



ORDINARY MEETING

MINUTES

18 DECEMBER 2018

The resolutions contained within these minutes were confirmed at the Council meeting on 22 January 2019.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 18 DECEMBER 2018 COMMENCING AT 9:04AM

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
Councillor Tom Wyatt

Officers in Attendance:

Ms Chris Murdoch – Chief Executive Officer
Mr Brett Bacon – Executive Director Liveability and Wellbeing
Mr Dan Toon – Executive Director Infrastructure
Mr Matthew Willcocks - Chief Technology Officer
Mr Nick Sheehan - Chief Human Resources Officer
Mr David Battese – Manager Strategy and Development
Mr Craig Newsome – Coordinator Public Environments
Ms Erin McCabe – Coordinator Development Assessment
Ms Leise Childs – Senior Land Protection Officer
Ms Maddie Crigan – Property Officer
Mr Jared Thomsen – Senior Sport and Education Officer
Ms Gemma Hinchliff – Community Development and Engagement Officer
Ms Laurie Rainbird – Community Development and Engagement Officer
Mr Rod Chapman – Senior Investigations Officer
Mr Damien Cross – Coordinator Accounting Services
Ms Lucy Walker – Executive Support Officer

3 LEAVE OF ABSENCE / APOLOGIES

3.1 LEAVE OF ABSENCE - COUNCILLOR JAN KELLY - 18 DECEMBER 2018

File No: GV13.4.1

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Jan Kelly has requested leave of absence for 18 December 2018 inclusive.

COUNCIL RESOLUTION

THAT leave of absence be granted to Councillor Jan Kelly for 18 December 2018 inclusive.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Mather

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Special Meeting held on 30 November 2018 be taken as read and adopted as a correct record.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Eastwood

MOTION CARRIED

DIVISION:

Crs P Eastwood, N Hutton, B Ludwig and T Wyatt voted in the affirmative.

Crs A Belot and G Mather voted in the negative.

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 4 December 2018 be taken as read and adopted as a correct record.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Wyatt

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

6 PUBLIC FORUMS/DEPUTATIONS

Nil

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4.1
Attachments: 1. **Business Outstanding Table - 18 December 2018** [⇒](#)
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: Deputy Mayor, Councillor Hutton
Seconded by: Councillor Belot

MOTION CARRIED

8 PRESENTATION OF PETITIONS

Nil

9 MAYORAL MINUTE

Nil

10 COUNCILLOR/DELEGATE REPORTS

Nil

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

Nil

12 REPORTS

12.1 SCHEDULE OF MEETING DATES - JANUARY TO DECEMBER 2019

File No: GV13.4.1
Attachments: 1. [Schedule of Council Meetings 2019](#) ⇨
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Lucy Walker - Executive Support Officer

SUMMARY

The Chief Executive Officer will present the Schedule of Council meetings for the period January to December 2019.

COUNCIL RESOLUTION

THAT the Schedule of Council meetings for the period January to December 2019 be adopted.

Moved by: Councillor Eastwood

Seconded by: Councillor Wyatt

MOTION CARRIED

12.2 COUNCILLOR PORTFOLIOS

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Rodney Chapman - Coordinator Governance

SUMMARY

The purpose of this report is to formally acknowledge and adopt the discontinuance of Advisory Committees and the subsequent administrative change for Councillor titles from Committee Chair to Portfolio Holder for their respective areas.

