



ORDINARY MEETING

CONFIRMED MINUTES

18 FEBRUARY 2025

The resolutions contained within these minutes were confirmed at the Ordinary Council Meeting on the 18 March 2025.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 18 FEBRUARY 2025 COMMENCING AT 9:00 AM

1 OPENING**Acknowledgement of Country**

"I would like to take this opportunity to respectfully acknowledge the Darumbal People. The traditional custodians and elders past, present and emerging of the land on which this meeting is taking place today."

Opening Prayer

The opening prayer was delivered by *Cr Pat Eastwood*.

2 PRESENT**Members Present:**

Mayor, Councillor Adam Belot (Chairperson)
Councillor Glenda Mather
Councillor Rhodes Watson
Councillor Wade Rothery
Councillor Lance Warcon
Councillor Andrea Friend
Councillor Pat Eastwood

Officers in Attendance:

Terry Dodds PSM - Chief Executive Officer
Katrina Paterson - General Manager Communities
Michael Kriedemann – General Manager Infrastructure
Andrea Ellis – Chief Financial Officer
Mike McGarvey – Interim Chief Technology Officer
Jon Rutledge – Acting Chief Human Resources Officer
Renee Dwyer – Executive Assistant to the Mayor
Greg Abbotts – Manager Development and Environment
Gretta Cowie – Planning Officer
Melissa Warwick – Principal Strategic Planner
Andrew Bicknell – Coordinator Disaster Management and Community Resilience
Arvind Singh – Manager Infrastructure Projects

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 21 January 2025 be taken as read and adopted as a correct record.

Moved by: Councillor Rothery

Seconded by: Councillor Warcon

MOTION CARRIED UNANIMOUSLY

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Cr Warcon raised his conflict of interest that was declared in the Recreation and Culture Committee Meeting on 4 February 2025 (noted below)

Cr Warcon will remain in the room as discussion of the matter took place in Committee and minutes are to be resolved at Council Meeting 18 February 2025.

Cr Warcon second agenda item Native Title Claim. Cr Warcon is an emerging leader of Darumbal. Cr Warcon will leave for that item and Cr Friend will take over

6 DEPUTATIONS

Nil

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV
Attachments: 1. Business Outstanding Table
Responsible Officer: Terry Dodds PSM - 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 Watson
MOTION CARRIED UNANIMOUSLY

8 PRESENTATION OF PETITIONS

Nil

9 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

9.1 NOTICE OF MOTION - MAYOR ADAM BELOT - BONDOOLA RURAL FIRE BRIGADE SITE

File No: fA2220

Attachments: 1. **NOM - Mayor Adam Belot - Bondoola Rural Fire Brigade Site**

Responsible Officer: Adam Belot - Mayor
Terry Dodds PSM - Chief Executive Officer

SUMMARY

Mayor Adam Belot has submitted a 'Notice of Motion' in relation to the Bondoola Rural Fire Brigade Site.

COUNCIL RESOLUTION

THAT in order to improve community resilience and preparedness, Council approves, subject to the requirements of an application, of the Bondoola Rural Fire Brigade having tenure over the balance of land (up to 2.5 acres) that is not in the Queensland Rural Fire Development lease application of approximately 2500m². Noting land use agreement is to be compatible with current zoning ie. community purposes.

Moved by: Mayor, Councillor Belot

Seconded by: Councillor Mather

MOTION CARRIED:

Crs A Belot, P Eastwood, A Friend, G Mather, W Rothery and L Warcon voted in the affirmative.

Cr R Watson voted in the negative.

PROCEDURAL MOTION

That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending a workshop with all Councillors and to return to a future Council Meeting.

Moved by: Councillor Friend

MOTION LOST:

Crs A Friend, W Rothery and R Watson voted in the affirmative.

Crs A Belot, P Eastwood, G Mather and L Warcon voted in the negative.

PROCEDURAL MOTION

10:07AM

THAT the meeting be adjourned for a break.

Moved by: Deputy Mayor, Councillor Eastwood

MOTION CARRIED UNANIMOUSLY

PROCEDURAL MOTION

10:19 AM

THAT the meeting be resumed.

