



ORDINARY MEETING

AGENDA

19 NOVEMBER 2019

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 19 November 2019 commencing at 9.00am for transaction of the enclosed business.

Ms Chris Murdoch
CHIEF EXECUTIVE OFFICER
14 November 2019

Next Meeting Date: 03.12.19

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	3
2	ATTENDANCE.....	3
3	LEAVE OF ABSENCE / APOLOGIES	4
	NIL	4
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	5
5	DECLARATION OF INTEREST IN MATTERS ON THE AGENDA.....	6
6	PUBLIC FORUMS/DEPUTATIONS	7
6.1	9AM DEPUTATION - PLANNED DEVELOPMENT PROPOSAL - PLANNING COMPLIANCE REQUEST	7
7	BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS	8
7.1	BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING	8
7.2	LIFTING MATTERS LAYING ON THE TABLE	23
8	PRESENTATION OF PETITIONS.....	24
8.1	PETITION REQUESTING A RECREATIONAL ARENA IN YEPPON	24
9	MAYORAL MINUTE	38
	NIL	38
10	COUNCILLOR/DELEGATE REPORTS	39
	NIL	39
11	AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE REPORTS.....	40
	NIL	40
12	REPORTS.....	41
12.1	COUNCIL MEETING DATES 2020.....	41
12.2	REQUEST FOR WITHDRAWAL OF INFRASTRUCTURE CHARGES NOTICE D-151-2017 FOR BUILDING WORKS FOR A SALES AND HIRE PREMISES LOCATED AT 7 CASSAM STREET, YEPPON	43
12.3	REQUEST FOR FEE AND INFRASTRUCTURE CHARGES TO BE WAIVED FOR A DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A CLUB, TOURIST PARK (TWO (2) CABINS, FIVE (5) DORMS AND EIGHT (8) CAMPING SITES), EDUCATIONAL ESTABLISHMENT AND CARETAKER'S ACCOMODATION	57

12.4	PROPOSED TOURIST PARK AT 176 COBRABALL ROAD BONDOOLA	69
12.5	REQUEST FOR NEGOTIATED INFRASTRUCTURE CHARGES FOR DEVELOPMENT PERMIT D-109-2019 FOR A MATERIAL CHANGE OF USE FOR EMERGENCY SERVICES (BELMONT RURAL FIRE SERVICE).....	76
12.6	DEVELOPMENT APPLICATION D-151-2019 FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (TWO LOTS INTO THREE LOTS) AT 157 AND 177 HIDDEN VALLEY ROAD, HIDDEN VALLEY	98
12.7	LIVINGSTONE SHIRE COUNCIL'S MEMBERSHIP OF THE WELCOMING CITIES NETWORK.....	138
12.8	REGIONAL ARTS DEVELOPMENT FUND ROUND ONE 2019/2020	247
12.9	REQUEST FOR COUNCIL'S VIEWS ON FUTURE DEALINGS RELATING TO TWO TERM LEASES	250
12.10	REQUEST FOR COUNCIL'S VIEWS ON PROPOSALS RELATING TO TWO GRAZING LEASES AT KUNWARARA	264
13	URGENT BUSINESS/QUESTIONS	278
14	CLOSED SESSION	279
15.1	PROPOSED TENURE ACTIONS ARISING OUT OF THE EXPANSION OF THE SHOALWATER BAY TRAINING AREA	
15.2	ACQUISITION OF LAND FOR ROAD PURPOSES - TRUNK INFRASTRUCTURE T-100 TANBY / CHANDLER ROADS INTERSECTION AND T-37 CHANDLER ROAD	
15.3	ENQUIRY OF THE GATEWAY BUSINESS AND INDUSTRY PARK PROPOSED LOT 24	
15.4	POTENTIAL SALE OF 18 SCHOOL STREET, MOUNT CHALMERS	
15	CONFIDENTIAL REPORTS.....	280
15.1	PROPOSED TENURE ACTIONS ARISING OUT OF THE EXPANSION OF THE SHOALWATER BAY TRAINING AREA.....	280
15.2	ACQUISITION OF LAND FOR ROAD PURPOSES - TRUNK INFRASTRUCTURE T-100 TANBY / CHANDLER ROADS INTERSECTION AND T-37 CHANDLER ROAD.....	281
15.3	ENQUIRY OF THE GATEWAY BUSINESS AND INDUSTRY PARK PROPOSED LOT 24	282
15.4	POTENTIAL SALE OF 18 SCHOOL STREET, MOUNT CHALMERS.....	283
16	CLOSURE OF MEETING.....	284

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."

2 ATTENDANCE

Members Present:

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

Officers in Attendance:

Mrs Chris Murdoch – Chief Executive Officer
Mr Brett Bacon – Executive Director Liveability and Wellbeing
Mr Dan Toon – Executive Director Infrastructure
Mrs Andrea Ellis – Chief Financial Officer
Mr Matthew Willcocks - Chief Technology Officer
Mrs Belinda Housman – Acting Chief Human Resources Officer

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the Ordinary Meeting held 5 November 2019.

Minutes of the Special Meeting held 12 November 2019.

5 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

6 PUBLIC FORUMS/DEPUTATIONS

6.1 9AM DEPUTATION - PLANNED DEVELOPMENT PROPOSAL - PLANNING COMPLIANCE REQUEST

File No: GV13.4.3
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Lucy Walker - Executive Support Officer

SUMMARY

Charles Rogers and Allyson Neave will address Councillors in relation to a planned development proposal at 176 Cobraball Road, Bondoola.

OFFICER'S RECOMMENDATION

THAT Council receive the deputation presented by Charles Rogers and Allyson Neave.

BACKGROUND

Charles Rogers and Allyson Neave wrote to the CEO on 22 October 2019 requesting a deputation to the next available Council Meeting.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) Transparent and effective processes, and decision-making in the public interest; and
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement; and
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of councillors and local government employees.

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4.1

Attachments: 1. **Business Outstanding Table**[↓](#)

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.

OFFICER'S RECOMMENDATION

THAT the Business Outstanding table for the Ordinary Council Meeting be received.

7.1 - BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

Business Outstanding Table

Meeting Date: 19 November 2019

Attachment No: 1

Item number	Date	Report Title	Resolution	Responsible Officer	Due Date	Comments
1.	07 February 2017	Outstanding Policy Documents	THAT the following policies be adopted: 1. Encroachment on Public Land Policy; 2. Equal Employment Opportunity Policy; 3. Failure to Renew Licence Response Policy; 4. Telecommunications Facilities on Council Land Policy; and 5. Unlicensed Premises Response Policy. With policies 4, 5 and 6 to be further reviewed.	Governance Officer	31/12/19	12 Jun 2019 - 12:16 PM - Governance Officer One Policy presented to Council Meeting for adoption in May 2019. Two policies remain outstanding.
2.	17 July 2018	Draft Fig Tree Creek Masterplan	THAT Council endorse the Fig Tree Creek Master Plan for further public consultation and integration into the Council's Strategic Planning Framework.	Coordinator Natural Resource Management	31/12/19	13 Aug 2019 - 3:59 PM – Executive Officer – Liveability & Wellbeing Consultation will commence August 2019 and run for one month with a number of opportunities for community input both online and in person.
3.	18 September 2018	Opening of Road – Gunder Road, The Caves	THAT Council authorise the Chief Executive Officer to commence negotiations with the owners of Lot 69 RP891987 to open new road as shown on Drawing No. 17-112-04.	Policy and Planning Officer	31/12/19	15 Oct 2019 - 09:09 AM Policy and Planning Officer Approaches made to alternative landowner. If negotiations successful, no land will be required from Lot 69. Manager Construction & Maintenance to meet with landowner - meeting expected prior to end of December 2019.
4.	16 October 2018	Proposed Trustee Leases – Capricorn Tourism and Economic Development Limited and Keppel Coast Arts Council Inc.	THAT Council resolve to: 1. apply the exception mentioned in Section 236(1)(b)(ii) of the <i>Local Government Regulation 2012</i> to its dealings with Capricorn Tourism and Economic Development Limited and	Property Officer	31/12/19	11 Dec 2018 – 7:57 AM – Property Officer Draft documents have been prepared, however the execution of lease documents

			<p>Keppel Coast Arts Council Incorporated for issue of Trustee Leases over land currently described as Lot 2 on Survey Plan 104438, Merv Anderson Park Yeppoon; and</p> <p>2. provide Trustee Leases over land currently described Reserve for Recreation, Public Boat Ramp, Jetties and Landing Place over Lot 2 on Survey Plan 104438 to:</p> <p>a) Capricorn Tourism and Economic Development Limited for a term of 20 years for operation of the Capricorn Coast Visitor Information Centre and Shell World; and</p> <p>b) Keppel Coast Arts Council Incorporated for a term of 5 years for operation of the Artship.</p>			cannot occur until the new title is registered over the land. Council is awaiting notification of registration from the Department of Natural Resources, Mines and Energy. At this juncture the timeframe for registration is unknown (but will be dependent upon whether the State requires the matter to be considered as part of the Fig Tree Creek Jetty Site project).
5.	06 November 2018	Notice of Motion - Councillor Adam Belot - Wreck Point Pathway	<p>THAT LSC review the current design of the proposed walking path from Cooee Bay to Lammermoor Beach including:</p> <p>Consideration of redesigning path alignment/direction</p> <p>b) Design that will best accommodate users of all abilities</p>	Executive Director Infrastructure Services	31/12/19	<p>2 April 2019 - 8:11 AM – Executive Director Infrastructure</p> <p>Design will be considered following the alignment of Mathew Flinders Drive.</p>
6.	20 November 2018	Ogmore Community and Recreation Committee Incorporated Request for Tenure over a Portion of Lot 8 07508 (Bicentennial Park)	<p>THAT Council resolves to:</p> <p>1. apply the exception mentioned in Section 236(1)(b)(ii) of the <i>Local Government Regulation 2012</i> to its dealings with the Ogmore Community and Recreation Committee Incorporated for issue of a Reserve Lease over a portion of land currently described as Lot 8 on 07508, Bicentennial Park Ogmore; and</p> <p>2. provide a one (1) year Reserve Lease over a portion of Bicentennial Park, Lot 8 on 07508 to the Ogmore Community and Recreation Committee Incorporated to enable it to seek opportunities to further develop the site as a public space for the Ogmore community and its visitors.</p>	Community Development Officer	31/12/19	<p>04 Nov 2019 - 11:17 AM – Community Development Officer</p> <p>Confirmation from the Department of Natural Resources, Mines and Energy that consent has not been provided to the final trustee lease. There are six months to register the lease with the Titles Office.</p>

7.	18 December 2018	Councillor Portfolios	That the matter lay on the table pending further discussion and return to a Council Meeting in 2019.	Co-ordinator Governance	31/12/19	
8.	05 February 2019	Mayoral Minute - Capricorn Coast International Women's Day event committee contribution to a shade structure for the Yeppoon Lagoon	<p>THAT Council resolves to:</p> <ol style="list-style-type: none"> 1. recognise the generous offer from the Capricorn Coast International Women's day event committee to raise funds for the erection of shade structures within the Yeppoon Lagoon precinct and offer its support to the committee in its endeavours; 2. recognise that the Capricorn Coast International Women's day event committee may undertake fund raising over a two-year period; and 3. give consideration to the inclusion of additional shade structures in the capital works programme for the relevant financial year as well as seeking matching funding from all appropriate State and Federal funding streams. 	Executive Director, Liveability & Wellbeing	31/12/19	<p>13 Aug 2019 - 2:59 PM – Executive Director, Liveability & Wellbeing.</p> <p>The Capricorn Coast International Women's day will retain the money in trust until a specific amenity has been identified.</p>
9.	19 February 2019	Sale of 18 School Street, Mount Chalmers	<p>THAT Council resolves to:</p> <ol style="list-style-type: none"> 1. adopts a two stage Expression of Interest and Invitation to Tender process, in accordance with section 228(2)(b) of the <i>Local Government Regulation 2012</i>, for the sale of proposed Lot 10, known as 18 School Street, Mount Chalmers, acknowledging the reason for adopting the two-stage process is to gauge market interest and achieve the best possible outcome for Council and the Community; 2. delegate authority to the Chief Executive Officer to enter into negotiations with the potential purchasers subject to the CEO 	Project Support Officer	31/12/19	<p>16 Oct 2019 - 1:35 PM – Project Support Officer</p> <p>Council engaged a Real Estate agent to undertake the Expression of Interest process and gauge the current market. Applications have been assessed and Councillors are due to be briefed on Monday, 28 October 2019.</p>

			providing a briefing to the Council on completion of the first stage; and 3. write to the residents of Mt Chalmers and provide an update of the current status and planned actions.			
10.	19 March 2019	Request for renewal of lease - the caves rural fire brigade	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> 1. that the exception mentioned in Section 236(1)(b)(i) of the <i>Local Government Regulation 2012</i> may apply in its dealing with the State of Queensland (represented by Public Safety Business Agency) on behalf of The Caves Rural Fire Brigade over Lot 8 on Registered Plan 605788; and 2. to provide a twenty (20) year lease with one five-year option to the State of Queensland (represented by Public Safety Business Agency) on behalf of The Caves Rural Fire Brigade, at a nominal rent amount of \$1 per annum, over Lot 8 on Registered Plan 605788. 	Property Officer	31/12/19	<p>23 Aug 2019 - 12:10 PM - Principal Property Officer</p> <p>New lease agreement has been executed by both parties and registered in the Titles Registry.</p>
11.	01 April 2019	Palm Creek Park, Cawarral	THAT Council resolves to accept trusteeship of Reserve for Park and Environmental Purposes – Lot 7 on Survey Plan 167135.	Principal Property Officer	31/12/19	<p>11 Jun 2019 - 11:00 AM - Principal Property Officer</p> <p>Council has advised the Department of Natural Resources, Mines and Energy that it will accept trusteeship. Council is currently awaiting advice from the Department of Natural Resources, Mines and Energy on the progression of this matter.</p>
12.	01 April 2019	Recyclables Processing Service Contract	That Council authorise the Chief Executive Officer to proceed in the manner as outlined within the report.	Manager Water and Waste Operations	31/12/19	01 Oct 2019 - 3:27 PM – EA Executive Director Infrastructure

						The Recyclables Processing Contract being drafted by Rockhampton Regional Council's Waste Collection Manager will be ready approximately October/November 2019 for review by all participating Council's.
13.	18 April 2019	Options for Tenancies – Centre of Excellence for Disaster Management, Innovation and Community Resilience (The Hub)	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> 1. As the exception mentioned in Section 236(1)(b)(i) of the <i>Local Government Regulation 2012</i> may apply in its dealing with the parties mentioned in the report on the lease of a tenancy on the first floor of the Centre of Excellence for Disaster Management, Innovation and Community Resilience (The Hub), Council authorises officers to proceed with those discussions and report back to Council prior to the execution of any lease; 2. Further, officers are authorised to proceed to tender on the provision of tenancies over all available space on the ground floor of the Centre of Excellence for Disaster Management, Innovation and Community Resilience (The Hub), and to engage an external probity officer to oversee the tender process and report back to Council prior to the execution of any lease; 3. Council commits to fund the installation within the Centre of Excellence for Disaster Management, Innovation and Community Resilience (The Hub) the following: 	Principal Property Officer	31/12/19	<p>11 Jun 2019 - 11:03 AM Principal Property Officer</p> <p>A response is still awaited on the proposal provided to prospective tenant for the front section of the first floor. Tender documentation currently being prepared for tenancies on the ground floor.</p>

			(a) air conditioning, ceilings and lighting on the ground and first floors; (b) dividing walls between tenancies, if required, on the ground and first floors; and (c) external doors to any areas on the ground floor over which a lease is negotiated and which direct access does not currently exist.			
14.	07/05/19	Proposed permanent road closure adjoining Lot 17 on Crown Plan LI58	THAT Council resolve to: 1. advise the owner of Lot 17 on LI58 that it does not support the proposal to permanently close the areas of road reserve adjoining Lot 17 known as Princhester Road and Atkinson Road; and 2. authorise officers to investigate the temporary closure of the areas of road reserve adjoining Lot 17 known as Princhester Road and Atkinson Road.	Property Officer	31/12/19	17 Oct 2019 - 1:44 PM - Property Officer On 4 September 2019, Council advised the owner of Lot 17 on Crown Plan LI58 that it will not be proceeding with a temporary road closure over the road reserve adjacent to the southern boundary of Lot 17 on LI58. Council further advised the owner of Lot 17 on LI58 that a temporary road closure over the road reserve adjacent to the western boundary of Lot 17 on LI58 would result in all traffic (including the owner of Lot 17) being prohibited from the area. Council sought advice from the owner of Lot 17 on LI58 as to whether they would like the application to close this area of road further assessed on this basis. The Applicant was advised of Council's resolution on 10 May 2019. Investigations into temporary road closure are

						currently being undertaken by Infrastructure Services.
15.	20/06/19	Intermittent Sealing of Unsealed Rural Roads Policy (v3)	That pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending further briefing to the Councillors and to return to a future Council Meeting.	Manager – Infrastructure Services	31/12/19	15 Oct 2019 – 9:10 AM - Policy and Planning Officer Report to be lifted off the table on 5 November 2019.
16.	15/07/19	Proposed Freehold Lease To The Australian Volunteer Coast Guard Association Incorporated Over Part Of Lot 3 On Registered Plan 618778 - Mt Barmoya	THAT Council resolve: 1. that the exception mentioned in section 236(1)(b)(ii) of the <i>Local Government Regulation 2012</i> may apply in its dealing with The Australian Volunteer Coast Guard Association Incorporated over part of Lot 3 on Registered Plan 618778; 2. pursuant to section 236(2) of the <i>Local Government Regulation 2012</i> to apply section 236(1)(b)(ii) of the <i>Local Government Regulation 2012</i> in its dealing with The Australian Volunteer Coast Guard Association Incorporated over part of Lot 3 on Registered Plan 618778; and 3. to provide a ten (10) year lease to The Australian Volunteer Coast Guard Association Incorporated, at a nominal rent amount of \$1 per annum, over part of Lot 3 on Registered Plan 618778.	Principal Property Officer	31/12/19	23 Aug 2019 - 12:07 PM - Principal Property Officer Draft lease agreement has been prepared and forwarded to the Coast Guard.
17.	06/08/19	Petition Requesting changes to Council Meeting Procedures with regard to Notices of Motions and Questions on Notice.	THAT 1. the petition requesting changes to Council Meeting Procedures with regard to Notices of Motions and Questions on Notice be received; and 2. the matter be referred to a future Councillor briefing session.	Chief Financial Officer	31/12/19	15 Oct 2019 – 4.34 PM – Chief Financial Officer Matter was discussed at Briefing Session held on 30 September 2019.
18.	06/08/19	Livingstone Planning Scheme 2018 - Proposed Second Amendment	THAT Council resolve to: 1. make amendments to the <i>Livingstone Planning Scheme 2018</i> in accordance	Strategic Planning Officer	31/12/19	13 Aug 2019 - 8:42 AM - Strategic Planning Officer

			with the changes identified in Attachment One; and 2. advance the amendments to the <i>Livingstone Planning Scheme 2018</i> in accordance with the <i>Planning Act 2016</i> and the <i>Minister's Guidelines and Rules July 2017</i> .			Amendments to the Livingstone Planning Scheme 2018 are to be advanced in accordance with the statutory requirements of the Planning Act 2016 and the Minister's Guidelines and Rules July 2017.
19.	13/08/19	Proposed Trusteeship of Reserve for Recreation, Public Boat Ramp, Jetties and Land Placing and Proposed Formalisation of Tenure Over Fig Tree Creek Jetty Sites	<p>THAT Council resolve to:</p> <ol style="list-style-type: none"> 1) advise the Department of Natural Resources, Mines and Energy that it is prepared to accept sole trusteeship of the Reserve for Recreation, Public Boat Ramp, Jetties and Landing Place which will be described as Lot 12 on SP143269; and 2) authorise Council officers to continue negotiations in relation to the issue of a trustee lease to the Yeppoon Inlet Association over Part of the Reserve for Recreation, Public Boat Ramp, Jetties and Landing Place which will be described as Lot 12 on SP143269. 	Principal Property Officer	31/12/19	
20.	13/08/19	Queensland Government - Building Our Regions - Round 5	<p>THAT Council resolve to submit applications to Round 5 of the Queensland Government Building Our Regions Program for the following projects in this priority order:</p> <ol style="list-style-type: none"> 1. Keppel Bay Sailing Club Convention Centre, noting no financial contribution will be required by Council. 2. Solar electricity generation and storage Construction Project at the Yeppoon Sewage Treatment Plant. 3. Planning Project to progress preliminary investigations for the Causeway Lake Revitalisation and Development Project. 	Executive Director Liveability and Wellbeing	31/12/19	<p>05 Sep 2019 - 3:17 PM – EA Executive Director Infrastructure</p> <p>Action reassigned Executive Director Liveability and Wellbeing EOI for Sustainable Energy Transition UP Project - 1 (SetUP-1) (YSTP) submitted for funding under the Queensland Government's</p>

						Building Our Regions Round 5 program on 30/08/2019.
21.	20/08/19	Dealings with The Department of Natural Resources, Mines and Energy – Lot 10 AP16118 Stanage	That pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending further clarity on the terms of the proposed acquisition and to return to a future Council Meeting.	Principal Property Officer	31/12/19	
22.	20/08/19	Acquisition of Land	THAT Council resolve to: 1. resolves to proceed in accordance with Option One, as detailed in the body of this report; and 2. delegate to the Mayor and Chief Executive Officer to undertake the discussions in accordance with Option One with the matter to be referred back to Council for resolution.	Executive Directive Liveability and Wellbeing	31/12/19	
23.	03/09/19	Funding for Rural Fire Brigades	The Mayor has requested a full pre-season briefing to Councillors in relation to this matter.	Executive Directive Liveability and Wellbeing	31/12/19	
24.	17/09/19	Petition from Gary Hall – Sealing a Section of Millroy Drive	THAT the petition requesting the sealing of a section of Millroy Drive, Yeppoon be received.	Executive Director Infrastructure Services	31/12/19	
25.	17/09/19	Management Arrangements – Keppel Sands Caravan Park	THAT Council resolve: 1) to authorise Council officers to determine a remuneration framework which reflects the level of work involved in the management of the Keppel Sands Caravan Park and provides reward for effort; and 2) to authorise Council officers to invite expressions of interest from parties interested in becoming managers of the park. 3) Bring a report back to Council prior to new managers being engaged.	Principal Property Officer	31/12/19	16 Oct 2019 - 3:46 PM – Property Officer A tender process is currently being undertaken for the Management of Keppel Sands Caravan Park. The tender is due to close on 30 October 2019.

26.	17/09/19	Former Catholic Church Building – Marlborough	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> 1) to authorise Council officers to proceed to written tender for the sale of Lot 14 on Registered Plan 602167 and the building thereon on an 'as is where is' basis; and 2) further, if the written tender process for the sale of Lot 14 on Registered Plan 602167 and the building thereon is unsuccessful, authorise Council officers to proceed to written tender for the lease of this property on an 'as is where is' basis. 	Principal Property Officer	31/12/19	<p>16 Oct 2019 - 3:48 PM – Property Officer</p> <p>A tender for the sale of the Marlborough Church and land will be undertaken by Council's panel of real estate agents once this panel has been established.</p>
27.	17/09/19	Mobile Black Spot Program – Round 5 Funding	THAT Council resolves to provide no offer for co-contribution to support the providers submission for blackspot funding for this round, however Council will be prepared to give in-kind support where possible.	Chief Technology Officer	31/12/19	
28.	8/10/19	Proposed permanent road closure adjoining Lot 166 on MC175, known as 103 Belar Street, Ogmore	THAT Council resolves to provide no offer for co-contribution to support the providers submission for blackspot funding for this round, however Council will be prepared to give in-kind support where possible.	Property Officer	30/11/19	<p>16 Oct 2019 - 3:29 PM – Property Officer</p> <p>On 16 October 2019, the owner of Lot 166 on MC175 was notified that Council does not object to the proposal to close approximately 700 square metres of road reserve in Belar Street, Ogmore so that it may be amalgamated with Lot 166 on MC175. This action is complete.</p>
29.	8/10/19	Cancellation of reserve for Park - Lot 22 on Crown Plan 905907	THAT Council resolve to endorse Option B proposed by Officers in this report to make an application to the Department of Natural Resources, Mines and Energy to have the Reserve for Park described as Lot 22 on Crown Plan 905907 cancelled and re-dedicated as a Reserve for Landing Place.	Property Officer	31/10/19	<p>16 Oct 2019 - 12:17 PM – Property Officer</p> <p>Infrastructure Services notified of resolution 16/10/2019. Infrastructure Services to provide response to the Department of Transport and</p>

						Main Roads so it may make an application to the Department of Natural Resources, Mines and Energy to have the park reserve over Lot 22 on Crown Plan 905907 revoked and re-dedicated as a reserve for landing place. This action is complete.
30.	08/10/19	Consideration of renewal of Term Lease 216952 over Lot 5 on PS120	THAT Council resolve to advise the Department of Natural Resources, Mines and Energy that it does not object to the renewal of Term Lease 0/216952 over Lot 5 on PS120 located at Bamborough Island, Stanage.	Property Officer		<p>17 Oct 2019 - 1:38 PM – Property Officer</p> <p>On 17 October 2019, Officers advised the Department of Natural Resources, Mines and Energy that Council does not object to the renewal of Term Lease 0/216952 over Lot 5 on PS120 located at Bamborough Island, Stanage. This action is complete.</p>
31.	8/10/19	Recycled Water Fees and Charges	THAT Council adopt the individual agreement charges and recommended actions as set out in the conclusion of this report.	Manager Water and Waste Operations	31/12/19	
32.	22/10/19	Mayoral Minute – Shark Drumline Re-instatement	<p>THAT Council</p> <ol style="list-style-type: none"> 1. Make direct representations to the Federal Minister for the Environment the Honourable Sussan Ley MP in Canberra urging her to fast-track legislative changes needed to allow the conventional drumline programs to continue in Local Government areas impacted by the Federal Court ruling in relation to shark control in Great Barrier Reef Marine Park waters; 2. Further, that Council express its willingness to support appropriately monitored trials of other shark deterrent measures and technologies, providing 	Chief Executive Officer	31/12/19	

			<p>such trials have been appropriately researched as suitable and effective for areas such as the Capricorn Coast. Further, any such trials should only be undertaken if it can be demonstrated that the trials have the support of the community and stakeholder groups like Surf-Lifesaving Queensland; and</p> <p>3. Council invite both the Federal Member Michelle Landry and State Member Brittany Lauga to provide a briefing on how Council can best assist them to advance the issue to ensure our beaches are kept safe for locals and visitors.</p>			
33.	05/11/19	Infrastructure Charges Resolution (No.4) 2019	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. Adopt <i>Infrastructure Charges Resolution (No.4) Livingstone Shire 2019</i> to commence on Monday 11 November 2019; 2. Notify development industry representatives directly of the new resolution; 3. Publicly notify the resolution and upload the resolution onto Council's website in accordance with the <i>Planning Act 2016</i>; and 4. Notify The Minister that the amended Infrastructure Charges Resolution has charges well below the maximum as stated in the State Planning Regulatory Provision (adopted charges). 	Senior Strategic Planner	31/12/19	
34.	05/11/19	Resource Recovery Industry Development Program (RRIDP) Funding Application	THAT Council endorse the delivery of the Resource Recovery Centre project and the application for Round 2 RRIDP Stream One grant funding.	Manager Water and Waste Operations	31/12/19	
35.	05/11/19	Proposed Revocation of Reserve for Local Government (Quarry) (R946) over Lot 28 on	THAT Council resolve to advise the Department on Natural Resources, Mines and Energy that it offers no objection to the revocation of Reserve for Local Government (Quarry) (R946) over Lot 28 on Crown Plan	Senior Property Officer	31/12/19	

		Crown Plan 861679 at Keppel Sands	861679 at Keppel Sands and the amendment of the adjoining Reserve for Recreation (R547) to include Lot 28 on Crown Plan 861679.			
36.	05/11/19	Consideration of In-Kind Support to the Yeppoon Inlet Association for the Removal of Unlawful Structures and Improvements on Reserve Land Adjoining Fig Tree Creek	<p>THAT Council resolve to:</p> <ol style="list-style-type: none"> 1) provide in-kind support to the Yeppoon Inlet Association by waiving the waste disposal fees which would apply to the waste, excluding any asbestos, generated by the removal of all unlawful structures on the reserve land adjoining Fig Tree Creek and Ross Creek, provided that the removal and disposal are undertaken by 5 November 2020 (being a twelve month period); 2) provide in-kind support to the Yeppoon Inlet Association in relation to the removal of unlawful structures and improvements on the reserve land adjoining Fig Tree Creek and Ross Creek by way of guidance and advice from Council's Building Environment Unit to ensure that removal is undertaken in accordance with best practices and any services are disconnected appropriately; and 3) that Council makes representation to the State Government into the possible waiving of waste levy charges as a gesture of good faith and facilitation of the process. 	Senior Property Officer	31/12/19	
37.	05/11/19	Acquisition of Land	THAT Council resolve to proceed in accordance with Option Three, as outlined in the body of the report.	Manager Economy and Places	31/12/19	

7.2 LIFTING MATTERS LAYING ON THE TABLE

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

SUMMARY

This report is being presented to Council in order for the stated matters to be formally lifted from the table prior to being dealt with at this meeting.

OFFICER'S RECOMMENDATION

THAT the following matter/s, that Council resolved to 'Lay on the Table' at the Ordinary Council meeting held on 17 September 2019, be lifted from the table to be dealt with later in the meeting:

- Request for Withdrawal of Infrastructure Charges Notice D-151-2017 for Building Works for a Sales and Hire Premises located at 7 Cassam Street, Yeppoon

PREVIOUS DECISIONS

These matters were presented to a previous Council meeting at which Council resolved to have the matters lay on the table for the reasons contained within the minutes.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy GO4: Provide transparent and accountable decision making reflecting positive leadership to the community.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) Transparent and effective processes, and decision-making in the public interest; and
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement; and
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of councillors and local government employees.

CONCLUSION

That the matters are to be lifted from the table and dealt with.

8 PRESENTATION OF PETITIONS

8.1 PETITION REQUESTING A RECREATIONAL ARENA IN YEPPON

File No: GV13.4.7

Attachments: 1. **Written Deputation for Petition**[↓](#)

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Council has received the following petition from petitioners requesting consideration of a recreational arena in Yeppoon.

RECOMMENDATION

THAT the petition requesting a recreational arena in Yeppoon be received.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) Transparent and effective processes, and decision-making in the public interest; and
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement; and
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of councillors and local government employees.

8.1 - PETITION REQUESTING A RECREATIONAL ARENA IN YEPPON

Written Deputation for Petition

Meeting Date: 19 November 2019

Attachment No: 1

PROPOSAL TO COUNCIL
(written deputation)

WHY LIVINGSTONE NEEDS A ROLLER-SKATING RINK

I am writing this document to council to put the idea forward of getting a roller-skating rink in Yeppoon. In this document I will be telling you why it would be in the Councils and Communities best interest to get such a facility in the Yeppoon area.

By Jessica Burford
Aged 14 from Yeppoon

MANY COMMUNITY BENEFITS

Having a roller-rink wouldn't just be beneficial for roller-skaters but also for

- birthday parties
- Community gatherings
- Dance groups
- Roller derby
- Awards nights
- Information forums
- Discos
- Youth groups
- Community group meetings
- School events

A roller-skating rink would encourage

- More active lifestyles for kids
- Sports
- Exercise and promote an active lifestyle for all ages
- Somewhere for teens to feel welcome as opposed to just walking the streets looking for trouble.
- Employment
- Economic boost
- Tourism
- Could become a mecca for roller derby comps and other major events
- Consideration of add-on areas for skateboard half-pipe, arcade area, café, young children's play area etc. – a place for everyone!

EXISTING ENVIRONMENT

Livingstone has been working very hard and putting a lot of rates/tax payers money to provide recreational facilities for the community i.e the likes of the foreshore development the pathway from Yeppoon to emupark. Although these facilities are great, they are more directed to younger children, for example the Kracken, Appleton park, Beaman park, Rotary park and parks in general.

Most other facilities are aimed for adults like the coastline pathway, BBQ and seating facilities, five rocks, four wheel driving, Byfield parks, board walks and monuments, nightclubs, bars and pubs.

This leaves a HUGE gap between ages of 8-17 that have NOT been catered for and overlooked as unimportant in this region, which has stemming effects in our community and is currently being experienced as well as highly contributing to rising youth crime rates.

WHAT DO TWEENS & TEENAGERS REALLY WANT?

- A place to gather where they feel welcome and not judged
- A place to meet new and old friends and be respected independent individuals
- A place that has a variety of things to do and different areas to gather in
- A place to chill out in comfort with peers
- A place to have fun and do activities and be productive in a safe and clean environment
- A place with various food and drink options
- A place with great music and atmosphere
- A place close to town with easy access to other recreational areas and shopping centers
- Somewhere to go at night to gather with friends where parents know they are safe and a security guard present.

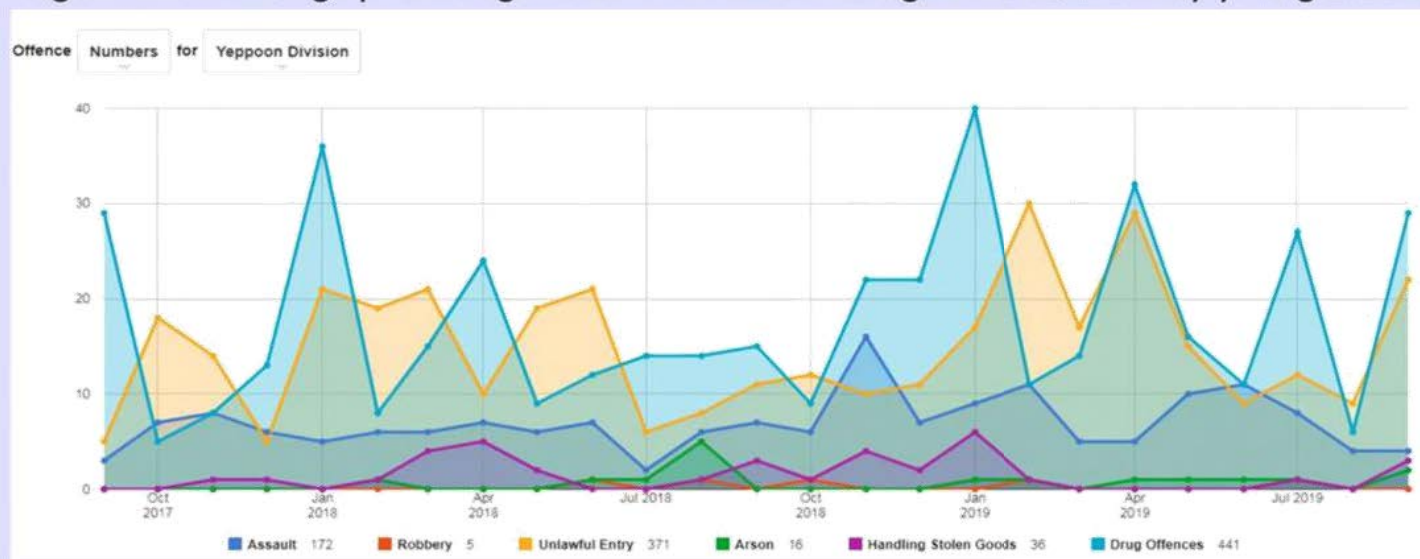
WHAT'S THE SOLUTION?

