



# **STANDING COMMITTEE - DEVELOPMENT & ENVIRONMENT MEETING**

## **CONFIRMED MINUTES**

**1 APRIL 2025**

Recommendations from this committee were presented at the Ordinary Meeting on 15 April 2025.

These minutes were confirmed at the Development and Environment Committee meeting on the 6<sup>th</sup>  
May 2025

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**MINUTES OF THE STANDING COMMITTEE - DEVELOPMENT & ENVIRONMENT  
MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON  
TUESDAY, 1 APRIL 2025 COMMENCING AT 10:38AM**

## **1 OPENING**

### **APPOINTMENT OF CHAIRPERSON**

#### **COMMITTEE RESOLUTION**

That pursuant to s2.6.4 of Livingstone Shire Council's Meeting Procedures, Councillor Pat Eastwood be appointed as Chairperson for this meeting of the Development and Environment Committee.

**Moved by:** Councillor Mather

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

**MOTION CARRIED UNANIMOUSLY / LOST**

## **2 PRESENT**

### **Members Present:**

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

### **Officers in Attendance:**

Katrina Paterson - General Manager Communities  
Michael Kriedemann – General Manager Infrastructure  
Andrea Ellis – Chief Financial Officer  
Kristy Mansfield - Chief Human Resources Officer  
Greg Abbotts – Manager Development & Environment  
Renee Dwyer – Executive Assistant to the Mayor  
Leise Childs – Coordinator Natural Resource Management  
Arna Hart – Project Support Officer  
Gretta Cowie – Planning Officer  
Siobhan Goodhew – Coordinator Development Assessment

### **3 LEAVE OF ABSENCE / APOLOGIES**

Councillor Wade Rothery (Co-Chairperson)

## **4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **COMMITTEE RESOLUTION**

THAT the minutes of the Development & Environment Committee Meeting held on 4 March 2025 be taken as read and adopted as a correct record.

**Moved by:** Councillor Mather

**Seconded by:** Councillor Watson

**MOTION CARRIED UNANIMOUSLY**

## 5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

### ***Conflict of Interest Declared - 2 Existing Councillor Participate***

Pursuant to Section 150EQ, as defined in Section 150EN of the Local Government Act, Mayor Adam Belot declared a conflict of Interest in Item 13.2 and declared the following: Mayor Adam Belot owns a property in Cooe Bay. Mayor demonstrated on a map to the table the distance between his property and the proposed application site. There are no sight lines from Mayors property to the proposed site. Notwithstanding the conflict Mayor Adam Belot has declared that he will remain in the meeting room and participate while this matter is discussed and voted on.

**Moved by:** Councillor Friend

**Seconded by:** Councillor Mather

**MOTION CARRIED**

Crs A Friend, G Mather, R Watson and L Warcon voted in the affirmative.

Cr Eastwood was absent for vote.

### **Cr Pat Eastwood – Item 13.2**

Pursuant to Section 150EQ, as defined in Section 150EN of the Local Government Act, Councillor Pat Eastwood declared a conflict of Interest in Item 13.2 and declared the following: Councillor Pat Eastwood owns a house in Gregory Street Cooe Bay. Councillor Eastwood has voluntarily decided to not participate in the consideration and voting of this matter and will leave the meeting room while this item is being discussed.

### **Cr Glenda Mather – Item 13.3**

Pursuant to Section 150EQ, as defined in Section 150EN of the Local Government Act, Councillor Glenda Mather declared a conflict of Interest in Item 13.3 (D-261-2024) and declared the following: This report relates to an immediate family member. Councillor Glenda Mather has voluntarily decided to not participate in the consideration and voting of this matter and will leave the meeting room while this item is being discussed.

### **Cr Lance Warcon – Item 13.6**

Pursuant to Section 150EQ, as defined in Section 150EN of the Local Government Act, Councillor Lance Warcon declared a potential conflict of Interest in Item 13.6 and declared the following: Cr Warcon is an emerging Darumbal leader and is also part of TUMRA. Notwithstanding the conflict Councillor Lance Warcon has declared that he will remain in the meeting room and participate while this matter is discussed and voted on.

### **Cr Rhodes Watson – Item 16.1**

Pursuant to Section 150EQ, as defined in Section 150EN of the Local Government Act, Councillor Rhodes Watson declared a conflict of Interest in Item 16.1 and declared the following: Councillor Rhodes Watson is president of Food Relief who has ties to the Anglican Church Emu Park. Councillor Rhodes Watson has voluntarily decided to not participate in the consideration and voting of this matter and will leave the meeting room while this item is being discussed.