Moved by: Mayor, Councillor Belot

MOTION CARRIED UNANIMOUSLY

10 COUNCILLOR REPORTS

Nil

11 COMMITTEE REPORTS

11.1 INFRASTRUCTURE COMMITTEE MINUTES 4 FEBRUARY 2025

File No: INF
Attachments: Nil
Responsible Officer: Michael Kriedemann - General Manager Infrastructure
Terry Dodds PSM - Chief Executive Officer
Author: Michael Kriedemann - General Manager Infrastructure

SUMMARY

This report is of the Infrastructure Standing Committee Meeting held on 4 February 2025. The recommendations are presented for the determination by the Council.

COUNCIL RESOLUTION

THAT Council receives the report of the Infrastructure Committee meeting held on 4 February 2025 and adopts the recommendations contained therein.

- Response to Notice of Motion - Cr Mather - Safety Issue Manns Road
- Infrastructure Portfolio - Quarterly Management Report for The Period 1 October 2024 to 31 December 2024
- Monthly Progress Report - Capital Projects
- Amendment to Declaration of Water and Sewerage Service Areas

Moved by: Councillor Mather
Seconded by: Councillor Watson

MOTION CARRIED UNANIMOUSLY

11.2 RECREATION & CULTURE COMMITTEE MINUTES 4 FEBRUARY 2025

File No: GV
Attachments: Nil
Responsible Officer: Terry Dodds PSM - Chief Executive Officer
Katrina Paterson - General Manager Communities
Author: Sonia Tomkinson - Manager Economy and Places

SUMMARY

This report is of the Recreation and Culture Standing Committee Meeting held on 4 February 2025. The recommendations are presented for the determination by the Council.

COUNCIL RESOLUTION

THAT Council receives the report of the Recreation & Culture Committee meeting held on 4 February 2025 and adopts the recommendations contained therein.

- Capricornia Access and Equity Group
- Native Title Proceedings - Darumbal People # 3
- Tenure Agreement - Marlborough Showgrounds
- Motions to the 2025 National General Assembly (Australian Local Government Association)
- Policy Review - Closed Circuit Television (CCTV) Policy
- Policy Review - Management of Local Government Cemeteries and Undertaking Regulated Activities Regarding Human Remains Policy
- Policy Review - Playground Shade Policy
- Communities Portfolio Report
- Monthly Progress Report - Capital Projects

Moved by: Councillor Warcon

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

11.3 DEVELOPMENT & ENVIRONMENT COMMITTEE MINUTES 4 FEBRUARY 2025

File No: GV
Attachments: Nil
Responsible Officer: Terry Dodds PSM - Chief Executive Officer
Katrina Paterson - General Manager Communities
Author: Sonia Tomkinson - Manager Economy and Places

SUMMARY

This report is of the Development and Environment Standing Committee Meeting held on 4 February 2025. The recommendations are presented for the determination by the Council.

COUNCIL RESOLUTION

THAT Council receives the report of the Development & Environment Committee meeting held on 4 February 2025 and adopts the recommendations contained therein.

- Adopted Infrastructure Charges Resolution (7) - 2025
- Communities Portfolio Report
- Desexing Subsidy - Cats and Dogs
- Petition requesting dogs with handlers have access to Yeppoon Main Beach before 8am and after 4pm
- Shoreline Erosion Management Plan - Putney and Fisherman's Beach, Great Keppel Island
- Living Waterways Project - Lex Semple Park
- Infrastructure Agreement for Trunk Infrastructure Acquisition Lot 5006 SP346289
- The Pines Appeals Update

Moved by: Councillor Rothery
Seconded by: Deputy Mayor, Councillor Eastwood
MOTION CARRIED UNANIMOUSLY

12 REPORTS

12.1 OPERATIONAL PLAN 2024-2025 Q2 PROGRESS REPORT

File No: qA24652
Attachments: 1. Quarter 2 2024-2025 Operational Plan
Responsible Officer: Poala Santini - Coordinator Governance
Andrea Ellis - Chief Financial Officer
Terry Dodds PSM - Chief Executive Officer
Author: Ursula Sleeman - Governance Officer

SUMMARY

The 2024-2025 Operational Plan progress report for Quarter 2 as of 31 December 2024 is presented, pursuant to Section 174(3) of the Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT Council receives the 2024-2025 Operational Plan Performance Report as of 31 December 2024.

