

Livingstone

Shire Council

ORDINARY MEETING

MINUTES

12 JULY 2016

The Council resolutions contained within these minutes were confirmed at the Council meeting on 25 July 2016.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, ANZAC PARADE, YEPPON ON TUESDAY, 12 JULY 2016 COMMENCING AT 9.10AM

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:

Mrs Chris Murdoch – Chief Executive Officer
Mr Jon Rutledge – Acting Director Corporate Services
Mr Brett Bacon – Director Community and Planning Services
Mr Dan Toon – Director Infrastructure Services
Mrs Suzanne Pambid – Coordinator Executive Support
Mrs Andrea Ellis – Chief Financial Officer
Mr Damien Cross – Manager Finance
Mrs Priscilla Graham – Coordinator Revenue
Mrs Trish Weir - Manager Customer Engagement and Communication
Mrs Gillian Casey - Customer Services Coordinator
Mr Lincoln Bertoli - Coordinator Marketing and Communications
Mr Matt Mansfield - Marketing and Communications Officer
Mrs Angelia Nunn - Customer Service Officer
Mrs Catherine Rivett – Corporate Strategist

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 28 June 2016 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

COUNCIL RESOLUTION

THAT the minutes of the Special Meeting held on 5 July 2016 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly

Seconded by: Councillor Hutton

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

Nil

10 BUSINESS IMPROVEMENT COMMITTEE REPORTS

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 2016-17 BUDGET AND OPERATIONAL PLAN ADOPTION

File No:	12.5.2
Attachments:	1. Annual Business Plan 2016-17
Responsible Officer:	Jon Rutledge - Acting Director Corporate Services
Author:	Andrea Ellis - Chief Financial Officer

SUMMARY

Council has prepared an Annual Business Plan to encompass all of the **Financial Planning Documents** required by Chapter 5, Part 2 of the *Local Government Regulation 2012*; **Financial Policies** required by Chapter 5, Part 2 of the *Local Government Regulation 2012* and **Statement of Estimated Financial Position** required by Section 205 of the *Local Government Regulation 2012*.

In accordance with Chapter 5, Division 3, Section 170 of the *Local Government Regulation 2012*, a local government must adopt its budget for a financial year prior to 1 August in the financial year. The Annual Business Plan, including budget papers, was circulated to all Councillors at a Council Workshop on 05 July 2016. The 2016-17 Budget is now presented for adoption.

Page numbers shown in bold below relate to the relevant pages of the Annual Business Plan that each recommendation is referring to.

COUNCIL RESOLUTION

THAT

1. Council adopts the Revenue Policy as tabled, in accordance with Section 193 of the *Local Government Regulation 2012* (**pp 84 - 87**).
2. Council receive and adopt the 2016-17 Budget in accordance with Sections 169 and 170 of the *Local Government Regulation 2012*, including the following documents forming part of the Long Term Financial Forecast: Budgeted Income Statement, Budgeted Statement of Financial Position, Budgeted Statement of Cash Flow and Budgeted Statement of Changes in Equity for the 2016-17 financial year and the next two financial years, per Section 169(1)(b); and the relevant measures of Financial Sustainability per Section 169(4) (**pp 28 – 32**).
3. Council adopts the Long Term Financial Forecast as provided, which includes the Income and Expenditure Statement and Statement of Financial Position, in accordance with Sections 169 & 171 of the *Local Government Regulation 2012* (**p54, pp 28 – 32**).
4. In accordance with Section 169(2)(b), Section 170 and Section 172 of the *Local Government Regulation 2012*, Council adopts the Revenue Statement as tabled (**pp 88 - 120**), and more specifically:
 - i. Pursuant to section 81 of the *Local Government Regulation 2012* the categories into which rateable land is categorised and the description of each of those categories for the financial period beginning 1 July, 2016 is as set out in section 6 of the Revenue Statement.