OFFICER'S RECOMMENDATION

THAT Council resolve:

- 1) That Council Advisory Committees be discontinued; and
- 2) That Council adopt the administrative change for Councillor titles from Committee Chair to Portfolio Holder for their respective areas as follows;

Portfolio	Councillor
Municipal Infrastructure <i>(Incl. planning, design, construction and asset management of roads, storm water, drainage, pathways, water and sewerage and community facilities infrastructure)</i>	Cr Mather
Recycling & Waste Management, Water Cycle, and Local Laws	Cr Belot
Libraries, Arts, Culture, Sport & Recreation and Youth	Cr Eastwood
Parks , Open Spaces & Environment	Cr Wyatt
Community Development & Support and Senior Citizens	Cr Kelly
Planning, Finance, Innovation and Business Excellence <i>(incl. urban design/place making and higher level infrastructure planning associated with the LGIP)</i>	Cr Hutton
Economic Development, Major Projects, Government Liaison and International relationships and Disaster Management <i>(noting that PCG's will exist for each specific major project)</i>	Mayor

COUNCIL RESOLUTION - PROCEDURAL MOTION

That the matter lay on the table pending further discussion and return to a Council Meeting in 2019.

Moved by: Councillor Mather

MOTION CARRIED

12.3 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 NOVEMBER 2018

File No: FM12.14.1
Attachments: 1. **Monthly Council Financial Report - November 2018** [⇒](#)

Responsible Officer: Andrea Ellis - Chief Financial Officer
Author: Damien Cross - Coordinator Accounting Services

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the period ending 30 November 2018 by the Coordinator Accounting Services. .

COUNCIL RESOLUTION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 30 November 2018 be received.

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

MOTION CARRIED

12.4 YOUTH NEEDS ANALYSIS

File No: CS3.3.9

Attachments:

1. [2018 Youth Needs Analysis](#) ⇨
2. [2014 Youth Needs Analysis](#) ⇨

Responsible Officer: Jared Thomsen - Senior Sport & Education Officer
David Mazzaferri - Manager Disaster Management, Recovery and Resilience
Brett Bacon - Executive Director Liveability and Wellbeing

Author: Gemma Hinchliff - Community Development and Engagement Officer

SUMMARY

This report discusses the development of the *2018 Youth Needs Analysis*, details the processes undertaken and presents the finalised document for Council endorsement.

COUNCIL RESOLUTION

THAT Council formally endorse the *2018 Youth Needs Analysis* (as contained in Attachment One) and its associated recommendations.

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

MOTION CARRIED

12.5 ENDORSEMENT OF REEF GUARDIAN COUNCILS MAJOR INTEGRATED PROJECTS PROPOSAL

File No:	EM11.12.3
Attachments:	<ol style="list-style-type: none">1. Reef Guardian Councils Major Integrated Projects Proposal: Letter to Councils⇒2. Reef Guardian Councils Major Integrated Projects Proposal: Summary⇒3. Reef Guardian Councils Major Integrated Projects Proposal⇒
Responsible Officer:	David Mazzaferri - Manager Disaster Management, Recovery and Resilience Brett Bacon - Executive Director Liveability and Wellbeing
Author:	Leise Childs - Senior Land Protection Officer

SUMMARY

In response to an agreement made by Reef Guardian Councils in 2016 that a coordinated set of prioritised projects should be developed for targeted investment, the Local Government Association of Queensland facilitated the development of the Reef Guardian Councils Major Integrated Projects proposal in partnership with Reef Guardian Councils and the Great Barrier Reef Marine Park Authority.

The Major Integrated Projects proposal is principally an investment prospectus designed to attract external investment to support three priority initiatives. These three initiatives are:

- 1) wastewater stewardship;*
- 2) Fish Friendly Councils; and*
- 3) best practice erosion and sediment control for unsealed roads.*

It is anticipated that funding for the initiatives will come from a range of external sources, including the federal and state governments (direct and grants from aligned areas), the Great Barrier Reef Foundation, and philanthropic and industry investments. Each initiative has been fully costed out. It is envisaged that there will be a minimum 70:30 split between external investment and local government contribution, including where local government contribution may be solely in-kind. At this stage, the Local Government Association of Queensland is only seeking Council's endorsement of the Reef Guardian Councils Major Integrated Projects proposal as a prospectus for seeking external investment in priority collaborative actions by Reef Guardian Councils, and authorisation for it to include its logo for the publication and promotion of the project.