Moved by: Councillor Mather

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

12.2 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2025**File No:** FM12.14.1**Attachments:**

1. Monthly Financial Report 31 January 2025
2. January 2025 Contract Award Summary

Responsible Officer: Andrea Ellis - Chief Financial Officer
Terry Dodds PSM - Chief Executive Officer**Author:** Caitlyn Good - Management & Treasury Accountant

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the Period Ending 31 January 2025 by the Chief Financial Officer.

COUNCIL RESOLUTION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 31 January 2025 be received (Attachment 1).

Moved by: Councillor Friend**Seconded by:** Deputy Mayor, Councillor Eastwood**MOTION CARRIED UNANIMOUSLY**

12.3 LIVINGSTONE SHIRE COUNCIL INVESTMENT POLICY

File No: CM4.7.33

Attachments: 1. Investment Policy (Clean Version)
2. Investment Policy (Marked up Version)

Responsible Officer: Andrea Ellis - Chief Financial Officer
Terry Dodds PSM - Chief Executive Officer

Author: Caitlyn Good - Management & Treasury Accountant

SUMMARY

Council's Investment Policy is presented to Council for adoption in accordance with Section 191 of the Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT pursuant to Section 191 of the *Local Government Regulation 2012*, Council adopts the attached Investment Policy.

Moved by: Councillor Friend
Seconded by: Deputy Mayor, Councillor Eastwood
MOTION CARRIED UNANIMOUSLY

12.4 REPEAL OF COUNCILLOR BRIEFING SESSIONS POLICY

File No: A742876
Attachments: 1. Councillor Briefing Sessions Policy
Responsible Officer: Terry Dodds PSM - Chief Executive Officer
Author: Lucy Walker - Executive Support Officer

SUMMARY

Following a review of policies within the Corporate Policy Document Register, this report is presented to Council to repeal the Councillor Briefing Sessions Policy.

OFFICER'S RECOMMENDATION

THAT the Councillor Briefing Sessions Policy be repealed.

PROCEDURAL MOTION

That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending the completion of the Accountability Framework and the item to return to a future Council Meeting.

Moved by: Deputy Mayor, Councillor Eastwood

MOTION CARRIED

Crs A Belot, P Eastwood, A Friend, G Mather, W Rothery and L Warcon voted in the affirmative.

Cr R Watson voted in the negative.

12.5 LGAQ CIVIC LEADERS SUMMIT 2025

File No: GV13.4.1
Attachments: 1. Civic Leaders Summit Program
Responsible Officer: Terry Dodds PSM - Chief Executive Officer
Author: Lucy Walker - Executive Support Officer

SUMMARY

The Local Government Association Queensland (LGAQ) Civic Leaders Summit is being held in Brisbane on 12 – 13 March 2025. This report is seeking approval for Councillor Lance Warcon to be represented at the summit.

COUNCIL RESOLUTION

THAT Council endorse the attendance by Councillor Lance Warcon at the LGAQ Civic Leaders Summit.

Moved by: Councillor Warcon

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

12.6 DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (ONE LOT INTO TWO LOTS) AND A MATERIAL CHANGE OF USE FOR A DWELLING HOUSE (BUILDING LOCATION ENVELOPE) AT 138 DRUCES ROAD, WOODBURY**File No:** D-257-2024**Attachments:**

1. Locality Plan
2. Overlay Plan
3. Proposal Plan
4. Code Assessment
5. Statement of Reasons

Responsible Officer: Siobhan Goodhew - Coordinator Development Assessment
Greg Abbotts - Manager Development and Environment
Katrina Paterson - General Manager Communities
Terry Dodds PSM - Chief Executive Officer**Author:** Gretta Cowie - Planning Officer