**6 DEPUTATIONS**

Nil

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

Nil

**8 PRESENTATION OF PETITIONS**

Nil

**9 NOTICES OF MOTION**

Nil

**10 QUESTIONS ON NOTICE**

Nil

**11 COMMITTEE REPORTS**

Nil

**12 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS**

Nil

## 13 REPORTS

### 13.1 D-325-2024 - MATERIAL CHANGE OF USE FOR A DUAL OCCUPANCY AT 32 MORNINGTON STREET, TAROOMBALL

**File No:** D-325-2024

**Attachments:**

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

**Responsible Officer:** Greg Abbotts - Manager Development and Environment  
Katrina Paterson - General Manager Communities  
Terry Dodds PSM - Chief Executive Officer

**Author:** Gretta Cowie - Planning Officer  
Aleena Suosaari - Support Services Officer  
Murray Smith - Support Services Officer

#### SUMMARY

**Applicant:** Stroud Homes Rockhampton

**Consultant:** Capricorn Survey Group (CQ) Pty Ltd

**Real Property Address:** Lot 198 on SP348686 Area of Site: 912 square metres

**Planning Scheme:** *Livingstone Planning Scheme 2018*

**Planning Scheme Zone:** Emerging Community Zone

**Planning Scheme Overlays:** Acid Sulfate Soils  
Bushfire Hazard Area  
Height Limits

**Existing Development:** Vacant land

**Level of Assessment:** Impact Assessable

**Submissions:** 17 Submissions received

**Infrastructure Charge Area:** Charge Area 1

**Application progress:**

Application received:	2 October 2024
Development control unit meeting:	9 October 2024
Action Notice Issued:	18 October 2024
Action Notice Response received:	16 December 2024
Application properly made:	16 December 2024
Confirmation notice issued:	18 December 2024
Public notification period:	20 January – 13 February 2025
Notice of compliance received:	14 February 2025
Submission consideration period:	17 February – 3 March 2025
Decision period commenced:	03 February 2025

Standing Committee meeting date:	1 April 2025
Council meeting date:	15 April 2025
Statutory determination date:	29 April 2025

## COMMITTEE RESOLUTION

### **RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for a Dual Occupancy, made by Stroud Homes Rockhampton, on Lot 198 on SP348686, and located at 32 Mornington Street, Taroomball, The Committee recommends Council resolve to approve the application given pursuant to Section 60(2)(b) of the *Planning Act 2016*, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

1. The subject site is identified as urban/new urban in accordance with Strategic Framework Mapping and is proposed for urban development.
2. The subject site can connect to reticulated infrastructure.
3. The development provides for an alternative housing option to meet the changing needs of the community and creates opportunities for living close to services and facilities within an existing urban locality.
4. The development is consistent with the built form and character of the Low Density Residential Zone Code.

### **RECOMMENDATION B**

THAT in relation to the application for a Development Permit for a Material Change of Use for a Dual Occupancy, made by Stroud Homes Rockhampton, on Lot 198 on SP348686, and located at 32 Mornington Street, Taroomball, the Committee recommends Council resolve to approve the application subject to the following conditions:

#### 1.0 **ADMINISTRATION**

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 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.
- 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 their purposes:
  - 1.6.1 Plumbing and Drainage Works; and
  - 1.6.2 Building Works.
- 1.7 All Development Permits for Plumbing and Drainage Works must be obtained prior to

the issue of a Development Permit for Building Works.

- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 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.
- 1.10 All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under *section 145* of the *Planning Act 2016*, unless otherwise stated.

## 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>Rev</u>	<u>Dated</u>
Site and Drainage Plan	24L198MO Sheet 1 of 10	4	9 December 2024
Ground floor plan	24L198MO Sheet 2 of 10	4	9 December 2024
Ground floor plan	24L198MO Sheet 3 of 10	4	9 December 2024
Elevation 1 elevation 2, elevation 3, elevation 4	24L198MO Sheet 4 of 10	4	9 December 2024

- 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.

## 3.0 ACCESS AND PARKING WORKS

- 3.1 A compliant vehicle access must be designed and constructed to the proposed development in accordance with the *Capricorn Municipal Development Guidelines, standard drawing CMDG-R-041 revision D*, titled as “residential driveway slab and tracks”, and located minimum one (1) metre away from any sewer connections, access chambers, valves, fire hydrant, water meter boxes, and any other utility services.

Any non-compliant vehicle access driveway will require a Development Permit for Operational Works (access works) prior to the commencement of any vehicle access works associated with that lot.

- 3.2 Parking and associated vehicle manoeuvring areas must be sealed.
- 3.3 A minimum of two (2) car parking spaces are provided per dwelling with a minimum of one being covered.

## 4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 All internal plumbing and sanitary drainage works for the dwelling house must be designed and constructed in accordance with the approved plans (refer 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.

- 4.2 The development must be connected to Council's sewerage and water networks.
- 4.3 The existing property points of connection must be retained and upgraded, if necessary, to service the development.
- 4.4 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 5.0 **BUILDING WORKS**
- 5.1 All earthworks must be undertaken in accordance with *Australian Standard, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 5.2 Earthworks 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.
- 5.3 All roof and allotment drainage must be discharged lawfully to the kerb and channel on Burlington Drive.
- 6.0 **ELECTRICITY AND TELECOMMUNICATIONS**
- 6.1 Electricity and telecommunication connections must be provided to the dual occupancy to the standards of the relevant authorities prior to the commencement of the use.
- 7.0 **ASSET MANAGEMENT**
- 7.1 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.
- 7.2 Any damage or alteration to existing council infrastructure including traffic signs and pavement marking and other public or private utility which occurs during any works carried out in association with the approved development must be repaired and/or replaced at the cost of the Developer.
- 8.0 **ENVIRONMENTAL**
- 8.1 An Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 9.0 **OPERATING PROCEDURES**
- 9.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.
- 9.2 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"*.
- 9.3 Where necessary, air conditioning units must be provided with acoustic screening to meet the standards set out in the *Environmental Protection Regulation 2008*.
- 9.4 Each dwelling must be provided with clearly identifiable unit numbering.
- 9.5 The development must be provided with a refuse container and container storage area that:
- 9.5.1 is screened from view of the street and adjoining public places by a solid

screen fence, wall or dense vegetation having a minimum height of 1.5 metres;

- 9.5.2 is large enough to accommodate at least one (1) standard issue sized rubbish bin.

#### ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act*, 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 Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships website [www.dsdsatsip.qld.gov.au](http://www.dsdsatsip.qld.gov.au)

NOTE 2. 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 3. 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 4. Water and Sewerage Services

In accordance with the Water Supply (Safety & Reliability) Act 2008, it is an offence to interfere with a service provider’s infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water and sewerage services. Alterations to existing services consequential to necessary connections to existing sewerage and / or water infrastructure must be at the responsibility and cost of the Developer. Please contact Infrastructure for further information. Negotiation with other service authorities such as Telstra and Ergon may also be required to adequately affect these connections.

NOTE 5. Infrastructure Charges

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 C

THAT in relation to the application for a Development Permit for a Material Change of Use for a Dual Occupancy, made by Stroud Homes Rockhampton, on Lot 198 on SP348686, and located at 32 Mornington Street, Taroomball, the Committee recommends Council resolve to issue an Infrastructure Charges Notice for the amount of \$31,080.00.

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

**Seconded by:** Councillor Watson

**MOTION CARRIED UNANIMOUSLY**

### 13.2 D-141-2024 - MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING (14 DWELLING UNITS) AND ROL (4 LOTS INTO 14 LOTS & ACCESS EASEMENTS)

**File No:** D-141-2024

**Attachments:**

1. Annotated Subdivision Plan
2. Locality Plan
3. Code Assssment
4. Statement of Reasons
5. Landslide Hazard Area - Overlay Map
6. Acid Sulfate Soils - Overlay Map
7. Scenic Amenity - Overlay Map
8. Biodiversity - Habitat and Vegetation - Overlay Map
9. Road Hierarchy

**Responsible Officer:** Greg Abbotts - Manager Development and Environment  
Katrina Paterson - General Manager Communities

**Author:** Siobhan Goodhew - Coordinator Development Assessment

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#### **SUMMARY**

**Applicant:** Azzura Developments SEQ Pty Ltd

**Consultant:** Adams + Sparkes Town Planning

**Real Property Address:** Lot 1 on RP602866, Lot 2 on RP602866, Lot 9 on LN2930 and Lot 1 on SP143235 Area of Site: Total area of 5,985 square metres:

- 858 square metres (Lot 2 on RP602866)
- 858 square metres (Lot 1 on RP602866)
- 2,589 square metres (Lot 9 on LN2930)
- 1,680 square metres (Lot 1 on SP143235)

**Planning Scheme:** Livingstone Planning Scheme 2018 (V.3)

**Planning Scheme Zone:** Low Density Residential Zone

**Planning Scheme Overlays:** OM01 Acid Sulfate Soils  
OM07 Biodiversity – Habitat and Vegetation  
OM18 Landslide Hazard Area  
OM21 Scenic Amenity

**Existing Development:** Vacant land

**Level of Assessment:** Impact Assessable

**Submissions:** 5 Submissions received

**Referral matters:** Nil

**Infrastructure Charge Area:** Charge Area 1

#### **Assessment Timeframes**

#### **TABLE 1 – APPLICATION ASSESSMENT TIMEFRAME**

<b>APPLICATION MILESTONE</b>	<b>DATE</b>
<i>Application received:</i>	7/05/2024
<i>Application properly made:</i>	21/05/2024
<i>Development control unit meeting:</i>	08/05/2024
<i>Confirmation notice issued:</i>	09/05/2024
<i>Information request issued:</i>	04/06/2024
<i>Information request response received:</i>	13/09/2024
<i>Public notification period:</i>	15/10/2025
<i>Notice of compliance received:</i>	16/10/2024
<i>Submission consideration period:</i>	30/10/2024
<i>Extension of time agreed to:</i>	21/03/2025
<i>Decision period commenced:</i>	(35 days) less any IR time
<i>Additional information from applicant received:</i>	20/12/2024
<i>Council meeting date:</i>	12/03/2025
<i>Statutory determination date:</i>	21/03/2025

## COMMITTEE RESOLUTION

### RECOMMENDATION A

THAT the committee exercises its delegation under s257c of *Local Government Act 2009* and resolves to approve the application. In relation to the application for a Development Permit for Reconfiguring a Lot (four lot into fourteen lots and access easements), made by Azzura Developments SEQ Pty Ltd, on Lot 1 on RP602866, Lot 2 on RP602866, Lot 9 on LN2930 and Lot 1 on SP143235, and located at 4 Cathne Street, 6 Cathne Street, 118-120 Matthew Flinders Drive and Lot 1 Matthew Flinders Drive, Cooe Bay, Council resolves to approve the application

#### 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;
- 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, Capricorn Municipal Development Guidelines, Queensland Urban Drainage Manual* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 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.
- 1.10 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.

