



# **ORDINARY MEETING**

# **MINUTES**

**25 JULY 2016**

The Council resolutions contained within these minutes were confirmed at the Council meeting on 23 August 2016.

---

## TABLE OF CONTENTS

---

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT .....	1
3	LEAVE OF ABSENCE / APOLOGIES .....	2
	NIL .....	2
4	PUBLIC FORUMS/DEPUTATIONS .....	3
	NIL .....	3
5	MAYORAL MINUTE .....	4
	NIL .....	4
6	CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....	1
7	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA.....	2
	NIL .....	2
8	BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS .....	3
8.1	BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING.....	3
9	PRESENTATION OF PETITIONS .....	4
	NIL .....	4
10	BUSINESS IMPROVEMENT COMMITTEE REPORTS .....	5
	NIL .....	5
11	COUNCILLOR/DELEGATE REPORTS .....	6
	NIL .....	6
12	REPORTS.....	7
12.1	SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2016 .....	7
12.2	AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 12 JULY 2016.....	8
12.3	DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SPECIAL USE (EXTENSIONS TO AN EXISTING SCHOOL).....	11
12.4	DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A CARAVAN PARK EXTENSION (RETROSPECTIVE APPROVAL FOR EIGHTY-NINE (89) SITES) .....	19
12.5	SIR JOSEPH BANKS PARK - KEPPEL SANDS .....	27

---

---

<b>13</b>	<b>QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS .....</b>	<b>28</b>
	NIL .....	28
<b>14</b>	<b>URGENT BUSINESS\QUESTIONS .....</b>	<b>29</b>
	NIL .....	29
<b>15</b>	<b>CLOSED SESSION .....</b>	<b>30</b>
	L.1 APPOINTMENT OF DIRECTOR CORPORATE SERVICES AND DIRECTOR STRATEGIC GROWTH AND DEVELOPMENT .....	30
<b>16</b>	<b>CONFIDENTIAL REPORTS .....</b>	<b>31</b>
	L.1 APPOINTMENT OF DIRECTOR CORPORATE SERVICES AND DIRECTOR STRATEGIC GROWTH AND DEVELOPMENT .....	31
<b>17</b>	<b>CLOSURE OF MEETING .....</b>	<b>33</b>

---

**MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, ANZAC  
PARADE, YEPPON ON MONDAY, 25 JULY 2016 COMMENCING AT 9.07AM**

**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  
Ms Melissa Minter – Coordinator Community Partnerships  
Mr Ahsan Yousuf – Senior Planning Officer

**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 12 July 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**

### **8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING**

**File No:** GV13.4.1

**Attachments:** 1. Business Outstanding

**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:** Councillor Mather

**Seconded by:** Councillor Hutton

**MOTION CARRIED**

**9 PRESENTATION OF PETITIONS**

Nil

**10 BUSINESS IMPROVEMENT COMMITTEE REPORTS**

Nil

**11 COUNCILLOR/DELEGATE REPORTS**

Nil

## 12 REPORTS

### 12.1 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2016

**Portfolio:** Officers' Reports  
**File No:** FM12.14.1  
**Attachments:**  

1. Income Statement - June 2016
2. Graphs - June 2016
3. Revenue Monthly Report - June 2016
4. DNRM Valuation 2015 (news article)

**Responsible Officer:** Jon Rutledge - Acting Director Corporate Services  
**Author:** Andrea Ellis - Chief Financial Officer

---

#### SUMMARY

Presentation of the Livingstone Shire Council Summary Budget Management Report and Revenue Report for the Period Ended 30 June 2016 by the Chief Financial Officer.

#### COUNCIL RESOLUTION

THAT the Livingstone Shire Council Summary Budget Management Report for the Period Ended 30 June 2016 be 'received'.

**Moved by:** Councillor Hutton  
**Seconded by:** Councillor Kelly

**MOTION CARRIED**

**12.2 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 12 JULY 2016**

**File No:** GV13.4.2  
**Attachments:** Nil  
**Responsible Officer:** Jon Rutledge - Acting Director Corporate Services  
**Author:** Robyn Black - Executive Assistant to the Director Corporate Services

**SUMMARY**

*The Audit, Risk and Business Improvement Committee met on 12 July 2016 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 Improvement Committee meeting held on 12 July 2016 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 26 April 2016 be taken as read and adopted as a correct record.

**6.1 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS**

THAT the Business Outstanding table for the Audit Risk and Business Improvement Committee meeting be noted.

**7.1 OPERATIONAL PLAN 2015-16 Q3 PROGRESS REPORT**

THAT the ARaBIC note receipt of the Operational Plan 2015-16 Q3 Progress Report.