COUNCIL RESOLUTION

That Council resolves to:

- 1) endorse the Reef Guardian Councils Major Integrated Projects proposal as a prospectus for seeking external investment in priority collaborative actions by Reef Guardian Councils; and
- 2) allow the Local Government Association of Queensland to include its logo for the publication and promotion of the Reef Guardian Councils Major Integrated Projects.

Moved by: Mayor Ludwig
Seconded by: Councillor Wyatt

MOTION CARRIED UNANIMOUSLY

**12.6 USE OF LOCAL GOVERNMENT CONTROLLED AREA, FACILITIES AND ROADS
- XTREME JET PACKS PTY LTD**

File No: CR21.1.5
Attachments: 1. Kemp Beach Images [⇒](#)
Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing
Author: Trish Weir - Manager Customer Service
David Battese - Manager Strategy & Development
Craig Newsome - Coordinator Public Environments

SUMMARY

Council has received a request from Xtreme Jet Packs Pty Ltd to operate a new recreational business off Kemp Beach. The business is aimed at the tourism market and is one of only three businesses in Australia appropriately licenced to operate fly board and jetpack flights. The business currently operates off the beach at Great Keppel Island and Kemp Beach. With specific reference to operating at Kemp Beach Xtreme Jet Packs Pty Ltd has identified the process of setup is physically demanding.

This report discusses a request that Council provide a dispensation from vehicle restrictions for beach access as prescribed under local law, to facilitate the transportation of equipment onto Kemp Beach.

COUNCIL RESOLUTION – PROCEDURAL MOTION

That pursuant to Council Meeting Procedures the provisions of the Livingstone Shire Council Meeting Procedures be suspended to allow adequate time for informal discussion on Item 12.6 prior to entering into formal debate.

Moved by: Councillor Mather

MOTION CARRIED

COUNCIL RESOLUTION – PROCEDURAL MOTION

That pursuant to Council Meeting Procedures the provisions of the Livingstone Shire Council Meeting Procedures be resumed.

Moved by: Councillor Mather

MOTION CARRIED

COUNCIL RESOLUTION

THAT the request by Xtreme Jet Packs for vehicular access to Kemp Beach be refused, as access to Kemp Beach by a vehicle for the purposes intended by Xtreme Jet Packs is prohibited pursuant to *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.

Moved by: Councillor Mather

Seconded by: Councillor Eastwood

MOTION CARRIED

12.7 REVIEW OF PLUMBING AND DRAINAGE POLICY**File No:** CM4.7.13**Attachments:**

1. **Plumbing and Drainage Policy (Existing)**⇒
2. **Track changed version of Plumbing and Policy**⇒
3. **New Plumbing and Drainage Policy**⇒

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing**Author:** David Battese - Manager Strategy & Development

SUMMARY

This report relates to a review of Council's Plumbing and Drainage Policy. The policy has been modified by removing provisions which are considered to be adequately addressed within current legislation.

COUNCIL RESOLUTION

THAT Council adopt the revised version of the *Plumbing and Drainage Policy* as contained within Attachment Three.

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

12.8 TOOKERS ROAD - REQUEST FROM CR MATHER FOR UPGRADING

File No: CR2.13.37
Attachments: 1. Request for Upgrading - Tookers Road - Cr Mather [⇒](#)
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Dan Toon - Executive Director Infrastructure Services

SUMMARY

This report provides information to assist Council when considering the attached correspondence from Cr Mather related to Tookers Road.

COUNCIL RESOLUTION

THAT Council resolve to consider upgrading of Tookers Road in accordance with the adopted Upgrading of Unsealed Rural Roads to Sealed Standard Policy and Procedure.

Moved by: Councillor Wyatt

Seconded by: Councillor Belot

MOTION CARRIED**DIVISION:**

Crs A Belot, P Eastwood, B Ludwig and T Wyatt voted in the affirmative.

Crs N Hutton and G Mather voted in the negative.