#### APPROVED PLANS AND DOCUMENTS

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>
Proposed Subdivision Plan Prepared by Kris Kowalski Architects	1823/DA031 Revision B	18 April 2024
Traffic Impact Assessment Prepared by Bitzios Consulting	P6598.001R Version 001	22 August 2024
Preliminary Service Plan Prepared by OSKA Consulting Group	OSK6615-P012 Revision B	9 September 2024
Preliminary Earthworks Plan Prepared by OSKA Consulting Group	OSK6615-P010 Revision B	13 September 2024
Geotechnical Comments Prepared by CQ Soil Testing	CQ25813 Version A	30 July 2024
Preliminary Roadworks Plan Prepared by OSKA Consulting Group	OSK6615-P013 Revision A	19 December 2024
Conceptual Stormwater Management Plan Prepared by OSKA Consulting Group	OSK6615-0002-C Revision C	19 December 2024

#### PART A: RECONFIGURATION OF A LOT

##### 2.0 ROAD WORKS

- 2.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 2.2 Matthew Flinders Drive, Brae Street and Cathne Street must be upgraded in accordance with the approved Preliminary Roadworks Plan prepared by OSKA Consulting Group (refer to Condition 2.1).
- 2.3 The extension of Davidson Street to the east of Brae Street must be designed and constructed in accordance with the recommendations under the approved Traffic Impact Assessment prepared by Bitzios Consulting.
- 2.4 A truncation must be dedicated as road reserve from southeast corner of proposed Lot 8. The new boundary must be in general an extension of the existing boundary of proposed Lot 11.
- 2.5 A concrete pathway must be constructed on the development side of Matthew Flinders Drive, Brae Street and Cathne Street for the full frontage of the site.
- 2.6 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.
- 3.0 ACCESS WORKS
- 3.1 All vehicular access to and from proposed Lots 1 to 4 (inclusive) must be via Cathne Street only.
- 3.2 All vehicular access to and from proposed Lots 5 to 11 (inclusive) and proposed Lot 14 must be via the proposed extension of Davidson Street to the east of Brae Street only. Direct vehicular accesses to Matthew Flinders Drive are prohibited.
- 3.3 All vehicular access to and from proposed Lots 12 and 13 must be via Matthew Flinders Drive only.
- 3.4 The proposed shared access among proposed Lots 5 to 10 must remain open for Council all the time, for the purpose of maintaining the water, sewerage and stormwater infrastructures, water meter reading and relevant works associated with water supply, sewerage services and stormwater management service.
- 3.5 Access and associated vehicle manoeuvring areas must be sealed.
- 3.6 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 SEWERAGE WORKS
- 4.1 The development must be connected to Council's reticulated sewerage.
- 4.2 The existing sewerage connection points must be retained and upgraded, if necessary, to service the proposed lots, if they are available. New sewerage connection points must be provided to each of the proposed lot, if there is no existing sewerage connection point.
- 4.3 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.4 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy-duty trafficable lid must be provided in the trafficable area.
- 4.5 Sewer connections located within trafficable areas must be raised or lowered to suit

the finished surface levels and must be provided with trafficable lids.

## 5.0 WATER WORKS

- 5.1 The development must be connected to Council's reticulated water.
- 5.2 The existing water connection points must be retained and upgraded, if necessary, to service the proposed lots, if they are available. New water connection points must be provided to each of the proposed lot, if there is no existing water connection point.
- 5.3 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.

## 6.0 STORMWATER WORKS

- 6.1 Each allotment must be designed so as to be self-draining and the detention system must be designed and located in accordance with the approved Conceptual Stormwater Management Plan Prepared by OSKA Consulting Group such that there is no increase in flood levels on adjoining land or properties.
- 6.2 The potential pollutants in stormwater runoff, discharged from the site must be managed in accordance with the approved Conceptual Stormwater Management Plan Prepared by OSKA Consulting Group, Urban Stormwater Quality Planning Guidelines and State Planning Policy.
- 6.3 Any application for Operational works (stormwater works) must include;
  - (a) Storage calculations, detailed designs for the inlet and outlet systems for the proposed detention systems;
  - (b) Ongoing maintenance and management actions required with regard to detention;
  - (c) Details to demonstrate vehicular, pedestrian amenity and safety criteria are met on Davidson Street, Matthew Flinders Drive and Cathne Street in accordance with Queensland Urban Drainage Manual;
  - (d) Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy;
  - (e) Drainage easement(s) must be dedicated over all major overland flow paths and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land; and
  - (f) Any drainage easements dedicated over the major overland flow paths or major drainage system must be able to contain all earthworks, batters and include freeboard and access and maintenance provisions consistent with the Queensland Urban Drainage Manual.

## 7.0 EARTHWORKS

- 7.1 Any application for a Development Permit for Operational Works (earthworks) must be accompanied by an earthworks' plan which clearly identifies the following:
  - (a) the location of cut and/or fill;
  - (b) the type of fill to be used and the manner in which it is to be compacted;
  - (c) the quantum of fill to be deposited or removed and finished cut and/or fill levels;
  - (d) details of any proposed access routes to the site which are intended to be used to transport fill to or from the site;
  - (e) the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary; and
  - (f) methods of control and treatment if acid sulfate soils are encountered.