The best solution to all of the above, is a multi-use skating rink with various facilities included for different age groups to use and awesome hang out spots like an arcade or half-pipe, great music and lighting, good seating and snack foods and above all, fun times for everyone where we feel safe and actually want to be at.

Maybe even consider adding a squash court, ten-pin bowling arena, mini-golf. The possibilities for a one stop recreational shop for the community are endless and much needed in the Shire.

YOUTH CRIME

Within the last two years, crime is on the rise on the Cap Coast! Especially unlawful entries, assault and drug offences. A large percentage of these crimes is being contributed to by young offenders.



We know that crime in this area is becoming quite a serious problem!

There are petitions currently active to the State Government requesting more Police Officers to the area to specifically deal with the problem.

State and Federal Members have also commented on the increasing rate of youth crime and scratching their heads as to what can be done about it

Social media is constantly alerting the community to youths wandering the streets, breaking into houses and cars and being generally disruptive and on the look out for something to do with their time.

- The latest Queensland Police data reveals the number of offences being committed by youth has increased by 16 per cent since 2015.
- Research has shown the societal response of "getting tough" on crime and programs based on strict discipline, like boot camps, locking kids up strict discipline actually increases offending rates.
- Therapeutic methods, such as restorative justice, counselling, encouragement and skill-building have been known to reduce recidivism by 20 to 25 per cent.

Its time to give our Youth a place where they can go and have no need to wander the streets and get into trouble due to boredom and lack of options, events and activities.

It time to embrace, nurture, support and help build our future adults and show them that this Council does care about them and wants to provide safe and fun places for them to use, where they can also have a one stop shop of information, support services and avenues to better themselves. To gather with their peers and feel happy, instead of having nowhere and just wandering around not caring about anything or anyone.

In fact, this would be welcomed by all age groups and family types. Run by the Council instead of privately owned with all profit then going back to Community.

FUNDING POSSIBILITIES

Available funding could be also sought after to assist with the creation of the proposed recreational area. Some ideas could be:

- Mental health incentives funding
- Recreational incentives funding
- Promoting active communities funding
- Youth project funding and youth help grants
- Crime prevention grants and Safer Communities grants
- Stronger Communities Funding
- Social health and wellbeing of the community funding grants
- Funding to plan places to play (Get Planning Spaces)

Any many more to look into.....

OPPORTUNITIES TO CONNECT WITH OUR FUTURE LEADERS

- Having a lot of teenagers, younger adults and range of youths at such a facility would allow the opportunity to connect services to people, offer opportunities to youth, advertise products/ events, healthy lifestyles, provide outreach services and even counselling. Remember, it is these people who will become the next leaders of our community.
- An opportunity to promote safe sex, anti bullying and violence. Use the area as a kind of youth forum to reach out to teenagers and promote more healthier and happier youths who don't need to turn to drugs and crime and feel supported to become successful and contributing citizens as adults with a respect for our community environment and people.

GYMPIE SAW THE FUTURE...

- Gympie recently opened a new Skating Rink (early December 2018) after some progressive research into community needs and future trends.
- The owners stated “It’s really making a comeback. We know a few people who own rinks in Brisbane, the numbers are hugely increasing, the popularity is increasing, and its definitely something making a comeback and we are now a booming business with a great financial turn over.”
- They also have gaming tables, including the retro glass tables with all old school arcade games, pinball machines, and a skateboarding half pipe outside and run special events, like Sunday night disco’s with prizes to be won. “The teens flock here like seagulls and seem to all have a great time”, the owners stated.

ANY AFFECTS ON THE YOUTH CRIME RATES SINCE THE RINK OPENED????

- In January 2018 (2 months after the Rink opened), it was reported that while many Regional Towns were battling youth crime epidemics, Gympie’s youth crime statistics were indicating a decrease in numbers in many of the youth offence categories with the downward trend continuing to improve.

POSSIBLE LOCATIONS

- The Railway yards in James Street
- Homemakers Centre
- Lagoon Place where Council Office is (for when it eventually moves)
- Lot 131 Scenic Highway (Off old Scenic Highway)
- At the rear of 170 Matthew Flinders Drive (Qld sports and rec use area)
- 26-34 Cedar Avenue in the unused park area
- Purchase a portion of Lot 54 Barmaryee Road off the Church
- Purchase Lot 50 Fred Lawn Drive off Tropical Properties
- Buy 9, 11 and 13 Mary Street properties off the Church

AND ITS NOT JUST ME WHO THINKS THIS....

- A petition was signed by those in support, only over a 3 hour period out the front of a local shop. Imagine how many more community members of all ages would support this proposal.
- The petition is attached for your information.
- Please accept this written deputation for your serious consideration.
- I would like to thank all Councillors in advance for time in reviewing this presentation and sincerely hope it can be seen favourably.

Thank you, Jessica Burford

9 MAYORAL MINUTE

Nil

10 COUNCILLOR/DELEGATE REPORTS

Nil

**11 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE
 REPORTS**

Nil

12 REPORTS

12.1 COUNCIL MEETING DATES 2020

File No: GV13.4.1
 Attachments: Nil
 Responsible Officer: Chris Murdoch - Chief Executive Officer
 Author: Nicole Robertson - Coordinator Executive Support

SUMMARY

The Chief Executive Officer will present the Schedule of Council meetings for the period January to June 2020.

OFFICER'S RECOMMENDATION

THAT the Schedule of Council meetings for the period January to June 2020, as identified in attachment 1 of the report, be adopted.

BACKGROUND

In accordance with s277 of the *Local Government Regulation 2012*, Council must publish a notice of the days and times when its ordinary meetings will be held. Each year Council formally adopts the schedule of meetings and publishes the schedule ensuring that the community is advised, in advance, of the dates that the Council meetings will occur.

COMMENTARY

The proposed schedule, outlined in the table below, suggests that Council Meetings be held on the first and third Tuesday of each month commencing at 9.00am.

Schedule of Council Meetings January - June 2020		
MEETING DATE	Meeting Time	MEETING TYPE
Tuesday, 21 January 2020	9.00 am	Ordinary Council
Tuesday, 4 February 2020	9.00 am	Ordinary Council
Tuesday, 18 February 2020	9.00 am	Ordinary Council
Tuesday, 3 March 2020	9.00 am	Ordinary Council
Tuesday, 17 March 2020	9.00 am	Ordinary Council
Tuesday, 7 April 2020	TBC	Proposed Post Election
Tuesday, 21 April 2020	9.00 am	Ordinary Council
Tuesday, 5 May 2020	9.00 am	Ordinary Council
Tuesday, 19 May 2020	9.00 am	Ordinary Council
Tuesday, 2 June 2020	9.00 am	Ordinary Council
Tuesday, 16 June 2020	9.00 am	Ordinary Council

With the Local Government election date being set for 28 March 2020; it is proposed that Council adopt the schedule of meetings for the period of January to June 2020 with the post-election meeting being held 14 days of the conclusion of the election.

A report will be presented to the new Council table for adoption of a further meeting schedule for 2020. Additional special meetings may also be scheduled throughout the year as required.

PREVIOUS DECISIONS

The Schedule of Council Meetings for January to December 2019 was adopted on 18 December 2018.

BUDGET IMPLICATIONS

There are no specific implications in relation to this matter.

LEGISLATIVE CONTEXT

In accordance with s257 of the *Local Government Regulation 2012* Council must meet at least once in each month.

LEGAL IMPLICATIONS

Council must adhere to the requirements of the *Local Government Act 2009* and *Local Government Regulation 2012*.

STAFFING IMPLICATIONS

There are no staffing implications in relation to the proposed schedule.

RISK ASSESSMENT

Council must adhere to legislative requirements.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy GO4: Provide transparent and accountable decision making reflecting positive leadership to the community.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) Transparent and effective processes, and decision-making in the public interest; and
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement; and
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of councillors and local government employees.

CONCLUSION

Council adopt a schedule of Council meetings for the period of January to June 2020.

12.2 REQUEST FOR WITHDRAWAL OF INFRASTRUCTURE CHARGES NOTICE D-151-2017 FOR BUILDING WORKS FOR A SALES AND HIRE PREMISES LOCATED AT 7 CASSAM STREET, YEPPPOON

File No: D-151-2017

Attachments:

1. Approved Site Plan B-446-2016 [↓](#)
2. Infrastructure Charges Notice D-151-2017 [↓](#)
3. Heaworks calculation sheet D/Y/2005-1723 [↓](#)

Responsible Officer: David Battese - Manager Liveability

Author: Jodie Roche - Development Officer

SUMMARY

This report was presented to Council Meeting on 17 September 2019. The matter was 'laid on the table' for further discussion before coming back to a future Council Meeting.

This report provides Council with a comparison of the infrastructure charging mechanisms utilised during the original assessment of the preliminary approval which created the subject site and that of the more recent building works approval for which the above development permit refers. The report details a request by the owners to consider the headworks contributions paid during the creation of the estate as credit requiring the recently levied Infrastructure Charges for building works be waived. This approach is outside the scope of the current statutory charging mechanism.

RECOMMENDATION

THAT in relation to the request to waive the infrastructure charges levied pursuant to Council's *Adopted Infrastructure Charges Resolution No. 2 2015* for the amount of \$20,500.00 (Council reference D-151-2017) for building works, Council resolves to:

Withdraw the Infrastructure Charges Notice based on the principal that the contributions paid under the previous Planning Scheme Policies for the original subdivision covers any scale and intensity of industrial use(s) on the site and no further charges are applicable.

BACKGROUND

On 19 December 2006, Council approved, subject to conditions, Development Permit D-2005-1723 for Development Consistent with General Industry Zone and Reconfiguring a Lot (one lot into twelve lots) for the industrial subdivision in Cassam Street, Hidden Valley. The Decision Notice included conditions outlining headworks contributions for the amount of \$340,423.00 in accordance with the *Planning Scheme Policy* and *Council's Local Policy* in force at the time. This amount was made up of:

Network	Policy	Amount
Sewerage	Local Policy W1.1	\$163,829.00 (total)
Water supply	Planning Scheme Policy 5	\$176,594.00 (total)
Strategic Road	Planning Scheme Policy 18	\$2,050.00 (per lot)

It was determined by Council at that time to deviate from the usual way of calculating headworks contributions by per lot and instead based on total site area, as the permit provided for multiple industrial uses which may be calculated 'as determined by Council' under the Policies above. As such, Council 'determined' the formula to be charged for the entire site area, being 4.047 hectares which equated to a total charge of \$340,423.00 (for sewerage and water), plus \$22,550.00 (strategic roads). This higher amount covers any industrial use in the General Industry Zone for the maximum scale and intensity use over the whole site area.

COMMENTARY

On April 2019, amended Infrastructure Charges Notice D-151-2017 was levied over 7 Cassam Street for building works for an additional commercial shed and office. The charge calculated was \$20,500.00, in accordance with Table 7 – Adopted charge for non-residential development uses within the Priority Infrastructure Area for a Sale and hire premises at 650 square metres gross floor area at \$70.00 per square metre (\$45,500.00), less a credit of \$25,000.00 for the existing allotment. The Notice was issued as a requirement under section 119 of the *Planning Act 2016*, given the development increases demand on trunk infrastructure from that of the vacant allotment.

The property owner refutes the issuing of the Infrastructure Charges Notice, considering the higher amount of contributions already paid under the previous Planning Scheme Policy at the time of the industrial subdivision was created.

Officers have considered the request to waive the charges levied. Specifically, as there is no set per lot amount and the industrial lots are all various sizes, to now ascertain how much of the entire contribution payment was allocated specifically to Lot 14 on SP261785 (7 Cassam Street), the total amount paid (\$340,423.00) must be divided by the development area (40,470 Square metres) to determine a 'per square metre' amount. This equates to \$8.41 per square metre. The site area of Lot 14 is 3,611 square metres. Using the above formula, the amount of PSP contributions allocated to Lot 14 is \$30,368.51, plus the strategic road network charge of \$2,050.00, far exceeding the standard contributions for developments levied per lot back in 2006 and that which was applied under the current charging regime or that which is allowable under the current Infrastructure charging regime.

In deciding the above request, it is important to consider the policy and legal/statutory considerations. Accordingly, these are outlined below:

The Cassam Street Industrial Subdivision for twelve allotments was quite unique in that contributions were calculated using the entire site area. Accordingly, it is considered appropriate that the formula to be used to calculate the credit to be factored into the calculation for any newly levied Infrastructure Charge for each lot, is based on the below calculation:

\$8.41 per square metre x lot size plus \$2,050.00

Recalculation of the Infrastructure Charges of \$45,500.00 if taking into account the credit paid of \$32,418.51 will result in an Infrastructure Charges Notice of **\$13, 081.49 being payable**.

In this regard, Council has three options to consider:

1. Pursue payment of the Infrastructure Charges Notice for the amount of \$20,500.00 in accordance with the Adopted Infrastructure Charges Resolution at the time of the building works. This amount would be sought in full and any non-payment would be pursued by way of show cause and enforcement actions pursuant to the *Planning Act 2016* and may be progressed through Council's debt recovery process; OR
2. Issue an amended Infrastructure Charges Notice for \$13,081.49 which applies the full credit of \$32,418.51 reflective of the Headworks contributions paid under the superseded Planning Scheme Policies for the land at subdivision stage: OR
3. Withdraw the Infrastructure Charges Notice based on the principal that the amount previously paid covers any industrial use(s) on the site.

PREVIOUS DECISIONS

Council has made no previous decisions in relation to this matter.

BUDGET IMPLICATIONS

Council will not recover newly imposed costs for increased use over trunk infrastructure due to the additional commercial shed and office. However, it must be considered that significantly higher contributions towards trunk infrastructure were paid in 2006, which

covered maximum intensity industrial uses over the entire site; therefore there should be no associated budget implications.

LEGISLATIVE CONTEXT

Not applicable

LEGAL IMPLICATIONS

The consideration of this request has been undertaken in accordance with the statutory requirements of the Planning Act 2016 and the *Adopted Infrastructure Charges Resolution (No. 2) 2015*.

STAFFING IMPLICATIONS

The consideration of this request is able to be undertaken within current staffing allocations however any decision which necessitates an Infrastructure Agreement will require additional resourcing in terms of legal costs.

RISK ASSESSMENT

The risks to Council in relation to the consideration of this request are primarily financial as mentioned in the Budget Implications section above.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy GO4: Provide transparent and accountable decision making reflecting positive leadership to the community.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) Transparent and effective processes, and decision-making in the public interest; and
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement; and
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of councillors and local government employees.

CONCLUSION

Given the charging rates applied and paid to date in relation to the subject site it is recommended that Council withdraw the Infrastructure Charges Notice based on the principal that the amount previously paid covers any scale and intensity of industrial use(s) on the site and no further charges are applicable.

**12.2 - REQUEST FOR WITHDRAWAL
OF INFRASTRUCTURE CHARGES
NOTICE D-151-2017 FOR BUILDING
WORKS FOR A SALES AND HIRE
PREMISES LOCATED AT 7 CASSAM
STREET, YEPPOON**

Approved Site Plan B-446-2016

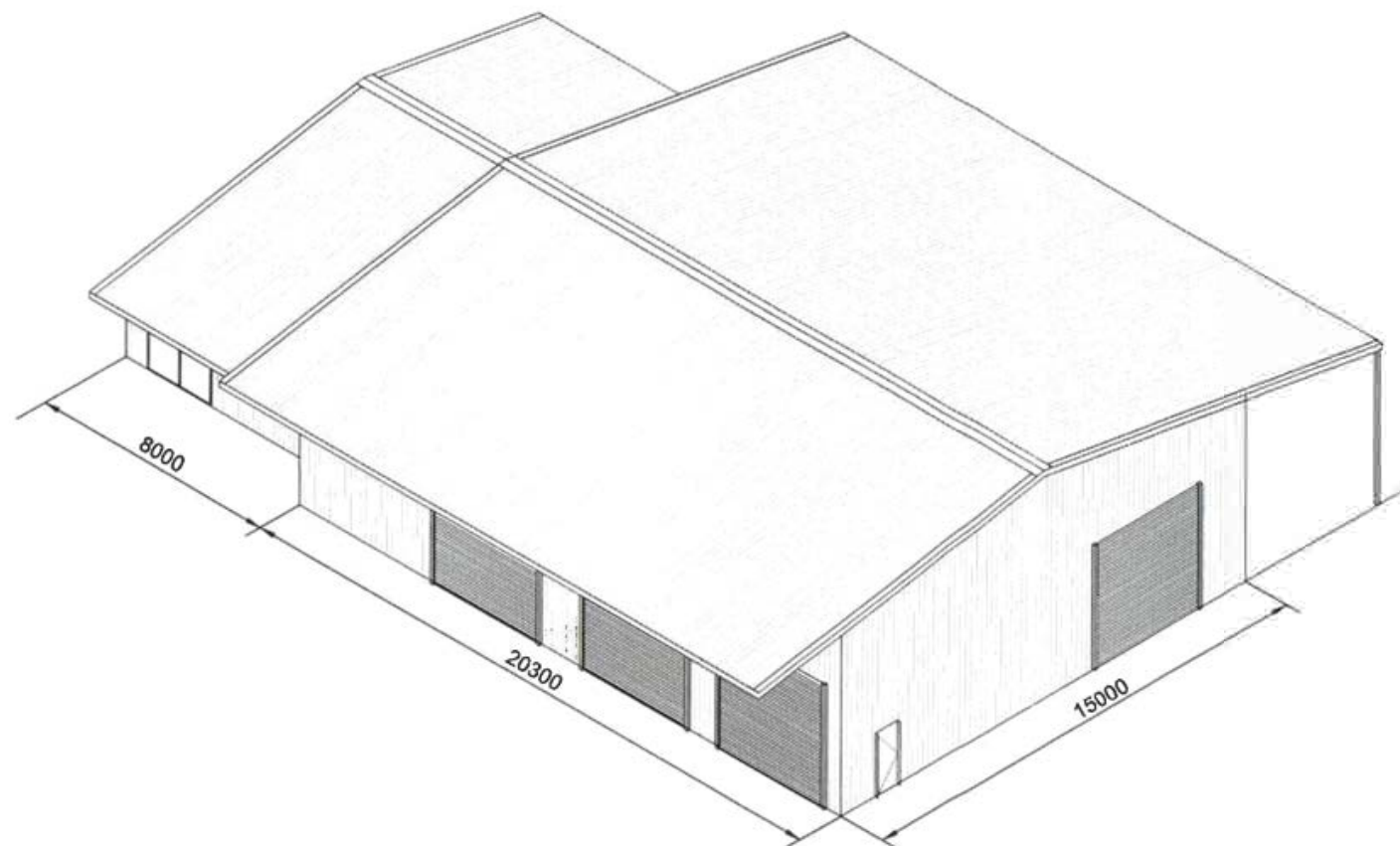
Meeting Date: 19 November 2019

Attachment No: 1

A3

PROPOSED OFFICES AND WAREHOUSE.

SITE ADDRESS: 7 CASSAM STREET,
HIDDEN VALLEY, QLD.
ENGINEERING DRAWINGS



PROJECT DIMENSIONS
SCALE 1 : 250

SHEET INDEX

SHEET NO	TITLE
S000	TITLE SHEET & DRAWING INDEX
S001	PLAN AND ELEVATIONS
S002	GENERAL NOTES
S003	BORED PIER PLAN AND DETAILS
S004	FRAMING PLAN & MEMBER SCHEDULE
S005	FRAMING ELEVATIONS
S006	CONNECTION DETAILS-SHEET 1 OF 2
S007	CONNECTION DETAILS-SHEET 2 OF 2

CLIENT APPROVAL

NAME: _____

SIGNATURE: _____

DATE: _____

FOR CONSTRUCTION

DISCLAIMER AND LEGAL NOTICE:
1. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS NOTED OTHERWISE
2. ALL DIMENSIONS AND DETAILS SHOULD BE VERIFIED AGAINST ENGINEERS DRAWINGS AND SITE CONDITIONS.
3. DRAWINGS MUST NOT BE COPIED WITHOUT WRITTEN CONSENT OF XXL SHEDS AND ARE SUBJECT TO COPYRIGHT. SOME DETAILS MAY ALSO BE SUBJECT TO PATENT APPLICATION
4. IF THERE IS ANY DOUBT ABOUT THE DETAILS, PLEASE SEEK CLARIFICATION

REVISION	REVISION DETAILS	DATE	BY
0	ISSUED FOR APPROVAL	11/09/2017	NJC
1	WITH ENGINEER'S REVISIONS	20/04/2017	RJC



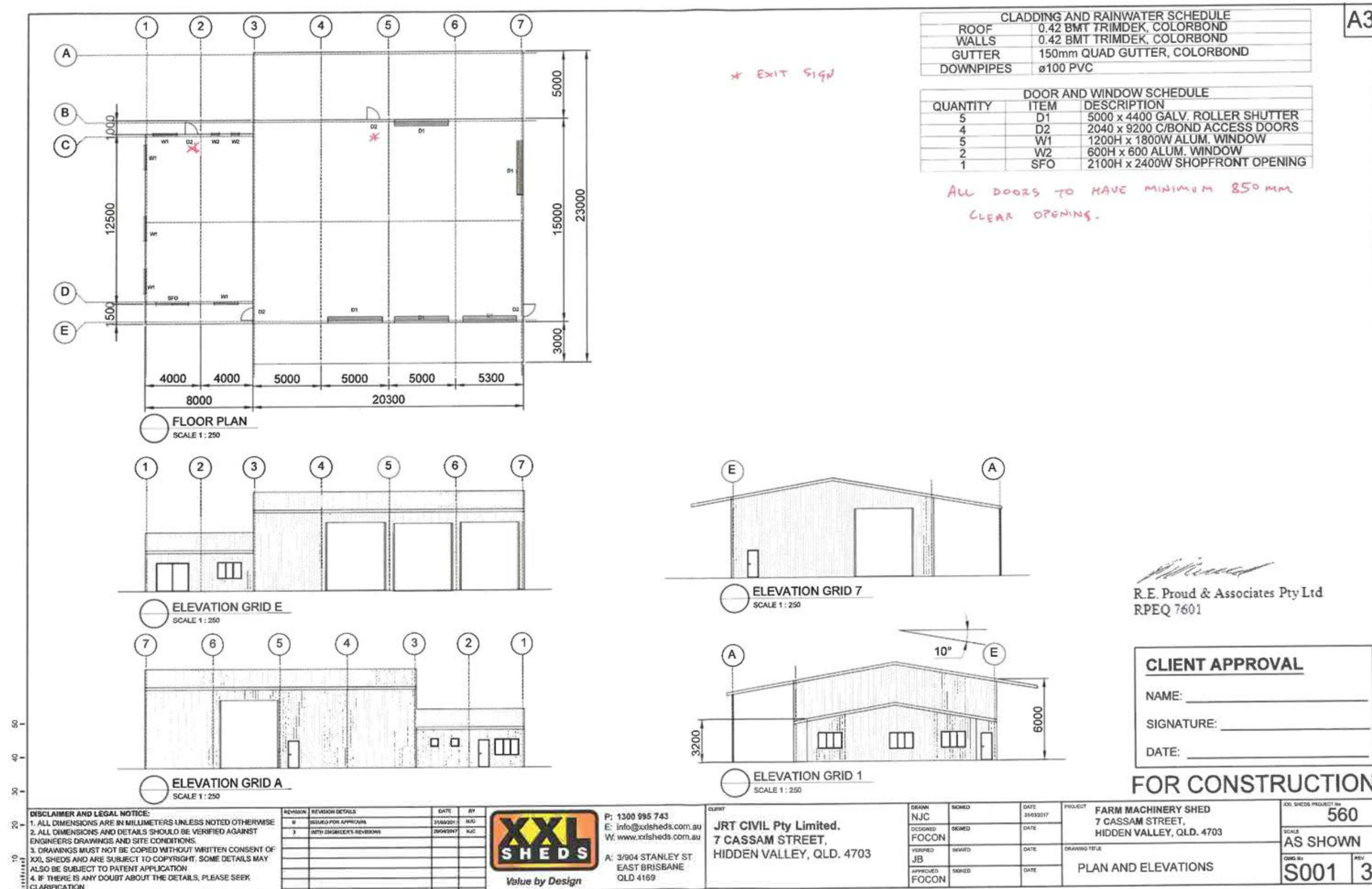
P: 1300 995 743
E: info@xxlsheds.com.au
W: www.xxlsheds.com.au
A: 3/904 STANLEY ST
EAST BRISBANE
QLD 4169

CLIENT
JRT CIVIL Pty Limited.
7 CASSAM STREET,
HIDDEN VALLEY, QLD. 4703

DESIGN	DATE
NJC	11/09/2017
DESIGNED	DATE
FOCON	
VERIFIED	DATE
JB	
APPROVED	DATE
FOCON	

PROJECT
PROPOSED OFFICES AND WAREHOUSE
7 CASSAM STREET,
HIDDEN VALLEY, QLD. 4703
DRAWING TITLE
TITLE SHEET & DRAWING INDEX

XXL SHEDS PROJECT NO	560
SCALE	AS SHOWN
DWG NO	S000
REV	3



**12.2 - REQUEST FOR WITHDRAWAL
OF INFRASTRUCTURE CHARGES
NOTICE D-151-2017 FOR BUILDING
WORKS FOR A SALES AND HIRE
PREMISES LOCATED AT 7 CASSAM
STREET, YEPPOON**

**Infrastructure Charges Notice D-151-
2017**

Meeting Date: 19 November 2019

Attachment No: 2



Infrastructure Charges Notice (changed)

Planning Act 2016, section 119 & 121

Application number:	D-151-2017	Your reference:	N/A
Date received:	20 July 2017	Contact:	Maddie Ward
Date of decision:	7 March 2018	Contact number:	1300 790 919

1. APPLICANT DETAILS

Name:	Trevor Thomasson Homes P.L.		
Postal address:	PO BOX 498 YEPPOON QLD 4703		
Phone:	0409 499 834	Email:	T.thomo@hotmail.com

2. PROPERTY DESCRIPTION

Street address:	7 Cassam Street, Hidden Valley
Property description:	Lot 14 on SP261785

3. OWNER DETAILS

Name:	JPJRT Pty Ltd Tte
Postal address:	PO BOX 442, Yeppoon Queensland 4703

4. DEVELOPMENT APPROVAL

Development Permit for a Building Works Contributions for an Infrastructure Charges Notice for a Sales and hire premises (Commercial shed and office)

5. DECISION TO GIVE AN INFRASTRUCTURE CHARGES NOTICE

Pursuant to section 119 of the *Planning Act 2016*, Council decided to give an infrastructure charges notice relevant to the development based on the developments increased demand on trunk infrastructure.

6. CHANGES TO INFRASTRUCTURE CHARGES NOTICES

Impervious area charge deleted	11 April 2019
--------------------------------	---------------

7. INFRASTRUCTURE CHARGE

The charge is levied pursuant to the *Adopted Infrastructure Charges Resolution (No.3) 2018*. The details and breakdown of the charge are outlined below:

Total charge:	\$20,500.00 This charge may be indexed in line with Consumer Price Index on an annual basis.
Charge area:	The subject site is located within charge area 1.

Calculation:	The charge is calculated in accordance with Table 7 - Adopted charge for non-residential development Uses within the Priority Infrastructure Area, as follows: 1. Sales and hire premises at 650 square metres gross floor area at \$70.00 per square metre (\$45,500.00); and 2. less a credit of \$25,000.00.
Credit:	The above calculation takes into account a credit of \$25,000.00 for the existing allotment pursuant to Part 4.0 of Council's <i>Adopted Infrastructure Charges Resolution (No. 3) LSC 2018</i> . The credit is calculated as follows: 1. one existing lot at \$25,000.00 per lot.
Offset:	No offsets are applicable to the development.

8. PAYMENT DETAILS

The charge must be paid:	prior to the certificate of classification or final inspection certificate being given.
Payment options:	Payment of the infrastructure charge can be made: ONLINE – by accessing Council's online services website. <i>Please contact Council for your payment reference number PRIOR to making payment</i> IN PERSON – at Council's Customer Service Centre at Town Hall. TELEPHONE – Call 1300 790 919 or 07 4913 5000 to pay via MasterCard or Visa. <i>Council complies with the Payment Card Industry Data Security Standard. Compliance helps to alleviate sensitive data being compromised and protects cardholder data.</i> MAIL – post a cheque payable to 'Livingstone Shire Council' and send to PO Box 2292, Yeppoon Queensland 4703.

9. LAPSING OF INFRASTRUCTURE CHARGES NOTICE

This infrastructure charges notice lapses if the development approval to which it pertains ceases to have effect in accordance with section 71 and 119 (11) of the *Planning Act 2016*.

10. APPEAL RIGHTS

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about an infrastructure charges notice are set out in chapter 6, part 1 of the *Planning Act 2016* and an extract is provided in Attachment 1. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

11. ASSESSMENT MANAGER

 Erin McCabe Co-ordinator – Development Assessment Liveability and Wellbeing	Signature:		Date:	11 April 2019
--	------------	--	-------	---------------



Attachment 1 – Appeal rights

Planning Act 2016 Extract from schedule 1 - Appeals

The extract is provided for information purposes only. Whilst care is taken to ensure the data is current, Council accepts no responsibility for reliance on this information where amendments to the legislation are not reflected in the information. The applicant must refer to the Act available on the Legislation Queensland website

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) Table 2 states the matters that may be appealed only to the P&E Court.
- (3) Table 3 states the matters that may be appealed only to the tribunal.
- (4) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (5) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

Table 1
Appeals to the P&E Court and, for certain matters, to a tribunal

<p>4 .Infrastructure charges notice An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p>(i) the application of the relevant adopted charge; or</p> <p>Examples of errors in applying an adopted charge —</p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect 'use category', under a regulation, to the development <p>(ii) the working out of extra demand, for section 120; or</p> <p>(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	-	-

**12.2 - REQUEST FOR WITHDRAWAL
OF INFRASTRUCTURE CHARGES
NOTICE D-151-2017 FOR BUILDING
WORKS FOR A SALES AND HIRE
PREMISES LOCATED AT 7 CASSAM
STREET, YEPPOON**

**Heaworks calculation sheet D/Y/2005-
1723**

Meeting Date: 19 November 2019

Attachment No: 3

2021 horizon-cap survey-U386 & 1723.xls - Calculation Use 1

THE UNIVERSITY OF CHICAGO PRESS

Journal of Management Education 36(7) 809-824

Livingstone Shire Council

Headworks - Water Supply & Sewerage

Cap Survey	
Keppel Horizon Pty Ltd	
Yeppoon Rd	
Barmarjee	
L11 RP899811	
4.04700	
urāl	

vacant

mcu

industry

Pre 85 ROL applicable

this sheet
see calculation

Water Supply Area	no
Sewerage Area	no
Water Connection (current)	no
Sewerage Connection	no

Water Connection (current)

Water Supply Planning Area	Yeppoon West HZ
Sewerage Planning Area	Y Plover Drive

Existing or Land Use

Zone	Unit	Popn Density De (ET/ha W & S)
	na	0
	na	0
	na	0

	Use 1	Use 2	Use 3	Total
Use 1				
Use 2				
Use 3				
Total				

Proposed or Building Use

Desc	Unit	Max Density Dp (ET/unit W & S)
Various Ind.	Ha	20
	na	0
	na	0
	na	0
	na	0

Use 1	
Use 2	
Use 3	
Use 4	
Use 5	
Total	

Water Supply Headworks

$$H_w = C_w \times (P_p \times F_p - P_e \times F_e)$$

where

$C_W =$ \$3,636.33

Pe =

Ae x De = 0.00

$$\mathbb{E}[\mathbf{e}_i] = \mathbf{0}$$

Up x Dp =	1 Pe water =	0
	48.564	

$$U_p \times D_p =$$

04/12/2006

1 of 2

Records, Please file
40/803/0386
P.J.MK
4/12/06

Date	File
04/12/2006	
40/003/	0386
60/014/	1723
2006-	1257
05/	026408

2

	CPI	CPI	Cw	\$ / ET	\$ / ET	Cs
Dec-04		Sep-06				
148.0		157.5		\$3,636.33	\$ / ET	
148.0		157.5			\$2,024.09	

No. Units	Pe (W&S)	Pe water
Ue	Ae x De	

0.00	0.00
0	0
0	0
0	0

Pp (W&S) Pp water

80.94	48.56
0.00	0.00
0.00	0.00
0.00	0.00
0.00	0.00
80.94	48.56

Flw	His
\$178,594.05	\$463,820.37

$$F_p = \text{Pp water} = 48.564$$

$$H_w = \$176,894.95$$

Sewerage Headworks

$$H_s = C_s \times (P_p - P_e)$$

where

$$C_s =$$

$$P_e = \$2,024.09$$

$$P_p = A_e \times D_e = 0.00$$

$$H_s = U_p \times D_p = 80.94$$

$$H_s = \$163,829.67$$

**Water Supply Works External
Sewerage Works External**

water mains, reservoirs, pumps, and points of connection to be provided at developers costs, to approved plans
sewer mains, pump stations and points of discharge to be provided at developers costs, to approved plans

**Water Supply Works Internal
Sewerage Works Internal**

water mains, reservoirs, pumps, and points of connection to be provided at developers costs, to approved plans
sewer mains, pump stations and points of discharge to be provided at developers costs, to approved plans

**Water Supply Connection
Backflow**

by property owner at building stage, subject to fire sizing

**Sewerage Connection
Trade Waste Permit**

as per Council's standard installation

by property owner at building stage

domestic, not expected

Refuse Collection

commercial, applicant to provide a report on proposed refuse collection and removal from site

04/12/2006

2 of 2

12.3 REQUEST FOR FEE AND INFRASTRUCTURE CHARGES TO BE WAIVED FOR A DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A CLUB, TOURIST PARK (TWO (2) CABINS, FIVE (5) DORMS AND EIGHT (8) CAMPING SITES), EDUCATIONAL ESTABLISHMENT AND CARETAKER'S ACCOMMODATION**File No:** CR402504**Attachments:**

1. Attachment one - Locality Plan[↓](#)
2. Attachment two - Identification of activities image[↓](#)
3. Attachment three - Request for fees and charges reduction correspondence[↓](#)

Responsible Officer: Jenna Davies - Principal Planning Officer
Maddie Ward - Co-ordinator Development Assessment
David Battese - Manager Liveability**Author:** Jenna Davies - Principal Planning Officer

SUMMARY

The report seeks Council's direction in relation to a request for a fee reduction for a proposed development application for a Development Permit for a Material Change of Use for a Club, Tourist park (two (2) cabins, five (5) dorms and eight (8) camping sites), Educational establishment and Caretaker's accommodation. The request also seeks the infrastructure charges be waived.