12.9 CYCLE GRANTS PROJECTS 2019/20

File No: 16-024
Attachments: Nil
Responsible Officer: Amal Meegahawattage - Co-ordinator Infrastructure Planning
Michael Prior - Manager Infrastructure Operations
Dan Toon - Executive Director Infrastructure Services
Author: Reece Sainsbury - Infrastructure Planning Engineer

SUMMARY

The purpose of this report is to gain endorsement for shared path links to apply for funds under the Cycle Network Local Government Grants Program 2019/20.

COUNCIL RESOLUTION

THAT Council endorses the following two (02) projects for submission to the Cycle Network Local Government Grants Program 2019/20 for 50% funding:

1. Yeppoon Precinct Shared Pathways – 800m, ~ **\$750,000 (\$375,000 LSC Contribution);**
2. Pacific Heights Road Shared Path (Missing Links) – 400m, ~ **\$250,000 (\$125,000 LSC Contribution);**

and confirms the following projects as priorities for future Cycle Grants funding:

3. Mulambin Beach Shared Path – 600m, ~ **\$1,100,000;**
4. Matthew Flinders Drive Shared Path (Chrisney Street - Wreck Pt) – 400m, ~**\$200,000;**
5. Adelaide Park Road Pedestrian Bridge – 1 Bridge + Approaches ~ **\$400,000;**
6. Appleton Drive Shared Path (Missing Links) - 450m, ~ **\$300,000;** and
7. Pattison Street Shared Path Northern Extension – 60m, ~ **\$50,000.**

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Eastwood

MOTION CARRIED

12.10 PARKING (AMENDMENT NO.2) SUBORDINATE LOCAL LAW (NO. 5) 2018**File No:** TT30.13.1**Attachments:**

1. **(Consolidated) Parking Amendment No.2 Subordinate local law No.5 2018** [⇒](#)
2. **Parking Amendment No.2 Subordinate Local law No.5 2018** [⇒](#)
3. **Public notice - Parking Amendment No.2 Subordinate Local law No.5 2018** [⇒](#)
4. **Local Law Making Process Resolution** [⇒](#)

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing
David Battese - Manager Strategy & Development**Author:** Craig Newsome - Coordinator Public Environments

SUMMARY

This report provides a recommendation to receive proposed amendments and resolve to adopt a consolidated version of *Subordinate Local Law (Parking) 2018* to remain as titled.

COUNCIL RESOLUTION

That Council resolves to:

- 1) acknowledge no submissions received regarding proposed amendments to *Subordinate Local Law No.5 (Parking) 2018* pursuant to section 29A (3) of the *Local Government Act 2009*; and
- 2) make *Parking (Amendment No.2) Subordinate Local Law No.5 2018* as amended; and
- 3) pursuant to section 32 of the *Local Government Act 2009*, adopt a consolidated version of *Parking (Amendment No.2) Subordinate Local Law No.5 2018* to be known as *Subordinate Local Law No.5 (Parking) 2018*.

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

12.11 TEMPORARY DELEGATION FOR DEVELOPMENT APPLICATION DECISIONS**File No:** PL22.1.8.1**Attachments:****Responsible Officer:** David Battese - Manager Strategy & Development**Author:** Erin McCabe - Co-ordinator Development Assessment

SUMMARY

The purpose of this report is to obtain a temporary delegation to the Chief Executive Officer to facilitate the statutory requirements of the Sustainable Planning Act 2009 and Planning Act 2016 to accommodate the limited Council meeting schedule over the December 2018 – January 2019 period.

OFFICER'S RECOMMENDATION

THAT pursuant to section 257 of the *Local Government Act 2009* Council resolves to delegate its powers as 'Assessment Manager' under the *Sustainable Planning Act 2009* and *Planning Act 2016* to the Chief Executive Officer for the period 19 December 2018 until 21 January 2019, both dates inclusive, subject to the following limitation:

- (1) The exercise of this delegation will only occur following consultation with and written concurrence (inclusive of email) from, two (2) elected members from the Mayor, Deputy Mayor (inclusive of an Acting Mayor or Acting Deputy Mayor) and Councillor with the Portfolio of Planning, Finance, Innovation and Business Excellence.