- 7.2 Earthwork must only be undertaken in accordance with the approved Preliminary Earthworks Plan prepared by OSKA Consulting Group (refer to Condition 2.1), *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"* and in a manner complying with the recommendations of the approved Geotechnical Comments prepared by CQ Soil Testing (refer to Condition 2.1). Any alternative design of the earthwork must be designed by a Registered Professional Engineer of Queensland and be provided under the application of Development Permit for Operational Works (earthworks).
- 7.3 Earthwork and slope stability must be managed that site inspections must be undertaken by a Registered Professional Engineer of Queensland to confirm the design and full engineering certification must be undertaken by a Registered Professional Engineer of Queensland.
- 7.4 Earthworks must be constructed such that they do not, at any time, in any way, cause a nuisance or worsening to adjoining properties or infrastructure.
- 8.0 **ELECTRICITY AND TELECOMMUNICATIONS**
- 8.1 The development must be connected to electricity and telecommunications to the standards required by the service provider.

#### **ADVISORY NOTES**

NOTE 1. **Water and Sewerage Services**

In accordance with the *Water Supply (Safety & Reliability) Act 2008*, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water and sewerage services. Alterations to existing services consequential to necessary connections to existing sewerage and / or water infrastructure must be at the responsibility and cost of the Developer. Please contact Infrastructure for further information. Negotiation with other service authorities such as Telstra and Ergon may also be required to adequately affect these connections.

NOTE 2. **Private Works**

Council can provide cost estimates for any water and sewerage connection works as requested.

#### **RECOMMENDATION B**

THAT in relation to the application for a Development Permit for Material Change of Use for Multiple Dwelling (fourteen dwellings), made by Azzura Developments SEQ Pty Ltd, on Lot 1 on RP602866, Lot 2 on RP602866, Lot 9 on LN2930 and Lot 1 on SP143235, and located at 4 Cathne Street, 6 Cathne Street, 118-120 Matthew Flinders Drive and Lot 1 Matthew Flinders Drive, Cooe Bay.

Council resolves to approve the application given pursuant to Section 60(2)(b) of the *Planning Act 2016*, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

- (a) The development is a consistent and preferred use for the Low-Density Residential Zone
- (b) The proposed lots have access to existing connections to urban infrastructure and services.
- (c) Works undertaken as part of this development will mitigate long term stormwater and overland flow issues in the immediate area.
- (d) Overlays affecting the site have been addressed as part of the proposal.

#### **APPROVED PLANS AND DOCUMENTS**

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>
Perspective 01	DA010 1823 Rev C	17/10/2023
Perspective 02	DA011 1823 Rev C	18/10/2023
Perspective 03	DA012 1823 Rev A	25/10/2023
Perspective 04	DA013 1823 Rev A	25/10/2023
Birds Eye View 03	DA014 1823 Rev A	09/07/2023
Location Plan	DA0025 1823 Rev B	18/09/2023
Context Plan	DA06 1823 Rev C	18/09/2023
Site Plan	DA030 1823 Rev F	18/09/2023
Sun Study	DA040 1823 Rev A	25/10/2023
Admin Please continue		

8.1 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.

8.2 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.

#### 9.0 PLUMBING AND DRAINAGE WORKS

9.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.

9.2 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 and the provisions of a Development Permit for Plumbing and Drainage Works.

9.2 The development must be connected to Council's reticulated sewerage and water.

9.4 The existing sewerage and water connection point(s), which may be provided as per conditions of Part A: Reconfiguring a lot (4 lots into 14 lots), or may be the existing connection point(s) prior to the subdivision if available, must be retained, and upgraded if necessary, to service the development.

#### 10.0 BUILDING WORKS

10.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.

10.2 The locations of structures must comply with the Queensland Development Code (MP1.4: Building Over or near relevant infrastructure).

10.3 All site earthworks must be undertaken in accordance with Australian Standard, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments" and any recommendations under the approved Geotechnical Comments prepared by CQ Soil Testing (refer to Condition 2.1).

- 10.4 Any fencing provided between the road frontage lot boundary and the front building line, must be:
- 10.4.1 a maximum height of 1.2 metres; or
  - 10.4.2 a maximum height of 1.8 metres if having a minimum transparency of fifty (50) per cent
- 10.5 All waste storage areas are screened from view of the street and adjoining public places by one or more of the following:
- 10.5.1 a solid screen fence; or
  - 10.5.2 a wall; or
  - 10.5.3 dense vegetation.
- 10.6 Any building plant is screened from view of the street and adjoining public places by one or more of the following:
- 10.6.1 a solid screen fence, or
  - 10.6.2 a roof design feature; or
  - 10.6.3 a wall; or
  - 10.6.4 dense vegetation.
- 10.7 The development is provided with refuse container and container storage area that:
- 10.7.1 is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.5 metres;
  - 10.7.2 is large enough to accommodate at least one (1) standard issue sized rubbish bin per dwelling.
- 10.8 The proposed development must contain:
- 10.8.1 appropriately designed and sited numbering which clearly identifies the street address and any individual tenancies or dwelling units at the premises; and
  - 10.8.2 appropriately designed and sited signage for way finding and premises identification.
- 10.9 The development must provide lighting that is designed and installed in any public places and community places in accordance with Australian Standard AS1158: Public Lighting Code and AS4282 — Control of the obtrusive effects of outdoor lighting
- 11.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 11.1 All roof and allotment runoff must drain demonstrating lawful discharge in accordance with the approved Conceptual Stormwater Management Plan Prepared by OSKA Consulting Group (refer to Condition 2.1) and the requirements of the Queensland Urban Drainage Manual and the Capricorn Municipal Development Guidelines.
- 11.2 All roof and allotment runoff water must not adversely affect the upstream or downstream land when compared to pre-development conditions or cause an actionable nuisance or damage infrastructure.
- 12.0 ELECTRICITY AND TELECOMMUNICATIONS
- 12.1 Each dwelling must be connected to electricity and telecommunications to the standards required by the service provider.