- ii. Pursuant to section 81 of the *Local Government Regulation 2012* Council delegates to the Chief Executive Officer (CEO) the power to identify the rating category to which each parcel of rateable land belongs, as set out in section 6 of the Revenue Statement.
- iii. Pursuant to sections 80 and 81 of the *Local Government Regulation 2012*, Council will make and levy a differential general rate on all parcels of rateable land included in each category for the financial period beginning 1 July, 2016, as set out in section 6 of the Revenue Statement.
- iv. Pursuant to Section 77 of the *Local Government Regulation 2012* Council will make and levy a minimum differential general rate on all parcels of rateable land in the Local Government area for the financial period beginning 1 July, 2016 as set out in section 6 the Revenue Statement.
- v. Pursuant to Section 116 of the *Local Government Regulation 2012* and as per section 7 of the Revenue Statement, Council will not limit the percentage increase in any differential general rate.
- vi. Pursuant to Section 94 of the *Local Government Regulation 2012* Council will make and levy a special charge for the purpose of raising revenue for each Rural Fire Brigade for the financial period beginning 1 July, 2016, as set out in section 8 of the Revenue Statement.
- vii. Pursuant to Section 94 of the *Local Government Regulation 2012* Council will make and levy a special charge for the provision of reticulated sewerage to the Capricorn Palms Caravan Park Expansion for the financial period beginning 1 July, 2016, as set out in section 8 of the Revenue Statement.
- viii. Pursuant to Section 94 of the *Local Government Regulation 2012* Council will make and levy a special charge for the provision of reticulated sewerage to North West Emu Park for the financial period beginning 1 July, 2016, as set out in section 8 of the Revenue Statement.
- ix. Pursuant to Section 94 of the *Local Government Regulation 2012* Council will make and levy a special charge for the provision of reticulated sewerage to the Causeway township for the financial period beginning 1 July, 2016, as set out in section 8 of the Revenue Statement.
- x. Pursuant to Section 94 of the *Local Government Regulation 2012* Council will make and levy a special charge for the provision of reticulated sewerage to identified areas of Mulambin for the financial period beginning 1 July, 2016, as set out in section 8 of the Revenue Statement.
- xi. Pursuant to Section 94 of the *Local Government Regulation 2012* Council will make and levy a special charge for the provision of a Retention Wall to protect the identified properties adjoining Muskens Beach; 22 Kennedy Street to 48 Reef Street Zilzie; for the financial period beginning 1 July, 2016, as set out in section 8 of the Revenue Statement.
- xii. Pursuant to Section 103 of the *Local Government Regulation 2012* Council will make and levy a separate charge on all parcels of rateable land for the purposes of defraying part of the cost of maintenance of the road network for the financial period beginning 1 July, 2016, as set out in section 9 the Revenue Statement.
- xiii. Pursuant to Section 103 of the *Local Government Regulation 2012* Council will make and levy a separate charge on all parcels of rateable land for the purposes of defraying part of the cost of formulating and implementing initiatives for environmental protection, enhancement and conservation for the financial period beginning 1 July, 2016, as set out in section 9 the Revenue Statement.

- xiv. Pursuant to Section 99 of the *Local Government Regulation 2012* Council make and levy Utility Charges for the financial year beginning 1 July, 2016, as set out in section 10 of the Revenue Statement.
 - xv. Pursuant to Section 118 of the *Local Government Regulation 2012* all rates and charges shall be due and payable within 35 days of the issue date of a notice to pay as set out in section 13 of the Revenue Statement.
 - xvi. Pursuant to Section 133 of the *Local Government Regulation 2012* Council will charge interest on overdue rates and charges at an interest rate of 11% per annum, compounded monthly, on rates and charges remaining outstanding at the end of the financial half year in which they fall due as set out in section 14 of the Revenue Statement.
 - xvii. Pursuant to Section 130 of the *Local Government Regulation 2012* Council will allow a discount of 10% on gross Council rates and charges excluding all special and separate rates and charges, provided payment of the full amount outstanding and overdue rates and interest is paid by the due date as set out in section 15 of the Revenue Statement.
 - xviii. Pursuant to Chapter 4, Part 10 of the *Local Government Regulation 2012* Council allows rating concessions in the manner described in section 16 of the Revenue Statement
 - xviii. Pursuant to Chapter 4, Part 10 of the *Local Government Regulation 2012* Council adopts the Rates, Rebates and Remissions Policy.
5. Council adopts the 2016-17 Operational Plan, in accordance with Section 174 of the *Local Government Regulation 2012* (pp 36 - 52).
 6. Council adopts the 2016-17 Investment Policy, in accordance with Section 191 of the *Local Government Regulation 2012* (pp 58 - 62).
 7. Council adopts the 2016-17 Debt Policy, in accordance with Section 192 of the *Local Government Regulation 2012* (pp 55 - 5).
 8. Council receives the estimated activity statement for each business activity unit, in accordance with Section 169(3)(i) of the *Local Government Regulation 2012* (pp 122 - 123).
 9. In accordance with Sections 45 & 47 of the *Local Government Act 2009*, Council resolves to apply the Code of Competitive Conduct to each of the four following business activity units (p122):
 1. Water and Sewerage
 2. Waste
 3. Building Certification
 4. Caravan Parks
 10. In accordance with Section 34 of the *Local Government Regulation 2012*, the estimated activity statements for each of these four business activity units are presented as part of the 2016-17 Budget papers (p123).
 11. Council adopts the 2016-17 Capital Works Program pending the development of a Shire specific Long-term asset management plan in accordance with Section 167 of the *Local Government Regulation 2012* (pp 64 - 81).