COUNCIL RESOLUTION

1. THAT pursuant to section 257 of the *Local Government Act 2009* Council resolves to delegate its powers as 'Assessment Manager' under the *Sustainable Planning Act 2009* and *Planning Act 2016* to the Chief Executive Officer for the period 19 December 2018 until 21 January 2019, both dates inclusive, subject to the following limitation:
 - The exercise of this delegation will only occur following consultation with and written concurrence (inclusive of email) from, two (2) elected members from the Mayor, Deputy Mayor (inclusive of an Acting Mayor or Acting Deputy Mayor) and Councillor with the Portfolio of Planning, Finance, Innovation and Business Excellence.
2. THAT a report summarising development applications determined pursuant to this specific resolution be brought to the first ordinary meeting in February 2019.

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

**12.12 LOCAL GOVERNMENT INFRASTRUCTURE DESIGNATION FOR THE
CAPRICORN COAST MEMORIAL GARDENS LOCATED AT LOT 1 MULAMBIN
ROAD, TAROOMBALL AND LOT 362 MULAMBIN ROAD, TANBY**

File No: D-112-2018

Attachments:

1. [Locality Plan](#)
2. [Infrastructure designation area plan](#)
3. [Final Environmental Assessment Report \(extract\)](#)
4. [Notice of outcome of state interest review](#)

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

Author: Madelaine Ward - Senior Planning Officer

SUMMARY

Infrastructure entity: Livingstone Shire Council C/- Reel Planning CQ

Land owner: Livingstone Shire Council

Real Property Address: Lot 1 on SP190911 and Lot 362 on SP190911

Common Property Address: Lot 1 Mulambin Road, Taroomball and Lot 362 Mulambin Road, Tanby

Area of Site: 99.6 hectares

Planning Scheme: *Livingstone Planning Scheme 2018*

Planning Scheme Zone: Rural

Planning Scheme Overlays:

- OM01 – Acid sulfate soils
- OM02 – Ag land classifications (Class A & B)
- OM07 - Biodiversity
- OM10 – Waterways and wetlands
- OM11 – Waterways and impact buffer
- OM13 – Coastal erosion area
- OM14 – Stormtide hazard
- OM17 – Flood hazard
- OM21 – Scenic amenity

Existing development: Vacant land

Submissions: Nil received

APPLICATION PROGRESS:

Infrastructure proposal made to Council:	29 June 2018
Development Control Unit Meeting held:	4 July 2018
Infrastructure proposal properly made (payment received):	5 July 2018
Local government's acknowledgement sent:	27 July 2018
Local government's acknowledgement re-issued:	2 August 2018

Draft environmental assessment report received:	20 August 2018
Public Consultation Notice of Local Government Infrastructure Designation received:	22 August 2018
Public Consultation period (15 business days):	23 August to 12 September 2018
Draft environmental assessment report sent for State Interest review:	22 August 2018
State interest review period (30 business day):	22 August to 3 October 2018
State interest review response received:	30 October 2018
Final Environmental assessment report received:	21 November 2018
Workshop meeting date:	17 December 2018
Council meeting date:	18 December 2018
Statutory decision due:	19 December 2018

COUNCIL RESOLUTION

RECOMMENDATION A

THAT in relation to the Local Government Infrastructure Designation (Capricorn Coast Memorial Gardens), made by Livingstone Shire Council C/- Reel Planning, on Lot 1 on SP190911 and Lot 362 on SP190911, and located at Lot 1 Mulambin Road, Taroomball and Lot 362 Mulambin Road, Tanby, Council resolves to:

1. Designate the premises, including any matters required to be included in the designation by the chief executive under section 35(3) of the *Planning Act 2016*; and
2. Give a notice of the decision to the infrastructure entity in accordance with Part 5, section 9.2 (a) of the *Minister's Guidelines and Rules*; and
3. Give the chief executive any information required to update state databases and geographic information system mapping layers in accordance with Part 5, section 9.2 (b) of the *Minister's Guidelines and Rules*; and
4. Publish a gazette notice that states -
 - (a) that the designation has been made; and
 - (b) a description of the designated premises; and
 - (c) the type of infrastructure for which the premises were designated.

