

Livingstone

Shire Council

ORDINARY MEETING

MINUTES

8 MARCH 2016

The Council resolutions contained within these minutes will be confirmed at the next Council meeting on 29 March 2016.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, ANZAC PARADE, YEPPOON ON TUESDAY, 8 MARCH 2016 COMMENCING AT 9.08AM

1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Mr Justin Commons – Chief Executive Officer
Ms Chris Murdoch – Director Corporate Services
Mr Brett Bacon – Director Community and Planning Services
Mr Dan Toon – Director Infrastructure Services
Ms Lucy Merry – Executive Support Officer

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 PUBLIC FORUMS/DEPUTATIONS

Nil

5 MAYORAL MINUTE

5.1 KEPPEL SANDS BOAT RAMP, TAYLOR STREET

File No: CR2.13.28

Responsible Officer: Justin Commons - Chief Executive Officer

COUNCIL RESOLUTION

THAT

1. Council authorise the use of the informal launching area that the community have traditionally used as described in the attached map.
2. Council install signage indicating that vehicles may only access that area for launch and retrieval of boats, consistent with other such designated beach accesses throughout the shire.
3. This authorisation to remain in effect until such times as a long term remedy is implemented by the Department of Transport and Main Roads.

Moved by: Mayor Ludwig

Seconded by: Deputy Mayor, Councillor Scott

MOTION CARRIED UNANIMOUSLY

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 23 February 2016 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

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

Nil

8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

Nil

9 PRESENTATION OF PETITIONS

9.1 PETITION REQUESTING CHILDREN'S PLAYGROUND BE BUILT AT WIDDOWSON PARK, BARNES STREET, BARLOW'S HILL

File No: CR2.13.28
Attachments: 1. Petition
Responsible Officer: Justin Commons - Chief Executive Officer

SUMMARY

Council has received the attached petition from Jessica Judd and Tara Morris and a number of other petitioners requesting a children's playground be built at Widdowson Park, Barnes Street, Barlows Hill.

COUNCIL RESOLUTION

THAT the petition requesting a children's playground be built at Widdowson Park, Barnes Street, Barlows Hill be received.

Moved by: Councillor Wyatt

Seconded by: Mayor Ludwig

MOTION CARRIED

10 BUSINESS IMPROVEMENT COMMITTEE REPORTS

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 POLICY REVIEW - OPENING OF UNCONSTRUCTED ROADS POLICY AND PROCEDURE

File No: CM4.7.28
Attachments: 1. Draft Policy
2. Draft Procedure
Responsible Officer: Dan Toon - Director Infrastructure Services
Author: Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Councils adoption of a new community policy titled Opening of Unconstructed Roads.

COUNCIL RESOLUTION

THAT Council:

1. Adopt the Opening of Unconstructed Roads Policy; and
2. Endorse the approval of the Opening of Unconstructed Roads Procedure by the Director Infrastructure Services.

Moved by: Councillor Mather

Seconded by: Councillor Kelly

MOTION CARRIED

12.2 POLICY REVIEW - MANAGEMENT OF VEGETATION ON COUNCIL CONTROLLED LAND POLICY AND PROCEDURE

File No: CM4.7.21
Attachments: 1. Draft Policy
2. Draft Procedure
Responsible Officer: Dan Toon - Director Infrastructure Services
Author: Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Councils adoption of a new community policy titled Management of Vegetation on Council Controlled Land.

COUNCIL RESOLUTION

THAT Council:

1. Adopt the Management of Vegetation on Council Controlled Land Policy; and
2. Endorse the approval of the Management of Vegetation on Council Controlled Land Procedure by the Director Infrastructure Services.
3. That the Fees & Charges Register be amended as detailed below:
 - a. Page 42 remove rows 12, 13 and 14;
 - b. Insert the following:

Prescribed Activities

 - i. Installing, changing, damaging or removing a structure in a Council controlled area (Assets) - \$102.00;
 - ii. Installing, changing, damaging or removing a structure on a road (Operations) - \$102.00;
 - iii. Planting, clearing or damaging of vegetation in a Council controlled area (Parks & Reserves or Cemeteries) - \$102.00;
 - iv. Planting, clearing or damaging of vegetation on an urban road (Construction & Maintenance) - \$102.00

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

12.3 UPDATED PRIORITY ROUTE MAPS - CYCLING

File No: TT30.8.5
Attachments: 1. Correspondence from DTMR enclosing Priority Route Maps
Responsible Officer: Dan Toon - Director Infrastructure Services
Author: Amal Meegahawattage - Co-ordinator Infrastructure Planning

SUMMARY

The purpose of this report is to advise the Council of Livingstone Shire Council's updated Priority Route Maps (PRMs) for the cycle network. These PRMs form an addendum to the Central Queensland Principle Cycle Network Plan (PCNP) that has been previously developed by Department of Transport and Main Roads (DTMR) following consultation with TMR's regional staff and LSC officers.

Currently, DTMR is seeking formal written endorsement of the PRMs by the Council, prior to finalisation and publication on the TMR website.

COUNCIL RESOLUTION

THAT Council endorses the Livingstone Shire Council Priority Route Maps (PRMs) for the townships of Emu Park, Farnborough and Yeppoon as included in Attachment 1 (Pages 17, 18 & 19, respectively).

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

**12.4 DELEGATION OF POWERS TO THE CHIEF EXECUTIVE OFFICER -
COMMUNITY GRANTS**

File No: TBA
Attachments: Nil
Responsible Officer: Brett Bacon - Director Community & Planning Services
Author: Melissa Minter - Co-ordinator Community Partnership

SUMMARY

The second round of the 2015-2016 Livingstone Shire Council / Keppel Bay Sailing Club Community Grants Scheme closed on 1 March 2016. A total of thirty-two applications were received in the round.

COUNCIL RESOLUTION

THAT Council delegate to the Chief Executive Officer the responsibility of administering the second round funding for the 2015-2016 Livingstone Shire Council / Keppel Bay Sailing Club Community Grants Scheme.

Moved by: Mayor Ludwig
Seconded by: Councillor Hutton

MOTION CARRIED

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

Nil

14 URGENT BUSINESS QUESTIONS

Nil

15 CLOSED SESSION

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

COUNCIL RESOLUTION

9.34AM

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

16.1 FEE REDUCTION FOR PROPOSED DEVELOPMENT APPLICATION

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 Kelly

MOTION CARRIED

COUNCIL RESOLUTION

9.48AM

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

Moved by: Councillor Mather

Seconded by: Councillor Hutton

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 FEE REDUCTION FOR PROPOSED DEVELOPMENT APPLICATION

File No: 18.1

Attachments: Nil

Responsible Officer: Brett Bacon - Director Community & Planning Services

Author: Erin McCabe - Co-ordinator Development Assessment

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

SUMMARY

This report discusses a request for consideration of a reduction in application assessment fees relating to a proposed Environmentally assessable industry over land at 96 Artillery Road, Mulara and described as Lot 11 on SP192564.

COUNCIL RESOLUTION

THAT Council resolve to accept a fee of \$20,000.00 for a development application to more accurately reflect the cost to Council for the assessment of the application given the site coverage in this instance in relation to: a Development Permit for a Material Change of Use for an Environmentally assessable industry as per the Pre-lodgement Meeting of 26 August 2015, over land at 96 Artillery Road, Mulara and described as Lot 11 on SP192564.

Moved by: Councillor Wyatt

Seconded by: Councillor Kelly

MOTION CARRIED

17 CLOSURE OF MEETING

There being no further business the meeting closed at 9.52am.

Bill Ludwig
CHAIRPERSON

DATE