OFFICER'S RECOMMENDATION

In relation to the request to reduce the Development Assessment application fees:

THAT Council resolve to reduce the application fee to \$1,673.00 for a development application for a Development Permit for a Material Change of Use for a Club, Tourist park (two (2) cabins, five (5) dorms and eight (8) camping sites), Educational establishment and Caretaker's accommodation over land at 124 Camms Road, Cawarral and described as Lot 94 on SP224431.

In relation to the request to waive Infrastructure Charges:

THAT Council resolve to levy Infrastructure Charges pursuant to the Adopted Infrastructure Charges Resolution in force at the time of lodgement and consider any future request to negotiate these charges, upon their merits, subject to a future resolution of Council.

BACKGROUND

It came to Council's attention that the Cockscornb Veterans Bush Retreat, located at 124 Camms Road, Cawarral, did not hold land use approval to operate from the subject property. The bush retreat has been operational since 1997 and over time, the operations have grown. On the site there is the Cockscornb Veterans club operations, social events, formal events (such as Vietnam Veterans Day Service), training, information seminars for members, camping (in tents or caravans) for members only, two (2) cabins, five (5) dorm rooms in a single building, a caretaker's residence, ancillary storage and under-cover areas.

The property is in the Rural Zone under the *Livingstone Planning Scheme 2018* and at the time it was established, under the 1991 Planning Scheme, the operation required land use approval. Due to the uniqueness and services offered, the proposal presented is suitable to occur in the Rural zone. The use is considered to be suitably located to minimise adverse impacts on adjoining properties and that subject to demonstrated compliance with the code provisions of the planning scheme and the preparation of a Bushfire Hazard Assessment and Bushfire Management Plan, the proposal can be favourably considered.

COMMENTARY**Application fees**

The applicant is in the process of preparing development applications (for town planning, building works and plumbing and drainage works) based on meetings and discussions with Council officers. The development involves the following prescribed fees in accordance with the Fees and Charges Schedule for the current financial year:

Land use	Definition	Fee calculation
Club	<i>Premises used by persons associated for social, literary, political, sporting, athletic or other similar purposes for social interaction or entertainment. The use may include the ancillary preparation and service of food and drink.</i>	\$1,673.00 plus \$183.00 per 100 square metres of Gross Floor Area or part thereof Gross Floor Area: twenty-eight (28) based on railway carriage area only. All other areas are open on the site, or part of another land use. <u>= \$1,856.00</u>
Tourist park (cabins, dorms and camping)	<i>Premises used to provide for accommodation in caravans, self-contained cabins, tents and similar structures for the public for short term holiday purposes. The use may include, where ancillary, a manager's residence and office, kiosk, amenity buildings, food and drink outlet, or the provision of recreation facilities for the use of occupants of the tourist park and their visitors, and accommodation for staff.</i>	\$1,673.00 plus \$183.00 per cabin and/or \$38.00 per van or tent site Caravan/tent sites: Eight (8) - \$304.00 Cabins: Five (5) individual donga rooms and two (2) cabins - \$1,281.00 <u>= \$3,258.00</u>
Educational Establishment	<i>Premises used for training and instruction designed to impart knowledge and develop skills. The use may include outside hours school care for students or on-site student accommodation.</i>	\$2,540.00
Caretakers accommodation	<i>A dwelling provided for a caretaker of a non-residential use on the same premises.</i>	\$868.00
Total:		\$8,522.00

The request from the applicant seeks a waiver of the application fee. This is due to being a voluntary organisation and the benefits derived by the community at large from Cockscomb.

Due to the community benefits and the time the operations have been occurring on the property, officers are supportive of the request to reduce the application fee to the base fee for a Club, being \$1,673.00. This is the primary operation on the site and allows for a small cost recovery for Council to process the development application. This will afford approximately eleven (11) hours of officer time to undertake the assessment (based on \$150.00 per hour).

Infrastructure Charges

The request also seeks to waive the Infrastructure Charges. The site is located outside of the priority infrastructure area and only has access to Transport (fifty (50) per cent) and Parks and Community facilities (nine (9) per cent) trunk networks. The Infrastructure Charges are applicable as follows:

Land use	Charge methodology/rate	Charge calculation
Club	Proportional split applied in accordance with Table 6: \$29.50 per square metre of Gross Floor Area	Twenty-eight (28) square metres x \$29.50 = \$826.00
Tourist park (cabins, dorms and camping)	Proportional split applied in accordance with Table 6: \$5,900.00 per 1 or 2 tent/caravan sites; or \$8,260.00 per 3 tent/caravan sites; \$5,900.00 per 1 or 2 bedroom cabin; or \$8,260.00 per 3 or more bedroom cabin.	Caravan/tent sites: Eight (8) - \$22,420.00 Cabins: Five (5) individual donga rooms and two (2) cabins - \$41,300.00 = \$63,720.00
Educational establishment	Proportional split applied in accordance with Table 6: \$41.30 per square metre of Gross Floor Area	255 square metres (Bruce Acutt Centre) = \$10,531.50
Caretakers accommodation	Proportional split applied in accordance with table 6: \$10,030 per 1 and 2 bedroom dwelling	\$10,030.00
Sub Total:		\$85,107.50
Less Credit		\$15,250.00
Total:		\$69,857.50

The request from the applicant seeks a waiver of the infrastructure charges. As stated above, this is due to being a voluntary organisation and the benefits derived by the community at large from Cockscomb.

Officers do not recommend to waive or reduce Infrastructure Charges at this point of time. Infrastructure Charges should be determined through the assessment, including the applicable credit, based on what is applied for in the development application and what demand the development will have on the trunk infrastructure networks.

If Council seeks to reduce or waive Infrastructure Charges, it is recommended to keep the charge amount for the Transport network as the use will generate a demand on the trunk transport network. The Transport network is fifty (50) per cent of the total charge amount and would reduce the charge amounts as follows:

Land use	Charge methodology/rate	Charge calculation
Club	Proportional split applied in accordance with Table 6: \$25.00 per square metre of Gross Floor Area	Twenty-eight (28) square metres x \$25.00

		= \$700.00
Tourist park (cabins, dorms and camping)	Proportional split applied in accordance with Table 6: \$5,000.00 per 1 or 2 tent/caravan sites; or \$7,000.00 per 3 tent/caravan sites; \$5,000.00 per 1 or 2 bedroom cabin; or \$7,000.00 per 3 or more bedroom cabin.	Caravan/tent sites: Eight (8) - \$19,000.00 Cabins: Five (5) individual donga rooms and two (2) cabins - \$35,000.00 = \$54,000.00
Educational establishment	Proportional split applied in accordance with Table 6: \$35.00 per square metre of Gross Floor Area	255 square metres (Bruce Acutt Centre) = \$8,925.00
Caretakers accommodation	Proportional split applied in accordance with Table 6: \$8,500.00 per 1 or 2 bedroom dwelling.	= \$8,500.00
Sub Total:		\$72,125.00
Less Credit:		\$15,250.00
Total:		\$56,875.00

PREVIOUS DECISIONS

There are no previous decisions specifically relevant to this request, nor in relation to reduction or waiver of application fees or infrastructure charges for similar land uses.

BUDGET IMPLICATIONS

Council must be cognisant of the fact that the budget has been developed based upon the need to recuperate the operating costs associated with the administration of the development assessment process and recuperate the cost to provide trunk infrastructure.

LEGISLATIVE CONTEXT

A future application will be made pursuant to the *Planning Act 2016*.

LEGAL IMPLICATIONS

Legal implications are not applicable to the determination of a fee reduction. Legal implications may be applicable at the time a decision is made if it is decided to reduce or waive Infrastructure Charges through the appeal process.

STAFFING IMPLICATIONS

Staffing implications are not likely to occur as a result of the request or outcome of the recommendation.

RISK ASSESSMENT

A financial risk applies to this request in terms of not recuperating the full fee as prescribed under the fees and charges and not recouping the full Infrastructure Charge as prescribed under the Adopted Infrastructure Charges Resolution, and possible precedent set by such a determination.

CORPORATE PLAN

Strategy GO5 of Council's Corporate Plan is to deliver customer focused and responsive services efficiently and effectively.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) Transparent and effective processes, and decision-making in the public interest; and
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement; and
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of councillors and local government employees.

CONCLUSION

Further to discussions with the operators of the Cockscomb Veterans Bush Retreat, the proposal is suitable on the subject site due to the community benefits and the time the operations have been occurring on the property. The development does not warrant the calculated application fee of \$8,522.00. Therefore, on this basis, it is recommended to reduce the application fee to the base fee for a Club, being \$1,673.00. This is the primary operation on the site and allows for a small cost recovery for Council to process the development application. Officers consider that the fee of \$1,673.00 is adequate to cover the cost of the development assessment and will not result in Council being left exposed to financial liability and subsequently recommend the fee for the application.

Officers do not recommend to reduce or waive the Infrastructure Charges at this stage of time. The development application is recommended to go through the assessment process and the Infrastructure Charges be calculated based on what is applied for. There is the opportunity to vary the Infrastructure Charges, subject to Council resolution or through a change representation (negotiated) process.

**12.3 - REQUEST FOR FEE AND
INFRASTRUCTURE CHARGES TO BE
WAIVED FOR A DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A CLUB,
TOURIST PARK (TWO (2) CABINS,
FIVE (5) DORMS AND EIGHT (8)
CAMPING SITES), EDUCATIONAL
ESTABLISHMENT AND CARETAKER'S
ACCOMODATION**

Attachment one - Locality Plan

Meeting Date: 19 November 2019

Attachment No: 1



**12.3 - REQUEST FOR FEE AND
INFRASTRUCTURE CHARGES TO BE
WAIVED FOR A DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A CLUB,
TOURIST PARK (TWO (2) CABINS,
FIVE (5) DORMS AND EIGHT (8)
CAMPING SITES), EDUCATIONAL
ESTABLISHMENT AND CARETAKER'S
ACCOMODATION**

**Attachment two - Identification of
activities image**

Meeting Date: 19 November 2019

Attachment No: 2



**12.3 - REQUEST FOR FEE AND
INFRASTRUCTURE CHARGES TO BE
WAIVED FOR A DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A CLUB,
TOURIST PARK (TWO (2) CABINS,
FIVE (5) DORMS AND EIGHT (8)
CAMPING SITES), EDUCATIONAL
ESTABLISHMENT AND CARETAKER'S
ACCOMODATION**

**Attachment three - Request for fees
and charges reduction correspondence**

Meeting Date: 19 November 2019

Attachment No: 3



Cockscomb Veterans Bush Retreat Inc.



The CEO
Livingstone Shire Council
Yeppoon QLD 4703

I write on behalf of Cockscomb, its members and the many community organizations who use our facilities, to seek relief from the known Local Government charges that are anticipated will be levied for ratifying the land use by this organization.

Cockscomb Bush Retreat commenced in 1997 to meet the needs of a number of Vietnam Veterans as a consequence of the political and social aftermath of the Vietnam War, the shameful treatment they received from the Government of the time and a polarised Australian public. Over the ensuing 22 years, Cockscomb was developed into a functional bush camp used by Military Veterans and in more recent times, members of the Emergency Services who, as a consequence of placing themselves in harm's way as all too often they experience in their duties, develop the same physical and psychological problems as their Service counterparts. It should also be noted that when the land deeded to Cockscomb was subdivided, Council insisted that Emergency Services be given equal status with Defence Force members. Currently, our membership stands at 390 with more than 60% living in the Capricornia region.

In the 22 years since Cockscomb was formed, it has developed from a crude campfire venue to a self-contained, solar powered functional establishment. It effectively meets the needs of local and interstate travelling members and in more recent times, an increasing use by community organizations. Army Cadets, Scout groups, Legacy, War Widows, University of the Third Age, Lions, Rotary, Queensland Country Music Inc, Knitters and Knotters and Motorcycle Clubs are examples of the groups regularly using the Retreat for functions and personal relaxation. With the completion of our Bruce Acutt Centre, this benefit has been further enhanced by the facility to conduct training and information seminars for members, community groups and business organizations in a peaceful, relaxing and serene bush environment.

What Cockscomb has to offer individuals and the community is unique. Examples are the obvious benefits of the location, the infrastructure that, while basic, adequately provides comfortable and economical accommodation, the companionship and understanding of like-minded members, a regular social calendar and accurate, timely, pertinent information to access to professional help for personal, family relationship issues, medical, psychological and financial problems. Community organizations enjoy using the establishment because of the dearth of external distractions, being out of the public eye and the relaxation it engenders in participants and the consequent management advantages it confers for conferences, meetings and training initiatives.

This year, the management committee determined that the long outstanding issue of land use and Local Government town planning expectations should be resolved, knowing full well that it would be a



Lot 124 Camms Road – CAWARRAL QLD 4702

Telephone: 0475 591 027

Email: cockscombvets@gmail.com

<http://veteranretreat.tripod.com>



challenging but necessary undertaking. This particularly applies to the development fees involved. Being a voluntary organization with a cash flow barely sufficient to meet basic running costs, there will be serious arguably terminal problems for us unless, in recognition of the benefits derived by the community at large from Cockscomb, Council can give consideration to waiving the following charges that we have been informed will apply.

- Application fee for a club: \$1641.00 plus \$179.00 per 100m² GFA
- Application Fee for a Tourist Park: \$1641.00 plus \$179.00/cabin and/or \$37.00/van or tent site
- Application fee for Educational Establishment \$2492.00
- Application fee for Caretaker accommodation \$851.00
- Any infrastructure Charges payable

In passing, I feel I should draw your attention to the focus of these charges which, excluding the caretaker, do not seem to apply in any vague manner to the role and benefits that Cockscomb has traditionally provided for the community.

We anxiously await your determination on this matter.



R ARTHUR
For Bob Holmes
President
16/10/19

12.4 PROPOSED TOURIST PARK AT 176 COBRABALL ROAD BONDOOLA**File No:** CR 515016**Attachments:** 1. Attachment one - Locality Plan [↓](#)
2. Attachment two - Site layout [↓](#)**Responsible Officer:** Jenna Davies - Principal Planning Officer
Maddie Ward - Co-ordinator Development Assessment
David Battese - Manager Liveability**Author:** Jenna Davies - Principal Planning Officer

SUMMARY

The report seeks to provide information to Council in regards to the Tourist park operating on the property at 176 Cobraball Road, Bondoola, known as Savannah Park.

OFFICER'S RECOMMENDATION

THAT Council not waive or reduce the development application fees or infrastructure charges for the Tourist park development at 176 Cobraball Road, Bondoola, known as Savannah Park.

BACKGROUND

It came to Council's attention through a related plumbing application made over the site that Savannah Park, located at 176 Cobraball Road, Bondoola, did not hold land use approval to operate from the subject property. The park has been operational since the late 1990's and over time, the operations have grown. On the site, there is the primary Dwelling house, twenty one (21) camping sites, one (1) cabin, amenities and a communal area.

The property is in the Rural Zone under the *Livingstone Planning Scheme 2018* and at the time, it was established, under the 1991 Planning Scheme, the operation required land use approval. Due to the uniqueness and services offered, the proposal presented is suitable to occur in the Rural zone. Regardless, the land use remains assessable development for which the requisite permit has not been obtained. It is noted that the primary consideration of the planning assessment will pertain to on-site infrastructure provision and bushfire hazard mitigation.

Council's planning officers and development compliance officer have met with the landowners on a number of occasions to assist in the preparation of the requisite development application. The land owners are in the process of preparing development applications (for town planning and building works) based on meetings and discussions with Council officers

COMMENTARY

The land owner has expressed concern in regards to the cost of preparing the development application, the development application fee and infrastructure charges.

Application fees

The development involves the following prescribed fees in accordance with the Fees and Charges Schedule for the current financial year:

Land use	Definition	Fee calculation
Tourist Park (cabin and camping)	<i>Premises used to provide for accommodation in caravans, self-contained cabins, tents and similar structures for the public for short term holiday purposes. The use may include, where ancillary, a</i>	\$1,673.00 plus \$183.00 per cabin and/or \$38.00 per van or tent site Caravan/tent sites: twenty one (21) - \$798.00 Cabins: one (1) cabins - \$183.00

	<i>manager's residence and office, kiosk, amenity buildings, food and drink outlet, or the provision of recreation facilities for the use of occupants of the tourist park and their visitors, and accommodation for staff.</i>	= \$2,654.00
Total:		\$2,654.00

Due to the commercial nature of the business, officers are not supportive to reduce the application fee. In addition, it is noted that the above fee prescribed is based on the cost recovery principle which is considered appropriate for an impact assessable land use involving planning officer and other internal officers assessment.

Infrastructure Charges

The site is located outside of the priority infrastructure area and only has access to Transport (fifty (50) per cent) and Parks and Community facilities (nine (9) per cent) trunk network. The Infrastructure Charges are applicable in accordance with the *Adopted Infrastructure Charges Resolution (No. 3) 2018*, as follows:

Land use	Charge methodology/rate	Charge calculation
Tourist Park (cabins and camping)	Proportional split applied in accordance with Table 6: \$5,900.00 per 1 or 2 tent/caravan sites; or \$8,260.00 per 3 tent/caravan sites; \$5,900.00 per 1 or 2 bedroom cabin; or \$8,260.00 per 3 or more bedroom cabin.	Caravan/tent sites: Twenty one (21) - \$57,820.00 Cabins: one (1) cabin - \$5,900.00 Manager's residence – nil charge = \$63,720.00
Sub Total:		\$63,720.00
Less Credit for the primary Dwelling house which will become an ancillary manager's residence for the Tourist park:		\$15,250.00
Total:		\$48,470.00

Officers do not recommend to waive or reduce Infrastructure Charges at this point of time. Infrastructure Charges should be determined through the assessment, including the applicable credit, based on what is applied for in the development application and what demand the development will have on the trunk infrastructure network.

PREVIOUS DECISIONS

There are no previous decisions specifically relevant to this request, nor in relation to reduction or waiver of application fees or infrastructure charges for similar land uses.

BUDGET IMPLICATIONS

Council must be cognisant of the fact that the budget has been developed based upon the need to recuperate the operating costs associated with the administration of the development assessment process and recuperate the cost to provide trunk infrastructure. A decision by Council to waive infrastructure charges will have an impact on Council's budget

LEGISLATIVE CONTEXT

A future application will be made pursuant to the *Planning Act 2016* and will be decided in accordance with the relevant provisions of the Act as well as Council's Planning Scheme and Infrastructure Charges Resolution current at the time of lodgement.

LEGAL IMPLICATIONS

Legal implications are not applicable to the determination of a fee reduction. Legal implications may be applicable at the time a decision is made if it is decided to reduce or waive Infrastructure Charges through the appeal process.

STAFFING IMPLICATIONS

Staffing implications are not likely to occur as a result of the request or outcome of the recommendation.

RISK ASSESSMENT

A financial risk applies to this request in terms of not recuperating the full fee as prescribed under the fees and charges and not recouping the full Infrastructure Charge as prescribed under the Adopted Infrastructure Charges Resolution, and possible precedent set by such a determination.

There is also a risk to Council's reputation associated with waiving infrastructure charges as it undermines Council's position on collecting contributions and charges on current and future development. There is also a financial risk to Council of not collecting monies for trunk infrastructure will may translate to budget implications.

CORPORATE/OPERATIONAL PLAN

The Corporate Plan Reference applicable to this matter relates to Strategy GO5 to deliver customer focused and responsive services efficiently and effectively. The request must also be considered with reference to Strategy GO4 to provide transparent and accountable decision making reflecting positive leadership to the community.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) Transparent and effective processes, and decision-making in the public interest; and
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement; and
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of councillors and local government employees.

CONCLUSION

Further to discussions with the operators of Savannah Park, the proposal is suitable on the subject site due to the uniqueness and services offered, subject to a Development Permit for a Material change of use. Officer's do not recommend to reduce or waive the application fees or Infrastructure Charges for the reasons outlined in the report. The development application is recommended to go through the assessment process, as would any Development Application for a Tourist park to ensure consistent and transparent decision making in accordance with Council's Corporate Plan and the statutory responsibilities under the *Planning Act 2016*.

12.4 - PROPOSED TOURIST PARK AT 176 COBRABALL ROAD BONDOOLA

Attachment one - Locality Plan

Meeting Date: 19 November 2019

Attachment No: 1



176 Cobraball Road, Bondoola

Map Created by: Web AppBuilder for ArcGIS



Printed from ArcPortal on 1/11/2019

12.4 - PROPOSED TOURIST PARK AT 176 COBRABALL ROAD BONDOOLA

Attachment two - Site layout

Meeting Date: 19 November 2019

Attachment No: 2

Overview of proposed site layout.



12.5 REQUEST FOR NEGOTIATED INFRASTRUCTURE CHARGES FOR DEVELOPMENT PERMIT D-109-2019 FOR A MATERIAL CHANGE OF USE FOR EMERGENCY SERVICES (BELMONT RURAL FIRE SERVICE)**File No:** D-109-2019**Attachments:**

1. Site Plan and Hardstand Details [↓](#)
2. Proposed Shed and Mazzanine Floor Plans [↓](#)
3. Infrastructure Charges Notice D-109-2019 [↓](#)
4. Change Representations prepared by Chris Thompson on behalf of Belmont Rural Fire Brigade [↓](#)

Responsible Officer: Jonathon Trevett-Lyall - Planning Officer
Maddie Ward - Co-ordinator Development Assessment
David Battese - Manager Liveability**Author:** Jonathon Trevett-Lyall - Planning Officer

SUMMARY

This report details a request made by the Belmont Rural Fire Brigade to waive the recently levied Infrastructure Charges of \$10,326.14 under Development Permit D-109-2019 for a Material change of use for Emergency Services located at Lease Area C on Lot 142 on CP 900425, Dawson Road, Glenlee.

<i>Applicant:</i>	<i>Belmont Rural Fire Service</i>
<i>Real Property Address:</i>	<i>Lease Area C on Lot 142 on CP 900425</i>
<i>Common Property Address:</i>	<i>Lot 142 Dawson Road, Glenlee</i>
<i>Area of Site:</i>	<i>1,200 square metres (lease area only)</i>
<i>Planning Scheme:</i>	<i>Livingstone Planning Scheme 2018</i>
<i>Planning Scheme Zoning:</i>	<i>Rural Zone</i>
<i>Planning Scheme Overlays:</i>	<i>OM07 - Biodiversity - Habitat and Vegetation - MLES</i> <i>OM12 - Bushfire Hazard Area - Medium Potential Intensity</i> <i>OM20 – Road Hierarchy – Rural Major Collector</i> <i>OM22 – Transport Infrastructure – Rail network</i> <i>OM23 – Transport Noise Corridors</i>
<i>Existing Development:</i>	<i>Vacant land</i>
<i>Referral Matters:</i>	<i>Nil</i>

RECOMMENDATION

THAT, in relation to the request made by Belmont Rural Fire Service to waive infrastructure charges for the amount of \$10,326.14 levied pursuant to Development Permit D-109-2019 for a Material change of use for Emergency Services, over Lot 142 on CP900425, located within a leasehold portion Lot 142 Dawson Road, Glenlee, Council resolve to:

1. Waive the Infrastructure Charges Notice D-109-2019 as per the representations made by Belmont Rural Fire Brigade.

BACKGROUND

Council, under delegation on 7 August 2019, approved a Development Application for a Material Change of Use for Emergency Services (Belmont Rural Fire Service) over Lot 142 on CP900425, located at Lot 142 Dawson Road, Glenlee.

The applicant has made representations in accordance with Section 125 of the *Planning Act 2016* for a Negotiated Infrastructure Charges Notice. The representations relate to waiving the infrastructure charges for the development.

SITE AND LOCALITY

The subject site is a 1,200 square metre lease area within the subject lot. The lease area is currently vacant with frontage to Dawson Road. The lease area has a gradual slope from east to west from approximately thirty-three (33) metres Australian Height Datum to approximately 32.5 metres Australian Height Datum. The lease area has been cleared of any vegetation. The site is located outside of the priority infrastructure area and can connect to Council's reticulated water infrastructure as required.

The site is located in the Rural Zone with the locality being characterised by predominately rural lots with residential uses. Directly adjoining the lease area to the west is The Carinity Education School which is located in the Community Facilities Zone.

INFRASTRUCTURE CHARGES

The applicant has requested that the Infrastructure Charges Notice amount of \$10,326.14 levied pursuant to the *Adopted Infrastructure Charges Resolution (No.3) LSC 2018* be waived.

The charge of \$10,326.14 was calculated as follows:

1. A proportional split of 81% of the below charges, being for Transport (50%), Parks & Community Facilities (9%) and Water (22%);
2. Emergency Services use at 399.85 square metres of Gross Floor Area at \$70.00 per square metre;
3. Impervious area of 1,037.61 square metres at \$10.00 per square metre.
 - The impervious area of 1,037.61 square metres comprises:
 - 315 square metres for the building; and
 - 722.61 square metres for the parking and manoeuvring area, and hardstand area; and
4. less a **credit** of \$20,750.00 for the existing allotment (of which this Lease area comprises a small component).

The applicant has detailed the following representations as reasons for Council to support the waiving of the infrastructure charges:

- *Our service is partly funded by levee collected from our local landowners and the \$10,326.14 would be a significant setback in achieving a new station for our local community; and*
- *Our station is the result of countless hours of fundraising by our volunteers who have given their time to help the local community and if we could have the charges waived it would mean that we are one step closer to having opening our station that has been a long time in planning.*

Officers have considered the request pursuant to section 125(2) of the *Planning Act 2016* and notes that the legislation provides minimal guidance for Council decisions other than "*The local government must consider the representations*".

In this regard, clause 3.2.2 of the *Adopted Infrastructure Charge Resolution (AICR) No3, 2018* states;

- (i) Council may, at its discretion impose a condition requiring the payment of additional trunk infrastructure costs in accordance with the Planning Act, Chapter 4- Infrastructure.
- (iv) Where Council chooses not to apply the above, Council shall apply an adopted infrastructure charge in accordance with section 3.4.2. (i.e. minimum charge)
- (v) The total minimum charge calculated is a combination of the trunk infrastructure network accessed.

Based on the above, the proposed Emergency services use will be accessing the water and transport networks, and should be paying the minimum charge for the networks that they will be accessing. Officers agree that the nature of the use will not require access to community and parks networks and therefore should not pay the charge levied for this network. On this basis, a recalculation of the Infrastructure Charge would result in a charge of **\$7,373.23**.

The resolution does not provide any mechanisms for waivers based on the nature of a land use being for a 'community purpose'. However, the Resolution applies a nil charge to the following uses based on the principle that they do not have an additional load on the trunk infrastructure network:

- Cemetery
- Environment facility
- Home based business
- Landing
- Market
- Major electricity infrastructure
- Park
- Renewable energy facility
- Roadside stalls
- Substation
- Telecommunications facility
- Temporary use; and
- Utility installation.

Although the use of the premises for an Emergency Service arguably places an additional load on the trunk infrastructure network, Officers acknowledge that the Rural Fire Brigade is a volunteer, emergency service, responder organisation that provides a critical service to the region. In addition, the station is generally only used twice a month for training purposes for a period of four (4) hours and during bushfire events whereby they are generally in and out of the station in about fifteen (15) to thirty (30) minutes.

PREVIOUS DECISIONS

Council has made at least three (3) previous resolutions to waive Infrastructure Charges for rural fire brigades, being:

- Infrastructure Charges Notice D-32-2016 for the Tanby Rural Fire Brigade. This application was afforded a credit for the infrastructure charges in excess of the charge given the smaller scale of the facility, however advice was provided in correspondence dated 18 February 2016 that any infrastructure charges may have been waived given the critical community service that the use provides;

- Infrastructure Charges Notice D-172-2013 for the Woodbury Rural Fire Brigade. The infrastructure charges levied against this application were calculated to be \$3,150.00 as the station was located in the road reserve and had no credit for the land. Council resolved, at its meeting of 15 October 2013, that the Infrastructure Charge be waived on the basis that had the development been established on a vacant rural property and not a road reserve, the charge of \$3,150 would be less than the \$7,000 credit which applies in charge area three; and
- Infrastructure Charges Notice D-140-2015 for the Keppel Sands Rural Fire Brigade. The infrastructure charges levied against this application were calculated to be \$5,484.59 for the water, transport and park networks. Council resolved, at its meeting of 14 July 2015, that the infrastructure charge be waived on the basis that the Keppel Sands Rural Fire Brigade is a volunteer, emergency service responder organisation, providing an important community service to the locality.

BUDGET IMPLICATIONS

Council must be made aware that ongoing charge waivers, even of smaller charges, will continually erode Council's financial position in terms of fulfilling the expectations of infrastructure provision set out in the Plans for Trunk Infrastructure and this gap must therefore be met by Council through its budget.

LEGAL IMPLICATIONS

The consideration of this request has been undertaken in accordance with the statutory requirements of the *Planning Act 2016* and the *Adopted Infrastructure Charges Resolution (No. 3) 2018*.

STAFFING IMPLICATIONS

The consideration of this request is able to be undertaken within current staffing allocations.

RISK ASSESSMENT

The risks to Council in relation to the consideration of this request are primarily financial as mentioned in the Budget Implications section above.

CORPORATE/OPERATIONAL PLAN

Strategy GO4: Provide transparent and accountable decision making reflecting positive leadership to the community.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) Transparent and effective processes, and decision-making in the public interest; and
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement; and
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of councillors and local government employees.

CONCLUSION

The representations request that the infrastructure charges levied for the amount of **\$10,826.00** be waived as the use of the premises for the Belmont Rural Fire Brigade are a volunteer community service that relies on donations for funding. The rural fire brigade is a critical community service to the region within an area that can be prone to bushfire events. However, the current *Adopted Infrastructure Charges Resolution No.3 2018* does not have any provision in relation to granting discounts or waivers for such organisations.

**12.5 - REQUEST FOR NEGOTIATED
INFRASTRUCTURE CHARGES FOR
DEVELOPMENT PERMIT D-109-2019
FOR A MATERIAL CHANGE OF USE
FOR EMERGENCY SERVICES
(BELMONT RURAL FIRE SERVICE)**

Site Plan and Hardstand Details

Meeting Date: 19 November 2019

Attachment No: 1

SITE PLAN NOTES:

1. Earthworks to comply with AS3708 and AS3701.
2. Figured dimensions shall be taken in preference to those scaled from the drawing. Builder to verify all dimensions on site prior to construction.
3. Finished surface lines shown on elevations and platform layout shall be confirmed on site prior to commencement of building work.
4. Structure designed for Wind Gust Speed: C2 (W50C).
5. All construction shall be in accordance with the requirements of the Building Code of Australia, the Building Act 1975 and the Local Authority's requirements.
6. Connect all new downpipes as shown and fall pipes to kerb and channel or into stormwater drainage system. Stormwater drainage design is indicative only. Planter to verify on site the suitability of the design and adjust accordingly to suit conditions. All plumbing work to comply with relevant plumbing codes and standards.
7. Install a sleeve joint where wall downpipes meet ground stormwater lines to allow for movement.
8. Confirm location of any underground services prior to commencement of building work.
9. Check position of current mains water connection and provide connecting link to dwelling to the requirements of the Local Authority and current Water & Sewerage Supply Act. Good pressure to be achieved in supply line to building.
10. Extent of principal building and relevant Subcontractors to be within the confines of the property boundaries and portion of the footpath immediately adjoining front property alignment. Seek neighbours consent if access or additional construction is required outside the confines of the subject property.