RECOMMENDATION B

THAT in relation to the Local Government Infrastructure Designation (Capricorn Coast Memorial Gardens), made by Livingstone Shire Council C/- Reel Planning, on Lot 1 on SP190911 and Lot 362 on SP190911, and located at Lot 1 Mulambin Road, Taroomball and Lot 362 Mulambin Road, Tanby, Council resolves to designate the premises and include the following conditions in the notice:

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 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 1.3 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.4 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>
Infrastructure Designation Area Plan	Appendix D	29 April 2018
Stormwater Drainage General Layout	18-005-D-01	28 May 2018
Vegetation Plan	Not numbered	29 November 2018
Capricorn Coast Memorial Gardens Preliminary Bushfire hazard assessment and Bushfire management plan	40853 BMP Memorial Gardens LSC V2	31 July 2018
Addendum to Capricorn Coast Memorial Gardens Preliminary Bushfire hazard assessment and Bushfire management plan	40853 BMP Memorial Gardens LSC V2	18 November 2018

- 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 any works on the site.
- ## 3.0 ACCESS AND PARKING WORKS
- 3.1 All works must be designed and constructed in accordance with the approved plans (refer condition 2.1), *Capricorn Municipal Development Guidelines* and *Australian Standard AS2890 "Off Street Car Parking"*.
- 3.2 On-site car parking must be provided at the rate of one (1) space per twenty-five (25) square metres or part thereof of gross floor area for the development and must be provided commensurate to the gross floor area for the relevant stage being developed.
- 3.3 A dual access driveway must be designed and constructed prior to the commencement of the first change of use.

- 3.4 All public vehicular access, car parking and associated vehicle manoeuvring areas must be sealed or to an equivalent standard.
- 3.5 Universal access spaces must be provided in accordance with *Australian Standard AS 2890.6. 2009 "Off-Street parking for people with disabilities"*.
- 4.0 PLUMBING AND DRAINAGE WORKS
- 4.1 All internal plumbing and sanitary drainage works must be in accordance with the *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act*, regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies.
- 4.2 An on-site sewerage treatment and disposal facility must be provided within the proposed site in accordance with the *Queensland Plumbing and Wastewater Code, Australian Standard AS1547:2012 - On Site Domestic-Wastewater Management* and Council's Plumbing and Drainage Policies.
- 4.3 Any structures or buildings must not be located within the on-site sewerage treatment and disposal area or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.
- 4.4 Adequate on-site water storage must be provided to support the consumption needs of the development.
- 4.5 The development must be provided with on-site water storage for firefighting purposes in accordance with the recommendations in the approved Bushfire Hazard Assessment and Bushfire Management Plan and addendum dated 18 November 2018 (refer to condition 2.1).
- 5.0 STORMWATER WORKS
- 5.1 All stormwater management 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* and sound engineering practice.
- 5.2 All stormwater must achieve demonstrated lawful discharge and 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 or damage infrastructure.
- 5.3 Any culvert/cross drainage structure must be designed to ensure flood immunity in a Q2 event and traffic immunity in a Q20 event, with twenty (20) per cent blockage factor. The maximum flow depth over the cross drainage structure must be limited to 200 millimetres, demonstrating allowable velocity/depth product(s).
- 5.4 All roof and allotment runoff including runoff from car parking spaces and vehicle manoeuvring areas must be collected within the site and must drain so as to demonstrate lawful discharge in accordance with the requirements of the *Queensland Urban Drainage Manual*.
- 6.0 BUILDING 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 adversely restrict, impair or change the natural flow of runoff water to cause an actionable nuisance to adjoining properties or damage infrastructure.
- 6.3 The development must be undertaken generally in accordance with the principles and actions of the *Crime prevention through environmental design guideline* outlined in Chapter 6 of The design of the Public Realm and The design of Pedestrian and Cyclist Systems. Detailed site plans must be provided to Council prior to making any

development application for Building works.