SUMMARY**Applicant:** J and E Gustafson**Consultant:** Capricorn Survey Group (CQ) Pty Ltd**Real Property Address:** Lot 6 on RP836485 **Area of Site:** 40.43 Hectares (404,300 square metres)**Planning Scheme:** *Livingstone Planning Scheme 2018***Planning Scheme Zone:** Rural Zone**Planning Scheme Overlays:** Agricultural Land Classification
Biodiversity – Habitat and vegetation
Bushfire Hazard Area
Drainage Problem Area
Water Resource Area
Height Limit**Existing Development:** Dwelling house and ancillary class 10a building**Level of Assessment:** Impact Assessable**Submissions:** 2 Submissions received**Referral matters:** Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 - Reconfiguring a lot near a State transport corridor
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 - Material change of use of premises near a State transport corridor
Infrastructure – State transport infrastructure (10.9.4.1.1.1)**Infrastructure Charge Area:** Outside the Priority Infrastructure Area**Application progress:**

APPLICATION MILESTONE	DATE
Application received:	10 August 2024
Application properly made:	14 August 2024
Development control unit meeting:	14 August 2024
Confirmation notice issued:	27 August 2024
Information request issued:	10 September 2024
Information request response received:	21 October 2024
Public notification period:	4 November – 26 November 2024
Notice of compliance received:	27 November 2024
Submission consideration period:	27 November – 11 December 2024
Decision period commenced:	11 December 2024
Committee meeting date:	4 February 2025 (not presented)
Council meeting date:	18 February 2025
Statutory determination date:	21 February 2025

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for a Reconfiguring a Lot for (one lot into two lots), made by J and E Gustafson, on Lot 6 on RP836485 and located at 138 Druces Road, Woodbury, Council resolves to refuse the application pursuant to Section 60(3)(c) of the *Planning Act 2016*.

MOTION LAPSED

PROCEDURAL MOTION

That pursuant to s2.18.1(i) and s2.18.27 of Livingstone Shire Council's Meeting Procedures Policy the provisions of the 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 UNANIMOUSLY

PROCEDURAL MOTION

That pursuant to s2.18.1(i) and s2.18.27 of Livingstone Shire Council's Meeting Procedures Policy the provisions of the Meeting Procedures be resumed.

Moved by: Mayor, Councillor Belot

MOTION CARRIED UNANIMOUSLY

PROCEDURAL MOTION

That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures

Policy the matter lay on the table pending conditions and approval being presented to Council, the matter to then return to a future Council Meeting.

Moved by: **Councillor Mather**

MOTION LOST

Cr G Mather voted in the affirmative.

Crs A Belot, P Eastwood, A Friend, W Rothery, L Warcon and R Watson voted in the negative.

FORESHADOWED MOTION

THAT in relation to the application for a Development Permit for a Reconfiguring a Lot for (one lot into two lots), made by J and E Gustafson, on Lot 6 on RP836485 and located at 138 Druces Road, Woodbury, Council resolves to approve the application subject to reasonable and relevant conditions and the issuing of the infrastructure charges notice, pursuant to Section 60(3)(c) of the *Planning Act 2016*.

Moved by: **Councillor Friend**

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

MOTION CARRIED

Crs A Belot, P Eastwood, A Friend, G Mather, W Rothery and R Watson voted in the affirmative.

Cr L Warcon voted in the negative.

Mayor Belot left the room at 11:20am – Deputy Mayor Pat Eastwood to chair
Mayor Belot returned to the room at 11:23am and resumed chairing

12.7 LIVINGSTONE PLANNING SCHEME 2018 - MINOR AMENDMENTS - ZONE CHANGES - EMBED DEVELOPMENT APPROVALS

File No: LU18.3.5
Attachments: 1. Register of Changes
Responsible Officer: Greg Abbotts - Manager Development and Environment
Katrina Paterson - General Manager Communities
Terry Dodds PSM - Chief Executive Officer
Author: Melissa Warwick - Principal Strategic Planner

SUMMARY

The Planning Act 2016, allows a local government to amend a planning scheme by following the process in the Ministers Guidelines and Rules (MGR). This report seeks a formal resolution to make a (minor) amendment to the Livingstone Planning Scheme 2018 to embed development approvals with changes to zones.