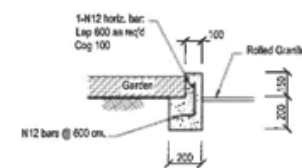
PROPERTY DETAILS

LOT 142 ON CP900425
PARISH OF MURCHISON
COUNTY OF LIVINGSTONE
AREA: 1200 sq.m

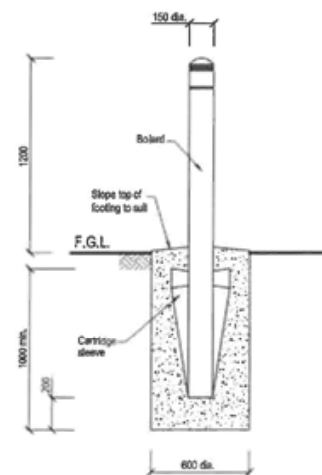


AREA SCHEDULE:

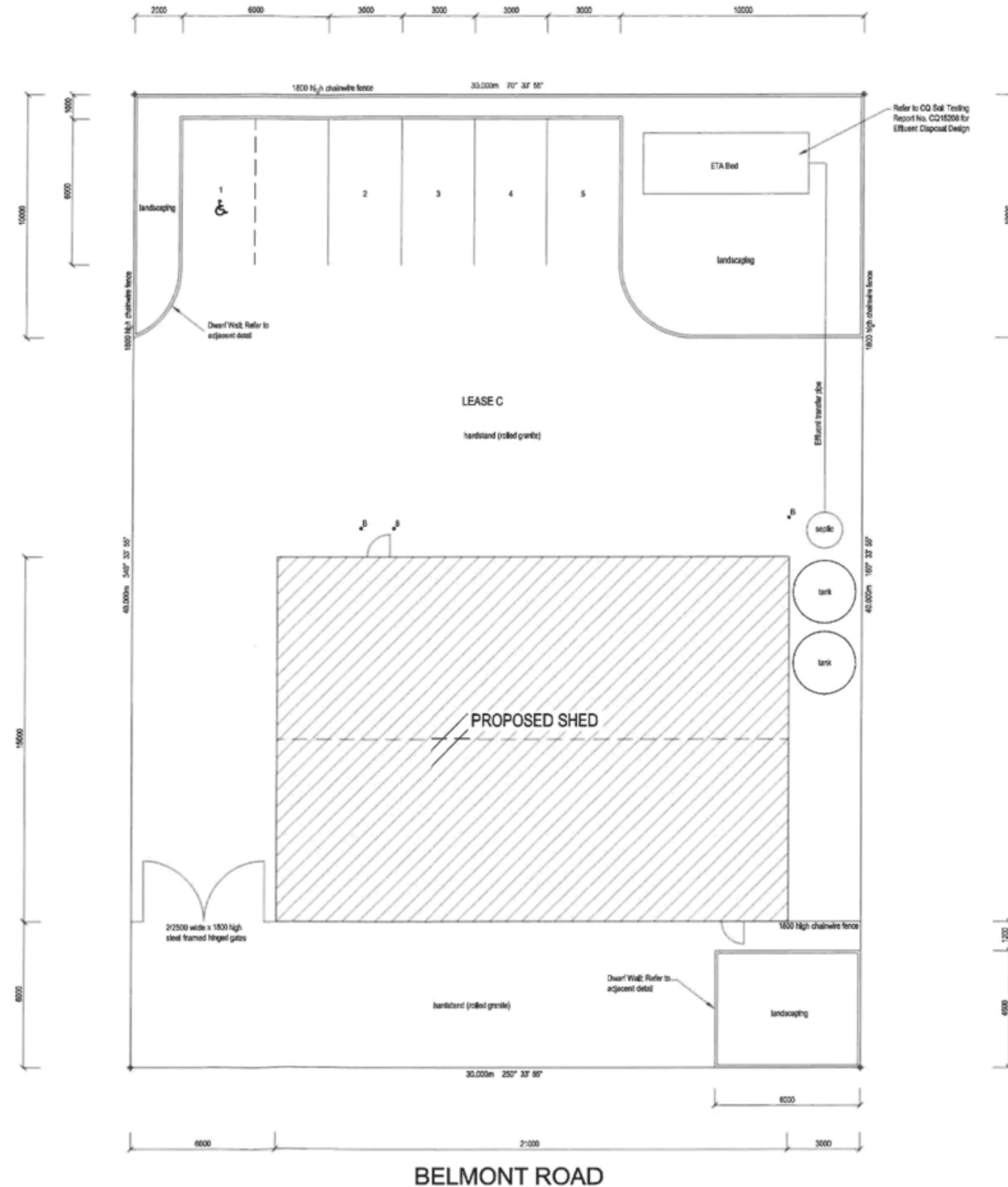
Area of Land:	1200.00 sq.m
Area of Building:	315.00 sq.m
% Coverage:	26.25%
Area of Mezzanine:	84.65 sq.m
Area of Landscaping:	162.39 sq.m
% Coverage:	13.53%
Carparking Spaces:	5 carparks (1 disabled)



DWARF WALL DETAIL (1:20)



TYPICAL BOLLARD DETAIL (1:20)



BELMONT ROAD

SITE PLAN (1:100)

No.	Date	Amendment
1	10.06.19	For MOU Approval
P1	06.04.19	Preliminary Issue

SITE PLAN & HARDSTAND DETAILS

SK Drafting
building designs

P 07 4127 7444 M 0419 788 031
E. scott@skdrafting.com.au
www.skdrafting.com.au
Shop 2/148 Canning Street, Rockhampton Qld 4700
BSA LIC No 049429



PROPOSED STORAGE SHED
AT 142 DAWSON ROAD,
ROCKYVIEW.
FOR BELMONT DOWNS RURAL
FIRE BRIGADE.

Scale	AS SHOWN ON A1	Date	APR '19	Issue	1
Drawn	TEM	Sheet	1/3	Drawing No.	19-017
Checked					
Approved					

**12.5 - REQUEST FOR NEGOTIATED
INFRASTRUCTURE CHARGES FOR
DEVELOPMENT PERMIT D-109-2019
FOR A MATERIAL CHANGE OF USE
FOR EMERGENCY SERVICES
(BELMONT RURAL FIRE SERVICE)**

**Proposed Shed and Mazzanine Floor
Plans**

Meeting Date: 19 November 2019

Attachment No: 2

FLOOR PLAN NOTES:

1. Figured dimensions shall taken in preference to those scaled from the drawing.
2. Builder to verify all dimensions on site prior to commencement of building work.
3. Finished surface lines shown on elevations and platform layout shall be confirmed on site prior to commencement of building work.
4. Structure designed for Wind Gull Speed: C2 (WSOC).
5. Construction to be in accordance with the Building Code of Australia, Old Home Building Manual and all other relevant SAA Codes and Standards.
6. Builder to ensure adequate surface drainage and that no low spots capable of ponding are created during construction.
7. Where applicable, WC doors that swing inwards to be fitted with demountable hinges. Gaps to be provide at the top to allow door to be lifted off when in the closed position.
8. Termite protection to be installed in accordance with AS3680. A certificate is to be supplied to the Building Approval Authority as evidence of treatment where necessary.

LEGEND

- Ife — INDICATES DRY CHEMICAL FIRE EXTINGUISHER
- IFR — INDICATES 36M FIRE HOSE REEL
- EXIT — INDICATES ILLUMINATED EXIT SIGN
- ◇ — INDICATES EMERGENCY LIGHTING
- WB — WHIRLYBIRD OR SIMILAR FOR ROOF VENTILATION
- IF — INDICATES BOLLARD

FRAMING SCHEDULE 70mm WALL

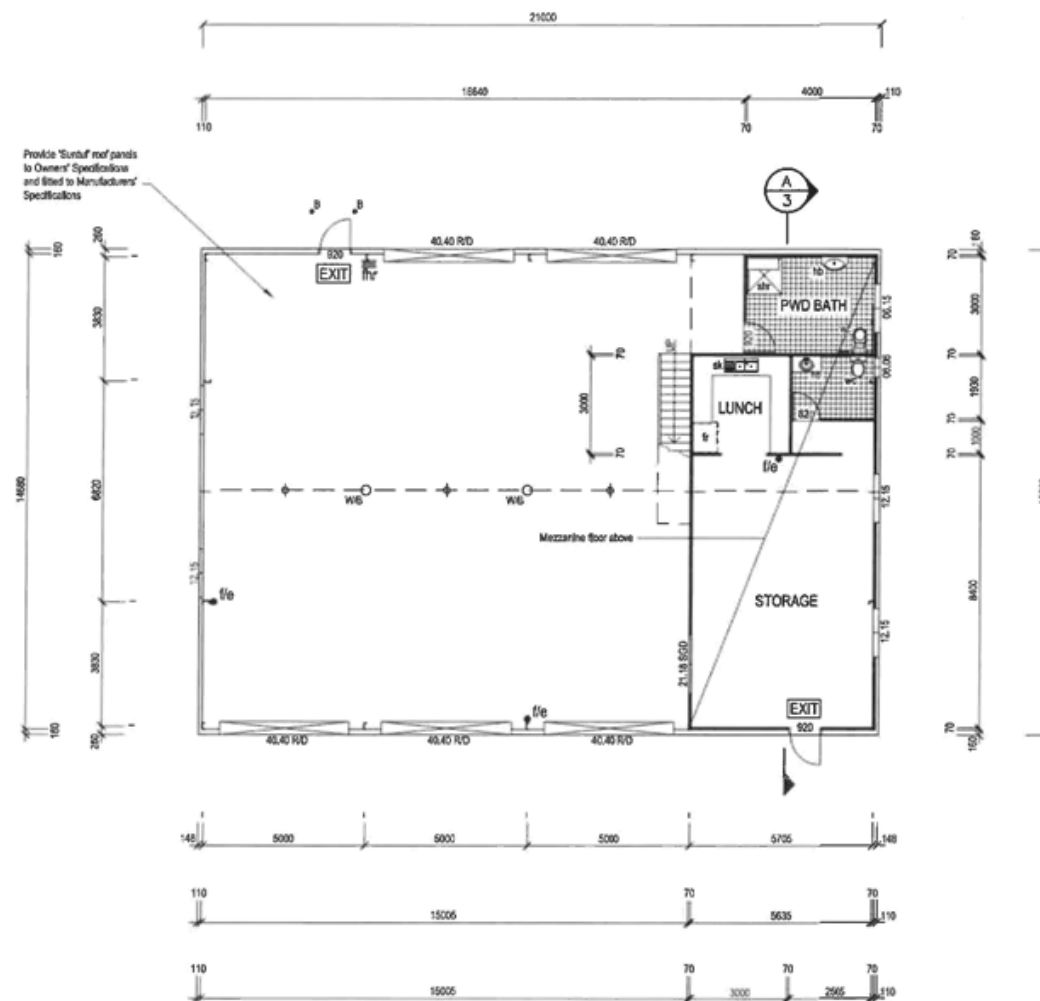
- BTM PLATE — 70 x 45 MGP12
- TOP PLATE — 70 x 45 MGP12
- NOGGING — 70 x 35 MGP12 : 1 No. ROW
- STUDS — 70 x 35 MGP12 @ 450 CRS.
- JAMB STUDS — REFER TO TABLE BELOW

STUD SCHEDULE:

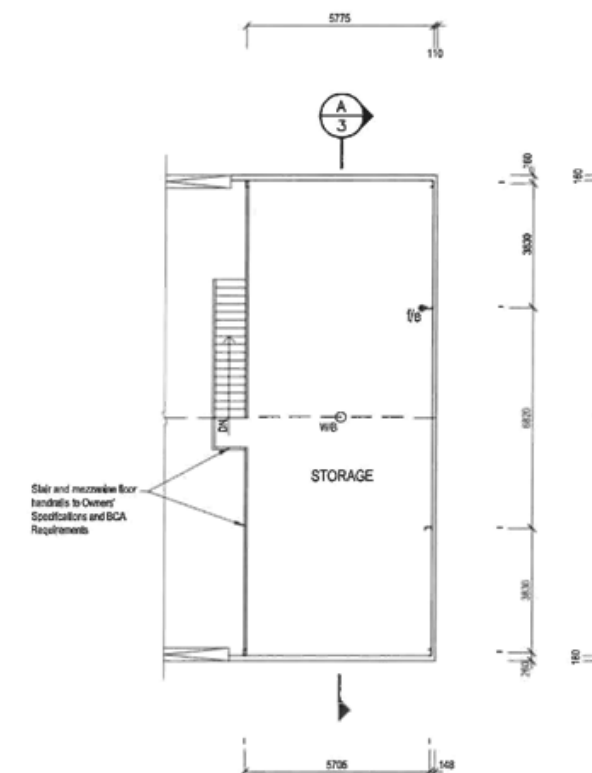
Common stud spacing (mm)	600	1200	1500	1800	2100	2400	2700	3000	3300	3600
Number of common studs at sides of openings for width openings (mm)	1	2	2	2	2	3	3	3	4	4

LINTEL SCHEDULE:

OPENING	SIZE
600	70 x 70 SEAS, (F17) KD
1200	120 x 70 SEAS, (F17) KD
1800	140 x 70 SEAS, (F17) KD



PROPOSED SHED FLOOR PLAN (1:100)



MEZZANINE FLOOR PLAN (1:100)

No.	Date	Amendment
1	10.05.19	For MCJ Approval
P1	04.04.19	Preliminary Issue

PROPOSED
SHED &
MEZZANINE
FLOOR PLANS

SK Drafting
building designs

P. 07 4927 7444 M. 0419 788 031
E. scot@skdrafting.com.au
www.skdrafting.com.au
Shop 2/149 Canning Street, Rockhampton Qld 4700
BSA LIC No 569429



PROPOSED STORAGE SHED
AT 142 DAWSON ROAD,
ROCKVIEW.
FOR BELMONT DOWNS RURAL
FIRE BRIGADE.

Scale	AS SHOWN ON A1	Date	APR '19	Issue	1
Drawn	TEM	Sheet	2/3	Drawing No.	19-017
Checked					
Approved					

**12.5 - REQUEST FOR NEGOTIATED
INFRASTRUCTURE CHARGES FOR
DEVELOPMENT PERMIT D-109-2019
FOR A MATERIAL CHANGE OF USE
FOR EMERGENCY SERVICES
(BELMONT RURAL FIRE SERVICE)**

**Infrastructure Charges Notice D-109-
2019**

Meeting Date: 19 November 2019

Attachment No: 3



Infrastructure Charges Notice

Planning Act 2016, section 119 & 121

Application number:	D-109-2019	Your reference:	Nil
Date received:	14 May 2019	Contact:	Jonathon Trevett-Lyall
Date of decision:	6 August 2019	Contact number:	1300 790 919

1. APPLICANT DETAILS

Name:	Belmont Rural Fire Service		
Postal address:	Chris Thompson 26 Barker Street KAWANA QUEENSLAND 4701		
Phone:	0438 808 819	Email:	chris.thompson1@rfs.qfes.qld.gov.au

2. PROPERTY DESCRIPTION

Street address:	Lot 142 Dawson Road, Glenlee
Property description:	Lot 142 on CP900425

3. OWNER DETAILS

Name:	Livingstone Shire Council (as Trustee)
Postal address:	PO Box 2292, Yeppoon, Queensland 4703

4. DEVELOPMENT APPROVAL

Development Permit for a Material Change of Use for Emergency Services (Belmont Rural Fire Service)

5. DECISION TO GIVE AN INFRASTRUCTURE CHARGES NOTICE

Pursuant to section 119 of the *Planning Act 2016*, Council decided to give an infrastructure charges notice relevant to the development based on the developments increased demand on trunk infrastructure.

6. INFRASTRUCTURE CHARGE

The charge is levied pursuant to the *Adopted Infrastructure Charges Resolution (No.3) 2018*. The details and breakdown of the charge are outlined below:

Total charge:	\$10,326.14 This charge may be indexed in line with Consumer Price Index on an annual basis.
Charge area:	The subject site is located within Charge Area 1

Calculation:	<p>The charge is calculated in accordance with section 3.4.2 - Development located partly outside or entirely outside the priority infrastructure area, Table 4 - Adopted charge for development Uses within the Priority Infrastructure Area and Table 6 - Proportional Split of adopted infrastructure charge for trunk infrastructure networks within the priority infrastructure area for Reconfiguring a Lot and development Uses, as follows:</p> <ol style="list-style-type: none"> 1. A proportional split of 81% of the below charges, being for Transport (50%), Parks & Community Facilities (9%) and Water (22%); 2. Emergency Services use at 399.85 square metres gross floor area at \$70.00 per square metre; 3. Impervious area of 1,037.61 square metres at \$10.00 per square metre. <ul style="list-style-type: none"> • The impervious area of 1,037.61 square metres comprising: <ul style="list-style-type: none"> ○ 315 square metres for the building; and ○ 722.61 square metres for the parking and manoeuvring area, and hardstand area; and 4. less a credit of \$20,750.00.
Credit:	<p>The above calculation takes into account a credit of \$20,750.000 for the existing allotment pursuant to section 4.0 of Council's <i>Adopted Infrastructure Charges Resolution (No. 3) 2018</i>. The credit is calculated as follows:</p> <ol style="list-style-type: none"> 1. one existing lot at \$20,750.00 per lot.
Offset:	No offsets are applicable to the development.

7. PAYMENT DETAILS

The charge must be paid:	Prior to the change of use occurring.
Payment options:	<p>ONLINE – by accessing Council's online services website. <u><i>Please contact Council for your payment reference number PRIOR to making payment</i></u></p> <p>IN PERSON – at Council's Customer Service Centre at Town Hall.</p> <p>TELEPHONE – Call 1300 790 919 or 07 4913 5000 to pay via MasterCard or Visa.</p> <p><i>Council complies with the Payment Card Industry Data Security Standard. Compliance helps to alleviate sensitive data being compromised and protects cardholder data.</i></p> <p>MAIL – post a cheque payable to 'Livingstone Shire Council' and send to PO Box 2252, Yeppoon Queensland 4703.</p>

8. LAPSING OF INFRASTRUCTURE CHARGES NOTICE

This infrastructure charges notice lapses if the development approval to which it pertains ceases to have effect in accordance with section 71 and 119 (11) of the *Planning Act 2016*.

9. APPEAL RIGHTS

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about an infrastructure charges notice are set out in chapter 6, part 1 of the *Planning Act 2016* and an extract is provided in Attachment 1. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

10. ASSESSMENT MANAGER

Maddie Ward Acting Co-ordinator – Development Assessment Liveability and Wellbeing		Date:	7 August 2019
--	---	-------	---------------



Attachment 1 – Appeal rights

Planning Act 2016 Extract from schedule 1 - Appeals

The extract is provided for information purposes only. Whilst care is taken to ensure the data is current, Council accepts no responsibility for reliance on this information where amendments to the legislation are not reflected in the information. The applicant must refer to the Act available on the Legislation Queensland website

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) Table 2 states the matters that may be appealed only to the P&E Court.
- (3) Table 3 states the matters that may be appealed only to the tribunal.
- (4) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (5) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

Table 1
Appeals to the P&E Court and, for certain matters, to a tribunal

<p>4 .Infrastructure charges notice An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p>(i) the application of the relevant adopted charge; or</p> <p>Examples of errors in applying an adopted charge —</p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect 'use category', under a regulation, to the development <p>(ii) the working out of extra demand, for section 120; or</p> <p>(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	-	-

**12.5 - REQUEST FOR NEGOTIATED
INFRASTRUCTURE CHARGES FOR
DEVELOPMENT PERMIT D-109-2019
FOR A MATERIAL CHANGE OF USE
FOR EMERGENCY SERVICES
(BELMONT RURAL FIRE SERVICE)**

**Change Representations prepared by
Chris Thompson on behalf of Belmont
Rural Fire Brigade**

Meeting Date: 19 November 2019

Attachment No: 4

From: Chris Thompson (RFS) <chris.thompson1@rfs.qfes.qld.gov.au>
Sent: Tuesday, 20 August 2019 6:36 AM
To: DutyPlanner
Cc: Jonathon Trevett-Lyall
Subject: FW: Belmont MCU application

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Jonathon

From: [Chris Thompson \(RFS\)](#)
Sent: Tuesday, 20 August 2019 6:33 AM
To: [Chris Thompson \(RFS\)](#)
Subject: RE: Belmont MCU application

To whom it may concern

I am writing to you on behalf of Belmont Rural Fire Brigade, regarding the infrastructure charges notice form section 119 of the Planning Act 2016. We would like make representations about the infrastructure charges notice for the following reasons. (1) Our service is partly funded by levee collected from our local landowners and the \$10326.14 would be a significant setback on achieving a new station for our local community. (2) Our station is the result of countless hours fundraising by our volunteers who have giving their time to help the local community and if we could have the charges waived it would mean that we are one step closer to having opening our station that has been a long time in planning.

Yours sincerely

Chris Thompson

1st Officer

Belmont RFB

0438808819

From: Jonathon Trevett-Lyall
Sent: Friday, August 9, 2019 12:36 pm
To: Chris Thompson (RFS)
Subject: RE: Belmont MCU application

Good afternoon Chris,

An infrastructure charges notice is given under section 119 of the *Planning Act 2016*. The Infrastructure charges for the application were calculated from Council's *Adopted Infrastructure Charges Resolution (No. 3) 2018*. The charges were calculated based off of an 81% rate (no charge for sewer or stormwater) of the infrastructure charges for an emergency services use, less a credit for the existing lot.

Under section 125 of the *Planning Act 2016* the recipient of the infrastructure charges may make representations about the infrastructure charges notice (ICN). If you were to make representations to Council in regards to the ICN, the final decision would be made by Council as to whether the infrastructure charges would be amended or waived.

To make representations you would need to message Council advising that you would like to make representations about the ICN under section 125 of the *Planning Act 2016* and the reasons for said representations.

I trust that this information is of assistance to you. Please feel free to contact me if you have any further enquiries.

Kind regards,

Jonathon Trevett-Lyall (MPIA)

Planning Officer – Development Assessment

Liveability and Wellbeing

Livingstone Shire Council – Lagoon Place Office

Phone: 1300 790 919 or (07) 4913 5000

Email: jonathon.trevett-lyall@livingstone.qld.gov.au



Web: www.livingstone.qld.gov.au | Like us www.facebook.com/livingstoneshirecouncil

From: Jonathon Trevett-Lyall

Sent: Thursday, 8 August 2019 5:20 PM

To: Chris Thompson (RFS)

Subject: RE: Belmont MCU application

Hi Chris,

Not sure why you cannot open/receive the attachment on the previous emails.

I'll try again from my email. Let me know if you have any further issues and we may have to post it out to you.

Regards,

Jonathon Trevett-Lyall (MPIA)

Planning Officer – Development Assessment

Liveability and Wellbeing

Livingstone Shire Council – Lagoon Place Office

Phone: 1300 790 919 or (07) 4913 5000

Email: jonathon.trevett-lyall@livingstone.qld.gov.au



Web: www.livingstone.qld.gov.au | Like us www.facebook.com/livingstoneshirecouncil

From: Chris Thompson (RFS) [<mailto:chris.thompson1@rfs.qfes.qld.gov.au>]

Sent: Thursday, 8 August 2019 9:01 AM

To: Jonathon Trevett-Lyall

Cc: Maddie Ward

Subject: RE: Belmont MCU application

Hi Jonathon

Can you please update me on the progress of the MCU application for our station.

Chris Thompson

1st Officer

Belmont RFB

From: Maddie Ward

Sent: Thursday, 27 June 2019 1:19 PM

To: Chris Thompson (RFS)

Cc: Jonathon Trevett-Lyall

Subject: RE: Belmont MCU application

Hi Chris,

The application has been allocated to Jonathon in our team. I believe the statutory due date (which didn't technically start until the owner's consent was provided) is 7 August 2019 however I have spoken to Jonathon who is working towards completing his assessment over the next fortnight.

Feel free to give myself or Jonathon a call if need be,

Maddie Ward

Acting Co-ordinator – Development Assessment

Liveability and Wellbeing

Livingstone Shire Council – Lagoon Place Office

Phone: 1300 790 919 or (07) 4913 5000

Email: duty.planner@livingstone.qld.gov.au



Web: www.livingstone.qld.gov.au | Like us www.facebook.com/livingstoneshirecouncil

From: Chris Thompson (RFS) [<mailto:chris.thompson1@rfs.qfes.qld.gov.au>]

Sent: Thursday, 27 June 2019 1:01 PM

To: Maddie Ward <maddie.ward@livingstone.qld.gov.au>

Subject: Belmont MCU application

Hi Maddie

Can you please give me an approx timeframe for the MCU approval as we are having a meeting this weekend coming so I can give an update to the brigade

Chris

Belmont RFB

This correspondence is for the named persons only. It may contain confidential or privileged information or both. No confidentiality or privilege is waived or lost by any mistransmission. If you receive this correspondence in error please delete it from your system immediately and notify the sender. You must not disclose, copy or relay on any part of this correspondence, if you are not the intended recipient. Any opinions expressed in this message are those of the individual sender except where the sender expressly, and with the authority, states them to be the opinions of the Queensland Government.

All reasonable precautions will be taken to respect the privacy of individuals in accordance with the Information Privacy Act 2009 (Qld).

This message and any attachments are for the named person's use only. It may contain confidential, proprietary or legally privileged information and may be protected by copyright. No confidentiality or privilege is waived or lost by any mistransmission. If you receive this in error, please immediately delete it and all copies of it and notify the sender.

You must not directly or indirectly, use, disclose, distribute, print, or copy any part of this message if you are not the intended recipient. Livingstone Shire Council and any of its subsidiaries each reserve the right to monitor all e-mail communications through its networks. Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorised to state them to be the views of any such entity. It is the addressee's responsibility to scan this message for viruses. Livingstone Shire Council does not warrant that the information is free from any virus, defect or error.

This correspondence is for the named persons only. It may contain confidential or privileged information or both. No confidentiality or privilege is waived or lost by any mistransmission. If you receive this correspondence in error please delete it from your system immediately and notify the sender. You must not disclose, copy or relay on any part of this correspondence, if you are not the intended recipient. Any opinions expressed in this message are those of the individual sender except where the sender expressly, and with the authority, states them to be the opinions of the Queensland Government.

All reasonable precautions will be taken to respect the privacy of individuals in accordance with the Information Privacy Act 2009 (Qld).

This correspondence is for the named persons only. It may contain confidential or privileged information or both. No confidentiality or privilege is waived or lost by any mistransmission. If you receive this correspondence in error please delete it from your system immediately and notify the sender. You must not disclose, copy or relay on any part of this correspondence, if you are not the intended recipient. Any opinions expressed in this message are those of the individual sender except where the sender expressly, and with the authority, states them to be the opinions of the Queensland Government.

All reasonable precautions will be taken to respect the privacy of individuals in accordance with the Information Privacy Act 2009 (Qld).

This correspondence is for the named persons only. It may contain confidential or privileged information or both. No confidentiality or privilege is waived or lost by any mistransmission. If you receive this correspondence in error please delete it from your system immediately and notify the sender. You must not disclose, copy or relay on any part of this correspondence, if you are not the intended recipient. Any opinions expressed in this message are those of the individual sender except where the sender expressly, and with the authority, states them to be the opinions of the Queensland Government.

All reasonable precautions will be taken to respect the privacy of individuals in accordance with the Information Privacy Act 2009 (Qld).

12.6 DEVELOPMENT APPLICATION D-151-2019 FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (TWO LOTS INTO THREE LOTS) AT 157 AND 177 HIDDEN VALLEY ROAD, HIDDEN VALLEY

File No: D-151-2019

Attachments:

1. Proposed Reconfiguration Plan [↓](#)
2. Locality Plan (with Zones) [↓](#)

Responsible Officer: Jonathon Trevett-Lyall - Planning Officer
Maddie Ward - Co-ordinator Development Assessment
David Battese - Manager Liveability

Author: Jonathon Trevett-Lyall - Planning Officer

SUMMARY

This report seeks Council's resolution in relation to a development application.

Applicant: J & J Edwards

Consultant: Finch Surveying Consultants

Real Property Address: Lot 5 on RP602714

Lot 2 on RP602635

Area of Site: 15.25 hectares

Planning Scheme: Livingstone Planning Scheme 2018

Planning Scheme Zone: Rural Zone

Planning Scheme Overlays: Overlay Map OM02 Agricultural Land Classification

Overlay Map OM07 Biodiversity – Habitat and Vegetation

Overlay Map OM11 Biodiversity - Stream Order

Overlay Map OM12 Bushfire Hazard Area

Overlay Map OM18 Landslide Hazard Area

Overlay Map OM21 Scenic Amenity

Existing Development: Three (3) Dwelling Houses

Level of Assessment: Impact Assessable

Submissions: Nil

Referral matters: None Applicable

Infrastructure Charge Area: Outside the Priority Infrastructure Area

Application progress:

<i>Application received:</i>	25 June 2019
<i>Application properly made:</i>	25 June 2019
<i>Development control unit meeting:</i>	26 June 2019
<i>Confirmation notice issued:</i>	8 July 2019
<i>Public notification period:</i>	1 August 2019 – 22 August 2019
<i>Site Inspection:</i>	8 August 2019

<i>Notice of compliance received:</i>	<i>29 August 2019</i>
<i>Extension of time agreed to:</i>	<i>4 October 2019</i>
<i>Decision period commenced:</i>	<i>29 August 2019</i>
<i>Council workshop date:</i>	<i>28 October 2019</i>
<i>Council meeting date:</i>	<i>5 November 2019</i>
<i>Statutory determination date:</i>	<i>15 November 2019</i>

RECOMMENDATION A

That in relation to the application for a Development Permit for a Reconfiguring a Lot (two (2) lots into three (3) lots), made by J & J Edwards, on land described as Lot 5 on RP602714 and Lot 2 on RP602635, and located at 157 and 177 Hidden Valley Road, Hidden Valley, 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 issue of the Compliance Certificate for the Survey Plan, 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 Compliance Certificate for the Survey Plan, 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 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>
Reconfiguration Plan	7401-01-ROL, Issue A, Sheet 1 of 1	19 June 2019

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 WORKS

3.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines* and *Australian Standard AS2890 "Off Street Car Parking"*.

3.2 The access easement over lot 3 in favour of lot 1 must have a minimum width of twenty (20) metres.

3.3 The extent of the access easement must be generally in accordance with the approved plan (refer to condition 2.1). The easement must be shown on the plan of subdivision and the relevant documentation submitted to Council as part of the request for approval of a plan of subdivision (survey plan endorsement).

3.4 The driveway for proposed Lot 1, within the access easement, must be designed and constructed in accordance with the following:

3.4.1 a minimum four (4) metres wide all weather gravel pavement; and

3.4.2 if the grade of the driveway is steeper than ten (10) per cent at any point, a minimum six (6) metre wide formation.

3.5 Access to each of the proposed lots must comply with the requirements of the *Capricorn Municipal Development Guidelines*.

3.6 Rural addressing must be provided to each lot in accordance with Council's Local Law for Roads.

4.0 PLUMBING AND DRAINAGE WORKS

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

4.2 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the Plumbing and Drainage Act, Council's Plumbing and Drainage Policies and the provisions of a Development permit for plumbing and Drainage Works.

4.3 All internal plumbing and sanitary drainage systems must be located within the respective lot it serves.

4.4 Buildings and structures must not be located within an on-site sewerage treatment and disposal area or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.

4.5 All lots must be provided with a minimum combined capacity of 50,000 litres for on-site water storage for domestic water supply purposes.

4.6 On-site water storage for firefighting purposes, with a minimum combined capacity of 25,000 litres, must be provided for proposed Lot 1.

4.7 Any new on-site water storage for firefighting purposes must be:

- 4.7.1 Constructed with fire-proof materials, or located underground with above-ground access points;
- 4.7.2 Located more than nine (9) metres from any potential fire hazards (such as venting gas bottles and combustible structures);
- 4.7.3 Located within six (6) metres of a hardstand area allowing access for a heavy rigid fire appliance; and
- 4.7.4 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.

5.0 SITE WORKS

5.1 Any vegetation cleared or removed must be:

- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the 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.

6.0 ELECTRICITY AND TELECOMMUNICATIONS

- 6.1 Each lot must be provided with an on-site energy supply installed in accordance with all laws and regulations and current best practice. (Note if the development is provided with a reticulated grid electricity supply, the reticulated supply must be provided in accordance with the requirements of the relevant energy supply authority.)
- 6.2 Each lot must be provided with on-site telecommunications infrastructure for the use sufficient to enable contact in normal circumstances with the each of the nearest emergency services. (Note if the development is provided with reticulated telecommunications infrastructure, the reticulated infrastructure must be provided in accordance with the requirements of the relevant telecommunications supply authority.)

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 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.

8.0 OPERATING PROCEDURES

- 8.1 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 Hidden Valley

Road.

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 www.datsip.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. Environment

The land subject to the above development application must be free of restricted invasive species as defined by the *Biosecurity Act 2014*. Council will supply a free inspection and advice service on the request of the land owner.

It is advised that part of the subject site is mapped by the Department of Environment and Science as containing Regulated Vegetation. The *Vegetation Management Act 1999* has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at: <https://www.qld.gov.au/environment/land/vegetation/management/>

It is advised that part of the subject site is mapped under the Livingstone Planning Scheme as being ‘Matters of Local Environmental Significance’. Clearing of this vegetation may trigger requirements under the Livingstone Planning Scheme and should not be undertaken without the advice of Council’s Natural Resource Management Unit.

It is advised that part of the subject site is mapped by the Department of Environment and Science as a high priority area for protected plants, which is administered under the *Nature Conservation Act 1992*. Further advice regarding protected plants can be sought from the Department of Environment and Science.

NOTE 5. 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 Reconfiguring a Lot (two (2) lots into three (3) lots), made by J & J Edwards, on land described as Lot 5 on RP602714 and Lot 2 on RP602635, and located at 157 and 177 Hidden Valley Road, Hidden Valley, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$15,250.00**.

BACKGROUND

On 20 December 2016, the owners made a submission in regards to the draft Livingstone Planning Scheme. A summary of their issues raised were:

- Up until 2012 their property was used primarily for growing avocados and other tropical fruit. However as a result of the decision by the Rockhampton Regional Council to cease the supply of recycled water it became impossible to continue irrigating the orchard. The orchard has since been cleared at considerable expense and loss of income.
- The density of neighbouring properties impacting on the use of the site for agriculture. The neighbours all have to be notified when spraying for pests and diseases (generally conducted monthly) and most neighbours were concerned with spray drift.
- The Northern section of Hidden Valley has already been designated as urban by the Rural Fire Brigade.
- The area is very close to Yeppoon and the recent completion of the direct access route via Hoskyns Drive has improved access and road safety.
- We submit that in view of the unsuitability of the property for agriculture, consideration should be given to changing the category of the area to either Rural Residential or Low Density Residential.

This submission was discussed at the Councillor workshops on 2 May 2017 and 8 May 2017. The resolution for this site was that:

- In relation to the zone of lands at Lot 2 RP602635 and Lot 5 RP602714, Hidden Valley Road, that the Rural zone remains; and
- An investigation into a transition strategy for lots in Hidden Valley Road be explored in the first two years of a new planning scheme commencing; and
- Such works should include but not be limited to exploring the state and local matters included in the SPP and scheme overlays to identify areas that are not negotiable for development and identify areas that are negotiable.

PROPOSAL

The proposal is to reconfigure the existing two (2) lots into three (3) new lots. The new lots' will have sizes of 1.394 hectares, 1.962 hectares and 11.893 hectares. There are currently three (3) dwellings over the two (2) lots and the reconfiguration will separate each of these dwellings onto their own lots. The smaller sized lots, being lots 1 and 2, will be located on the eastern and western property boundaries, with road frontages of forty-five (45) metres and 145 metres respectively. Lot 3 will be an irregular shape, have a road frontage of 150.4 metres and will partially wrap around the rear of proposed lots 1 and 2. Access to proposed lot 1 will be via an access easement over lot 3.

SITE AND LOCALITY

The subject site is located over two allotments. 157 Hidden Valley Road contains two (2) Dwellings and 177 Hidden Valley Road contains one (1) Dwelling. The subject site has a combined area of 15.249 hectares and is relatively flat with a gradual slope north to south from twenty (20) metres Australian Height Datum to seventy-eight (78) metres Australian Height Datum. The site is characterised as being predominately cleared of vegetation, with the exception of approximately 100 fruit trees and some vegetation along the eastern portion of the site.

Officers undertook a site visit on 8 August 2019 whereby the property was viewed from Hidden Valley Road.

The locality is located outside of the priority infrastructure area and is characterised by a range of rural allotment sizes with a mix of uses.

