
Attachments: 1. Summary from Interviews
Responsible Officer: Dan Toon - Acting Chief Executive Officer
Andrea Ellis - Chief Financial Officer
Author: Scott Williams - Internal Auditor

This report is considered confidential in accordance with section 275(1)(a), of the *Local Government Regulation 2012*, as it contains information relating to the appointment, dismissal or discipline of employees .

SUMMARY

Following the resignation of two members of the Audit, Risk and Business Improvement Committee (ARaBIC) a call for expressions of interest was made and an evaluation of the responses completed. This report outlines the results of that process and recommends candidates for the positions.

COUNCIL RESOLUTION

THAT Council resolve to appoint Mr Stephen Coates and Ms Kerry Phillips as external members of the Audit, Risk and Business Improvement Committee for a three year term commencing 12th February 2019 at the agreed level of remuneration.

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

MOTION CARRIED

15 URGENT BUSINESS QUESTIONS

16 CLOSURE OF MEETING

There being no further business the meeting closed at 9.59am.

Mayor, Councillor Bill Ludwig
CHAIRPERSON

DATE