**7.2 DRAFT 2016-17 OPERATIONAL PLAN**

THAT the draft 2016-17 Operational Plan be received by the Audit, Risk and Business Improvement Committee.

**7.3 POSITION PAPER - ACCOUNTING TREATMENT OF RESTORATION EXPENDITURE INCURRED BY COUNCIL'S INSURER**

THAT the Audit, Risk and Business Improvement Committee provides feedback on Council's proposed accounting treatment in relation to the expenditure incurred by Council's insurer to repair foreshore assets damaged as a result of Tropical Cyclone Marcia.

**7.4 DRAFT RELATED PARTY DISCLOSURE POLICY**

THAT the ARaBIC provide feedback on the draft Policy to Andrea Ellis, Chief Financial Officer by Tuesday 26<sup>th</sup> July 2016.

**7.5 DRAFT SHELL FINANCIAL STATEMENTS FOR YEAR ENDING 30 JUNE 2016**

THAT

1. the draft shell financial statements for 2015-2016 be received;
2. any proposed changes to the draft shell financial statements for 2015-2016 be reflected in the draft financial statements that will be submitted to the next Audit, Risk and Business Improvement Committee meeting on 6 September 2016.

**7.6 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2016**

THAT Council note that the Summary Budget Management Report for the period ended 31 May 2016 has been received by the Audit Risk and Business Improvement Committee (ARaBIC).

**7.7 LGM LIABILITY RISK AUDIT 2016 RESULTS**

THAT Council note the Business Improvement Update Report as endorsed by ARaBIC.

**7.8 RISK PROFILING**

THAT Council note the Risk Profiling Update Report as endorsed by ARaBIC.

**7.9 INTERIM MANAGEMENT REPORT**

THAT the update on the Interim Management Letter for the financial year ended 30 June 2016 to ARaBIC members be noted.

**7.10 INTERNAL AUDIT PERFORMANCE REPORT**

THAT the June 2016 Internal Audit Performance Report be noted.

**7.11 ADOPTION OF INTERNAL AUDIT STRATEGIC PLAN**

THAT Council adopt the Internal Audit Strategic Plan 2016/17 to 2018/19 as endorsed by the Audit, Risk and Business Improvement Committee.

**7.12 INTERNAL AUDIT CHARTER**

THAT the Audit, Risk and Business Improvement Committee endorse the Internal Audit Charter.

**7.13 QAO REPORT - RESULTS OF AUDIT: LOCAL GOVERNMENT ENTITIES 2014-15.**

THAT the Queensland Audit Office Report – Results of audit: Local government entities 2014-15 be noted.

**7.14 BUSINESS IMPROVEMENT UPDATE**

THAT Council note the Business Improvement update report as endorsed by ARaBIC.

**7.15 BUSINESS IMPROVEMENT GOVERNANCE STRUCTURE**

THAT Council note the Business Improvement Governance Structure Report as endorsed by ARaBIC.

**7.16 FRAUD AND CORRUPTION CONTROL PLAN AND RISK REGISTER**

THAT the ARaBIC note that the Fraud and Corruption Control Plan and the Fraud and Corruption Risk Register have been provided, and that feedback on both will be provided back to Shane Weir, Acting Manager Human Resources and Governance by 23 July 2016.

**7.17 ENTERPRISE RISK MANAGEMENT AND BUSINESS CONTINUITY PLANS UPDATE**

THAT Council notes the update on Enterprise Risk Management and Business Continuity Plans as provided to ARaBIC.

**7.18 BRIEFING NOTE - EXTERNAL AUDIT**

THAT the verbal update delivered by Deloitte Touche Tohmatsu on the audit issues and other matters provided to ARaBIC members be noted.

**7.19 BRIEFING PAPER FROM DELOITTE TOUCHE TOHMATSU**

THAT Council note the briefing paper from Deloitte as discussed with the Audit Risk and Business Improvement Committee.



**12.1 CRIME AND CORRUPTION COMMISSION (CCC) QUEENSLAND - THE CORRUPTION FUNCTION OF THE CCC**

THAT the contents of the letter from the Crime and Corruption Commission Queensland (CCC) in relation to the corruption function of the CCC be noted and officers take appropriate action were necessary.

**12.2 BUSINESS SERVICE REVIEW - MARKETING AND ENGAGEMENT**

THAT Council note the Business Service Review for Marketing and Engagement as endorsed by ARaBIC.

**12.3 COMPLAINT MANAGEMENT REPORT**

THAT Council notes the update on complaints as provided to ARaBIC.

**12.4 INFORMATION SYSTEM BREACHES**

THAT Council notes the Information System Breaches Report as provided to ARaBIC

**12.5 LEGAL MATTERS REPORT**

THAT the update on legal matters involving Council be noted.