The related permits over the subject site and the permits and development on adjoining properties are detailed in the following table:

Existing applications/development permits over the site	
Lot 5 on RP602714 157 Hidden Valley Road	Building Permit 4115 for a Dwelling House
Lot 2 on RP602635 177 Hidden Valley Road	Building Permit 8443 for a Dwelling Addition
Applications/development permits on adjoining properties	
Lot 1 on SP163715 151 Hidden Valley Road (to the north-east)	Development Permit D-Y/2003-1406 for Development Consistent with Residential A Zone Development Permit D-Y/2004-130 for a Boundary Realignment Building Permit 514-2000-YPO for a Patio Building Permit 600-2000-YPO for a Carport and Shed
Lot 2 on SP163715 Lot 2 Hidden Valley Road (to the east)	Development Permit D-Y/2003-1406 for Development Consistent with Residential A Zone Development Permit D-Y/2004-130 for a Boundary Realignment
Lot 3 on RP602596 318 Tanby Road (to the east)	Development Permit D-Y/2007-2456 for Preliminary Approval to Override the Planning Scheme (Reconfiguring a Lot (195 Lots)) Development Permit D-Y/2007-618 for Reconfiguring a Lot (one lot into three lots) Development Permit D/1602-2009 for Roadworks, Stormwater and Earthworks Development Permit D-63-2015 for Reconfiguring a Lot (one lot into thirty-five lots) Building Permit 5425 for a Dwelling House
Lot 23 on RP864569 241 Hidden Valley Road (to the south)	Building Permit 465-2002-YPO for a Garage Building Permit 5427 for a Dwelling House Building Permit 5472 for a Farm Shed Building Permit 97-272 for a Shed
Lot 3 on RP604235 199 Hidden Valley Road (to the south-west)	Building Permit 418-1999-YPO for a Pool Building Permit 4571 for a Dwelling House

ASSESSMENT INCLUDING BENCHMARKS AND RELEVANT MATTERS

This application has been assessed by relevant Council planning, engineering, environmental health, natural resource management and growth management officers as required. The assessment has been undertaken in accordance with Chapter 3 of the *Planning Act 2016*, Part 4 of the *Planning Regulation 2017* and the Development Assessment Rules under the *Planning Act 2016*.

The assessment has been carried out against the assessment benchmarks in the relevant categorising instruments for the development and having regard to the State Planning Policy, any development approval for and any lawful use of the premises or adjoining premises, and the common material.

Benchmarks applying for the development	Benchmark reference
Strategic Framework – Settlement Pattern Theme – Rural Places, and Natural environment and hazards theme Reconfiguring a lot code Bushfire hazard overlay code Development works code	<i>Livingstone Planning Scheme 2018</i> , in force 1 May 2018
Part E: State interest policies and assessment benchmarks	<i>State Planning Policy</i> , July 2017
Relevant matters considered	
Any development approval for, and any lawful use of, the premises or adjacent premises	The relevance of existing approvals on the subject site and adjoining properties in respect of the land use pattern and commensurate development
The common material submitted with the application	In respect of the reports provided in the material including proposal plans and supporting information
The Local Government Infrastructure Plan	In respect of trunk infrastructure provisions and charging for development.

Internal advice and assessmentInfrastructure Operations Unit – 4 July 2019

Support, subject to conditions

Natural Resource Management – 30 September 2019

Support, subject to advisory notes

Public and Environmental Health – Development Control Unit meeting 26 June 2019

No comments Growth Management – Email received 27 June 2019

Provided information in regards to the submission made by the owners in regards to the draft Livingstone Planning Scheme.

State Planning Policy – July 2017

The Minister has identified that the *State Planning Policy* (July 2017) is integrated in the planning scheme for the following aspects:

- Guiding principles
- Agriculture
- Development and construction
- Mining and extractive resources
- Tourism
- Emissions and hazardous activities

Part E of the *State Planning Policy* provides for interim development assessment benchmarks for local government until such time as the other aspects of the *State Planning Policy* are reflected in the planning scheme. An assessment of the State interests relevant to the application is detailed below.

Liveable Communities: Not applicable as the development is proposed in a Rural zone and is not for the provision of residential land.

Environment and Heritage - Water quality: Not applicable as the development is not for an urban purpose.

Natural hazards, risk and resilience: Applicable as the site is mapped as a Bushfire prone area.

Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:	
Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.	<p>Complies</p> <p>Although the reconfiguration will be creating an extra lot, there are already three (3) existing dwellings on the subject site that will each be within one (1) of the new proposed lots. Therefore, there will not be an increase in the risk to people and property as a result of the proposed development.</p>
All natural hazard areas:	
Development supports and does not hinder disaster management response or recovery capacity and capabilities.	<p>Complies</p> <p>The proposal is for the creation of one (1) extra lot. However, there will not be an increase in the number of dwellings as the reconfiguration will result in the existing dwellings being evenly distributed between the three (3) proposed lots (one (1) for each lot). Therefore, the development will not hinder disaster management response or recovery capacity and capabilities.</p>
Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.	<p>Complies</p> <p>Although the reconfiguration will be creating an extra lot, there are already three (3) existing dwellings on the subject site that will each be within one (1) of the new proposed lots. Therefore, the proposed development will not lead to an increase in the severity of the natural hazard and the potential for damage on the site or to other properties</p>
Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.	<p>Complies in part</p> <p>There is no known storage of hazardous materials associated with this application. However, there may be the potential for the storage of materials associated with rural activities.</p>
The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.	<p>Complies</p> <p>The proposal does not involve the removal or any vegetation or changes to the topography that may impact on the effects of a bushfire event. Furthermore, the land has already been predominately cleared of vegetation. All three dwellings have safe and efficient access to Hidden Valley Road in the case of a bushfire event.</p>

Central Queensland Regional Plan

The Minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the *Central Queensland Regional Plan* October 2013, as it applies in the planning scheme area.

Livingstone Planning Scheme 2018

The *Livingstone Planning Scheme 2018* (commenced 1 May 2018) is the relevant categorising instrument applicable to the assessment of this application.

Strategic Framework

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme. The site is generally located in the rural area on Strategic Framework Map SFM-02 – Yeppoon and Surrounds.

The Settlement pattern theme (Rural places) and Natural environment and hazards theme (Natural hazards and climate change) are applicable to the assessment of the application. The following section is an excerpt from the relevant sections of the Strategic Framework.

Settlement pattern theme

Specific Outcome	Assessment response
3.3.1 Strategic outcome	
(2) Development makes efficient use of land and existing or planned infrastructure.	<p>Complies</p> <p>The site is zoned as Rural and the reconfiguration will not place any additional load upon the trunk infrastructure network given the properties already contain three (3) dwelling houses. These uses are anticipated to continue into the future.</p> <p>The land owners advise that the land is no longer utilised for an avocado orchid given the encroachment of Dwelling houses on adjoining properties resulted in complaints in relation to overspray necessary for the crop.</p>
(5) Population growth is predominantly accommodated within urban and urban infill places, as identified on the strategic framework maps SFM-01 to SFM-04.	<p>Complies</p> <p>The proposal will create an extra lot; however there will be an existing dwelling house located on each lot and therefore will not lead to population growth. It is worth noting that Council's Growth Management Unit has identified the area for future investigation as a growth corridor given proximity to other development fronts such as The Pines Estate and Hidden Valley Estate.</p>
(10) The design of development is consistent with the desired built form and character of specific places and the existing or intended role and function of the place in the settlement pattern.	<p>Complies</p> <p>The site is located in the Rural area and the reconfiguration will not impact on the agricultural capacity of the land as the larger lot will increase in area to remain of a size that will allow rural activities to occur.</p>
(18) Rural places are predominantly used for purposes that contribute to primary	<p>Complies</p> <p>The site is located in the Rural area and the</p>

production.	reconfiguration will not impact on the agricultural capacity of the land as the larger lot will increase in area to remain of a size that will allow rural activities to occur.
(19) Development does not limit or compromise agricultural land or uses involved in primary production.	Complies The reconfiguration will not impact on the agricultural capacity of the land as the larger lot has increased in area by approximately 0.59 hectares and will allow rural activities to occur on the site.
(20) Development avoids causing significant adverse impacts on matters of environmental significance, or when this cannot be achieved, impacts are minimised or residual impacts offset.	Complies The site has a small area in the south-eastern and southern portions of the site that are mapped as being of environmental significance. However, the site has been predominantly cleared and the proposed reconfiguration will not cause any significant adverse impacts on matters of environmental significance.
3.3.5 Rural places	
(4) Rural places containing important features identified by scenic amenity overlays or biodiversity areas overlays are protected from development which could adversely affect the values associated with the overlay features.	Complies The site has a small area in the south-eastern and southern portions of the site that are mapped as being of environmental significance, and a small area to the south of the site that is mapped in the scenic amenity overlay area. However, the site has been predominantly cleared and the proposed reconfiguration will not adversely affect the values associated with the overlay features.
(5) Development in rural places does not result in fragmentation of land which is suitable for primary production by virtue of the following: (a) being identified as agricultural land Class A or Class B; or (b) being identified as rural land needing retention in larger lot sizes; or (c) being identified as having known minerals or other natural resources.	Complies The site is within land that is identified as agricultural land Class A or Class B. However, the reconfiguration will not impact on the agricultural capacity of the land as the larger lot will increase in area by approximately 0.59 hectares which will allow rural activities to still occur on the site. The area of the proposal site that the smaller lots are located on will not negatively impact on the agricultural capacity of the land as it currently stands.
(6) A range of lot sizes in rural places is identified based on the capabilities of the land for primary production, with rural places predominantly being retained in larger lots except for the Capricorn Coast Rural Precinct, where minimum lot sizes of ten (10) hectares or greater are provided for.	Complies The lot sizes of the proposed reconfiguration will not impact on the agricultural capacity of the land as the larger lot will increase in area by approximately 0.59 hectares which will allow for primary production activities to still occur on the site. Furthermore, the area of the proposal site that the smaller lots are located on will not negatively impact on the

	agricultural capacity of the land as it currently stands, as the smaller lots are already partially fragmented due to the location of the dwellings on these lots.
--	--

Natural environment and hazards theme

Specific Outcome	Assessment response
3.4.1 Strategic outcome	
(2) Areas which are affected by natural hazards including storm tide, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide, are identified and development does not occur in these areas if it is incompatible with the nature of the hazard or if it is likely to expose people, property and vital infrastructure to unacceptable risk.	<p>Complies</p> <p>The proposed reconfiguration is mapped as being in the bushfire hazard area. However, the majority of the site is either mapped as potential impact buffer or located outside of the bushfire hazard overlay.</p> <p>The proposed reconfiguration will create an extra lot; however there are already three (3) existing dwellings on the subject site that will each be within one (1) of the new proposed lots as a result of the reconfiguration. Two (2) of the dwellings are located outside of the bushfire overlay area and the other dwelling is located twenty (20) metres from the edge of the bushfire overlay area. The dwelling that is located in the bushfire buffer area is located approximately 150 metres from Hidden Valley Road and will have a clear path to exit the property in the event of a bushfire. Therefore, the proposed development will not lead to an increase in the severity of the natural hazard or the likelihood of exposing people, property and vital infrastructure to unacceptable risk.</p>
3.4.3.1 Natural hazards and climate change	
(4) Unacceptable risks to human life, property and vital infrastructure due to potential impacts from natural hazards including acid sulfate soils, storm tide hazard, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide, are avoided as far as practicable.	<p>Complies</p> <p>The proposed reconfiguration will not increase the number of people, property or vital infrastructure that will be at risk due to a bushfire.</p>
(8) Development does not directly, indirectly and cumulatively increase the severity of natural hazards and any adverse impacts associated with natural hazards upon the site or other sites, property and infrastructure.	<p>Complies</p> <p>The proposed reconfiguration will not directly, indirectly nor cumulatively increase the severity of any adverse impacts associated with a bushfire, on the site or external to the site.</p>

As evident from the above assessment, the proposal complies with the various requirements of the Strategic framework, including; the Settlement Pattern for Rural places; and the Natural Environment and Hazards theme.

Bushfire hazard overlay code

The purpose of the Bushfire hazard overlay code is to ensure that development in bushfire prone areas does not increase risk to life, property, community, economic activity and the environment during bushfire events.

The purpose of the code will be achieved through the following overall outcomes:

- (1) development is located where bushfire hazard risk to personal safety and property is avoided or minimised and mitigated to acceptable levels;*
- (2) highly vulnerable and community uses are not located in bushfire hazard areas;*
- (3) vegetation which is identified as matters of State or local environmental significance is not cleared to achieve bushfire hazard minimisation;*
- (4) natural processes and the protective function of landforms and vegetation are maintained in bushfire hazard areas;*
- (5) access is provided for safe entry and exit requirements for residents during bushfire events;*
- (6) development provides for the efficient operational requirements of fire fighters during bushfire events;*
- (7) development is provided with adequate water supply and fittings for fire-fighting vehicles, and access arrangements for fire fighters;*
- (8) emergency services facilities are located and designed to function effectively during and after a bushfire;*
- (9) development does not create an unacceptable burden on disaster management response or recovery capacity and capabilities; and*
- (10) development avoids the storage of hazardous materials in a bushfire hazard area.*

The following is an assessment of the proposal against the specific benchmarks of the Bushfire Hazard Overlay Code, which includes an assessment of the development against the relevant performance outcomes of the code.

Performance outcomes	Acceptable outcomes	Assessment response
Reconfiguring a lot where located in bushfire hazard areas identified as potential impact buffer, or medium potential bushfire intensity, or high potential bushfire intensity, or very high potential bushfire intensity Note: The following performance outcomes and acceptable outcomes apply only to the following categories of development: <ul style="list-style-type: none"> <input type="checkbox"/> Reconfiguring a lot in the Rural zone and in the Emerging Community zone; <input type="checkbox"/> Reconfiguring a lot in any other zone where more than 6 additional lots are created and a new road is created. 		
Bushfire planning		
PO11 The lot layout is designed as a consequence of, and in accordance with the recommendations of a bushfire hazard assessment and management plan.	No acceptable outcome is nominated.	PO11 – Does not Comply A bushfire hazard and assessment management plan has not been received. Justification provided against the Overall outcomes The proposed reconfiguration will separate each of the existing three (3) dwellings onto their own lots. Two (2) of the dwellings are located outside of the

Performance outcomes	Acceptable outcomes	Assessment response
		bushfire overlay area and the other dwelling is located twenty (20) metres from the edge of the bushfire overlay area. The dwelling that is located in the bushfire buffer area is located approximately 150 metres from Hidden Valley Road and will have a clear path to exit the property in event of a bushfire. Therefore, not increasing the risk to personal safety and property due to a bushfire.
<p>PO12</p> <p>A bushfire hazard assessment and management plan demonstrates that all future buildings are able to be separated from the bushfire hazard by a distance which is the greater of the following:</p> <ul style="list-style-type: none"> (a) a sufficient distance to achieve a bushfire attack level no greater than 29kW/m²; or (b) no less than 1.5 times the mature tree canopy height in the hazard hazardous vegetation; or (c) for forest or woodland vegetation, a sufficient area to create a building protection zone which achieves the following: <ul style="list-style-type: none"> (i) the inner zone and outer zone of the building protection zone have slopes under thirty-three (33) per cent; and (ii) the inner zone has the following characteristics: <ul style="list-style-type: none"> (A) it has a minimum distance of ten (10) metres, or a distance 	No acceptable outcome is nominated.	<p>PO12 - Does not Comply</p> <p>A bushfire hazard and assessment management plan has not been received.</p> <p>Justification provided against the Overall outcomes</p> <p>The proposed reconfiguration will separate each of the existing three (3) dwellings onto their own lots. Two (2) of the dwellings are located outside of the bushfire overlay area and the other dwelling (located in proposed lot 1) is located approximately twenty (20) metres from the edge of the bushfire overlay area.</p> <p>The majority of the development site is either not located in the bushfire overlay area or located in the potential bushfire hazard overlay area. The site is predominately cleared of vegetation, with the exception of approximately 100 fruit trees and some vegetation along the eastern portion of the site and all three (3) lots will have safe and efficient access to Hidden Valley Road.</p> <p>The dwelling house located in proposed lot 1 will have a building protection zone that meets the requirements of</p>

Performance outcomes	Acceptable outcomes	Assessment response
<p>sufficient to achieve a bushfire attack level no greater than 29kW/m²; and</p> <p>(B) tree canopy cover in the zone is less than ten (10) per cent; and</p> <p>(C) three canopy is located greater than two (2) metres from any part of the roofline of a building; and</p> <p>(iii) the outer zone has the following characteristics:</p> <p>(A) it has a minimum distance of ten (10) metres plus one (1) metre for every degree of downslope vegetation; and</p> <p>(B) tree canopy cover in the zone is less than thirty (30) per cent.</p>		PO12 (c).
<p>PO13</p> <p>Lot design minimises the number of lots which have a direct interface with the bushfire hazard.</p>	<p>AO13.1</p> <p>No more than twenty (20) per cent of the total number of lots in the development interface directly with the fire hazard.</p>	<p>AO13.1 - Does not comply</p> <p>All three (3) proposed lots will interface with the bushfire hazard overlay.</p> <p>PO13 – Justified to comply</p> <p>The two (2) existing lots already interface with the bushfire hazard and the proposed three lots will interface with the bushfire hazard. However, even though the proposed reconfiguration will create an extra lot, each lot will contain an existing dwelling house. Therefore, as there will be an existing dwelling on each lot, it can be deemed that the lot design will minimise the number of lots that interface</p>

Performance outcomes	Acceptable outcomes	Assessment response
		with the bushfire hazard overlay.
Access		
<p>PO14</p> <p>The reconfiguring design ensures that the road network, future driveways and access routes:</p> <ul style="list-style-type: none"> (a) avoid potential for entrapment during a bushfire; (b) provide safe and efficient movement of residents, workers and visitors out of the subdivision and away from an approaching bushfire; (c) provides alternative access and egress considering the most likely bushfire scenarios; (d) ensures that the location, siting, and design of development and associated driveways and access routes enables safe and efficient access for emergency services vehicles during and after a bushfire. 	<p>AO14.1</p> <p>Where creating lots having an area less than two (2) hectares:</p> <ul style="list-style-type: none"> (a) all lots are separated from hazardous vegetation by a constructed all-weather, public road; (b) the road layout provides for at least one alternative access route connecting all lots in the development to a public road that meets the requirements in Table 8.2.4.4.2 and which is connects to a collector road; and (c) cul-de-sacs are avoided except where: <ul style="list-style-type: none"> (i) a perimeter road with a cleared width of twenty (20) metres separates the lots at the head of the cul-de-sac from hazardous vegetation; and (ii) the cul-de-sac is no longer than seventy (70) metres from the intersection with another road to the furthest future building. 	<p>AO14.1 - Complies</p> <p>The two (2) lots (lot 1 and lot 2) that are less than two (2) hectares in area have direct access to a rural access road which becomes a rural collector road approximately 400 metres from the proposal site.</p>
	<p>AO14.2</p> <p>Where creating lots having an area greater than two (2) hectares:</p> <ul style="list-style-type: none"> (a) all lots have a driveway or private road access which connects directly to a constructed all-weather public road; (b) dead-end roads are a maximum length of 200 	<p>AO14.2 - Complies</p> <p>Proposed lot 3 will have direct access to Hidden Valley Road which is a constructed all-weather public road.</p>

Performance outcomes	Acceptable outcomes	Assessment response
	metres and an alternative emergency evacuation route is provided away from the most likely source of bushfire risk.	
	AO14.3 For all lots, private roads and access driveways comply with the requirements specified in Table 8.2.4.4.2.	AO14.3 - Complies The proposed reconfiguration will utilise the existing crossovers and access driveways.
	AO14.4 Where the lots: (a) are required to be supplied with reticulated municipal water supply, private roads and access driveways have a maximum length of seventy (70) metres from an all-weather public road designed with culverts and bridges constructed with a minimum load bearing of fifteen (15) tonnes; or (b) are not required to be supplied with reticulated municipal water supply, private roads and access driveways have a maximum length of 200 metres from an all-weather public road designed with culverts and bridges constructed with a minimum load bearing of eight (8) tonnes.	AO14.4 - Complies in part The existing access driveways to the existing dwellings on lot 1 and lot 2 are less than 200 metres in length. The access driveway to the existing dwelling on lot 3 will exceed 200 metres in length. PO14 – Justified to comply The access driveway to the existing dwelling on lot 3 is approximately 260 metres in length. However, the access driveway is located in a predominately cleared area, does not require the construction of any culverts or bridges, and will provide for safe and efficient movement of residents, workers, visitors and emergency services during and after a bushfire.
Water for fire fighting purposes		
PO15 Development involving new premises provides adequate infrastructure to support firefighting.	AO15.1 Where the development is connected to a reticulated water supply, lots are provided with water supply and pressure in accordance with Australian Standard AS2419 Fire Hydrant Installations.	PO15 - Not applicable The development site is not located in an area that can connect to a reticulated water supply.

As evident from the above assessment, the proposal complies with the various requirements of the Bushfire hazard overlay code apart from a deviation from Acceptable outcome AO13.1

and AO14.4. Suitable justification has been provided to support the deviation given the proposal is able to meet the Performance outcomes for the code.

Reconfiguring a lot code

The purposes of the Reconfiguring a lot code are:

- (1) to facilitate the creation of a range of lot sizes which have an appropriate size, shape and slope, to accommodate the intended uses within each zone;*
- (2) to facilitate the design of urban neighbourhoods which are compact, well connected with vehicle and pedestrian access and enable the most efficient use of land;*
- (3) to facilitate the productive use of natural resources;*
- (4) to protect the landscape character and ecological functions of the natural environment; and*
- (5) to minimise risks to life and property, associated with hazards.*

Overall outcomes

The purpose of the code will be achieved through the following overall outcomes:

- (1) lot reconfiguration results in a pattern of urban development which is broadly sequential, to maximise the efficiency of infrastructure provision and connect to surrounding movement and infrastructure networks¹;*
- (2) a variety and mix of lot sizes enable a range of development options to accommodate the preferred uses in each zone;*
- (3) lots have suitable areas, dimensions and slope for the intended use, including space for vehicle access and parking, on-site services and recreation, appropriate for the zone;*
- (4) lot reconfiguration avoids areas where there is an unacceptable risk from hazards, including flood, storm tide, slope instability and bushfire;*
- (5) in urban areas and emerging communities, compact and walkable neighbourhoods are created, which connect to employment nodes, centres, open space, recreational areas, community services and educational opportunities;*
- (6) lot reconfiguration does not increase the likelihood of significant land use conflict;*
- (7) lot reconfiguration does not result in adverse impacts on natural topography, drainage systems, vegetation, ecological values, ecosystems and cultural heritage features;*
- (8) lot reconfiguration does not result in adverse impacts on utility installations, major transport and movement networks, and other important infrastructure;*
- (9) street and pathway design maximises opportunities to create landmarks, views and vistas;*
- (10) lots are orientated in a way which facilitates the design of buildings that are appropriate for the local climatic conditions;*
- (11) infrastructure is provided to new lots in a way which minimises whole of life cycle costs and maximises the use of sustainable technologies;*
- (12) public open space is provided in a way which is accessible, safe and integrated with active and passive transport networks;*
- (13) streets and roads are designed to maximise convenience and safety for all users.*

The following is an assessment of the proposal against the specific benchmarks of the Reconfiguring a lot code, which includes an assessment of the development against the relevant performance outcomes of the code.

Performance outcomes	Acceptable outcomes	Assessment response																						
All other reconfiguring a lot applications																								
Lot design – general																								
<p>PO5</p> <p>Development included in the table below requires the preparation of a structure plan to accompany the development application.</p>	No acceptable outcome is nominated.	<p>PO5 - Does not comply</p> <p>The proposed reconfiguration of a lot will be impact assessable and will create an additional lot in the Rural zone. A large structure plan has not been supplied.</p> <p>Justification provided against the Overall outcomes</p> <p>The proposed reconfiguration will create one (1) additional lot. The larger lot will increase in area by approximately 0.59 hectares and therefore not increase the likelihood of significant land use conflict. Furthermore, the proposed reconfiguration will separate each of the existing three (3) dwellings onto their own lots and will mitigate the risk to life and property, associated with bushfires. The proposal can meet the overall outcomes for the Reconfiguring a Lot code and as such a structure plan is not deemed to be necessary for this reconfiguration.</p>																						
<table><tr><th>Zone</th><th>Proposed additional lots in the stage/ development</th><th>Small structure plan</th><th>Large structure plan</th></tr><tr><td rowspan="2">All residential category zones</td><td>7 – 15</td><td>✓</td><td></td></tr><tr><td>16 or more</td><td></td><td>✓</td></tr><tr><td rowspan="2">All centres category zones and all industrial category zones</td><td>5 - 10</td><td>✓</td><td></td></tr><tr><td>11 or more</td><td></td><td>✓</td></tr><tr><td>All other zones where reconfiguring a lot requires impact assessment</td><td>1 or more</td><td></td><td>✓</td></tr></table>			Zone	Proposed additional lots in the stage/ development	Small structure plan	Large structure plan	All residential category zones	7 – 15	✓		16 or more		✓	All centres category zones and all industrial category zones	5 - 10	✓		11 or more		✓	All other zones where reconfiguring a lot requires impact assessment	1 or more		✓
Zone	Proposed additional lots in the stage/ development	Small structure plan	Large structure plan																					
All residential category zones	7 – 15	✓																						
	16 or more		✓																					
All centres category zones and all industrial category zones	5 - 10	✓																						
	11 or more		✓																					
All other zones where reconfiguring a lot requires impact assessment	1 or more		✓																					
<p>PO6</p> <p>Development which</p>	No acceptable outcome is nominated.	<p>PO6 - Does not comply</p> <p>The proposed</p>																						

Performance outcomes	Acceptable outcomes	Assessment response
requires a structure plan is undertaken in accordance with the structure plan, and the structure plan is prepared in accordance with the requirements of Schedule SC7.14.		reconfiguration of a lot will be impact assessable and will create an additional lot in the Rural zone. A large structure plan has not been supplied. Justification provided against the Overall outcomes Although PO5 requires a structure plan, the proposal can meet the overall outcomes for the Reconfiguring a Lot code and as such does not require a structure plan to be prepared.
PO7 Lot design is well integrated with the surrounding locality, having regard to: <ul style="list-style-type: none"> (a) roads, streets, pedestrian and cycle networks; (b) utility installations and other infrastructure networks; (c) open space networks, significant vegetation and habitat areas, waterways and wetlands, and valued biodiversity corridors; (d) connections to centres and employment areas; (e) surrounding landscaping and streetscape treatments; and (f) the interface with established land uses. 	No acceptable outcome is nominated.	PO7 - Complies The proposed reconfiguration of a lot has regard to the established land use of the site by retaining the large lot size for proposed lot 3 to allow for the continuation of agricultural land uses.
PO8 Lot design: <ul style="list-style-type: none"> (a) protects areas with significant environmental values; (b) appropriately utilises the natural topography of the site as far as practicable and minimises the need for significant earthworks for future development; (c) avoids crossing or 	No acceptable outcome is nominated.	PO8 - Complies The development site is already predominately cleared of existing vegetation, will have an existing dwelling located on each lot, will not require any earthworks, and will not interfere with any waterways, habitat areas or biodiversity corridors.

Performance outcomes	Acceptable outcomes	Assessment response
<p>otherwise interfering with natural drainage lines, waterways, wetlands, habitat areas or biodiversity corridors; and</p> <p>(d) retains key site characteristics, landmarks, and places of heritage significance.</p>		
<p>PO9</p> <p>Lot reconfiguration does not facilitate development which would be visually obtrusive on skylines, headlands or prominent landscape features.</p>	No acceptable outcome is nominated.	<p>PO9 - Complies</p> <p>The proposed reconfiguration will have an existing dwelling located on each lot and will not facilitate any visually obtrusive development.</p>
<p>PO10</p> <p>Lot reconfiguration does not:</p> <p>(a) increase the likelihood of significant land use conflict;</p> <p>(b) compromise the potential to use adjoining land for its zoned purpose;</p> <p>(c) compromise the use of stock routes;</p> <p>(d) compromise the safe and efficient operation of major transport networks and other major infrastructure networks.</p>	No acceptable outcome is nominated.	<p>PO10 - Complies</p> <p>Proposed lots 1 and 2, being the smaller lots, of the reconfiguration will not compromise the potential of the land within proposed lot 3 to be used for agricultural or rural purposes. In addition, proposed lot 3 will increase in area by approximately 0.59 hectares. The location of the existing dwelling houses are located in such a way as to limit the current potential to utilise portions of the land for agricultural or rural purposes.</p>
Lot design - size and dimension		
<p>PO11</p> <p>Reconfiguration only occurs if it creates lot sizes and dimensions that:</p> <p>(a) are consistent with the intended character of the zone, precinct or sub-precinct in which the land is located;</p> <p>(b) do not limit or compromise the ability to use rural land for its preferred uses;</p> <p>(c) do not limit or compromise the ability</p>	<p>AO11.1</p> <p>The lots are designed in accordance with the minimum lot sizes and dimensions specified within Table 9.3.3.4.2.</p>	<p>AO11.1 - Does not comply</p> <p>The proposed lot size are less than the minimum lot size requirement of sixty (60) hectares for the Rural zone where located within class A or class B agricultural land.</p> <p>PO11 – Justified to comply</p> <p>Proposed lot 3 will increase in area by approximately 0.59 hectares. Therefore, lot 3 will be of a size and dimension that will be</p>

Performance outcomes	Acceptable outcomes	Assessment response
<p>to use industrial zoned land or special purpose zoned land for their preferred uses;</p> <p>(d) protect resources (including potential mining and extractive resources), environmental and landscape values of rural land;</p> <p>(e) protect ground and surface water quality in the rural residential zone;</p> <p>(f) protect areas with significant biodiversity values; and</p> <p>(g) protect areas of high scenic amenity value.</p>		<p>consistent with the current rural capacity of the site. In addition, proposed lots 1 and 2, being the smaller lots of the reconfiguration will not compromise the potential of the land to within lot 3 to be used for agricultural or rural purposes. Furthermore, the location of the existing dwelling houses are located in such a way as to limit the current potential to utilise portions of the land for agricultural or rural purposes.</p>
<p>PO12</p> <p>Lots have a regular shape and consistent dimensions to facilitate the efficient development of the land for its intended purpose, and have sufficient area to provide for:</p> <p>(a) buildings and structures;</p> <p>(b) usable open space and landscaping</p> <p>(c) ventilation and sunlight for buildings;</p> <p>(d) privacy for residents;</p> <p>(e) suitable vehicle access and on-site parking where required; and</p> <p>(f) any on-site services and infrastructure such as effluent disposal areas if required.</p>	<p>AO12.1</p> <p>The lots are designed in accordance with the minimum lot sizes and dimensions specified within Table 9.3.3.4.2.</p>	<p>AO12.1 - Does not comply</p> <p>The proposed lot size are less than the minimum lot size requirement of sixty (60) hectares for the Rural zone where located within class A or class B agricultural land.</p> <p>PO12 – Justified to comply</p> <p>Proposed lot 3 will increase in area by approximately 0.59 hectares. Therefore, lot 3 will be of a size and dimension that will be sufficient for its intended use. Furthermore, the location of the existing dwelling houses for proposed lots 1 and 2 are located in such a way as to limit the current potential to utilise portions of the land for agricultural or rural purposes.</p>
	<p>AO12.2</p> <p>All residential lots are able to contain a constraint free rectangular building location envelope, having dimensions no less than nine (9) metres by fifteen (15) metres.</p>	<p>AO12.2 – Complies</p> <p>Each of the three (3) proposed lots will contain an existing dwelling with its own building envelope that meets the minimum dimensions of nine (9) metres by fifteen (15) metres.</p>

Performance outcomes	Acceptable outcomes	Assessment response
Hazards		
PO31 Reconfiguration of a lot avoids creating unacceptable risk to human safety, property and the environment due to natural hazards and contaminated land.	No acceptable outcome is nominated.	PO31 – Complies The proposed reconfiguration will not create any additional risk to human safety, property and the environment due to a bushfire.

As evident from the above assessment, the proposal complies with the various requirements of the Reconfiguring a lot code apart from a deviation from Performance outcome PO5 and Acceptable outcomes AO11.1 and AO12.1. Suitable justification has been provided to support the deviation given the proposal is able to meet the Performance outcomes and Overall outcomes for the code.

Development Works Code

The purpose of the Development works code is:

- (1) *to ensure that development is provided with adequate infrastructure and services relative to its location and needs;*
- (2) *to ensure that operational work is undertaken in a manner that accords with the endorsed standards for the planning scheme area;*
- (3) *to facilitate the achievement of the overall outcomes sought for development.*

The purpose of the code will be achieved through the following overall outcomes:

- (1) *adequate infrastructure and services are provided to support the reasonable expectations for the needs of the development in relation to the following:*
 - (a) *access and parking;*
 - (b) *energy supply;*
 - (c) *transportation and the movement of people and goods between places;*
 - (d) *roof and allotment drainage;*
 - (e) *sewage and waste water treatment and disposal;*
 - (f) *stormwater management;*
 - (g) *telecommunications;*
 - (h) *water supply; and*
- (2) *all operational work is designed and undertaken:*
 - (a) *in accordance with best environmental management practice;*
 - (b) *in a manner that does not detract from the character and amenity of the setting;*
 - (c) *in a manner that protects or does not significantly adversely affect the natural environmental values of the site and surrounds;*
 - (d) *to be safe, reliable and easily maintained;*
 - (e) *so that surroundings, are not adversely impacted by off-site effects;*
 - (f) *having proper regard to existing public infrastructure and planned future public infrastructure; and*
 - (g) *in a manner that can minimise risk to human life, health and safety, and property.*

The following is an assessment of the proposal against the specific benchmarks of the Development Works Code, which includes an assessment of the development against the relevant performance outcomes of the code.

Performance outcomes	Acceptable outcomes	Assessment response
Access and parking		
PO1 The development is provided with an on-site parking and movement system designed and constructed to: <ul style="list-style-type: none"> (a) be integrated with the site layout including: <ul style="list-style-type: none"> (i) direct access to a road providing an appropriate level of service required to accommodate traffic generated by the use; (ii) having appropriately designed footpath crossovers; (iii) provision for safe pedestrian movement between public footpath and facility entry points; (b) accommodate sufficient manoeuvring room for the safe entry and exit of all modes of transport generated by the use (including refuse collection vehicles, trucks, buses and the like as relevant to the development); (c) accommodate sufficient parking for the expected number and type of vehicles generated by the use; (d) facilitate non-discriminatory accessibility; (e) provide for safe and efficient loading and unloading of goods; (f) allow for vehicle queuing necessary for the use; (g) provide for passenger 	AO1.1 The development is provided with sufficient on-site vehicle parking and queuing space in accordance with the standards relevant to the use in compliance with Table 9.3.2.4.3.	AO1.1 - Complies The proposal is for a reconfiguration of a lot to create a single additional lot and will have sufficient on-site provision for any future vehicle parking needs.
	AO1.2 For development other than a use listed in the table below, an engineer who qualifies as a registered professional engineer of Queensland certifies that all vehicles likely to use the site are able to enter and leave the site in a forward gear, and that the on-site vehicle parking spaces, pick-up areas, loading and unloading areas, queuing areas, circulation and manoeuvring areas for the development are designed and constructed in accordance with the most up to date version of the Australian Standards as relevant to the development, including but not limited to the following: <ul style="list-style-type: none"> (a) <i>Australian Standard AS2890.1-1993: Parking Facilities –Off-street Car parking;</i> (b) <i>Australian Standard AS1428.1-2001: Design for access and mobility – General requirements for access – New building work;</i> (c) <i>Australian Standard AS2890.2-1993: Off-</i> 	AO1.2 - Not applicable The proposed reconfiguration will be for the provision of the uses listed in the table for AO1.2.