12. Council receives the commentary on and statement of estimated financial position of Council for the year ended 30 June 2016 (**pp 126 - 129**).
13. Council receives the balance of the Annual Business Plan documentation as working papers to support the 2016-17 adopted budget.

Moved by: Mayor Ludwig

Seconded by: Deputy Mayor, Councillor Scott

MOTION CARRIED

Mayor Ludwig, Councillor Scott, Councillor Belot, Councillor Hutton, Councillor Wyatt, Councillor Kelly voted in the affirmative.

Councillor Mather voted in the negative.

12.2 TRIAL OF COUNCIL MEETINGS AT ALTERNATE LOCATIONS

File No: GV13.4.4
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Jon Rutledge - Acting Director Corporate Services

SUMMARY

A trial of Council Meetings being held at Emu Park occurred in late 2015 in accordance with Council resolution on 23 June 2015. This Meeting encountered a number of technical and logistical challenges which are likely to occur at any Meeting conducted outside of the established Council Chambers at 70 Anzac Parade Yeppoon.

COUNCIL RESOLUTION

THAT Council resolve to whilst not precluding the option to hold meetings at a different venue cease the trial at this point in time of conducting Council Meetings at alternate locations other than Council Chambers, 70 Anzac Parade Yeppoon.

Moved by: Councillor Kelly
Seconded by: Councillor Wyatt

MOTION LOST

12.3 FEES AND CHARGES REVEIW 2016/17

File No: GV1.1.1
Attachments: 1. Fees and Charges 2016/17
Responsible Officer: Andrea Ellis - Chief Financial Officer
Jon Rutledge - Acting Director Corporate Services
Author: Priscilla Graham - Coordinator Revenue

SUMMARY

The intention of this report is to submit the Livingstone Shire Council's reviewed Fees and Charges for the 2016-17 financial year for adoption.

COUNCIL RESOLUTION

THAT Fees and Charges as per the attached schedule be adopted for the 2016/17 Financial Year.

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

12.4 LEAVE OF ABSENCE - COUNCILLOR JAN KELLY - 18 AUGUST TO 2 SEPTEMBER 2016

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

SUMMARY

Councillor Jan Kelly is seeking leave of absence from 18 August to 2 September 2016.

COUNCIL RESOLUTION

THAT leave of absence be granted to Councillor Jan Kelly for the period 18 August to 2 September 2016.

Moved by: Councillor Hutton
Seconded by: Councillor Belot

MOTION CARRIED

12.5 DEVELOPMENT INCENTIVE POLICY FOR RECONFIGURING A LOT

File No: LU18.3.5
Attachments: 1. draft Development Incentive Policy for Reconfiguring a Lot
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Brett Bacon - Director Community & Planning Services

SUMMARY

This report presents the proposed Development Incentive Policy for Reconfiguring a Lot for Council's consideration and approval.

COUNCIL RESOLUTION

THAT Council adopt the *Development Incentive Policy for Reconfiguring a Lot*, as contained in Attachment One.

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

MOTION CARRIED UNANIMOUSLY

Councillor Scott wished to record a perceived conflict of interest due to his business relationship with development applications. Councillor Scott chose to remain in the room as he believed he could act impartially.

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

Nil

14 URGENT BUSINESS QUESTIONS**14.1 LEAVE OF ABSENCE FOR MAYOR BILL LUDWIG 13 - 18 JULY 2016****File No:** GV13.4.5**Responsible Officer:** Chris Murdoch - Chief Executive Officer

SUMMARY

Mayor Bill Ludwig is seeking leave of absence from 13 July to 18 July 2016.

COUNCIL RESOLUTION

THAT leave of absence be granted to Mayor Bill Ludwig for the period 13 July to 18 July 2016.

Moved by: Councillor Kelly**Seconded by:** Councillor Hutton**MOTION CARRIED UNANIMOUSLY**

15 CLOSURE OF MEETING

There being no further business the meeting closed at 11.30 pm.

Bill Ludwig
CHAIRPERSON

DATE