**12.6 EMERGING ISSUES REPORT**

THAT the ARaBIC notes the verbal updates in relation to emerging issues as noted within the report.

**12.7 WORKPLACE HEALTH AND SAFETY REPORT**

THAT the update on the organisation's performance in relation to Workplace Health and Safety be noted.

**12.8 INSURANCE UPDATE**

THAT the Audit, Risk and Business Improvement Committee notes the Insurance Report as provided.

**Moved by:** Councillor Hutton

**Seconded by:** Councillor Kelly

**MOTION CARRIED**

**9.25am** Councillor Glenda Mather declared a conflict of interest in relation to Item 12.3 due to the fact that she resides across the road from this land. Councillor Mather left the room.

---

**12.3 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SPECIAL USE (EXTENSIONS TO AN EXISTING SCHOOL)**

**File No:** D/63-2016

**Attachments:**

1. Locality Plan
2. Proposal Drawings

**Responsible Officer:** Doug Mackay - Acting Co-ordinator Development Assessment  
Brett Bacon - Director Community & Planning Services

**Author:** Ahsan Yousuf - Senior Planning Officer

---

**SUMMARY**

**Development Application Number:** D/63-2016

**Applicant:** Carinity Baptist Community Services c/ ADAMS + SPARKES Town Planning

**Real Property Address:** Lot 143 on CP900425 and Lot 142 on CP900425

**Common Property Address:** 46 and Lot 142 Dawson Road, Glenlee and Lot 142 Dawson Road, Glenlee

**Area of Site:** 5.66 hectares

**Area of Development:** 3.48 hectares

**Planning Scheme:** *Livingstone Shire Planning Scheme 2005*

**Planning Scheme Zoning:** Special Purpose Zone

**Planning Scheme Overlays:** Overlay Map O1 – Airport Affected Land  
Overlay Map O2 – Drainage Problem  
Overlay Map O5 – Bushfire Hazard

**Existing Development:** Special use (school)

**Existing Approvals:** Town Planning Consent for an Educational Establishment – 13/14 February 1996  
D-Y/1999-90 - Caretaker's Residence  
616-2004-YCOMM - Building Application for an Administration and Amenity Blocks (School of Today)  
788-2006-YPCDOM - Building Application for a new learning centre (School of Today)  
557-2007-YPCDOM – Building Application for a garage (School of Today)  
Y-616-2004/PD – Plumbing application for the Administration Building  
Y-1301-2004/PLUM – Plumbing application  
Y-224-2006/PLUM – Plumbing application  
Y-557-2006/PLUM – Plumbing application  
Y-383-2007/PLUM – Plumbing application

---

Approval Sought:	Development Permit for a Material Change of Use for a Special use (extensions to an existing school)
Level of Assessment:	Impact assessable
Submissions:	Nil
Referral Agency(s):	Department of Infrastructure, Local Government and Planning
Priority Infrastructure Area:	Outside Priority Infrastructure Area
Application Progress:	

Application Lodged:	7 April 2016
Application Properly Made:	12 April 2016
Request for Further Information sent:	No information request
Submission period commenced:	3 June 2016
Submission period end:	24 June 2016
Government Agency Response:	23 June 2016
Notice of Compliance with Public Notification Requirements	28 June 2016
Last receipt of information from applicant:	28 June 2016
Statutory due date:	26 July 2016

## COUNCIL RESOLUTION

### RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for a Special use (extensions to an existing school), made by Carinity Baptist Community Services c/ ADAMS + SPARKES Town Planning, on Lot 143 on CP900425 and Lot 142 on CP900425, and located at 46 and Lot 142 Dawson Road, Glenlee, Council resolves to approve the application, subject to the following conditions:

#### 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 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:

- 1.6.1 Operational Works:
- (i) Access and Parking Works;
  - (ii) Roof and Allotment Drainage;
- 1.6.2 Plumbing and drainage works; and
- 1.6.3 Building works.

1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

1.8 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>
Locality Plan	DA01, Sheet 1 of 8, Rev. A	7 April 2016
Master Site Plan	DA02, Sheet 2 of 8, Rev. A	7 April 2016
Staging Plan	DA03, Sheet 3 of 8, Rev. A	7 April 2016
Hospitality Block – Floor Plan and Elevations	DA03, Sheet 4 of 8, Rev. A	7 April 2016
VET Block – Floor Plan and Elevations	DA03, Sheet 5 of 8, Rev. A	7 April 2016
Science / Art Block – Floor Plan and Elevations	DA03, Sheet 6 of 8, Rev. A	7 April 2016
Administration Block – Floor Plan and Elevations	DA03, Sheet 7 of 8, Rev. A	7 April 2016
Covered Games Area – Floor Plan and Elevations	DA03, Sheet 8 of 8, Rev. A	7 April 2016

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 submission of a Development Application for Operational Works.