Performance outcomes	Acceptable outcomes	Assessment response
<p>set down and pick up necessary for the use (including public transport needs);</p> <p>(h) facilitate public access to the foreshore and public open space networks;</p> <p>(i) provide a safe environment;</p> <p>(j) be compatible with the character and amenity of the area; and</p> <p>(k) make a positive aesthetic contribution to the streetscape character of the setting, particularly if involving multi-level parking.</p>	<p><i>street parking – Commercial vehicle facilities.</i></p> <p>Accommodation activities</p> <p>Caretaker's accommodation</p> <p>Community residence</p> <p>Dual occupancy</p> <p>Dwelling house</p> <p>Dwelling unit</p> <p>Home based business</p> <p>Recreation activities</p> <p>Environment facility</p> <p>Park</p> <p>Rural activities</p> <p>Animal husbandry</p> <p>Cropping</p> <p>Permanent plantation</p> <p>Roadside stall</p> <p>Special activities</p> <p>Landing</p> <p>Major electricity infrastructure</p> <p>Substation</p> <p>Telecommunications facility</p>	
	<p>AO1.3</p> <p>A solid, good quality brick, timber or masonry screen fence having a minimum height of 1.8 metres is provided between the car parking area of development (other than a use within the accommodation activities group being for long-term accommodation) where adjoining a sensitive land use located within the residential category zone or the township zone.</p>	<p>AO1.3 - Not applicable</p> <p>The proposal site is not adjoining a sensitive land use located within the residential category zone or the township zone.</p>
<p>PO2</p> <p>Access driveways are</p>	<p>AO2.1</p> <p>The access driveway of the development does not</p>	<p>AO2.1 - Complies</p> <p>There are no new access driveways proposed as part</p>

Performance outcomes	Acceptable outcomes	Assessment response
designed and sited: (a) to minimise disruption to public infrastructure; (b) to operate safely and efficiently taking into account the volume, frequency and type of vehicle traffic expected to be generated by the development; (c) to operate safely and efficiently taking into account the function of the adjoining road; and (d) to minimise impacts on the safety, efficiency, or function of the road network.	require the modification, relocation or removal of any street tree or public infrastructure including a fire hydrant, water meter, street sign, manhole, stormwater gully pit or other Council asset.	of the reconfiguration.
	AO2.2 The access driveway of the development is not constructed over an access point to infrastructure under the control of a regulatory authority, including storm water pits, water meters, water hydrants and telephone pits.	AO2.2 - Not applicable There are no new access driveways proposed as part of the reconfiguration. The existing access driveways are not located near any infrastructure under the control of a regulatory authority.
	AO2.3 The access driveway of the development does not enter the road carriageway at the location of an existing traffic island, speed control device, car parking bay, pedestrian crossing, bus stop or other infrastructure within the road carriageway.	AO2.3 - Complies There are no new access driveways proposed as part of the reconfiguration. The existing access driveways are not located near any infrastructure within the road carriageway.
	AO2.4 The access driveway of the development is not located within: (a) two (2) metres of any adjoining property access driveway (excluding shared property accesses at the property line); and (b) one (1) metre of any public infrastructure such as a street sign, power pole, street light, manhole, stormwater gully pit or other Council asset; (c) the closest half of the road frontage to a road intersection for any corner lot.	AO2.4 - Complies There are no new access driveways proposed as part of the reconfiguration. The existing access driveways are not located near any other access driveways, public infrastructure, or located on a corner lot.
	AO2.5	AO2.5 - Complies

Performance outcomes	Acceptable outcomes	Assessment response
	<p>The access driveway of the development is designed and constructed in accordance with the Capricorn Municipal Development Guidelines Standard Drawing relevant to the development including but not limited to the following:</p> <p>(a) <i>Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains;</i></p> <p>(b) <i>Standard Drawing CMDG-R-041 Residential Driveway Slab and Tracks;</i></p> <p>(c) <i>Standard Drawing CMDG-R-042 Commercial Driveway Slab (Type A) Two Way Access;</i></p> <p>(d) <i>Standard Drawing CMDG-R-043 Commercial Driveway Slab (Type B) Two Way Access.</i></p>	<p>The existing access driveways will be conditioned to meet the requirements of the Capricorn Municipal Development Guidelines.</p>
	<p>AO2.6</p> <p>Where adjoining a state-controlled road or Key Resource Area transport route, the development provides:</p> <p>(a) a single site access driveway;</p> <p>(b) the access driveway to the lowest order road to which the site has frontage;</p> <p>(c) an access driveway which enables vehicles to enter and exit the site in a forward direction.</p>	<p>AO2.6 - Not applicable</p> <p>The proposal site does not adjoin a state-controlled road or Key Resource Area transport route.</p>
Energy supply		
<p>PO9</p> <p>An energy supply is</p>	<p>AO9.1</p> <p>The development is provided</p>	<p>AO9.1 - Complies</p> <p>The proposed</p>

Performance outcomes	Acceptable outcomes	Assessment response
<p>provided in a manner which:</p> <p>(a) is safe; and</p> <p>(b) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; and</p> <p>(c) does not compromise other infrastructure.</p>	<p>with an energy supply in accordance with the requirements of Table 9.3.2.4.7.</p>	<p>reconfiguration will be conditioned to meet the minimum energy requirements for the rural zone.</p>
	<p>AO9.2</p> <p>If the development requires the provision of reticulated grid electricity supply in accordance with Table 9.3.2.4.7 or if the development is to be provided with a reticulated grid electricity supply, the reticulated grid electricity supply infrastructure is provided in accordance with the requirements of the relevant energy supply authority.</p>	<p>AO9.2 - Not applicable</p> <p>The site is in the rural zone and does not require the provision of reticulated grid energy supply.</p>
	<p>AO9.3</p> <p>If the development requires an on-site energy supply in accordance with Table 9.3.2.4.7 (and the development is not to be provided with a reticulated energy supply in accordance with AO9.2 above), the on-site energy supply is installed in accordance with all laws and regulations and current best practice.</p>	<p>AO9.3 - Complies</p> <p>The proposed reconfiguration will be conditioned to provide an on-site energy supply in accordance with all laws and regulations and current best practice.</p>
Sewage and waste water treatment and disposal		
<p>PO10</p> <p>The development is provided with sewage and wastewater treatment and disposal infrastructure which:</p> <p>(a) treats and disposes all generated sewage and waste water in a manner that protects public health and avoids environmental harm;</p> <p>(b) where practicable, is integrated with the existing public sewerage networks;</p> <p>(c) where practicable, facilitates the orderly</p>	<p>AO10.1</p> <p>The development is provided with sewage and waste water treatment and disposal infrastructure in accordance with the requirements of Table 9.3.2.4.6.</p>	<p>AO10.1 - Complies</p> <p>The proposed reconfiguration will be conditioned to meet the minimum sewage and waste water and sewerage disposal requirements for the rural zone.</p>
	<p>AO10.2</p> <p>If the development requires the provision of reticulated sewerage in accordance with Table 9.3.2.4.6 or if the development is to be provided with reticulated sewerage, the reticulated sewerage is provided in accordance with the current</p>	<p>AO10.2 - Not applicable</p> <p>The site is in the rural zone and does not require the provision of reticulated sewerage.</p>

Performance outcomes	Acceptable outcomes	Assessment response
provision of future public sewerage networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained.	version of the Capricorn Municipal Development Guidelines.	
	AO10.3 If the development requires on-site sewerage infrastructure in accordance with Table 9.3.2.4.6 (and the development is not to be provided with reticulated sewerage in accordance with AO10.2 above), the on-site sewerage infrastructure is provided in accordance with the current version of the Queensland Plumbing and Wastewater Code.	AO10.3 - Complies The proposed reconfiguration will be conditioned to provide on-site sewerage infrastructure in accordance with the current version of the Queensland Plumbing and Wastewater Code.
Roof and allotment drainage		
PO11 Roof and allotment drainage is able to be collected and discharged from the development in a manner that does not adversely affect the stability of buildings, structures, or land on the site or on adjoining land.	AO11.1 Roof and allotment drainage is conveyed to the kerb and channel or an inter-allotment drainage system in accordance with the most current version of the Australian Standard AS3500.3 (stormwater drainage).	PO11 - Not applicable The proposal is for a reconfiguration and will not involve any roof and allotment drainage.
Telecommunications		
PO12 The development is provided with telecommunications infrastructure or equipment which: (a) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing public telecommunication networks; and (c) is designed and constructed to be safe, operationally reliable and easily maintained.	AO12.1 The development is provided with telecommunications infrastructure or equipment in accordance with the requirements of Table 9.3.2.4.7.	AO12.1 - Complies The proposed reconfiguration will be conditioned to meet the minimum telecommunications requirements for the rural zone.
	AO12.2 If the development requires the provision of reticulated telecommunications infrastructure in accordance with Table 9.3.2.4.7 or if the development is to be provided with a reticulated telecommunications infrastructure, the reticulated telecommunications infrastructure is provided in accordance with the requirements of the relevant	AO12.2 - Not applicable The site is in the rural zone and does not require the provision of reticulated telecommunications infrastructure.

Performance outcomes	Acceptable outcomes	Assessment response
	telecommunications supply authority.	
	AO12.3 If the development requires on-site telecommunications equipment in accordance with Table 9.3.2.4.7, the telecommunications equipment is sufficient to enable contact in normal circumstances with the each of the following nearest emergency services: (a) ambulance station; (b) police station; (c) fire brigade; and (d) state emergency service facility.	AO12.3 - Complies The proposed reconfiguration will be conditioned to provide on-site telecommunications equipment that is sufficient to enable contact in normal circumstances with the each of the emergency services.
Water supply		
PO13 The development is provided with water supply infrastructure which: (a) is sufficient to support the consumption and emergency needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing public water supply networks; (c) where practicable, facilitates the orderly provision of future public water supply networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained.	AO13.1 The development is provided with a water supply in accordance with the requirements of Table 9.3.2.4.6.	AO13.1 - Complies The proposed reconfiguration will be conditioned to meet the minimum water requirements for the rural zone.
	AO13.2 If the development requires the provision of reticulated municipal water supply in accordance with Table 9.3.2.4.6 or if the development is to be provided with a reticulated municipal water supply, the reticulated municipal water supply is provided in accordance with the current version of the Capricorn Municipal Development Guidelines.	AO13.2 - Not applicable The site is in the rural zone and does not require the provision of reticulated municipal water supply.
	AO13.3 If the development requires an on-site water supply in accordance with Table 9.3.2.4.6 (and the development is not to be provided with a reticulated municipal water supply in accordance with AO13.2 above), the development is	AO13.3 - Complies The proposed reconfiguration will be conditioned to provide an on-site water tank or multiple tanks for domestic water supply purposes, which have a minimum combined capacity of 50,000 litres.

Performance outcomes	Acceptable outcomes	Assessment response
	provided with an on-site water tank or multiple tanks for domestic water supply purposes, which have a minimum combined capacity of 50,000 litres.	

As evident from the above assessment, the proposal complies with the various requirements of the Development works code.

PUBLIC NOTIFICATION

The proposal was the subject of public notification between 1 August 2019 and 22 August 2019, as per the requirements of the *Planning Act 2016*, and no submissions were received.

INFRASTRUCTURE CHARGES

Infrastructure charges are levied pursuant to the *Adopted Infrastructure Charges Resolution (No.3) LSC 2018*. 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 5 - Minimum infrastructure charge for Reconfiguring a Lot partly outside or entirely outside the Priority Infrastructure Area, as follows: 1. three (3) lots at \$15,250.00 per lot. 2. less a credit of \$30,500.00.
Credit:	The above calculation takes into account a credit of \$30,500.00 for the existing two (2) allotments pursuant to Part 4.0 of Council's <i>Adopted infrastructure Charges Resolution (No. 3) LSC 2018</i> . The credit is calculated as follows: 1. two (2) existing lots at \$15,250.00 per lot.
Offset:	No offsets are applicable to the development.

A total contribution of **\$15,250.00** is payable and will be reflected in an Infrastructure Charges Notice for the development.

STATEMENT OF REASONS

The development application for a **Development Permit for Reconfiguring a Lot (Two (2) Lots into Three (3) Lots and Access Easement)** is approved as per this Decision Notice (approval) D-151-2019.

1. REASONS OF THE DECISION

The development application is approved and the reasons for the decision are based on findings on material questions of fact:

- (i) The development does not comply with Acceptable Outcome AO11.1 and AO12.1 of the Reconfiguring a Lot Code as the proposed lots are less than the minimum lot size requirement of sixty (60) hectares.
- (ii) Despite the non-compliance, the location of the existing Dwelling houses on proposed lots 1 and 2 and adjoining Dwelling houses limit the potential to utilise these portions

of the land for agricultural or rural purposes at present. In addition, the area of proposed lot 3 will increase in area to remain of adequate size and dimension to cater for the reinstatement of a rural pursuit on the site, if desired, in accordance with Overall Outcome six (6) of the Rural Places theme under the Strategic Framework.

- (iii) The development does not comply with Performance Outcomes PO11 and PO12 of the Bushfire Hazard Overlay Code as a bushfire hazard assessment and management plan was not prepared. In addition, the proposal does not comply with Acceptable Outcome AO13.1 of the Bushfire Hazard Overlay Code as all three (3) proposed lots will interface with the Bushfire Hazard overlay.
- (iv) Despite the non-compliance, the proposed subdivision will not increase the risk to personal safety and property due to a bushfire given the existing Dwelling houses are afforded a compliant building protection zone and appropriate access to Hidden Valley Road.
- (v) The development does not comply with Acceptable Outcome AO14.4 of the Bushfire Hazard Overlay Code as the access driveway to the existing dwelling on proposed lot 3 will exceed 200 metres in length.
- (vi) Despite the non-compliance, all lots are predominately cleared of vegetation and will provide for safe and efficient movement for residents, workers and emergency services during and after a bushfire, subject to reasonable and relevant conditions.
- (vii) The development does not comply with Performance Outcome PO5 and PO6 of the Reconfiguring a Lot Code as a structure plan has not been supplied for the proposed reconfiguration.
- (viii) Despite the non-compliance, the proposal complies with the Overall Outcomes of the Reconfiguring a Lot Code as the development will not increase the likelihood of significant land use conflict given the existing Dwelling houses are proposed to be maintained.
- (ix) The development complies with all Acceptable Outcomes and Performance Outcomes within the Development Works Code with the inclusion of reasonable and relevant conditions.
- (x) The development does not compromise the achievement of the state interest – natural hazards, risk and resilience outlined in the State Planning Policy.
- (xi) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with one aspect of the assessment benchmarks.

The evidence or other material on which the findings were based are:

- The common material for the development application;
- The assessment benchmarks identified in section 2 of this notice;
- The matters prescribed by regulation identified in section 6 of this notice.

2. ASSESSMENT BENCHMARKS

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Strategic Framework – Settlement Pattern Theme – Rural Places, and Natural environment and hazards theme Reconfiguring a lot code	<i>Livingstone Planning Scheme 2018</i>

Bushfire hazard overlay code	
Development works code	
Part E: State interest policies and assessment benchmarks	<i>State Planning Policy, July 2017</i>

3. COMPLIANCE WITH BENCHMARKS

The development meets the overall outcomes for the Bushfire hazard overlay code and Reconfiguring a lot code, despite not complying with the following Performance Outcomes and Acceptable Outcomes of the codes:

Benchmark reference	Reasons for the approval despite non-compliance with benchmark
Bushfire hazard overlay code – Performance Outcomes PO11 and PO12, and Acceptable Outcomes AO13.1 and AO 14.4	As per the reasons set out in the findings on material questions of fact in section 1 of this notice.
Reconfiguring a lot code – Performance Outcome PO5 and PO6, and Acceptable Outcomes AO11.1 and AO12.1	As per the reasons set out in the findings on material questions of fact in section 1 of this notice.

4. RELEVANT MATTERS

The following matters were given regard to, or assessment carried out against, in undertaking the assessment of this development application:

Other relevant matters pursuant to section 45 (5) (b) that the assessment had regard to	Benchmark reference
Any development approval for, and any lawful use of, the premises or adjacent premises	The relevance of existing approvals on the subject site and adjoining properties in respect of the land use pattern and commensurate development.
The common material submitted with the application	In respect of the reports provided in the material including proposal plans and supporting information.
The Local Government Infrastructure Plan	In respect of trunk infrastructure provisions and charging for development.

5. MATTERS RAISED IN SUBMISSIONS

No submissions were received for this application.

6. MATTERS PRESCRIBED BY REGULATION

The following matters were given regard to in undertaking the assessment of this development application:

- (i) The State Planning Policy – Part E;
- (ii) The Strategic Framework, Reconfiguring a Lot code, Bushfire hazard overlay code and Development works code in the *Livingstone Planning Scheme 2018*
- (iii) The land, the subject of the application is improved with three (3) Dwelling houses and has historically been used as an avocado farm;
- (iv) The adjoining lots, in terms of commensurate and consistent development and lot

sizes and dimensions; and

- (v) The common material, being the material submitted with the application.

PREVIOUS DECISIONS

It is noted that Council has previously approved development applications for Reconfiguring a Lot within the vicinity of the subject site which failed to meet the minimum lot size stipulated in the Livingstone Shire Planning Scheme 2005. The decisions are as follows;

- Pineapple Patch Area 3/The Gateway;
 - Preliminary Approval L/2006-322/MCUI Overriding the Planning Scheme for a Material Change of Use for an Industrial Estate comprising Industrial, Multi Modal and Open Spaces Uses;
 - Development Permit D-Y/2008-331 for a Reconfiguration of a Lot (one lot into twenty-one lots);
 - Preliminary Approval D/169-2013 for a Material Change of Use for Residential and Open Space Purposes; and
- Development Permit D-456-2015 for Reconfiguring a Lot (four lots into 138 lots, including five (5) lots for public use land). Note: this approval has lapsed;

It should be noted that each decision is made on its merits at the time of assessment and with the best planning information available. There are instances whereby sufficient grounds to support the proposal must be established, subject to reasonable and relevant conditions.

BUDGET IMPLICATIONS

Management of this application has been within the existing budget allocations.

LEGISLATIVE CONTEXT

The application is being assessed pursuant to the *Planning Act 2016* and all subordinate legislation and policies.

LEGAL IMPLICATIONS

The legal implications of deciding this development application unfavorably is the risk of appeal from the developer (should Council refuse the development application). These potential legal implications also bring unknown budget implications. There are no significant legal implications in approving the application, given no submissions were received.

STAFFING IMPLICATIONS

No staffing implications have been identified in the assessment.

RISK ASSESSMENT

The risks associated with this assessment have been appropriately addressed in the body of this report. Specifically, the risk of appeal to any decision made by Council and any financial/budget implications such action may have. There is considered to be negligible risk of either.

CORPORATE/OPERATIONAL PLAN

Strategy GO4 of the Corporate Plan is relevant to the assessment of this application and states: *'Provide transparent and accountable decision making reflecting positive leadership to the community.'*

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) Transparent and effective processes, and decision-making in the public interest; and

- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) Democratic representation, social inclusion and meaningful community engagement; and
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of councillors and local government employees.

CONCLUSION

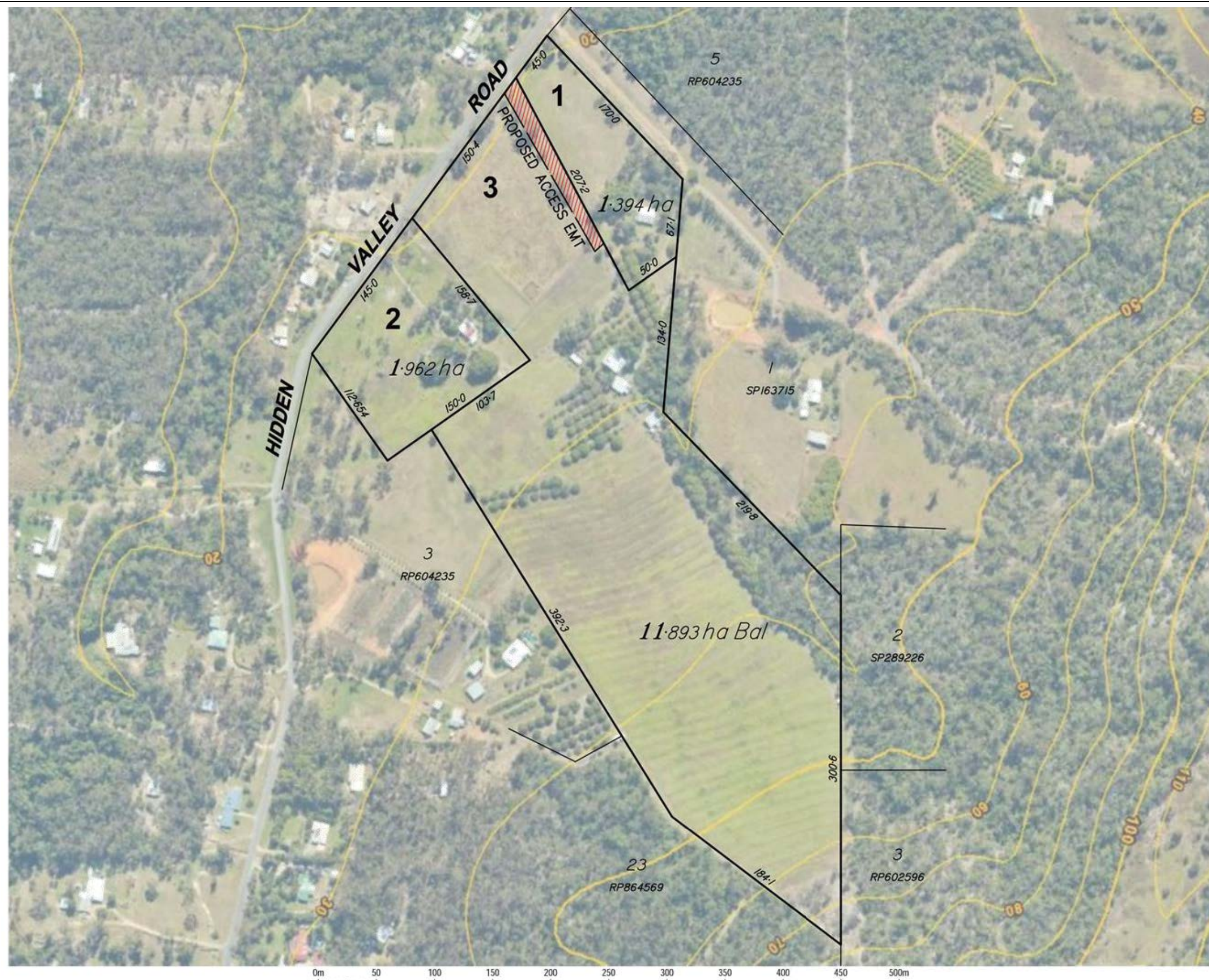
The development application for a Development Permit for Reconfiguring a Lot (two (2) lots into three (3) lots) has been considered pursuant to the *Livingstone Planning Scheme 2018* and *Adopted Infrastructure Charges Resolution (No. 3) 2018* under which the application was made. The proposed development is not consistent with the lot size requirements of the Rural Zone under the *Livingstone Planning Scheme 2018*. However, sufficient planning grounds have been provided in support of the proposal and any issues of non-compliance have been justified appropriately. The application did not receive any submissions during the public notification period. Subsequently, the application will be recommended for approval, subject to reasonable and relevant conditions, at the next available Council Meeting.

**12.6 - DEVELOPMENT APPLICATION
D-151-2019 FOR A DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT
(TWO LOTS INTO THREE LOTS) AT 157
AND 177 HIDDEN VALLEY ROAD,
HIDDEN VALLEY**

Proposed Reconfiguration Plan

Meeting Date: 19 November 2019

Attachment No: 1

**IMPORTANT NOTE**

This plan was prepared to accompany an application to Livingstone Shire Council and should not be used for any other purpose.

The dimensions and areas shown hereon are subject to field survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation.

In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land.

This note is an integral part of this plan.

client

J. Edwards

project

**177 Hidden Valley Road,
Hidden Valley**

plan of

**Reconfiguration Plan
(2 Lots into 3 Lots + Access Easement)
with Ortho Underlay**

rp

**Lot 2 on RP602635 &
Lot 5 on RP602714**

lga

Livingstone Shire Council

issue	date	details	authorised
A	19-06-2019	initial issue	RJKF

created

**Finch
Surveying
Consultants**

ADN 22 154 050 82
66 Cullen Drive
F.O. Box 80
Yarraman, VIC 3710
(M) 03958 1339
(F) 03958 1339
e office@finchsurveying.com.au

scale: 1:3000 @ A3 10m Cont QLD Glob

sheet no. 1 of 1 7401-01-ROL-1

plan no. 7401-01-ROL-1

7401-01-ROL

A

**12.6 - DEVELOPMENT APPLICATION
D-151-2019 FOR A DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT
(TWO LOTS INTO THREE LOTS) AT 157
AND 177 HIDDEN VALLEY ROAD,
HIDDEN VALLEY**

Locality Plan (with Zones)

Meeting Date: 19 November 2019

Attachment No: 2



Copyright protects this publication. Reproduction by whatever means is prohibited without prior written permission of the Chief Executive Officer of Livingstone Shire Council. Livingstone Shire Council will not be held liable under any circumstances in connection with or arising out of the use of this data nor does it warrant that the data is error free. Any queries should be directed to the Customer Service Centre, Livingstone Shire Council or telephone 1300 760 919. The Digital Cadastral Database is current as at 1st July 2019.

The State Government of Queensland (Dept. of Natural Resources and Mines) 2019.

Other data © Livingstone Shire Council 2019.

Scale: 1:10,000

0 0.125 0.25 0.5 Km

Locality Plan (with Zones)

Map Created by: Web AppBuilder for ArcGIS



Printed from ArcPortal on 15/10/201

12.7 LIVINGSTONE SHIRE COUNCIL'S MEMBERSHIP OF THE WELCOMING CITIES NETWORK**File No:** CS3.2.1

- Attachments:**
1. The Welcoming Cities Standard. [↓](#)
 2. The Queensland Government Multicultural Policy 2018 - Our Story, Our Future. [↓](#)
 3. Benchmarking of Livingstone Shire Council practices against the Welcoming Cities Standard. [↓](#)
 4. Completed commitment agreement to the Welcoming Cities Network from Livingstone Shire Council. [↓](#)

Responsible Officer: Jared Thomsen - Principal Community Development and Engagement Officer
Brett Bacon - Executive Director Liveability and Wellbeing**Author:** Molly Saunders - Community Development and Engagement Officer

SUMMARY

This report discusses the current membership of Livingstone Shire Council with the Welcoming Cities Network and the steps required to achieve accreditation to the Welcoming Cities Standard.

OFFICER'S RECOMMENDATION

THAT Livingstone Shire Council resolves to be a Welcoming City and commits to achieving the Established level of membership.

BACKGROUND

Australia is one of the most culturally and linguistically diverse nations in the world. Australia's First Peoples represent more than 250 language groups and the oldest living and continuous culture. More than one-quarter of Australians are born overseas and almost half of all Australians have at least one parent born overseas. Collectively, Australians speak more than 200 languages and languages other than English are spoken by more than one-fifth of the population. Amid this diversity, everyone enjoys relative harmony and the standards of living and levels of social cohesion rank among the highest in the world. The continued success of multicultural Australia will depend upon everyone's ability to embrace diversity, foster social cohesion and build economic success in the face of complex population challenges.

Aboriginal and Torres Strait Islanders make up 4.4 per cent of the Livingstone Shire and people born in a country other than Australia make up 10.1 per cent. Residents with both parents born in countries other than Australia make up 11.5 per cent of the shire. Livingstone's annual growth rate is currently 1.6 per cent and predicted to reach two (2) per cent by 2026. Since the nineteenth century, Queensland has had a strong history of migration, including the first settlers, refugees displaced by conflict and many generations of migrants from across the globe. People from more than 220 countries and territories now call Queensland home. Cultural diversity across the state is increasing with 21.6 per cent of Queenslanders born overseas which is a five (5) per cent increase since 2011.

COMMENTARY

Welcoming Cities is a national network of cities, shires, towns and municipalities who are committed to an Australia where everyone can belong and participate in social, cultural,

economic and civic life. It is an initiative of the 'Welcoming Australia' organisation supported by the Scanlon Foundation. As of 31 August 2019, Welcoming Cities has thirty-eight (38) local government members and over thirty (30) organisational members. Livingstone Shire Council was the first local government in Queensland to become a committed member of the network.

The social, cultural, economic and civic challenge lies in how communities embrace diversity and harness its strengths. Of all tiers of government, local governments are best placed to understand the complexity and diversity of their communities and facilitate a whole-of-community approach to welcoming. The Welcoming Cities National Standard (the standard) exists to support local councils and their communities in the advancement of Australia as a welcoming, prosperous and cohesive nation (refer Attachment One). The standard complements the Queensland Government's Multicultural Policy 2018 (refer Attachment Two).

The Welcoming Cities network provides support to local governments by:

- 1) Knowledge Sharing: Supporting local governments to access evidence based research, resources, policies, and case studies;
- 2) Partnership Development: Facilitating and resourcing multi-sector partnerships to maximise learning, reach and impact;
- 3) Celebrating Success: Recognising local governments that demonstrate leading practice and innovation in welcoming efforts; and
- 4) Standard and Accreditation: Setting the National Standard for cultural diversity and inclusion policy and practice in local government.

The Welcoming Cities Standard offers guidelines and indicators across six categories:

- 1) Leadership;
- 2) Social and Cultural Inclusion;
- 3) Economic Development;
- 4) Learning and Skills Development;
- 5) Civic Participation; and
- 6) Places and Spaces.

There are four levels of accreditation within the Welcoming Cities Standard:

Level	Description	Assessment	Cost
Committed	A committed council has publicly stated their intent to champion the principles of welcoming and inclusion. Committed councils join a network of like-minded peers, and gain the benefit of support and experience to chart their progress and identify the next steps towards becoming a Welcoming City.	Self-Assessment Benchmarking of organisational policies and practices against the Welcoming Cities Standard (refer Attachment Three). Welcoming Cities Commitment Form submitted (refer Attachment Four).	Free
Established	An established Welcoming City has taken action towards becoming a more connected and cohesive community.	Self-Assessment Criteria and indicators of Leadership (1.0) are met and verified by Welcoming Cities.	Free
Advanced	An advanced Welcoming City is celebrating success in initiatives and	Peer Assessment Criteria and indicators of	\$3000 annually

	policies that foster economic, social and cultural inclusion.	Social and Cultural Inclusion (2.0) and Economic Development (3.0) are met and verified by an accredited monitoring Council.	
Excelling	An excelling Welcoming City is setting and achieving targets across its full range of services and partnerships.	External Assessment Criteria and indicators of all categories are met. An approved Welcoming Cities assessor verifies the assessment.	
Mentoring	A mentoring Welcoming City is confidently embedding the framework and its principles across the organisation.	Achievement of excelling level and submission of mentoring application. An approved Welcoming Cities assessor verifies the application.	

The Community Development and Engagement Team has worked with various departments across the organisation to complete the benchmarking of current Livingstone Shire Council practices and policies against the Welcoming Cities Standard (refer Attachment Four). It is worth noting that Livingstone Shire Council is already achieving or close to achieving many of the standards across a number of indicators.

PREVIOUS DECISIONS

There have been no formal resolutions of Council regarding the Welcoming Cities Network.

BUDGET IMPLICATIONS

There are no current budget implications in relation to the consideration of this matter. Future budgets impacts will be determined by the level of membership Council aspires to achieve as well as project and / or initiative costs as required.

LEGISLATIVE CONTEXT

There is no legislative context relating to the consideration of this matter.

LEGAL IMPLICATIONS

There are no legal implications relating to the consideration of this matter.

STAFFING IMPLICATIONS

Current activities are accommodated within existing staff capacities.

RISK ASSESSMENT

The following risks associated with implementing this initiative have been identified:

- 1) Community - Council would need to ensure community expectation is effectively managed and that Council's role and limitations in creating a 'Welcoming City' are clearly communicated to the community.

The following risks associated with not implementing this initiative have been identified;

- 1) Community – Council may not achieve the Corporate Plan 2014-2020 goal of 'a diverse and unique communities that are connected with the larger community in the common pursuit of an engaged, supportive, inclusive, creative and confident Shire'.
- 2) Economic – Council may not achieve the Corporate Plan 2014-2020 goal of 'a diverse, strong, innovative and sustainable local economy providing employment and business opportunities for current and future generations'.
- 3) Governance – Council may not achieve the Corporate Plan 2014-2020 goal of 'an efficient, progressive, transparent and financially sustainable organisation which is

responsive to the needs of the community through sound decision making and leadership'. There may also be impacts on Council's reputation if the perception is that Council is not in favour of supporting 'Welcoming City' principles.

- 4) Assets – Council may not meet the Corporate Plan 2014-2020 goal of 'reliable, durable, cost effective infrastructure and Council assets which meet the needs and aspirations of the communities of Livingstone Shire.'