- 6.4 Any buildings or structures located within the drainage easement must be located above the Q100 flood level.

7.0 ELECTRICITY AND TELECOMMUNICATIONS

- 7.1 The development must be provided with an on-site energy supply installed in accordance with all laws and regulations and current best practice. (Note if the development is provided with a reticulated grid electricity supply, the reticulated supply must be provided in accordance with the requirements of the relevant energy supply authority.)

- 7.2 The development must be provided with on-site telecommunications infrastructure for the use sufficient to enable contact in normal circumstances with the each of the nearest emergency (Note if the development is provided with reticulated telecommunications infrastructure, the reticulated infrastructure must be provided in accordance with the requirements of the relevant telecommunications supply authority.)

8.0 ENVIRONMENTAL

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

- 8.2 The development must be undertaken in accordance with *Australian Standard AS3959 "Construction in Bushfire Prone Areas"* and the recommendations in the approved Bushfire Hazard Assessment and Bushfire Management Plan and addendum dated 18 November 2018 (refer to condition 2.1).

- 8.3 Revegetation must be undertaken within the riparian area north of the Mulambin Road alignment on Lot 1 on SP190911 for a width of ten (10) metres either side of the top of the bank generally in accordance within the Vegetation management plan (refer to condition 2.1). A revegetation plan must be provided to Council prior to the first commencement of use.

- 8.4 Old growth trees such as *Eucalyptus platyphylla*, *Eucalyptus tereticornis* and Fig Trees located within the designation area must be retained where possible.

- 8.5 Any landscaping or revegetation to be undertaken must utilise native fire tolerant species. A species planting plan must be provided prior to any building application.

- 8.6 Any vegetation cleared or removed must be:

- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt, unless otherwise approved by the relevant branch of the Rural Fire Brigade.

9.0 OPERATING PROCEDURES

- 9.1 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 Mulambin Road.

- 9.2 All waste storage areas must be kept in a clean, tidy condition which;

- 9.2.1 is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.8 metres;

- 9.2.2 has an imperviously sealed pad, on which to stand the bin(s), and which is

- drained to an approved waste disposal system;
- 9.2.3 is within proximity to a hose cock;
- 9.2.4 is large enough to accommodate one (1) or more bin of a size appropriate to the nature and scale of use.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Wyatt

MOTION CARRIED

12.13 REQUEST FOR VIEWS - APPLICATION FOR THE CONVERSION OF TERM LEASE 232503 OVER LOT 25 ON PS97 TO FREEHOLD TENURE

File No: GR14.4.2

Attachments:

1. Notice from Department of Natural Resources, Mines and Energy [⇒](#)
2. Aerial Image [⇒](#)

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 an application received by the Department of Natural Resources, Mines and Energy for the conversion of a Term Lease over Lot 25 on PS97 to freehold tenure.

COUNCIL RESOLUTION

THAT Council resolves to object to the conversion of Term Lease 232503 over Lot 25 on PS97 to freehold tenure for the following reasons:

1. the significance of the environmental attributes of the site (the site borders the Corio Bay Declared Fish Habitat Area and the internationally listed *Shoalwater and Corio Bays Area Ramsar* internationally important wetland) and the constraints which are required to support the management of land in this vicinity;
2. the lot does not have legal access; and
3. Council cannot guarantee that the required planning, building or plumbing approvals, as mentioned above, would be granted if the conversion of Lot 25 were to occur.

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

MOTION CARRIED

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

Leave granted.

Meeting procedures were suspended at 9:52AM.