## 3.0 DEVELOPMENT STAGING

3.1 This approval is for a development to be undertaken in five (5) discrete stages, namely:

- 3.1.1 Stage One - Hospitality Block, and demolition of two (2) existing demountable structures;

- 3.1.2 Stage Two - VET. Block, extension of car park and service road, relocation of two (2) sheds, and expansion of the waste water treatment area;
- 3.1.3 Stage Three – Art / Science Block, and demolition of an existing low set classroom block;
- 3.1.4 Stage Four - Administration block, extension of carpark, and demolition of an existing administration block; and
- 3.1.5 Stage Five - Covered games area;
- in accordance with the approved plans (refer to condition 2.1).
- 3.2 Lease A on part of Lot 142 on SP900425, generally as shown on the approved plans (refer to condition 2.1), must be finalised prior to commencement of Stage Two.
- 3.3 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 4.0 ACCESS AND PARKING WORKS
- 4.1 A Development Permit for Operational Works (access and parking) must be obtained prior to the commencement of any access and parking works on the site, commensurate with the development stages in which the works are proposed.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Off Street Car Parking"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.3 Access, including internal roads, parking and associated vehicle manoeuvring areas must be sealed. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).
- 4.4 Universal access spaces must be provided in accordance with *Australian Standard AS2890.6. 2009 "Off-Street parking for people with disabilities"*.
- 4.5 The existing access driveway must be upgraded (if necessary) to comply with the *Capricorn Municipal Development Guidelines*.
- 4.6 All ingress and egress movements to and from the development must occur in a forward direction.
- 4.7 All vehicle operations associated with the proposed use must be directed by suitable directional, informative, regulatory or warning signs in accordance with the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 4.8 Stormwater runoff from parking and vehicular manoeuvring areas must be collected on the site and drained to achieve lawful discharge, in accordance with the *Queensland Urban Drainage Manual*.
- 5.0 PLUMBING AND DRAINAGE WORKS
- 5.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 5.3 The existing water connection point must be retained and upgraded, if necessary, to service the development.
- 5.4 The development must be provided with adequate fire-fighting protection, in accordance with *Australian Standard AS2419.1 'Fire Hydrant Installations'* and on-site fire-fighting equipment. Facilities must be provided in accordance with the

requirements for the location, number, pressure, and other provisions for hydrants, as per the Standard.

5.5 The on-site sewage treatment and disposal facility for the proposed development must be upgraded in accordance with the *Plumbing and Drainage Act, Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies.

5.6 Buildings and/or structures 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*.

5.7 Any alteration or relocation of internal plumbing and drainage works associated with the existing building(s) must be in accordance with regulated work under the *Plumbing and Drainage Act*.

#### 6.0 BUILDING WORKS

6.1 All buildings and structures on the subject site must be constructed in compliance with *Australian Standard AS3959 'Construction of Buildings in Bushfire Prone Areas'*.

6.2 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*'.

6.3 Should hours of operation extend beyond 17:30 hours, night lighting must be provided in accordance with *Australian Standard AS1158 'Lighting for Roads and Public Spaces'*.

#### 7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

7.1 A Development Permit for Operational Works (roof and allotment drainage) must be obtained prior to the commencement of any drainage works on the site.

7.2 All roof and allotment drainage 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*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage).

7.3 All post development runoff, including roof water, must be managed within the development site. If necessary, a detention basin must be provided to ensure non-worsening for all levels of immunity up to the one (1) per cent Annual Exceedance Probability Event.

7.4 All stormwater must drain so as to achieve lawful discharge and must not adversely affect adjoining land or infrastructure when compared to pre-development condition by way of blocking, altering, diverting existing stormwater runoff patterns, or have the potential to cause damage to other infrastructure.

#### 8.0 SITE WORKS

8.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.

8.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.

8.3 All site works must be undertaken to ensure that no actionable nuisance results from:

- (i) an increase in peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events, up to the Defined Flood Event (inclusive);

- (ii) an increase in downstream or upstream flood inundation levels; or
  - (iii) increase in velocity profiles.
- 8.4 Unless otherwise approved through a Development Permit for Operational Work (site works), vegetation clearing must be limited to the removal of trees shown on the approved plans (refer to condition 2.1).
- 8.5 Any vegetation cleared or removed must be:
  - (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with a landscaping plan approved by Council; or
  - (ii) removed for disposal at a location approved by Council; or
  - (iii) burnt under a permit to light a fire issued by the local branch of the Queensland Fire and Rescue Servicewithin sixty (60) days of clearing.
- 9.0 LANDSCAPING WORKS
- 9.1 Landscaping, or any part thereof, upon reaching full maturity, must not:
  - (i) obstruct sight visibility zones as defined in the *Austrroads 'Guide to Traffic Engineering Practice'* series of publications;
  - (ii) adversely affect any road lighting or public space lighting; or
  - (iii) adversely affect any Council infrastructure, or public utility plant.
- 10.0 ELECTRICITY AND TELECOMMUNICATIONS
- 10.1 Electricity and telecommunication connections must be provided to the development to the standards of the relevant authorities.
- 11.0 ASSET MANAGEMENT
- 11.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 11.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 11.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 12.0 ENVIRONMENTAL
- 12.1 The development must be undertaken and maintained in accordance with the recommendations of the approved Bushfire Hazard Assessment and Risk Mitigation report (refer to condition 2.1).