CORPORATE/OPERATIONAL PLAN

Strategy CO4 of council's corporate Plan states: '*Promote and encourage community health and wellbeing through programs addressing environmental health, community safety issues, social cohesion and inclusiveness.*'

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) *Transparent and effective processes, and decision-making in the public interest; and*
- (b) *Sustainable development and management of assets and infrastructure, and delivery of effective services; and*
- (c) *Democratic representation, social inclusion and meaningful community engagement; and*
- (d) *Good governance of, and by, local government; and*
- (e) *Ethical and legal behaviour of councillors and local government employees.*

CONCLUSION

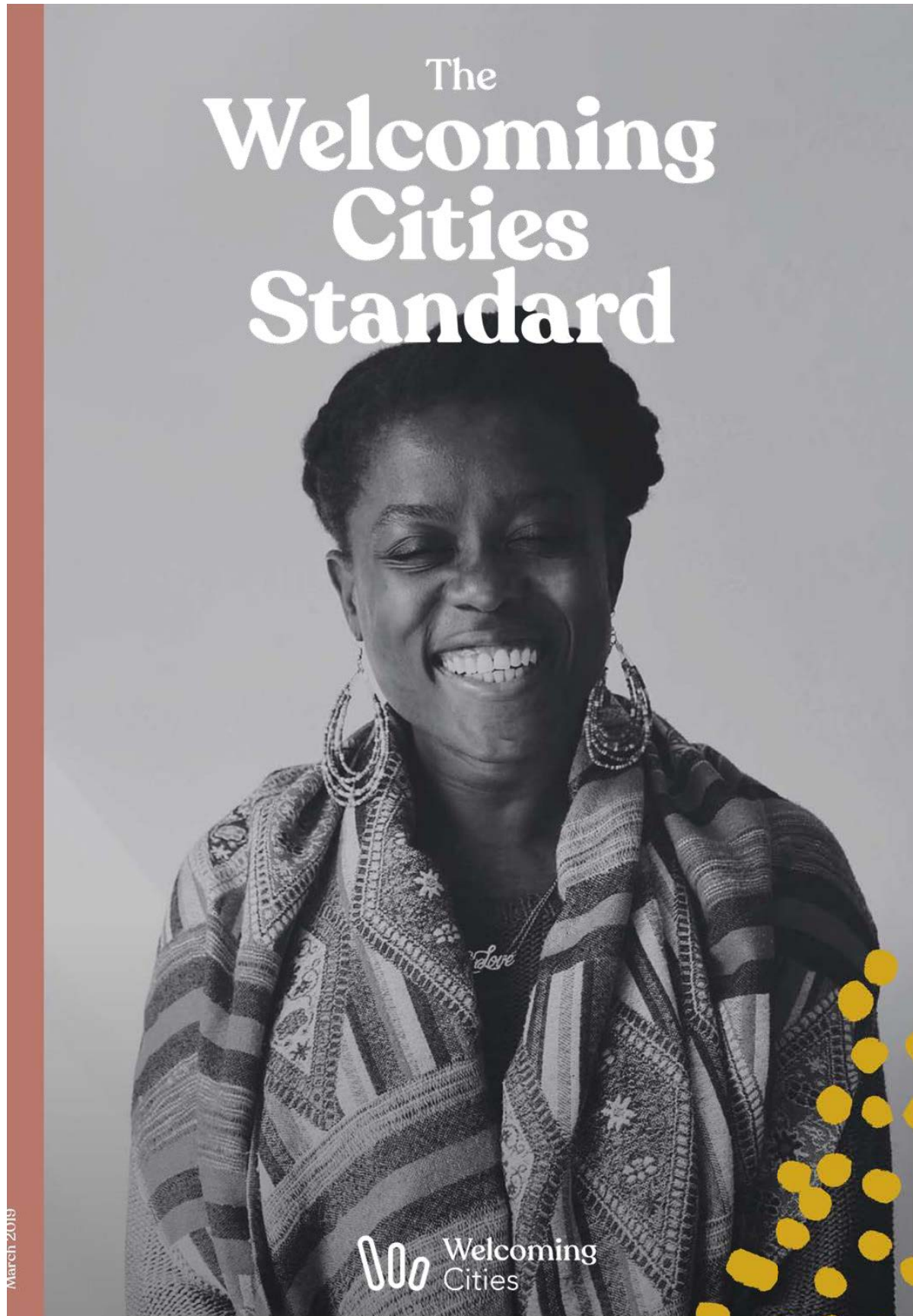
Welcoming Cities is a national network of cities, shires, towns and municipalities who are committed to an Australia where everyone can belong and participate in social, cultural, economic and civic life. As a committed member of the Welcoming Cities Network, Livingstone Shire Council is in a position to consider the next appropriate steps to ensure the benefits of membership are realised for the organisation and the community.

12.7 - LIVINGSTONE SHIRE COUNCIL'S MEMBERSHIP OF THE WELCOMING CITIES NETWORK

The Welcoming Cities Standard.

Meeting Date: 19 November 2019

Attachment No: 1



Introduction 4

The Standard 10

 Scope 10

 Terms and Definitions 12

 A Guide to Reading the Standard 15

 1.0 Leadership 16

 2.0 Social and Cultural Inclusion 18

 3.0 Economic Development 22

 4.0 Learning and Skills Development 24

 5.0 Civic Participation 26

 6.0 Places and Spaces 28

Assessment 32

Compliance and Good Practise 34

Advisory Committee 36

References 36

Acknowledgements 38

© Welcoming Cities 2018

This work is copyright. Apart from any use permitted under the Copyright Act 1968, no part of it may be reproduced by any process without written permission from the publisher. Requests and inquiries concerning reproduction rights should be directed to the publisher:

Welcoming Cities

102 Main Street

Kangaroo Point

Queensland 4169

Australia

Diversity is our reality.

Australia is one of the most culturally and linguistically diverse nations in the world. Australia's First Peoples represent more than 250 language groups and the oldest living and continuous culture. More than one-quarter of Australians are born overseas and almost half of all Australians have at least one parent born overseas.

Collectively, we speak more than 200 languages, and languages other than English are spoken by more than one-fifth of the population.

Amid this diversity we enjoy relative harmony. Our standards of living and levels of social cohesion rank among the highest in the world. However, the benefits of migration and multiculturalism are not being enjoyed by all.

We are a nation of disparate narratives. Australia's population and economic distribution is polarised, with communities experiencing either:

- Rapid growth; or,
- Stagnation and decline.

The continued success of multicultural Australia will depend on our ability to embrace diversity, foster social cohesion and build economic success in the face of complex population challenges.

Inclusion is a choice.

The social, cultural, economic and civic challenge lies in how communities embrace diversity and harness its strengths. Of all tiers of government, local government are best placed to understand the complexity and diversity of their communities and facilitate a whole-of-community approach.

The Welcoming Cities Standard exists to support local councils and their communities in the advancement of Australia as a welcoming, prosperous and cohesive nation.



Welcoming Cities

Our Objectives

- 1 Receiving communities are welcoming and actively engage with migrant communities.
- 2 Local councils and community stakeholders have networks and resources that facilitate effective planning for welcoming and inclusion.
- 3 Local councils have comprehensive plans and active messaging for cultural diversity and inclusion in policy, multi-sector engagement, activities and economic development approaches.
- 4 Local councils are committed to facilitating a whole-of-community approach to building social & cultural inclusion, economic engagement and civic participation.



Welcoming Cities supports local councils and community leaders through a network built around:

Local councils participate as **members** of the Welcoming Cities network, while community organisations, businesses and other government agencies can get involved as **supporters**. Both members and supporters access key offerings of the network.

Building social cohesion requires contribution and collaboration from all community stakeholders and the role of local councils is to invite and facilitate this interaction.



Knowledge Sharing

Supporting local governments to access evidence-based research, resources, policies and case studies.



Partnership Development

Facilitating & resourcing multi-sector partnerships to maximise learning, reach and impact.



Celebrating Success

Recognising local governments that demonstrate leading practice and innovation in welcoming efforts.



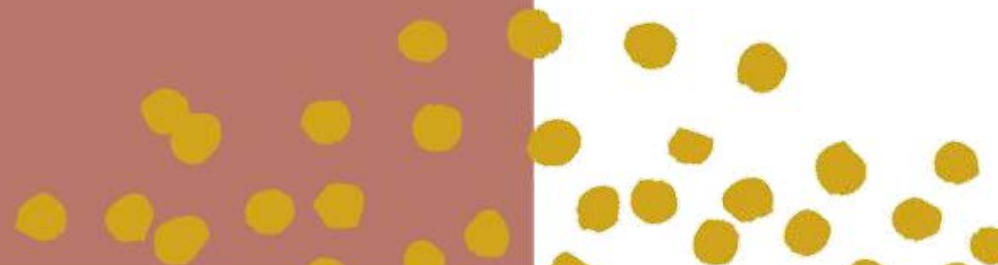
Standard + Accreditation

Setting the National Standard for cultural diversity and inclusion policy and practice in Local Government.



Our Mission

Supporting
local councils and
community leaders
to leverage the ideas
and innovation that
come from being
welcoming and
inclusive.



The Scope

The Welcoming Cities Standard is a central element of the Welcoming Cities network. The Standard establishes the framework for local councils to:

1

Benchmark their cultural diversity and inclusion policies and practices across the organisation;

2

Identify where and how further efforts could be directed; and,

3

Assess progress over time.

The other elements of the network support as well as enhance the purpose of The Standard.



The Standard is applicable to all local councils in Australia. This includes cities, shires, towns, or municipalities. Councils can access and progress through the Standard according to their capacity and resources. We describe these stages (from lowest to highest) as **Established, Advanced, Excelling, and Mentoring** (see Assessment, p. 32).

The extent to which local councils measure their activity against the Standard will be based on their understanding of their community's needs. It is noted that local councils are already addressing elements of the Standard. The Standard validates existing efforts and recognises the connections to fostering cultural diversity and inclusion.

We also recognise the important and complementary work of various Standards, Plans, Charters and Networks. Such as, Reconciliation Actions Plans, Age-friendly Cities, Child-friendly Cities, and Rainbow Tick. Welcoming Cities Standard seeks to intersect with, rather than duplicate, their efforts.



Accessible Information

Information that is culturally sensitive and available to communities in many languages, including simple Australian English and in formats relying on icons, symbols, and images, to convey content and meaning. Distribution is via a wide range of channels and mediums including digital, in-language radio, community media, traditional media, printed materials, and via trusted agents within communities.

Culturally Diverse Groups

Individuals, groups and communities that are indicative of the cultural and linguistic diversity of people in the local council area.

Local Council/s

The local government authority (LGA) that is being assessed against the Standard. Local councils can include cities, shires, towns, or municipalities.

Migrant/s, Migrant Community/ies

Individuals of any immigration status born overseas. They can include culturally and linguistically diverse (CALD) people, refugees, people seeking asylum, and temporary or permanent residents.

Receiving Community/ies

All Australian-born residents not covered under the definition of migrant community. This includes Indigenous communities and previous generations of migrants.

Social Cohension

The willingness of members of a society to cooperate with each other in order to survive and prosper. Social cohesion broadly incorporates five domains:

- Belonging;
- Social justice and equity;
- Participation;
- Acceptance and rejection legitimacy; and,
- Worth.

Social Inclusion

The act of enabling all groups of people within a society to have a sense of belonging and to be able to participate in community life. It is based on fundamental values of equity, equality, social justice, and human rights, as well as on the principles of acceptance and embracing diversity.

Substantive Equality

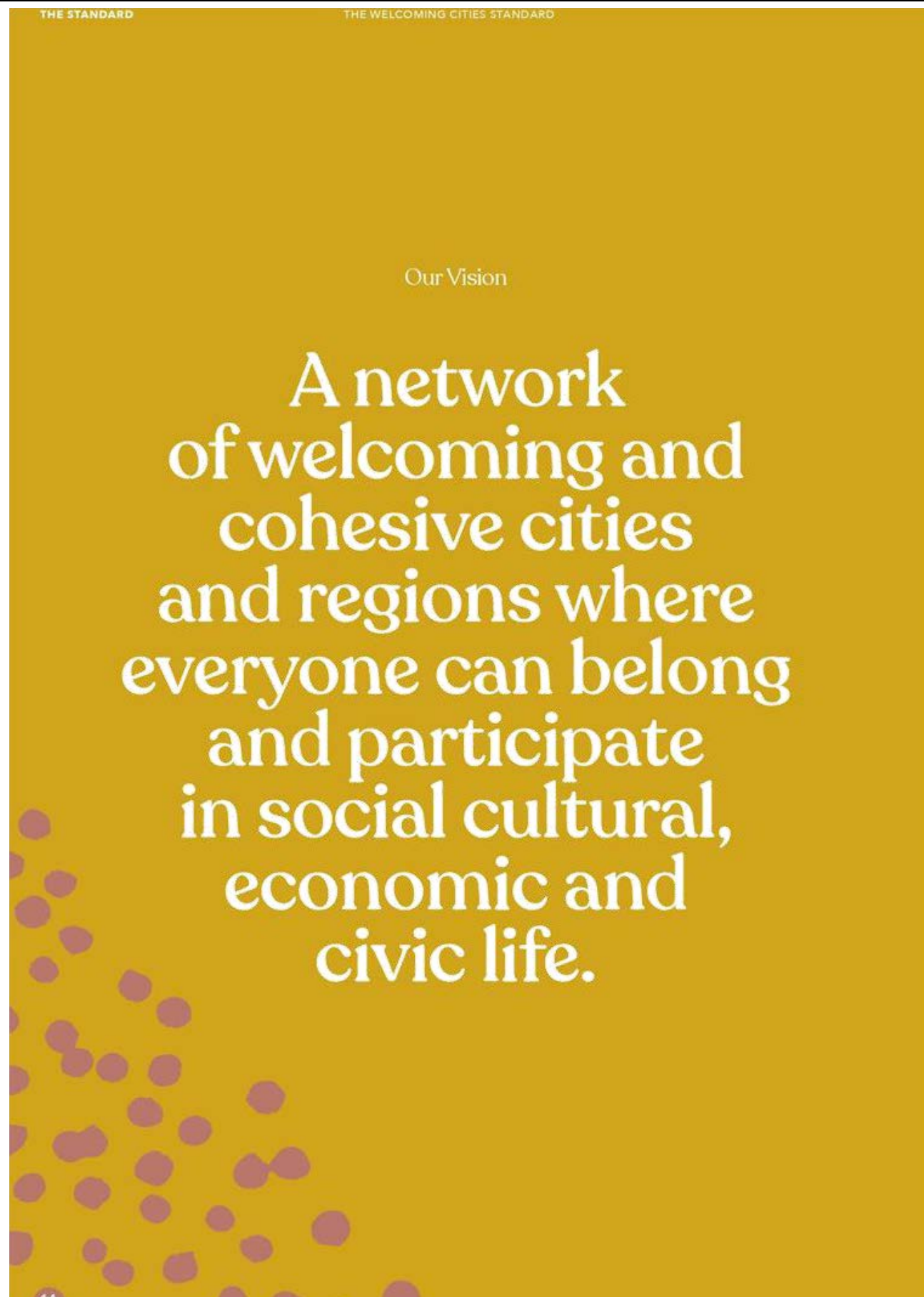
Principles that seek to address systemic discrimination in service delivery; recognising that policies and practices put in place to suit the majority of clients may appear to be nondiscriminatory but may not address the specific needs of certain groups of people. In effect they may be indirectly discriminatory, creating systemic discrimination.

Volunteering

Time willingly given for the common good and without financial gain. Including, activities which are ad hoc, informal, non-organised, private or within small communities.

Welcoming Cities

A local council that has committed to, communicated, planned, built and/or sustained a welcoming community; and is assessed and The Standard as such.



A Guide to Reading the Standard

The Standard is organised under the following six (6) categories:

- 1.0 Leadership
- 2.0 Social and Cultural Inclusion
- 3.0 Economic Development
- 4.0 Learning and Skills Development
- 5.0 Civic Participation
- 6.0 Places and Spaces

Each category contains principles, criteria and indicators that can be applied by a local council through existing or new policies and practices.

The Standard is also framed around the local council as a facilitator of community stakeholders. It is expected that criteria will often be met through the support of, or in collaboration with, local stakeholders.



THE STANDARD THE WELCOMING CITIES STANDARD

1.0 Leadership

Welcoming Cities respectfully acknowledge the past, present and emerging traditional owners, the Aboriginal and Torres Strait Islander peoples, the traditional custodians of this land, and respect their culture and identity which has been a continuum with the land and sea for millennia.

Welcoming Cities seek to engage local Aboriginal and Torres Strait Islander people as leaders in welcoming activities.

Welcoming Cities recognise the importance of cultural diversity and inclusion and seek to advance and institutionalise that work through collaboration across council, the local community and other government agencies.

Welcoming Cities engage receiving communities in understanding who their new neighbours are and why welcoming work is important.

Welcoming Cities bring together the voices and experiences of both receiving and migrant communities in defining a welcoming agenda and platform.

16

- 1.1** The local council recognises Aboriginal and Torres Strait Islander people as the First Peoples of this Nation and seek to engage local Indigenous communities in welcoming work. Demonstrated by:
- 1.11** Actively working towards reconciliation with Aboriginal and Torres Strait Islander people and communities.
 - 1.12** Formally acknowledging Traditional Owners through collaboration with elders past, present and future in policies, initiatives and public events.
 - 1.13** Facilitating opportunities for migrant communities to learn about Aboriginal and Torres Strait Islander culture.
- 1.2** The local council partners with diverse stakeholders to promote a welcoming culture through advocacy and communication activities across various platforms. Demonstrated by:
- 1.21** A public resolution declaring the local council A public resolution declaring the local council to be a welcoming community, and an explanation of what this means.
 - 1.22** Messaging that communicates the community-wide benefit of cultural diversity and inclusion and the benefits of migration and settlement.
 - 1.23** Presenting narratives that communicate positive migrant stories and contributions.
 - 1.24** Supporting and promoting events and activities representative of the diversity of the local community.
- 1.3** The local council supports and promotes activities and initiatives that nurture connections between migrant and receiving communities. Demonstrated by:
- 1.31** Supporting activities and initiatives that connect people from migrant communities and people from receiving communities.
 - 1.32** Identifying and facilitating opportunities that bring together representatives from migrant communities and receiving communities to discuss community issues.
- 1.4** The local council incorporates cultural diversity and inclusion in strategic, business and community plans and monitors their progress. Demonstrated by:
- 1.41** Engaging diverse stakeholders, from both migrant communities and receiving communities, in the development, implementation and maintenance of the plans.
 - 1.42** Developing a stakeholder reference group that reflects the diversity of the community.
 - 1.43** Assessing the priorities of the local community and using that feedback to improve the plans.

2.0 Social and Cultural Inclusion

Welcoming Cities facilitate relationships between migrant and receiving communities that address racism and promote social cohesion.

Welcoming Cities ensure that all residents have equitable access to council services and cultural assets by removing barriers to participation in community life.

Welcoming Cities facilitate diverse cultural expression and support residents to participate in the community.

2.1 The local council's policies and practices actively include and engage both receiving and migrant communities. Demonstrated by:

- | | |
|---|--|
| 2.11 Collecting and analysing demographic data to determine the cultural, religious and linguistic composition of the local community. | 2.13 Conducting reviews to identify and revise any policies or practices that exclude or disenfranchise migrant communities. |
| 2.12 Ensuring that the development, implementation and review of council policies, strategies, programs and initiatives are compliant with Federal and State legislation for racial and religious nondiscrimination and take into account the principles of substantive equality. | 2.14 Providing accessible information on, or referral to, community support services and programs. |
| | 2.15 Supporting initiatives that empower individuals to prevent, and respond effectively to, racism and discrimination. |

2.2 The local council facilitates diverse cultural expression through a range of activities and observances. Demonstrated by:

- | | |
|---|---|
| 2.21 Celebrating community festivals, cultural events, and religious observances that represent diversity and encourage dialogue. | 2.22 Encouraging programs and initiatives that bring together diverse cultures and support opportunities for cultural expression and intercultural understanding. |
|---|---|

2.3 The local council facilitates language access. Demonstrated by:

- | | |
|---|--|
| 2.31 Assessing language needs for migrant communities to increase access to services and activities. | 2.35 Providing accessible information on dispute resolution and local by-laws. |
| 2.32 Engaging accredited translators or interpreters in council services and related events. | 2.36 Advocating to other tiers of Government and associated agencies to ensure that essential information and services (such as emergency management information) are accessible to migrant communities. |
| 2.33 Providing information on council services, and resident information guides in community languages. | |
| 2.34 Providing accessible Council feedback and complaints processes. | |

2.4 The local council partners with government, business and community stakeholders to promote affordable, safe and accessible housing, health, justice and transport services for all residents. Demonstrated by:

- 2.41 Referral to accessible information on, and promotion of, preventative health programs, public health risks, and community recreational activities.
- 2.42 Advising stakeholders in the development of local community housing and affordable housing initiatives.
- 2.43 Advising stakeholders and transport services to identify accessible and affordable transportation services.
- 2.44 Advising the local police service to build positive connections with migrant communities through crime prevention information sessions and community liaison.

2.5 The local council is committed to embedding broader diversity and inclusion approaches across the organisation and recognises that there are often additional barriers and vulnerabilities faced by Aboriginal and Torres Strait Islanders, women from migrant backgrounds, younger and older people from migrant backgrounds, people living with disability, and/or people who identify as LGBTI. Demonstrated by:

- 2.51 Cross-departmental initiatives and strategies that address barriers to access and inclusion and the additional challenges of inter-sectionality in policy and practice, across a range of areas.



**Welcoming Cities
facilitate diverse
cultural expression
and support residents
to participate in the
community.**

3.0 Economic Development

Welcoming Cities recognise that economic growth relies on an inclusive economy that encourages the active participation of all its residents.

Welcoming Cities facilitate access, by both receiving and migrant communities, to opportunities for employment, business development and entrepreneurship.

Welcoming Cities value the unique talents and experiences that people of all backgrounds contribute to their communities.

3.1 The local council employs a workforce that is inclusive and diverse. Demonstrated by:

- | | |
|--|--|
| <p>3.11 Identifying and addressing barriers and unconscious bias, which may limit diversity and inclusion in employment practices.</p> <p>3.12 Highlighting the value of a diverse workforce and encouraging applicants from diverse backgrounds to apply.</p> | <p>3.13 Exploring innovative ways of promoting job opportunities to reach a broad and diverse range of potential applicants.</p> |
|--|--|

3.2 The local council advances local business sourcing and contracting. Demonstrated by:

- | | |
|---|--|
| <p>3.21 Addressing the barriers for local businesses to access council tendering and contracting opportunities.</p> | <p>3.22 Reviewing procurement policies and practice and identifying opportunities to engage local suppliers.</p> |
|---|--|

3.3 The local council partners with the local business community to identify strategic opportunities for economic development and to encourage local jobs for local people, including those from migrant communities. Demonstrated by:

- | | |
|---|--|
| <p>3.31 Supporting and facilitating networking events, business development workshops, mentoring and other activities that grow local skills, knowledge and commerce.</p> <p>3.32 Partnering with employers, local chambers of commerce, financial institutions, employment services, and other relevant community based organisations to identify needs and opportunities.</p> | <p>3.33 Supporting and advocating for strategies to monitor and prevent labour exploitation.</p> <p>3.34 Working with employers, local chambers of commerce and other relevant community based organisations to identify and address barriers to local employment.</p> |
|---|--|

3.4 The local council supports both receiving and migrant communities to advance economic development opportunities. Demonstrated by:

- | | |
|--|---|
| <p>3.41 Supporting and referring to business incubator, entrepreneurship programs and other initiatives to identify and grow enterprise opportunities.</p> | <p>3.42 Supporting and promoting cultural initiatives and activities that draw visitors to the community.</p> |
|--|---|

THE STANDARD THE WELCOMING CITIES STANDARD

4.0 Learning and Skills Development

Welcoming Cities support both receiving and migrant communities to develop the skills, assets, and opportunities required to foster social cohesion.

Welcoming Cities facilitate partnerships with, and referrals to, local service providers that value learning and inclusion.

24

4.1 The local council works closely with community facilities such as schools and libraries to support learning and inclusion for migrant communities. Demonstrated by:

- | | |
|---|--|
| <p>4.11 Advocating for and supporting programs and initiatives that connect diverse migrant communities to existing support services including education, health, and settlement services.</p> <p>4.12 Facilitating programs and initiatives that ensure library and/or related services are accessible, and support targeted learning opportunities for migrant communities.</p> | <p>4.13 Supporting learning and skills development opportunities for children and young people from migrant communities through collaboration with schools and other services.</p> |
|---|--|

4.2 The local council encourages learning and skills development opportunities that enable people from migrant communities to participate in community life. Demonstrated by:

- | | |
|--|---|
| <p>4.21 Referral to information on English language learning opportunities.</p> <p>4.22 Encouraging and supporting programs and initiatives that provide opportunities for migrant and receiving communities to share their history, ideas, knowledge and experience to grow cultural understanding.</p> | <p>4.23 Identifying and delivering professional development for council staff that increases their capacity and skills to engage with and respond appropriately and effectively to the needs of a culturally diverse community.</p> |
|--|---|

THE STANDARD THE WELCOMING CITIES STANDARD

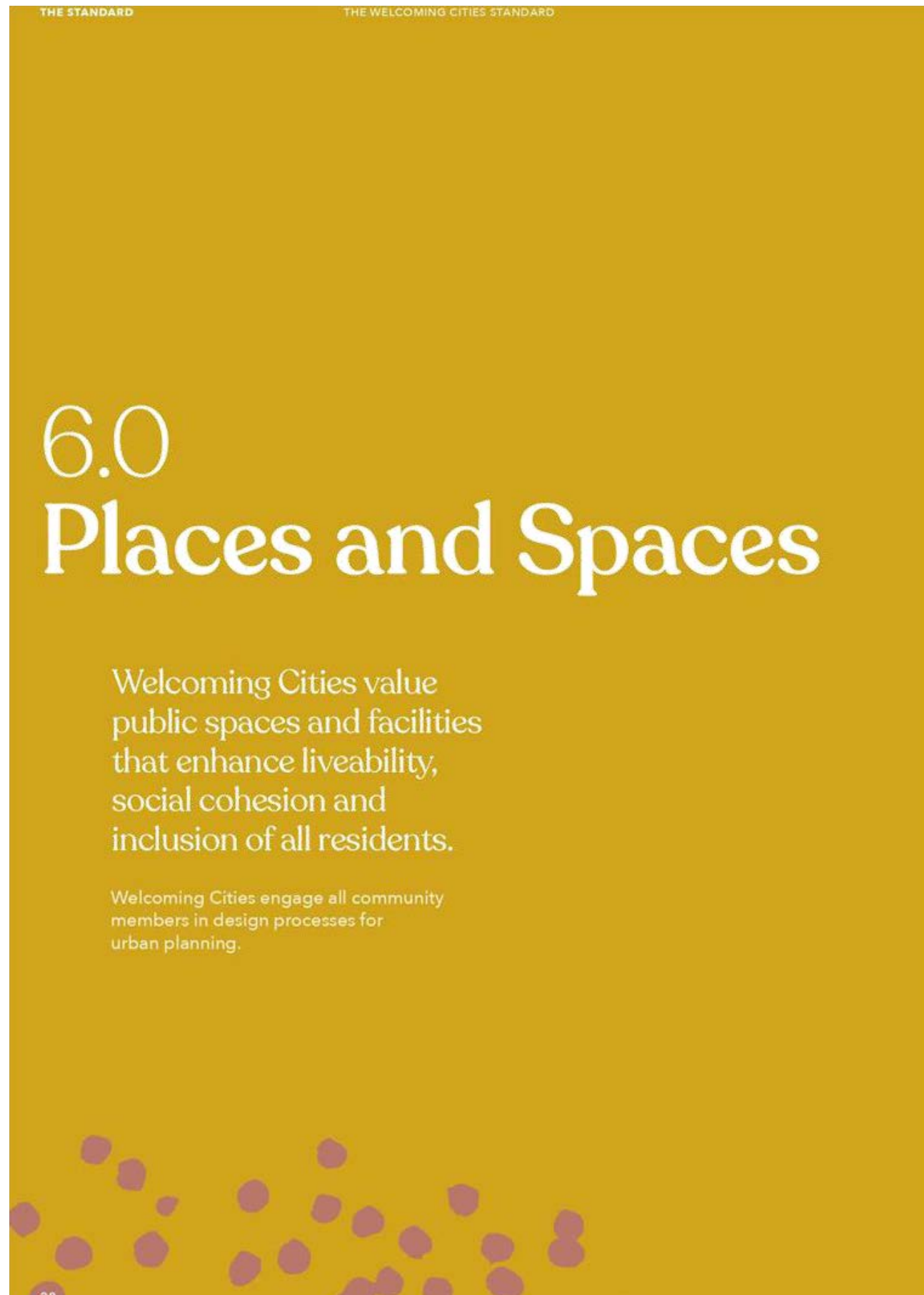
5.0 Civic Participation

Welcoming Cities actively encourage all residents to participate in civic life.

Welcoming Cities identify opportunities to engage people, such that civic leadership reflects the diversity of the community.

26

- 5.1** The local council communicates their roles and responsibilities, and advances civic participation for both receiving and migrant communities. Demonstrated by:
- 5.11** Providing accessible information on the role and responsibilities of local councils and civic engagement opportunities.
 - 5.12** Encouraging and supporting the participation of culturally diverse groups in public council meetings and forums.
 - 5.13** Promoting and supporting the participation of representatives from culturally diverse groups, including young people and seniors, in council committees, advisory and reference groups.
- 5.2** The local council supports and celebrates the attainment of citizenship. Demonstrated by:
- 5.21** Promoting information about pathways and processes for obtaining Australian Citizenship to migrant communities.
 - 5.22** Hosting, promoting and celebrating citizenship ceremonies (where applicable).
- 5.3** The local council supports all eligible residents to enrol to vote and participate in local government elections. Demonstrated by:
- 5.31** Working with the State Government and/or Electoral Commissions to eliminate barriers to voting.
- 5.4** The local council supports people from both receiving and migrant communities to celebrate and participate in volunteering. Demonstrated by:
- 5.41** Identifying and supporting volunteering opportunities that engage people from migrant communities and receiving communities, in order to encourage dialogue and relationship building.
 - 5.42** Recognising and celebrating diverse volunteer contributions that may not be reflected in formal and traditional concepts of volunteering.



6.1 The local council ensures that public spaces and facilities are safe and accessible to all residents. Demonstrated by:

- 6.11 Consulting with culturally diverse groups to explore how council spaces and facilities may be more accessible, inclusive, and responsive to community needs and aspirations.
- 6.12 Assessing development applications against non-discriminatory access requirements regulated under the Building Code of Australia, and guidelines under the Disability Discrimination Act.
- 6.13 Ensuring that both receiving and migrant communities are consulted in the urban planning process.

6.2 Public spaces and facilities encourage community interaction, and facilitate diverse cultural expression and celebration. Demonstrated by:

- 6.21 Enabling the use of public spaces and facilities by people who represent the diversity of the Community.

6.3 The local council works to recognise Aboriginal and Torres Strait Islander and migrant heritage in public spaces and facilities. Demonstrated by:

- 6.31 Supporting initiatives that communicate the significance of cultural stories in public spaces and facilities.

THE STANDARD

THE WELCOMING CITIES STANDARD




“
Supporting
local councils and
community leaders
to leverage the ideas
and innovation that
come from being
welcoming and
inclusive.”

ASSESSMENT
THE WELCOMING CITIES STANDARD

Assessment and Accreditation

To cater for the diversity of Local Councils, and their communities, The Welcoming Cities Standard has a range of entry and accreditation levels. There is no obligation or requirement for Councils to progress through the accreditation levels. However, accreditation expires (and can be renewed or progressed) every 3 years.



Level	Description	Assessment
Committed	<p>A Committed local council has publicly stated their intent to champion the principles of welcoming and inclusion.</p> <p>Committed local councils join a network of like-minded peers, and gain the benefit of support and experience to chart their progress and identify the next steps towards becoming a Welcoming City.</p>	Welcoming Cities Commitment Form signed by either the Mayor or CEO.
Established	<p>An Established Welcoming City has taken action towards becoming a more connected and cohesive community.</p> <p>Established Welcoming Cities have cemented their status as a key member of the network and driver of cultural change. They have a clear assessment of their current position.</p>	Self Assessment Criteria and indicators of Category 1.0 (Leadership) are met and verified by Welcoming Cities.
Advanced	<p>An Advanced Welcoming City is celebrating success in initiatives and policies that foster economic, social and cultural inclusion.</p> <p>Advanced Welcoming Cities are projecting their reputation as a leader of the sector and are prominent members of the network.</p>	Peer Assessment Criteria and indicators of the following categories are met: <ol style="list-style-type: none"> 1. Leadership 2. Social and Cultural Inclusion 3. Economic Development <p>An accredited Mentoring Council verifies the assessment.</p>
Excelling	<p>An Excelling Welcoming City is setting and achieving targets across its full range of services and partnerships.</p> <p>Excelling Welcoming cities are achieving at a high level, and serve as an example of success for other councils.</p>	External Assessment Criteria and indicators of ALL categories are met. An approved Welcoming Cities assessor verifies the assessment.
Mentoring	<p>A Mentoring Welcoming City is confidently embedding the framework and its principles across the organisation.</p> <p>Mentoring Welcoming Cities lead the sector by example, lending their considerable expertise to build the capacity of their peers.</p>	Achievement of Excelling level and submission of Mentoring Application An approved Welcoming Cities assessor verifies the application.

32
33

Compliance and Good Practice

The International Social and Environmental Accreditation and Labelling (ISEAL) Alliance defines a Standard as a “document that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory”.

ISEAL views a Standard as a powerful market-based approach for creating positive social, environmental, and economic change, and driving transformation in how entities deliver goods and/or services. A Standard defines what is expected and sustainable for a particular sector, drives and maintains change with a verification process, and has additional tools and activities in place for tracing certified goods and/or services. Through all of this, a Standard brings together all entities in the ecosystem and builds their capacity as they move from baseline to higher performance standards.

Standards are living documents that reflect societal understanding of good practice for a given sector or industry. As such, the Standard will evolve over time.

New insights gained from implementation of the standard, plus increased interest from stakeholders due to uptake of the Standard, will yield new knowledge and improvements that need to be integrated into the Standard's requirements. Common practice is to review a standard every three to five years and Welcoming Cities is committed to continuous improvement.

The development of The Welcoming Cities Standard has been guided by ISEAL's Codes of Good Practice and Credibility Principles.

In the development of this Standard, Welcoming Cities has extensively consulted international, national and local stakeholders, including peak bodies, government associations, commissions and all tiers of government.