### ADVISORY NOTES

#### NOTE 1. Water and Sewerage Services

In accordance with the Water Supply (Safety & Reliability) Act 2008, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water and sewerage services. Alterations to existing services consequential to necessary connections to existing sewerage and / or water infrastructure must

be at the responsibility and cost of the Developer. Please contact Infrastructure for further information. Negotiation with other service authorities such as Telstra and Ergon may also be required to adequately affect these connections.

**NOTE 2. Private Works**

Council can provide cost estimates for any water and sewerage connection works as requested.

**RECOMMENDATION C**

THAT in relation to the application for a Development Permit for a Reconfiguring a Lot (4 Lots into 14 Lots & Access Easements) and Material Change of use for Multiple Dwellings made by Azzura Developments SEQ Pty Ltd on Lot 1 on RP602866, Lot 2 on RP602866, Lot 1 on SP143235 and Lot 9 on LN2930 and located at 4 Cathne Street, cooe Bay, 6 Cathne Street Cooe Bay, Lot 1 Matthew Flinders Drive Cooe Bay and 118-120 Matthew Flinders Dive Cooe Bay,

Council resolves to issue an Infrastructure Charges Notice for the amount of \$310,800.00 with details of the calculation provided.

**Moved by: Councillor Mather**

**Seconded by: Councillor Warcon**

**MOTION CARRIED**

Crs A Belot, A Friend, G Mather and L Warcon voted in the affirmative.

Cr R Watson voted in the negative.

Mayor Adam Belot and Cr Pat Eastwood declared a Conflict of Interest in this matter – see page 4 of the minutes for details.

11:09AM Deputy Mayor, Councillor Eastwood left the meeting.

Mayor Adam Belot will chair the meeting.

**PROCEDURAL MOTION**

12:04PM

THAT the meeting be adjourned for a 5 minute break.

**Moved by: Councillor Warcon**

**MOTION CARRIED UNANIMOUSLY**

**PROCEDURAL MOTION**

12:15PM

THAT the meeting be resumed.

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

**MOTION CARRIED UNANIMOUSLY**

12:15PM Deputy Mayor, Councillor Eastwood returned to the meeting.

**13.3 D-261-2024 - CONDITIONS - ROL 1 INTO 2 LOTS**

**File No:** D-261-2024  
**Attachments:** Nil  
**Responsible Officer:** Greg Abbotts - Manager Development and Environment  
Katrina Paterson - General Manager Communities  
**Author:** Greg Abbotts - Manager Development and Environment

**SUMMARY**

*This report contains conditions of approval to be recommended as resolved at the 4 March 2025 Standing Committee meeting for Development and Environment.*

**COMMITTEE RESOLUTION****RECOMMENDATION A**

THAT in relation to Development Application D-261-2024 for Development Permit for Reconfiguring a Lot (One Lot into Two Lots), made by R and A Mather C/- Capricorn Survey Group (CQ) Pty Ltd, located at 140 Howes Road Farnborough, Council resolves to Approve the application subject to the following conditions

**PART A – RECONFIGURING A LOT****1.0 ADMINISTRATION**

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 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 issue of the approval of a plan of subdivision (survey plan endorsement), 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 issue of the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further development permits must be obtained prior to the commencement of any works associated with its purpose:
  - 1.6.1 Plumbing and Drainage Works; and
  - 1.6.2 Operational Works (access)
- 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 Number</u>	<u>Rev</u>	<u>Dated</u>
Reconfiguration Plan 1 Lot into 2 Lots	9380-01-ROL	B	18 October 2024

- 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.

### 3.0 ACCESS WORKS and RURAL ADDRESSING

- 3.1 Rural addressing must be provided in accordance with Council's Rural Addressing Policy and Procedure.

- 3.2 A compliant vehicle access from Howes Road to the proposed Lot 1 property boundary must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and must be in accordance with the standard drawing CMDG-R-040 "Rural Road Access and Property Access Over Table Drains."

- 3.3 An internal access way located within the proposed Lot 1 to the existing dwelling must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines*, to have:

3.3.1 Minimum four (4) metres wide all weather gravel pavement;

3.3.2 Minimum four (4) metres wide sealed pavement on a six (6) metres wide formation if the grade of the access way is steeper than ten (10) % at any point;

3.3.3 Minimum four (4) metres wide sealed pavement on a six (6) metres wide formation if within twenty (20) metres of an existing dwelling house on an adjacent allotment for a distance of at least twenty (20) metres past the extremities of the dwelling house projected perpendicular from the access way boundary;

3.3.4 Minimum cleared width of six (6) metres;

3.3.5 Minimum cleared height of 4.8 metres;

3.3.6 Have a max longitudinal gradient of 18% (where unsealed, if sealed maximum longitudinal gradient is 25% as above);

3.3.7 where the length of the access way is greater than 30m, an average longitudinal gradient no greater than 14.4%;

3.3.8 Immune from inundation in an event with 10% AEP event flood.

- 3.4 Any new culvert structures associated with the internal access way must be designed and constructed to ensure safe trafficability during the Defined Flood Event.