To remove all doubt, although the report identifies a contingency bushfire emergency plan / bushfire emergency management plan as an option, the applicant must develop this plan in consultation with a suitably qualified person and the rural fire brigade, and ensure that it:

  - (i) includes strategies to provide adequate and timely escape for students, staff and visitors to the school;
  - (ii) includes actions to be taken as preparatory steps in heightened bushfire

conditions, and actions to be taken in the case of a bushfire in the local area.

- 12.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) objectives;
  - (ii) site location / topography;
  - (iii) vegetation;
  - (iv) site drainage;
  - (v) soils;
  - (vi) erosion susceptibility;
  - (vii) erosion risk;
  - (viii) concept;
  - (ix) design; and
  - (x) implementation, for the construction and post construction phases of work.
- 12.3 The Erosion and Sediment Control Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 12.4 The Erosion and Sediment Control 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 Erosion and Sediment Control Plan must be available on-site for inspection by Council Officers during those works.
- 13.0 OPERATING PROCEDURES
- 13.1 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 Dawson Road.
- 13.2 All waste storage areas must be kept in a clean, tidy condition in accordance with the *Environmental Protection Regulation 2008*.

#### ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander Partnerships website <https://www.datsip.qld.gov.au/>.

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public Health Act 2005*.

NOTE 3. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 4. General Safety of Public During Construction



The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 5. Environmentally Relevant Activity 63 - Sewage Treatment

Upgrades to the on-site sewage disposal system will require approval for the above Environmentally Relevant Activity, in accordance with the requirements specified in the *Environmental Protection Regulation 2008*. This is not an Environmentally Relevant Activity that is devolved to local government and approval will accordingly be required from the State government.

NOTE 6. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

**RECOMMENDATION B**

That in relation to the application for a Development Permit for a Material Change of Use for a Special use (extensions to an existing school), made by Carinity Baptist Community Services c/ ADAMS + SPARKES Town Planning, on Lot 143 on CP900425 and Lot 142 on CP900425, and located at 46 and Lot 142 Dawson Road, Glenlee, Council resolves to issue an Infrastructure Charges Notice to the amount of \$40,200.30.

**Moved by:** Councillor Hutton

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

**MOTION CARRIED**

**9.37am** Councillor Mather returned to the meeting.

---

**12.4 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A CARAVAN PARK EXTENSION (RETROSPECTIVE APPROVAL FOR EIGHTY-NINE (89) SITES)**

**File No:** D/227-2015

**Attachments:**

1. Locality Plan
2. Site Plan

**Responsible Officer:** Brett Bacon - Director Community & Planning Services

**Author:** Ahsan Yousuf - Senior Planning Officer

---

**SUMMARY**

Development Application Number: D/227-2015

Applicant: Cool Waters Holiday Village

Real Property Address: Lot 101 on SP144080, Parish of Hewittville

Common Property Address: 760 Scenic Highway, Kinka Beach

Area of Site: 60.08 hectares

Planning Scheme: *Livingstone Shire Planning Scheme 2005*

Planning Scheme Zoning: Rural Zone

Planning Scheme Overlays:

- Overlay Map O2 – Drainage Problem
- Overlay Map O2 – Erosion Prone Land
- Overlay Map O3 – Wetlands 100 metre buffer
- Overlay Map O5 – Bushfire Hazard
- Overlay Map O5 – Stormtide Hazard
- Overlay Map O8 – Acid sulfate soils
- Overlay Map O9 – Capricorn Coast Landscape Area (Green Breaks)
- Planning Scheme Map 10 – Locally Significant Vegetation

Existing Development: Caravan park

Existing Approvals:

- Town Planning Consent No. 75 – Residential Additions to Youth Centre, Holiday Units and Caravan Park, issued in 1975
- Town Planning Consent No. 265 – Extension to Existing Caravan Park (fifteen (15) sites) Holiday units (fourteen (14)), Youth centre and new dwelling house and reception office, adventure camp and toilet block
- Town Planning Consent No. 809 – Approval to erect a Youth and Conference Centre in conjunction with the existing caravan park
- D-Y/2001-831 – Material Change of Use for Holiday Cabins (5 Cabins)
- D-Y/2003-79 – Material Change of Use for Holiday Cabins (10) Cabins