Meeting procedures resumed at 10:06AM.

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

Nil

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

10:07AM

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 Acquisition of Land for Drainage Purposes - Farnborough Road, Yeppoon

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 Land Enquiries relating to Tanby Road, Taroomball and Crannys Road Inverness

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 Trade Mission to China and Taiwan

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 Eastwood

MOTION CARRIED

10.06AM Councillor Wyatt left the meeting.

10:08AM Councillor Wyatt returned to the meeting.

COUNCIL RESOLUTION

11:07AM

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

Moved by: Councillor Mather
Seconded by: Councillor Wyatt

MOTION CARRIED

15 CONFIDENTIAL REPORTS

15.1 ACQUISITION OF LAND FOR DRAINAGE PURPOSES - FARNBOROUGH ROAD, YEPPON

File No: 5.2.2-004

Attachments:

1. Locality Plan
2. Plan of proposed boundary realignment
3. Valuation

Responsible Officer: Dan Toon - Executive Director Infrastructure Services

Author: Carrie Burnett - Policy & Planning Officer

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

SUMMARY

This report seeks a resolution of Council for the purchase of a property required to address drainage issues at Todd Avenue.

COUNCIL RESOLUTION

THAT Council authorise the Chief Executive Officer to commence negotiations with the owner of Lot 12 RP620229 for the purchase of this property in accordance with the attached valuation and Council's Acquiring Land and Easements for Infrastructure Projects Policy.

Moved by: Councillor Mather

Seconded by: Councillor Eastwood

MOTION CARRIED

15.2 LAND ENQUIRIES RELATING TO TANBY ROAD, TAROOMBALL AND CRANNYS ROAD INVERNESS**File No:** ED8.5.5**Attachments:**

1. Aerial Map of 182 and 200 Tanby Road, Taroomball
2. Aerial Map of L 6 Crannys Road, Inverness

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing
Debra Howe - Director Strategic Growth & Development**Author:** Elle Wallin - Project 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 .

SUMMARY

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

COUNCIL RESOLUTION

THAT Council agrees in principle to dispose of the three parcels of land outlined in this report and authorises the Chief Executive Officer to progress with the disposal of a non-current asset either via a tender or auction, having due regard to the provisions for the disposal of non-current assets contained in the Queensland *Local Government Regulation 2012* and Livingstone Shire Council's Procurement Policy.

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

15.3 TRADE MISSION TO CHINA AND TAIWAN

File No: ED8.5.20

Attachments:

1. 2019 Taiwan Smart City Summit and Expo - draft programme
2. 2019 Taiwan Smart City Summit and Expo - overview
3. 2019 Taiwan Smart City Summit and Expo - further information

Responsible Officer: Chris Murdoch - Chief Executive Officer

Author: Brett Bacon - Executive Director Liveability and Wellbeing

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 discusses Trade and Investment Queensland's mission to Taipei, Taiwan, for the 2019 Taiwan Smart City Summit and Expo and the development of educational opportunities within Council's Friendship City.

COUNCIL RESOLUTION

THAT Council resolves to support leading a delegation to China in March 2019 as outlined in the detail of this report to facilitate the establishment of Sister Schools within and accepts the invitation from Trade and Investment Queensland for Livingstone Shire Council delegates to participate in the 2019 Taiwan Smart City Summit and Expo, to be held in Taipei in March 2019.

Moved by: Councillor Eastwood

Seconded by: Councillor Wyatt

MOTION CARRIED

11:09AM Councillor Belot left the meeting.
11:12AM Councillor Belot returned to the meeting.
11:12AM Deputy Mayor, Councillor Hutton left the meeting.
11:14AM Deputy Mayor, Councillor Hutton returned to the meeting.

16 URGENT BUSINESS QUESTIONS

Nil

17 CLOSURE OF MEETING

There being no further business the meeting closed at 11:20AM.

Mayor, Councillor Bill Ludwig
CHAIRPERSON

DATE