- 3.5 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any internal access works on the site.

### 4.0 INFRASTRUCTURE

- 4.1 Infrastructure associated with any existing uses must remain within the respective property boundaries of the lot it serves.

- 4.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.

5.0 ASSET MANAGEMENT

- 5.1 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.

- 5.2 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.

6.0 ELECTRICITY AND TELECOMMUNICATIONS

- 6.1 Electricity and telecommunication connections must be provided to the proposed lots to the standards of the relevant authorities.

7.0 OPERATING PROCEDURES

- 7.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

8.0 STORMWATER WORKS

- 8.1 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land or damage land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause a nuisance or damage infrastructure.

9.0 ASSET MANAGEMENT

- 9.1 Any alteration necessary to electricity, telephone, water mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

- 9.2 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.

10.0 ENVIRONMENTAL

- 10.1 An Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.

11.0 OPERATING PROCEDURES

- 11.1 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 adjoining streets.

- 11.2 Fences must be constructed with gates that can be freely accessed for fire-fighting purposes and do not impede the safe movement of fauna.

- 11.3 Landscaping must:

11.3.1 Preserve the requirements of any building protection zone; and

11.3.2 Not increase the exposure of a habitable building not located in a building protection zone to a bushfire hazard.

## 12.0 PLUMBING AND DRAINAGE WORKS

- 12.1 The proposed Lot 1 dwelling must be connected to an on-site water storage system within a minimum capacity of 50,000 litres for domestic purposes.

- 12.2.1 The proposed Lot 1 dwelling must have available a 25,000 litre minimum size water tank for fire fighting purposes and must be:

12.2.1 Constructed with fire-proof materials, or located underground with above-ground access points;

12.2.2 Located no more than ten (10) metres from the use;

12.2.3 Located more than nine (9) metres from any potential fire hazards (such as venting gas bottles and combustible structures);

12.2.4 Located within six (6) metres of a hardstand area allowing access for a heavy rigid fire appliance;

12.2.5 Fitted with fire brigade tank fittings consisting of;

(i) For above ground tanks, a fifty (50) millimetre ball valve and male camlock coupling and metal pipe fittings; or

(ii) For underground tanks, an access hole having a minimum diameter of 200 millimetres to allow access for suction lines; and

12.2.6 Identified by directional signage clearly provided at the street access point (Howes Road access).

- 12.3 The proposed Lot 1 must be provided with an on-site sewerage treatment and disposal in accordance with the *Queensland Plumbing and Wastewater Code* and *Council's Plumbing and Drainage Policies*.

- 12.4 Structures or buildings at proposed Lot 1 must not be located within the on-site sewerage treatment and disposal area or conflict with separation distances as detailed with the *Queensland Plumbing and Wastewater Code*.

## 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 and Multicultural Affairs website [www.datsima.qld.gov.au](http://www.datsima.qld.gov.au)

### NOTE 2. 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 3. 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 4. 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 Development Application D-261-2024 for Development Permit for Reconfiguring a Lot (One Lot into Two Lots), made by R and A Mather C/- Capricorn Survey Group (CQ) Pty Ltd, located at 140 Howes Road Farnborough, Council resolves to issue and Infrastructure Charges Notice for the amount of \$18,340.00

**INFRASTRUCTURE CHARGES NOTICE**

**INFRASTRUCTURE CHARGES**

Infrastructure charges are levied pursuant to the *Adopted Infrastructure Charges Resolution (No.6) LSC 2024*. The details and breakdown of the charges are outlined below:

Charge area:	The subject site is located outside the priority infrastructure area
Calculation:	The charge is calculated in accordance with Table 4 - Minimum infrastructure charge for Reconfiguring a Lot partly outside or entirely outside the Priority Infrastructure Area, as follows:  1. Two lots at \$18,340.00 per lot (\$36,680.00). 2. less an <b>offset</b> of \$18,340.00 for the existing lot.
Credit:	The above calculation takes into account a credit of \$18,340.00 for the ex allotment pursuant to Part 4.0 of Council's <i>Adopted infrastructure Charges Resolution (No.6) LSC 2024</i> . The credit is calculated as follows:  1. one existing lot at \$18,340.00 per lot.
Offset:	No offsets are applicable to the development.
Networks Covered:	Apportionment of charges over the following networks: Transport Parks & Community Facilities

A total contribution of \$18,340.00 is payable and will be reflected in an Infrastructure Charges Notice.

**Moved by: Councillor Friend**

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

**MOTION CARRIED UNANIMOUSLY**

12:16PM Councillor Mather left the meeting. See page 4 of minutes for Conflict of Interest.

12:18PM Councillor Mather returned to the meeting.