---

	D-Y/2003-941 – Material Change of Use for Six (6) Additional Cabins
	D-Y/2004-767 – Material Change of Use for an Addition six (13) relocatable homes and eight (8) cabins (lapsed)
	D-Y/2007-70 – Material Change of Use for an extension to the existing Caravan Park (withdrawn)
	D/531-2012 Development Permit for Building Works Assessable against a Planning Scheme (pool)
Approval Sought:	Development Permit for a Material Change of Use for a Caravan park (extension of eighty-six (86) sites)
Level of Assessment:	Impact assessable
Submissions:	Two (2) properly made submissions
Referral Agency(s):	Department of Infrastructure, Local Government and Planning as Concurrence agency Ergon Energy as Advice agency
Adopted Infrastructure Charges Area:	Charge Area One (1) and partly located outside the priority infrastructure area

## Application Progress:

Application Lodged and properly made:	13 October 2015
Acknowledgement Notice Issued:	27 October 2015
Amended Acknowledgement Notice issued:	24 November 2015
Request for Further Information sent:	10 November 2015
Request for Further Information sent (2):	22 January 2016
Application referred to the State Government:	14 December 2015
Application properly referred to the State Government:	17 December 2015
Extension of referral period to the State Government (1) sent:	24 November 2015
Extension of referral period to the State Government (1) sent:	7 December 2015
Request to revive lapsed application for non-compliance with referral period:	18 December 2015
Response from the State Government received:	3 February 2016
Request for Further Information responded to:	4 May 2016
Submission period commenced:	12 May 2016
Submission period end:	2 June 2016
Notice of Commencement received:	12 May 2016
Notice of Compliance received:	21 June 2016

Last receipt of information from applicant:	1 July 2016
Council request for additional time:	18 July 2016
Statutory due date:	16 August 2016

## **COUNCIL RESOLUTION**

### **RECOMMENDATION A**

THAT That in relation to the application for a Development Permit for a Material Change of Use for a Caravan Park (extension of eighty-nine (89) sites), made by Coolwaters Holiday Village, on Lot 101 on SP144080, Parish of Hewittville, and located at 760 Scenic Highway, Kinka Beach, Council resolves to approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- (a) The proposed development is considered a logical extension of the existing caravan park due to:
  - i) the existing site being appropriately located, adjoining Causeway Lake, which is recognised as being a major recreational and natural asset within the Capricorn Coast area; and
  - ii) being an expansion of an existing caravan park, which caters for demonstrated demand for the land use.
- (b) The caravan park supports the tourism sector by providing accommodation facilities within the locality of Kinka Beach, thereby attracting visitors to the area and contributing to the local economy.
- (c) The proposed use will provide recreational and accommodation facilities that will contribute to addressing the recreational needs of the local community.

### **RECOMMENDATION B**

That in relation to the application for a Development Permit for a Material Change of Use for a Caravan Park (extension of eighty-nine (89) sites), made by Coolwaters Holiday Village, on Lot 101 on SP144080, Parish of Hewittville, and located at 760 Scenic Highway, Kinka Beach, Council resolves to Approve the application subject to the following conditions:

#### **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 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:

- 1.6.1 Operational Works:  
 (i) Access and Parking Works;  
 1.6.2 Building Works; and  
 1.6.3 Plumbing and Drainage Works.

1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

1.8 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>
Plan of Development	15234-PP-01, Sheet 1 of 2, Revision A	28 April 2016
Plan of Development – Site Plan	15234-PP-01, Sheet 2 of 2, Revision A	28 April 2016
Bushfire Management Plan	15234, Issue B	29 April 2016

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 submission of a Development Application for Operational Works.

## 3.0 ACCESS AND PARKING WORKS

3.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any works on the Site.

3.2 All works must be designed and constructed in accordance with the approved plans (refer to Condition 2.1), *Capricorn Municipal Development Guidelines* and *Australian Standards AS 2890 "Off Street Car Parking"* and the provisions of a Development Permit for Operational Works (Access and Parking Works).

3.3 Access, including internal roads, parking and associated vehicle manoeuvring areas must be sealed. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).

3.4 Universal parking spaces must be provided in accordance with Australian Standards AS2890.6 "*Parking Facilities – Off-Street Parking for People with Disabilities*".

3.5 Traffic signs and pavement markings must be provided generally in accordance with the *Manual of Uniform Traffic Control Devices (Queensland)*.

3.6 All stormwater runoff from parking and vehicular manoeuvring areas must be collected on the site and drained to a lawful point of discharge in accordance with *Queensland Urban Drainage Manual*.