COUNCIL RESOLUTION

THAT Council resolves to adopt the proposed (minor) planning scheme amendments included in Attachment 1.

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

MOTION CARRIED

Crs A Belot, P Eastwood, A Friend, W Rothery and L Warcon voted in the affirmative.
Cr G Mather voted in the negative.

Cr Watson left the room at 12:03pm

L.1 LIVINGSTONE SHIRE LOCAL DISASTER MANAGEMENT GROUP - BUSHFIRE MANAGEMENT PLAN

File No: qA79021
Attachments: 1. Bushfire Management Plan
Responsible Officer: Greg Abbotts - Manager Development and Environment
Katrina Paterson - General Manager Communities
Author: Andrew Bicknell - Coordinator Disaster Management and Community Resilience

SUMMARY

The Livingstone Shire Local Disaster Management Group (LDMG) - Bushfire Management Plan has been reviewed and is presented to Council for adoption.

The stated Aim of the Bushfire Management Plan is to guide the LDMG's management of bushfire hazard through the four phases of disaster management prevention, preparedness, response and recovery.

COUNCIL RESOLUTION

THAT Council adopt the Livingstone Shire Council Local Disaster Management Group – Bushfire Management Plan

Moved by: Councillor Friend

Seconded by: Councillor Mather

MOTION CARRIED UNANIMOUSLY

Crs A Belot, P Eastwood, A Friend, G Mather, W Rothery and L Warcon voted in the affirmative.

13 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS

Nil

14 URGENT BUSINESS\QUESTIONS

Nil

15 CLOSED SESSION

In accordance with the provisions of section 254J 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

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J of the *Local Government Regulation 2012*, for the reasons indicated.

16.1 ROSI Greenlake Road and Artillery Road Upgrade - Award of Contract

This report is considered confidential in accordance with section 254J(3)(g), of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interest of the local government.

Moved by: Councillor Mather

Seconded by: Councillor Warcon

MOTION CARRIED UNANIMOUSLY

Crs A Belot, P Eastwood, A Friend, G Mather, W Rothery and L Warcon voted in the affirmative.

COUNCIL RESOLUTION

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

Moved by: Councillor Mather

Seconded by: Councillor Watson

MOTION CARRIED UNANIMOUSLY

16 CONFIDENTIAL REPORTS

16.1 ROSI GREENLAKE ROAD AND ARTILLERY ROAD UPGRADE - AWARD OF CONTRACT

File No: 2024-018
Attachments: Nil
Responsible Officer: Arvind Singh - Manager Infrastructure Projects
Michael Kriedemann - General Manager Infrastructure
Terry Dodds PSM - Chief Executive Officer
Author: Rosanna Jeffery - Project Manager Infrastructure Project
Dev Krishnasamy - Infrastructure Project Engineer/Project Manager

This report is considered confidential in accordance with section 254J(3)(g), of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interest of the local government.

SUMMARY

This report is for the recommendation to Councillors to enter into Contract with the selected Contractor for Contract 2024.018 ROSI Greenlake Road and Artillery Road Upgrade.

COUNCIL RESOLUTION

THAT Council resolves to:

1. Endorse the Combined Officer Evaluation Panel recommendation to award the Contract 2024.018 ROSI Greenlake Road and Artillery Road Upgrade to **Durack Civil Pty Ltd** with a tendered price being **\$ 4,756,900.79 inc. GST**; and
2. Delegates authority section 257 of the Local Government Act 2009 to the Chief Executive Officer to execute the Contract 2024.018 ROSI Greenlake Road and Artillery Road Upgrade.
3. Council noted in deliberations, to be considered, tenderers must have accreditation to comply with the *Australian Government Building and Construction WHS Accreditation*.

Moved by: Councillor Mather
Seconded by: Councillor Rothery

MOTION CARRIED UNANIMOUSLY

Cr Watson entered room at 12:28pm

17 CLOSURE OF MEETING

There being no further business the meeting closed at 12:54 pm.

Mayor Adam Belot
CHAIRPERSON

18/02/2025