### 13.4 PROPOSED LICENCE AGREEMENT FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

**File No:** ED8.05.12

**Attachments:** 1. Advocacy Efforts for EV Charging - March 2025

**Responsible Officer:** Christine Macdonald - Principal Property Officer  
Katrina Paterson - General Manager Communities

**Author:** Arna Hart - Project Support Officer

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#### SUMMARY

*The purpose of this report is to seek Council's endorsement to enter into a licence agreement with a qualified supplier to install, operate and maintain Electrical Vehicle (EV) chargers in Yeppoon.*

#### COMMITTEE RESOLUTION

THAT the committee exercises its delegation under s257c of the *Local Government Act 2009* and resolves to:

1. apply the exception mentioned in section 236(1)(a) of the *Local Government Regulation 2012*, may apply in its dealing with a qualified supplier for the installation, operation and maintenance of Electric Vehicle (EV) charging infrastructure in Yeppoon;
2. pursuant to section 236(2) of the *Local Government Regulation 2012* to apply section 236(1)(a) of the *Local Government Regulation 2012* in its dealing with a qualified supplier for the installation, operation and maintenance of Electric Vehicle (EV) charging infrastructure in Yeppoon;
3. to provide a licence agreement to a qualified supplier for the installation, operation and maintenance of Electric Vehicle (EV) charging infrastructure in Yeppoon; and
4. to delegate to the Chief Executive Officer, pursuant to section 257(1) of the *Local Government Act 2009*, to negotiate the terms and conditions of a licence agreement provided to a qualified supplier for the installation, operation and maintenance of Electric Vehicle (EV) charging infrastructure in Yeppoon.

**Moved by:** Councillor Watson

**Seconded by:** Councillor Friend

**MOTION CARRIED UNANIMOUSLY**

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**13.5 REEF GUARDIAN PROJECT "OUR LIVING COAST" COMMUNITY ENGAGEMENT**

**File No:** EM11.12.10

**Attachments:** 1. Our Living Coast Preliminary Engagement Plan

**Responsible Officer:** Greg Abbotts - Manager Development and Environment  
Katrina Paterson - General Manager Communities

**Author:** Leise Childs - Coordinator Natural Resource Management

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**SUMMARY**

*Livingstone Shire Council has received Reef Guardian funding from the Commonwealth Government to undertake a project with the Bangalee and Todd Avenue communities to enhance the condition of sand dune foreshore areas. The project will see improved resilience to coastal hazards and environmental condition through rehabilitation activities and community involvement. This report provides information regarding the project and the preliminary community engagement plan.*

**COMMITTEE RESOLUTION**

THAT the Report be received and its contents noted.

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

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**13.6 REEF GUARDIAN PROJECT - OXFORD ROAD WATER QUALITY AND HABITAT PROJECT COMMUNITY ENGAGEMENT**

**File No:** EM11.12.10  
**Attachments:** 1. Oxford Road Community Engagement Plan  
**Responsible Officer:** Greg Abbotts - Manager Development and Environment  
Katrina Paterson - General Manager Communities  
**Author:** Leise Childs - Coordinator Natural Resource Management

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**SUMMARY**

*Livingstone Shire Council has received Reef Guardian funding from the Commonwealth Government to undertake a project in the Fig Tree Creek Catchment at Oxford Road Park. The project will see improved water quality and environmental condition through rehabilitation activities and community involvement. This report provides information regarding the project and the community engagement plan.*

**COMMITTEE RESOLUTION**

THAT the Report be received and its contents noted.

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

**Seconded by:** Councillor Watson

**MOTION CARRIED UNANIMOUSLY**

Cr Warcon declared a potential Conflict of Interest – See page 4 of Minutes for details.

## **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.

### COMMITTEE RESOLUTION

**12:49PM**

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 Infrastructure Charges - Request for Reduction**

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: Mayor, Councillor Belot**

**Seconded by: Councillor Friend**

**MOTION CARRIED UNANIMOUSLY**

### COMMITTEE RESOLUTION

**1:06PM**

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

**Moved by: Mayor, Councillor Belot**

**Seconded by: Councillor Warcon**

**MOTION CARRIED UNANIMOUSLY**

## 16 CONFIDENTIAL REPORTS

### 16.1 INFRASTRUCTURE CHARGES - REQUEST FOR REDUCTION

**File No:** D-194-2024

**Attachments:**

1. Infrastructure Charges Notice
2. ICN Reduction Request

**Responsible Officer:** Katrina Paterson - General Manager Communities  
Terry Dodds PSM - Chief Executive Officer

**Author:** Greg Abbotts - Manager Development and Environment

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.

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#### SUMMARY

*This report considers a request for a reduction of an Infrastructure Charge for a Multiple Dwelling Complex.*

#### COMMITTEE RESOLUTION

THAT the Committee recommends that Council resolve to not reduce the infrastructure charges for D-194-2024

**Moved by:** Councillor Warcon

**Seconded by:** Councillor Mather

#### MOTION CARRIED

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

Cr A Friend voted in the negative.

Cr Rhodes Watson declared a Conflict of Interest – See page 4 of Minutes for details

01:06PM Councillor Watson left the meeting.

## **17 CLOSURE OF MEETING**

There being no further business the meeting closed at 1:09 pm.

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Cr Pat Eastwood  
CHAIRPERSON

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01/04/2025