## 4.0 PLUMBING AND DRAINAGE WORKS

4.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to

commencement of use.

- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.3 The development must be provided with adequate fire-fighting protection, in accordance with *Australian Standard AS2419.1 'Fire Hydrant Installations'* and on-site fire-fighting equipment. To remove all doubt, additional facilities must be provided in accordance with the requirements for the location, number, pressure, and other provisions for hydrants, as per the Standard. Should the existing hydrant not comply with the requirements, it must be upgraded in accordance with the Standard.
- 4.4 Any alteration or relocation of internal plumbing and drainage works associated with the existing building(s) must be in accordance with regulated work under the *Plumbing and Drainage Act*.

#### 5.0 BUILDING WORKS

- 5.1 The minimum floor levels for any habitable dwelling must be five (5) metres Australian Height Datum.
- 5.2 A 1.8 metre high solid fence must be provided along the boundary of sites 300 to 312A (inclusive) with Lots 8 to 16 on RP605549 to address noise and amenity impacts. The fence must be constructed of materials and finishes commensurate with the adjoining residential area.
- 5.3 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed 5dB(A) above the background ambient noise level, measured at the boundaries of the subject site.
- 5.4 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*'.

#### 6.0 STORMWATER WORKS

- 6.1 All stormwater must achieve demonstrated lawful discharge must be in accordance with the *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines* and *State Planning Policy*. All stormwater must achieve demonstrated lawful discharge and must not restrict, impair, or change the natural flow of run-off water or cause a nuisance to adjoining properties or infrastructure.
- 6.2 Each caravan site must have a self-draining surface and that all stormwater run-off shall be directed to the on-site stormwater drainage system.

#### 7.0 WATER WORKS

- 7.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act*.

#### 8.0 SITE WORKS

- 8.1 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works which are the subject of the Development Permit.
- 8.2 Any vegetation cleared or removed must be:

- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with a 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.
- 8.3 All site works must be undertaken to ensure that no actionable nuisance results from:
- (i) an increase in peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events, up to the Defined Flood Event (inclusive);
  - (ii) an increase in downstream or upstream flood inundation levels; or
  - (iii) increase in velocity profiles.
- 9.0 ELECTRICITY AND TELECOMMUNICATIONS
- 9.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 9.2 Street lighting and public space lighting must be provided in accordance with the relevant Australian Standard *AS1158 "Lighting for Roads and Public Spaces"*.
- 10.0 ASSET MANAGEMENT
- 10.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 10.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 10.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 11.0 ENVIRONMENTAL
- 11.1 The development must be undertaken and maintained in accordance with the recommendations in the approved Bushfire Management Plan (refer to condition 2.1). A property note to this effect will be entered against Lot 101 on SP144080.
- 11.2 A bushfire buffer must be cleared and maintained for hazard mitigation, in accordance with the approved Bushfire Management Plan (refer to condition 2.1). The buffer must have a width of minimum 22.5 metres, except for the section of the buffer in the north-western part of the site which needs to be limited to the north-western property boundary, as illustrated in the Bushfire Management Plan.
- 11.3 All buildings on the subject lot must be constructed in compliance with *Australian Standard AS3959 "Construction of Buildings in Bushfire Prone Areas"* and the approved Bushfire Management Plan (refer to condition 2.1).
- 11.4 An environmental covenant, pursuant to Section 97A of the *Land Title Act 1994*, must be entered into in respect of the land outside the Fire Break area shown in Figure 5 - Existing Fire Fighting Infrastructure, Ref 15234\_05\_A.dwg, contained in the Bushfire Management Plan, to the effect that:
- 11.4.1 the area is protected as a vegetated flora habitat and all native vegetation must be retained; and
  - 11.4.2 there is to be no artificial interference or disturbance of the habitat, except

as approved by Council, to:

- (i) remove hazards to safety of persons outside of the habitat;
- (ii) undertake bushfire hazard management activities, as recommended in the approved Bushfire Hazard Assessment and Bushfire Management Plan;
- (iii) removal of weeds; and
- (iv) revegetation with local, native species.

11.5 An environmental covenant must be registered over the subject lot. The covenant area must be shown on a Survey Plan and the respective documentation submitted to Council, prior to the endorsement of the Survey Plan.

## 12.0 OPERATING PROCEDURES

12.1 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 Scenic Highway or Resada Esplanade.

12.2 Waste storage areas adjacent to the southern Amenities Building fronting sites 300-303, must be screened by appropriate fencing that obstructs from view the contents of the bin compound.

12.3 All waste storage areas must be kept in a clean, tidy condition in accordance with the *Environmental Protection Regulation 2008*.

## ADVISORY NOTES

### NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander Partnerships website <https://www.datsip.qld.gov.au/>.

### NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public Health Act 2005*.

### NOTE 3. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

### NOTE 4. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

### NOTE 5. Property Notes

The development is required to be undertaken and maintained in accordance with the approved Bushfire Management Plan.

### NOTE 6. Infrastructure Charges Notice



This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 7. Environmental

The land subject to the above development application must be free of declared pest plants and animals; as declared at the date of development application in *Local Law No. 3 (Community & Environmental Management) 2011* and Schedule 1 of *Subordinate Local Law 3 (Community & Environmental Management) 2011* and in the *Land Protection (Pest and Stock Route Management) Act 2002* or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.

**RECOMMENDATION C**

That in relation to the application for a Development Permit for a Material Change of Use for a Caravan Park (extension of eighty-nine (89) sites), made by Coolwaters Holiday Village, on Lot 101 on SP144080, Parish of Hewittville, and located at 760 Scenic Highway, Kinka Beach, Council resolves to issue an Infrastructure Charges Notice to the amount of \$756,500.00.

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

**Seconded by: Councillor Kelly**

**MOTION CARRIED**

**12.5 SIR JOSEPH BANKS PARK - KEPPEL SANDS****File No:** CM4.7.2

- Attachments:**
1. Letter (Joskeleigh South Sea Islander Community Development Association Incorporated)
  2. Letter (Australian South Sea Islander Movement Incorporated)
  3. Map 1 - Sir Joseph Banks Park Keppel Sands

**Responsible Officer:** Ian Dare - Manager Community Wellbeing  
Brett Bacon - Director Community & Planning Services**Author:** Melissa Minter - Co-ordinator Community Partnership

---

**SUMMARY**

*The report discusses the future management of Sir Joseph Banks Park, Keppel Sands.*

**COUNCIL RESOLUTION**

THAT Council resolve to undertake community engagement to obtain input and feedback into the broad community aspirations for the future use of Sir Joseph Banks Park, Keppel Sands.

**Moved by:** Councillor Mather**Seconded by:** Councillor Kelly**MOTION CARRIED**

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

**Leave granted**

Meeting procedures were suspended at 10.05am

Meeting procedures resumed at 10.35am

**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

**10.50AM**

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.

**L.1 Appointment of Director Corporate Services and Director Strategic Growth and Development**

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 Kelly**  
**Seconded by: Councillor Mather**

**MOTION CARRIED**

### COUNCIL RESOLUTION

**11.03am**

That the Council meeting move out of Closed Session and be reopened to the public.

**Moved by: Councillor Mather**  
**Seconded by: Councillor Hutton**

**MOTION CARRIED**

**10.52am** Councillor Scott declared a personal conflict of interest in relation to item 1.1 of the Confidential agenda and left the meeting.

## 16 CONFIDENTIAL REPORTS

### L.1 APPOINTMENT OF DIRECTOR CORPORATE SERVICES AND DIRECTOR STRATEGIC GROWTH AND DEVELOPMENT

**File No:** CM4.5.1

**Attachments:** Nil

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

**Author:** Linda Benson - Executive Assistant to the CEO

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

*This report provides recommendations in relation to the Director Corporate Services and Director Strategic Growth and Development following a rigorous recruitment and selection process for both positions. The report also notes the title change for the position of Manager Human Resources and Governance.*

#### COUNCIL RESOLUTION

THAT Council appoints Ms Debra Howe to the position of Director Strategic Growth and Development;

**Moved by:** Mayor Ludwig

**Seconded by:** Councillor Wyatt

#### MOTION CARRIED

Crs N Hutton, J Kelly, B Ludwig and T Wyatt voted in the affirmative

Crs G Mather and A Belot voted in the negative

#### COUNCIL RESOLUTION

THAT Council appoints Mr Ron Posselt to the position of Director Corporate Services;

**Moved by:** Councillor Hutton

**Seconded by:** Councillor Wyatt

#### MOTION CARRIED

#### COUNCIL RESOLUTION

THAT Council delegate to the Chief Executive Officer and the Mayor to finalise the contract negotiations with Ms Howe and Mr Posselt;

**Moved by:** Councillor Hutton

**Seconded by:** Councillor Kelly

#### MOTION CARRIED

#### COUNCIL RESOLUTION

THAT Council note the title change of the position Manager Human Resources and Governance to Deputy Director Corporate Services.

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

MOTION CARRIED

**DIVISION:**

Crs N Hutton, J Kelly, B Ludwig, G Mather and T Wyatt voted in the affirmative.

Cr A Belot voted in the negative.

## 17 CLOSURE OF MEETING

There being no further business the meeting closed at 11.45am.

---

Bill Ludwig  
CHAIRPERSON

---

DATE