“ Standards are living documents that reflect societal understanding of good practice for a given sector or industry. As such, the Standard will evolve over time. ”

Advisory Committee

[Chair] Dr Sev Ozdowski AM
University of Western Sydney

Dr Ali Nur
Refugee Council of Australia (RCOA)

Allan Mills
Deloitte Australia

Bianca Nutt
Municipal Association of Victoria (MAV)

Dewani Bakkum
Settlement Council of Australia (SCoA)

Dr Emma Campbell
Federation of Ethnic Communities'
Councils of Australia (FECCA)

Huss Mustafa OAM
Commonwealth Bank of Australia

Anthea Hancocks
Scanlon Foundation

Mohammad Al-Khafaji
Welcome to Australia

Nadine Liddy
Multicultural Youth Advocacy
Network (MYAN)

Rebecca Wickes
Monash University

Simone Proctor
Reconciliation Australia

Our References

Australian Centre of Excellence for Local
Government 2015
[Building Social Cohesion in our Communities](#)

Australian Government Department of Social
Services 2016
[National Settlement Framework](#)

Centre for Multicultural Youth 2007
[Inclusive Local Government](#)

Cities of Migration 2017
[Building Inclusive Cities](#)

Cultural Development Network 2016
[Framework for Cultural Development Planning](#)

EUROCITIES 2014
[Integrating Cities Toolkits](#)

Intercultural Cities Australasia 2017
[Australian Intercultural Standards and Index](#)

Migration Council Australia 2015
[The Economic Impact of Migration](#)
Multicultural Youth Advocacy Network
(Australia) 2016
[National Youth Settlement Framework](#)

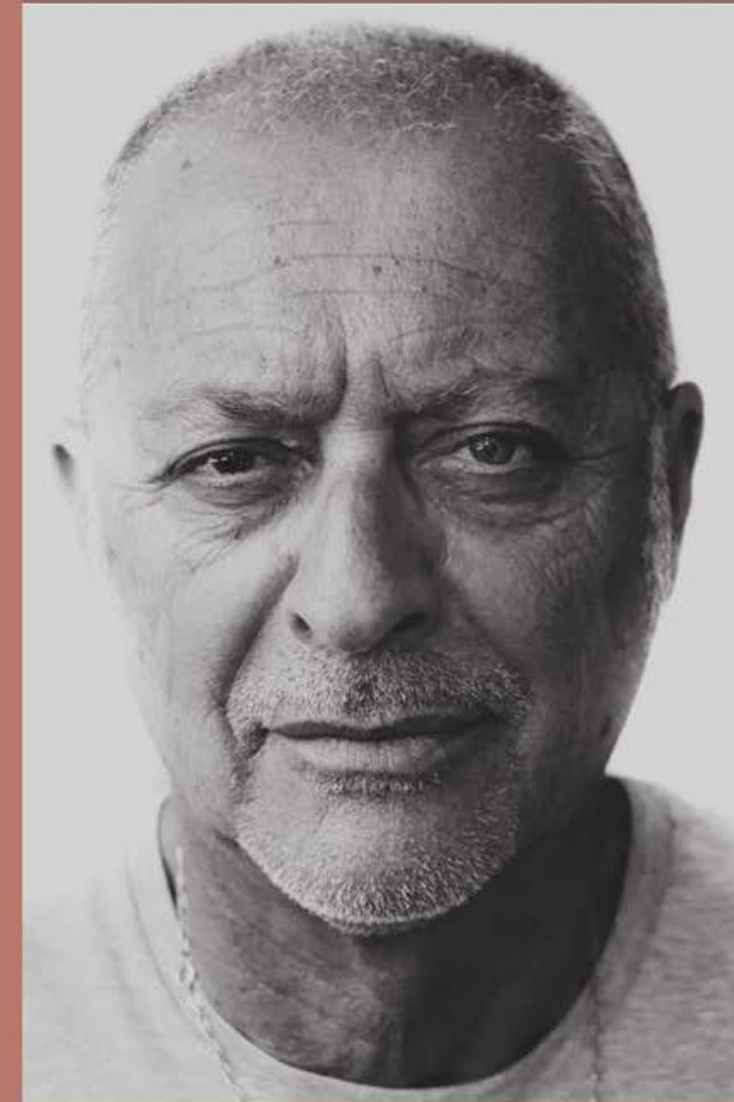
Myriad Consultants 2014
[The Role Of Local Government In Settlement
And Multiculturalism](#)

Regional Australia Institute 2016
[The Missing Migrants](#)

Scanlon Foundation 2016
[Australians Today](#)

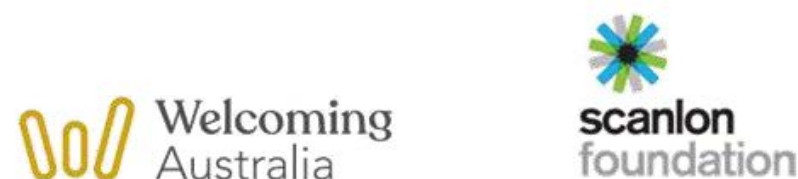
Victorian Government 2015
[Strategic Framework to Strengthen Victoria's
Social Cohesion and the Resilience of its
Communities](#)

Welcoming America 2017
[The Welcoming Standard and Certified
Welcoming](#)



Acknowledgements

Welcoming Cities is an initiative of Welcoming Australia funded by the Scanlon Foundation.

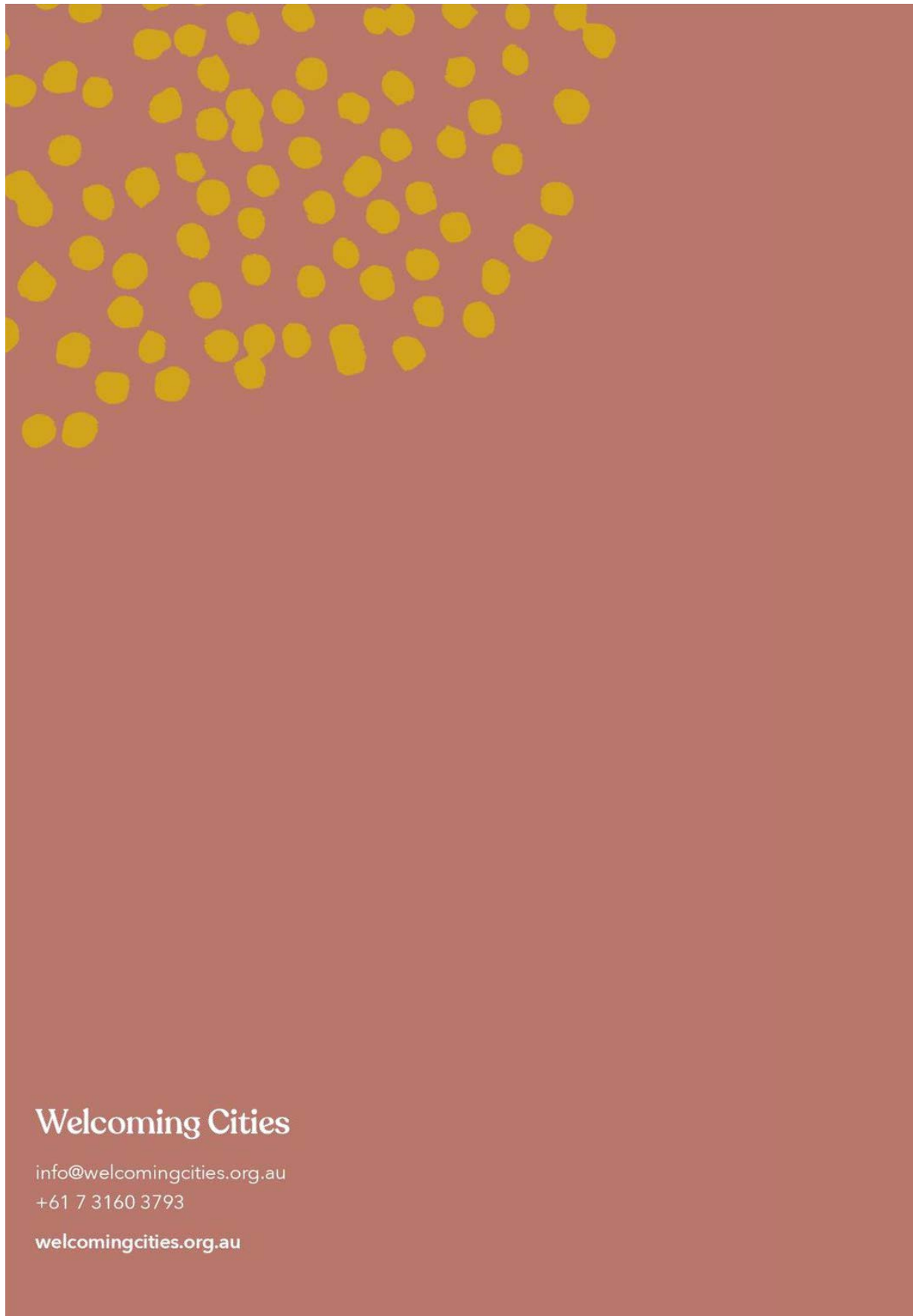


We would particularly like to acknowledge the contributions and advice from:

Thank you to the numerous people and organisations who have contributed to the development of The Welcoming Cities Standard.

- | | | |
|---------------------------------------|--|---|
| 1. Australian Human Rights Commission | 2. Australian Multicultural Council | 3. Cities of Migration |
| 4. Deloitte Australia | 5. Federation of Ethnic Communities' Councils of Australia | 6. Immigration New Zealand |
| 7. Monash University | 8. Municipal Association of Victoria | 9. Office of Multicultural Interests, Western Australia |
| 10. Reconciliation Australia | 11. Refugee Council of Australia | 12. Regional Australia Institute |
| 13. Settlement Council of Australia | 14. Victorian Government | 15. Welcoming America |

“
A network
of welcoming and
cohesive cities
and regions where
everyone can belong
and participate
in social cultural,
economic and
civic life.”



12.7 - LIVINGSTONE SHIRE COUNCIL'S MEMBERSHIP OF THE WELCOMING CITIES NETWORK

**The Queensland Government
Multicultural Policy 2018 - Our Story,
Our Future.**

Meeting Date: 19 November 2019

Attachment No: 2

Department of Local Government, Racing and Multicultural Affairs

| Queensland Multicultural Policy |

Our story, our future

Version 2, published December 2018





Respectfully journeying together

**As Queenslanders, we honour the Aboriginal peoples
and Torres Strait Islander peoples, the First Australians,
whose lands, winds and waters we all now share,
and their ancient and enduring cultures.**



Message from the Premier

Cultural diversity is a big part of what makes Queensland great. My Polish grandparents moved to this country following World War II and were among the many migrants who helped build and develop our state.

My Government is proudly committed to building an inclusive, harmonious and united Queensland through the *Multicultural Recognition Act 2016*. At its core is the Multicultural Queensland Charter, a statement of principles that speak of diversity, inclusion, equity and respect. It guides us to a future where we can fully realise the economic and social benefits of our cultural diversity.

The *Multicultural Recognition Act* supports the priorities set out in 'Our Future State: Advancing Queensland's Priorities'. These priorities are to create jobs in a strong economy, give all our children a great start, keep Queenslanders healthy, keep communities safe, and be a responsive government.

By focusing on this commitment and on our priorities to advance Queensland, we will continue to build an even better Queensland into the future.

The Honourable Anastacia Palaszczuk MP
Premier of Queensland and Minister for Trade

Message from the Minister



In Queensland we have a long and proud tradition of welcoming people from all over the world to make Queensland their home and become active participants in our economic, social and cultural life.

Queensland's ongoing and future prosperity will depend on our ability to maintain, foster and support communities where diversity is valued. We must continue to work together as a community to remove barriers, value differences and embrace diversity.

The Queensland Multicultural Policy – Our story, our future is the Queensland Government's first multicultural policy under the *Multicultural Recognition Act 2016*.

I am proud that this government has developed this policy and the associated action plan to help bring the Multicultural Queensland Charter to life and drive Queensland Government action. The policy addresses three priority areas: a culturally responsive government; supporting inclusive, harmonious and united communities; and improving economic opportunities.

As Minister for Multicultural Affairs, I am committed to promoting the Palaszczuk Government's vision of a united, harmonious and inclusive Queensland – a place where everyone belongs.

By working together, we can promote equity, fairness and a sense of welcome and belonging in every community across this great state.

The Honourable Stirling Hinchliffe MP
Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs







Contents

Introduction	2
Multicultural Queensland: Our past, present and future	4
Setting priorities for the Queensland Multicultural Policy and Action Plan	5
PRIORITY 1 Culturally responsive government	6
PRIORITY 2 Inclusive, harmonious and united communities	12
PRIORITY 3 Economic opportunities	17
Implementation	22
References	24





Introduction

Our vision is an inclusive, harmonious and united Queensland where people of all cultures, languages and faiths feel a strong sense of belonging and can achieve their goals.

Queenslanders are from many backgrounds, starting with the rich cultural traditions of the First Australians, the Aboriginal peoples and Torres Strait Islander peoples. Since the nineteenth century, Queensland has had a strong history of migration, including the first settlers, refugees displaced by conflict and many generations of migrants from across the globe. People from more than 220 countries and territories now call Queensland home.

Multiculturalism is one of Queensland's greatest strengths. Harnessing the benefits of our diversity and creating equality of opportunity for all Queenslanders will help our state thrive.

The passing of the *Multicultural Recognition Act 2016* demonstrates Queensland's commitment to recognising our diverse cultural heritage and the vast benefits diversity offers for our state. The key provisions of the legislation are outlined in diagram 1.

The Queensland Multicultural Policy delivers on the requirements of the *Multicultural Recognition Act 2016* and is the Queensland Government's framework for achieving an inclusive, harmonious and united Queensland.

The policy sets priorities for Queensland Government action to achieve positive outcomes for Queenslanders from culturally diverse backgrounds. It focuses on achieving culturally responsive government policy, services and programs; inclusive, harmonious and united communities; and improved economic opportunities.

The Queensland Multicultural Action Plan sets out specific actions Queensland Government entities will take to achieve positive outcomes under each policy priority.

Together, the policy and action plan translate the principles of the Multicultural Queensland Charter into actions and outcomes for culturally diverse Queenslanders and for all of Queensland.

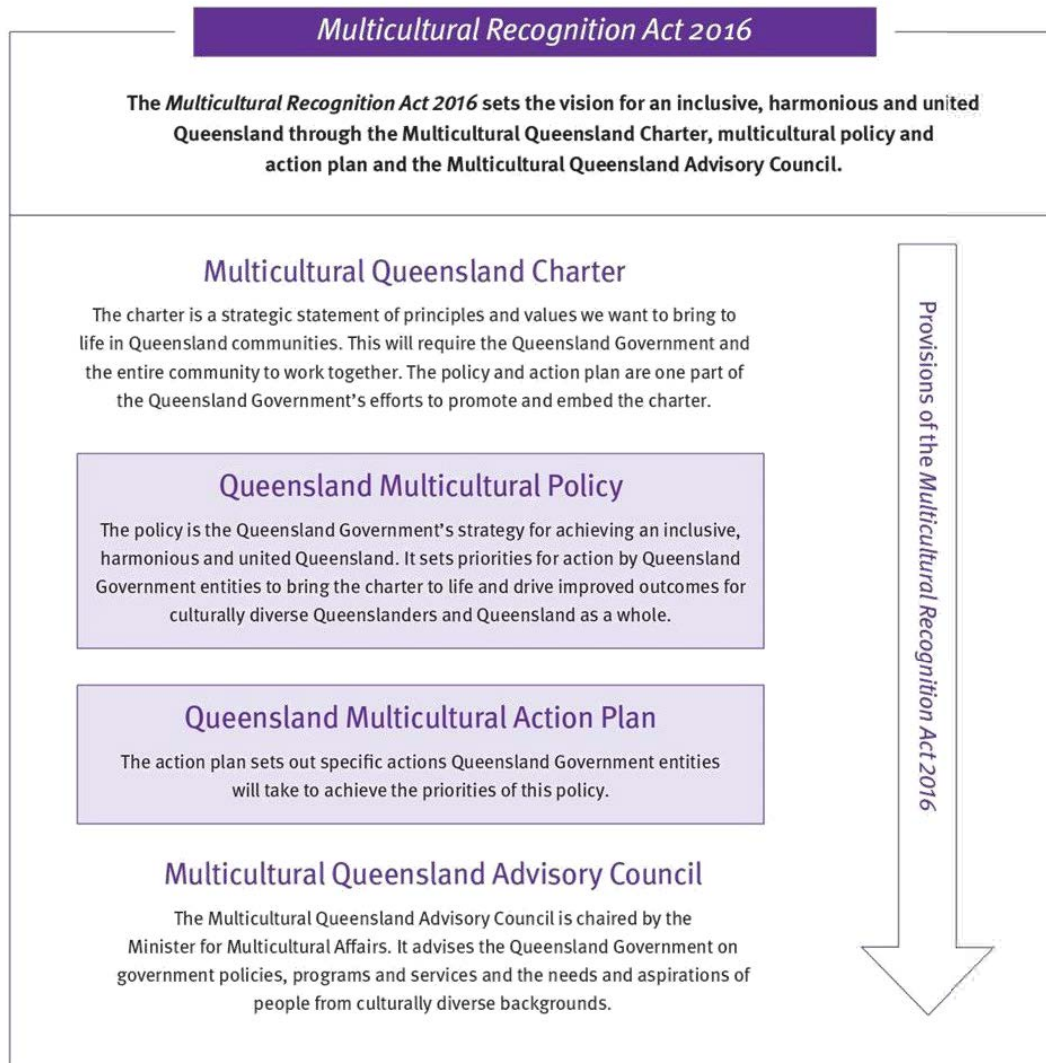
The multicultural policy and action plan complement government efforts to achieve improved outcomes for Aboriginal peoples and Torres Strait Islander peoples as driven through a range of other policies, programs and initiatives across government.

This document was first published in 2016 and has been updated in 2018 to reflect changes to departmental responsibilities post machinery-of-government changes.





Diagram 1: Provisions of the *Multicultural Recognition Act 2016*





Multicultural Queensland: Our past, present and future

Cultural diversity is part of who we are as Queenslanders. Queensland is a vivid mix of cultures, languages, faiths and traditions — enriching our communities and creating opportunities for our future.

Aboriginal peoples' and Torres Strait Islander peoples' history in Australia dates back between 50,000 to **65,000 years.**¹

More than  **1 in 5** Queenslanders **was born overseas** and **1 in 3** Queenslanders was born overseas or has **at least one parent born overseas.**² 

More than **1 in 10** Queenslanders speaks a language **other than English** at home.³


Queensland received **21,519 permanent migrants** in 2016–17.⁴

Our cultural diversity is increasing.

In 2016, **21.6%** of Queenslanders were born overseas, an increase from 20.5% in 2011 and 17.9% in 2006.⁵





Setting priorities for the Queensland Multicultural Policy and Action Plan

The Queensland Multicultural Policy promotes the principles of the Multicultural Queensland Charter, outlining priorities and outcomes that will benefit people from culturally diverse backgrounds.

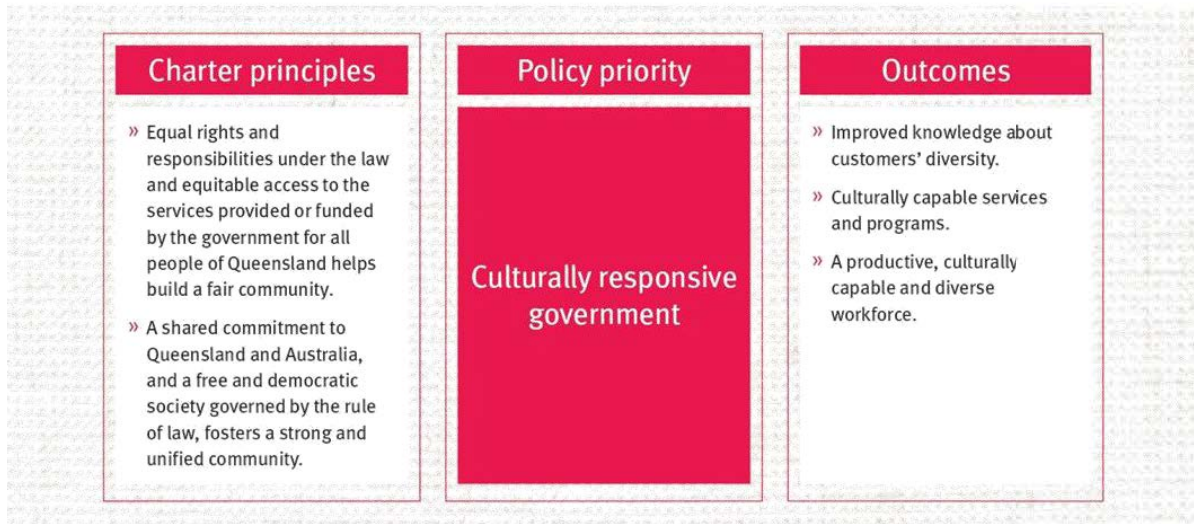
Diagram 2: Charter principles, priorities and outcomes for Queensland Government action

Charter principles	Policy priorities	Outcomes
<p>Equal rights and responsibilities under the law and equitable access to the services provided or funded by the government for all people of Queensland helps build a fair community.</p> <p>A shared commitment to Queensland and Australia, and a free and democratic society governed by the rule of law, fosters a strong and unified community.</p>	Culturally responsive government	<p>Improved knowledge about customers' diversity.</p> <p>Culturally capable services and programs.</p> <p>A productive, culturally capable and diverse workforce.</p>
<p>A unified and harmonious community promotes a sense of belonging among its people and builds community confidence and resilience.</p> <p>A shared commitment, among members of the Queensland community, to mutual respect, fair treatment and valuing the diversity of peoples in the community fosters a caring, safe and inclusive community.</p> <p>The people of Queensland should be able to express and celebrate, in a lawful way, their cultural, linguistic and religious diversity.</p> <p>Sustained, respectful and inclusive engagements between all individuals, groups and the government are a basis for mutual understanding.</p>	Inclusive, harmonious and united communities	<p>Recognition and respect for Aboriginal and Torres Strait Islander heritage and culture.</p> <p>Queenslanders celebrate our multicultural identity.</p> <p>Connected and resilient communities.</p> <p>A respectful and inclusive narrative about diversity.</p>
<p>The people of Queensland come from many diverse backgrounds and have worked, and continue to work, together to build a prosperous, fair and harmonious Queensland.</p> <p>The creation of opportunities that encourage the full participation of people from diverse backgrounds in the cultural, economic, political and social life of Queensland helps build a prosperous state.</p>	Economic opportunities	<p>Queensland gets the most benefit from our diversity and global connections.</p> <p>Individuals supported to participate in the economy.</p>





Priority 1: Culturally responsive government



Culturally responsive government is about planning our services and programs for a multicultural community, tapping into the benefits of diverse workforces and ensuring that every Queenslanders feels respected and supported when using Queensland Government services.

To ensure Queensland Government services meet customer needs, **all Queensland Government entities** are required by the legislation to consider the principles of the Multicultural Queensland Charter, which speaks of equity, fairness and inclusion, in developing their policies, programs and services.

Queensland's culturally diverse communities will be supported to participate in all aspects of life and achieve their goals through coordinated action across the government's many services.

This includes:

- » supporting **education systems** that people of all cultural backgrounds can benefit from – from early childhood education and care through to every stage of learning and skilling
- » supporting an improved system for recognising overseas **qualifications and skills**, and helping migrants find work in a field relevant to their skills and abilities
- » ensuring our **hospitals and health services** are responsive to the unique needs of each person
- » ensuring our **justice systems** support a fair, safe and just Queensland
- » supporting **community services**, such as police and fire and emergency services to be more culturally capable





- » supporting excellence in the delivery of **human services**, strengthening and protecting the wellbeing of all Queenslanders so that everybody, particularly those who are vulnerable, can participate regardless of culture, language, faith, age, sexual orientation or gender identity
- » helping to build better **housing** futures for all Queenslanders so that everybody has safe, secure and affordable housing options
- » supporting improved access to **transport** to help people participate.

Improved knowledge about our customers' diversity

Excellent service delivery starts with knowing the customers we are serving.

Section 19 of the *Multicultural Recognition Act 2016* requires that the multicultural policy provides a consistent approach across government for collecting statistical information about the diversity of people who use services provided by government entities.

Better collection and analysis of customer information will help the Queensland Government plan for and deliver services that meet customer needs. A consistent and clear approach for information about our customers' diversity is integral to effective service delivery. This information enables agencies to examine the system they are working in, identify who may experience barriers to participation, and target policy, program and service responses to areas of identified need. This means that as a government and as a state, we get the best value for our investment, because people are supported in the right way, at the right time.

Queensland Government agencies in diagram 3 must have systems and mechanisms in place to support the collection of customer information regarding their country of birth, preferred language and whether they require an interpreter.

Customers will be encouraged to provide this information and can choose, if they wish, not to provide this information.

As Queensland Government agencies renew their systems and procedures, they may also decide to collect information about ethnicity (or cultural identity) as a further indicator to assist with planning effective services and programs.

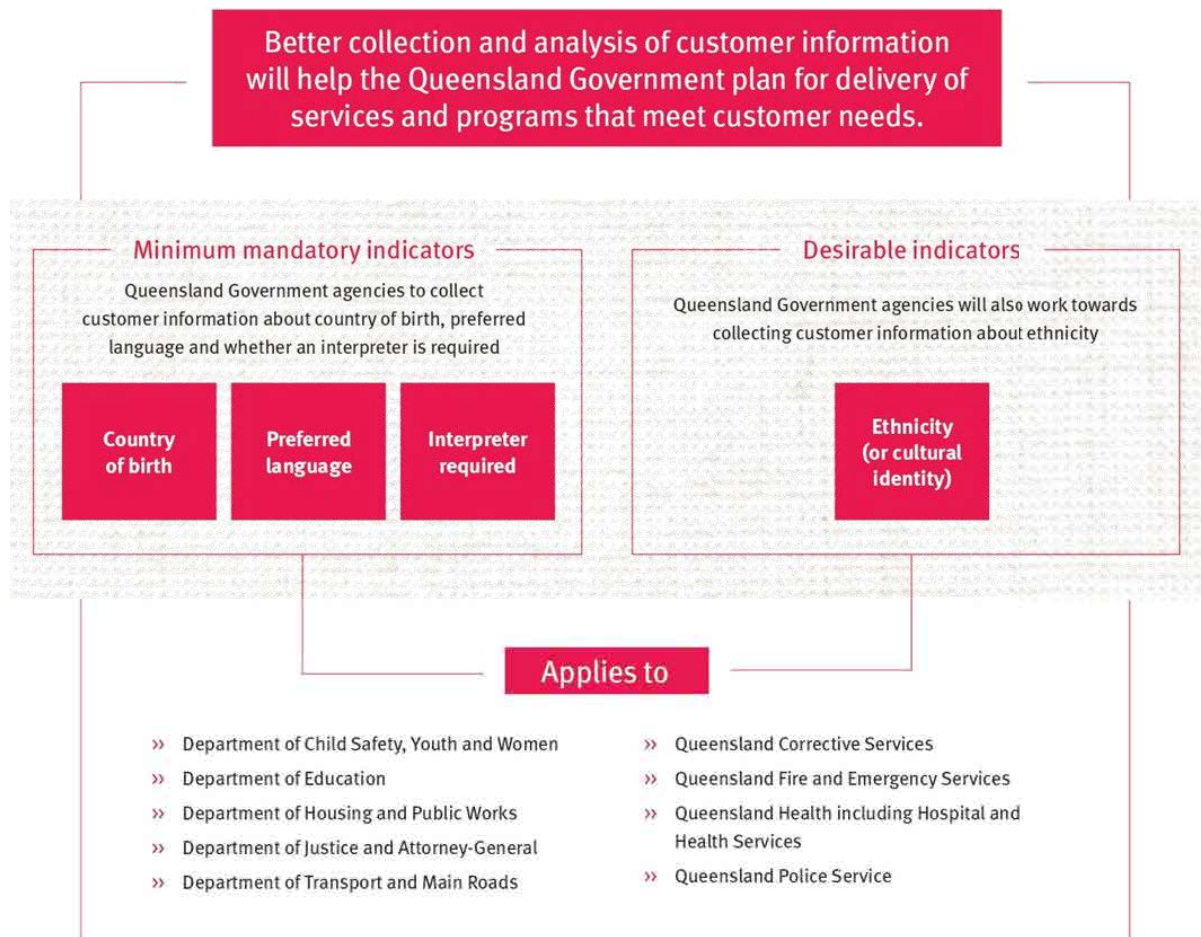
Queensland Government agencies will improve their knowledge and understanding about customers' diversity through better collection of customer information and planning.

Who are Queensland Government customers?

'Customer' refers to any individual who is the end recipient of the goods, services or products of a Queensland Government entity. Customers may voluntarily access government services or be an involuntary recipient, such as in youth justice, child protection, corrections and policing.



Diagram 3: Queensland Government approach for collecting statistical information about the diversity of people who use Queensland Government services





Success story

Promoting the Multicultural Queensland Charter: Building Cultural Awareness video series

Queensland Health is committed to developing culturally appropriate services and programs that are supported and implemented through a capable and diverse workforce.

In August 2018, as part of Queensland Multicultural Month, Queensland Health released a Building Cultural Awareness video series focusing on the Multicultural Queensland Charter, refugees and people seeking asylum and working with interpreters. The videos were developed in collaboration with other Queensland Government agencies, the non-government sector, members of the Multicultural Queensland Advisory Council, and consumers.

These three short videos endeavour to build capability around cultural diversity in the workplace and raise awareness of Queensland's multicultural population. The Multicultural Queensland Charter video aims to increase staff awareness and understanding of how Queensland Health staff can apply principles of the Multicultural Queensland Charter through their work.

These videos were initially designed for use by Queensland Health and Queensland Ambulance Service staff. Following positive feedback on the videos, they have been made available for use by other organisations.





Culturally capable services and programs

Effective services and programs are ones that work for everybody.

Everybody should feel safe and respected when accessing services provided and funded by the Queensland Government. Good and accessible services deliver better outcomes for people, supporting them to achieve their goals, in turn improving the return Queensland gets on its investment.

Queensland Government services will engage with local communities to better understand and respond to customer feedback and needs.

The **Queensland Government will** ensure services are accessible, including developing systems and tools that make services safe and comfortable for all users.

The **Queensland Government will** build staff and service-level cultural capability and promote the values of the Multicultural Queensland Charter.

The **Queensland Government will** increase its efforts in implementing the Queensland Language Services Policy and improving access to interpreters and multilingual resources. The Queensland Language Services Policy aims to ensure people who have difficulty communicating in English are able to access services. This multicultural policy works together with the Language Services Policy.

A productive, culturally capable and diverse workforce

Our workforce can only get better by tapping into cultural diversity.

Diversity supports innovation and productivity in the workforce.

Our workforce needs to reflect the diversity of our communities to ensure our policy, services and programs are truly informed by and reflect customer needs.

The **Queensland Government will** implement strategies that build inclusive work cultures and practices and promote and harness the benefits of a diverse workforce.

The **Queensland Government will** deliver strategies that address discrimination and unconscious bias in recruitment and build a workforce that reflects the diversity of its customers.





Our commitment

Support for refugees and people seeking asylum

Queenslanders have a long tradition of welcoming and assisting people escaping persecution.

Just as we have stepped up before in times of crisis, we will welcome refugees into our Queensland community and recognise multiculturalism as one of our greatest strengths.

Most recently, Queenslanders have shown compassion and generosity in response to the Syrian refugee crisis. The Queensland Government has shown its support for people living in Queensland by opting in to the Safe Haven Enterprise Visa (SHEV) arrangement, a visa option for eligible people to progress towards permanent residency in Australia.

We are committed to ensuring Queensland communities are welcoming and inclusive for all.

We want people who come to Queensland to be able to seek out job opportunities, contribute their skills and build a new life.

The **Queensland Government will** support refugees and people seeking asylum to reduce barriers and create opportunities for them to participate and contribute to our economic, social and cultural future.

The **Queensland Government will** work with our government and non-government partners to support refugees and people seeking asylum to participate in all aspects of life.

No matter how people came here or where they came from, the Queensland Government will support all the people of Queensland to participate and feel they belong.





Priority 2: Inclusive, harmonious and united communities



Building welcoming, inclusive and harmonious communities is about recognising our common hopes and dreams.

We all want the best for our families, to fulfil our potential, to contribute and feel a sense of belonging as members of our local community, as Queenslanders and as Australians.

A welcoming, inclusive and harmonious community is one where people understand, appreciate and celebrate difference — where we recognise the vast potential and benefits that diversity offers us as individuals and as communities, and where we embrace new perspectives and develop together.





Recognition and respect for Aboriginal and Torres Strait Islander heritage and culture

Any conversation about welcoming and inclusive communities should start with recognising Aboriginal peoples and Torres Strait Islander peoples.

Aboriginal peoples and Torres Strait Islander peoples, as the traditional custodians of the land, have a unique history and a special place in Queensland and Australia.

Recognition and respect for Aboriginal and Torres Strait Islander heritage and culture is fundamental to supporting and welcoming inclusive and harmonious communities across Queensland.

This complements the Queensland Government's broader policy agenda for Aboriginal peoples and Torres Strait Islander peoples, including ensuring that agencies and funded organisations are culturally capable and provide efficient, effective and responsive services to Aboriginal peoples and Torres Strait Islander peoples, and that Aboriginal and Torres Strait Islander perspectives are an inherent part of core business.

As Queenslanders we will respectfully journey together and act in the spirit of reconciliation, learn from the past and positively engage in the present to build a trusting and respectful future.

The **Queensland Government will** work with Aboriginal peoples and Torres Strait Islander peoples to increase recognition and respect for Aboriginal peoples and Torres Strait Islander peoples and their rich cultures and histories.

The **Queensland Government will** seek support from Aboriginal peoples and Torres Strait Islander peoples, drawing on their strength, resilience and past experiences, to build a more welcoming and inclusive community for all Queenslanders, including those who are newly arrived.



Queenslanders celebrate our multicultural identity

Our cultural diversity is who we are as Queenslanders.

Queensland has a rich history of welcoming migrants and refugees, who have helped shape and build our industries, communities and economy. This is an important part of our shared history.

The **Queensland Government will** work with our partners in business, industry, funded services and community to bring the vision of the Multicultural Queensland Charter to life.

The **Queensland Government will** recognise and celebrate our cultural diversity, leading by example in showcasing the positive contributions our diversity has brought to the social and cultural life of Queensland.

The **Queensland Government will** support communities to showcase and celebrate our rich and vibrant multicultural identity.

Connected and resilient communities

A resilient community is one where all people feel a sense of belonging.

It is one where people can connect and provide support. When we look out for each other and work together, we create connected and resilient Queensland communities. Building belonging and welcome takes effort, and everyone has a part to play.

A caring, safe and inclusive community is created when we are treated fairly and with respect.

It is about creating welcome for newcomers to Queensland by inviting people in, connecting, and learning about each others' stories and experiences.



Recognising Australian South Sea Islanders

Australian South Sea Islanders are the Australian-born direct descendants of people who were brought to Australia between 1863 and 1904 to work as indentured labourers in the primary industries. More than 50,000 people, predominantly men, came from some 80 Pacific Islands, primarily Vanuatu and the Solomon Islands, and the majority were kidnapped, 'blackbirded' or deceived into coming.

Australian South Sea Islanders have contributed significantly to the social, cultural and economic development of Queensland. Australian South Sea Islanders have helped to build local economies

and key industries, including the development of farming and grazing, the maritime industry, pearling, mining, the railways, domestic services, child care as well as serving as members of the defence force.

The Australian South Sea Islander community was recognised by the Commonwealth Government as a distinct ethnic group in 1994. This was followed by the Queensland Government's adoption of a formal Recognition Statement recognising Australian South Sea Islanders as a distinct cultural group in 2000.

It is about making schools, workplaces and communities places where people feel respected and have a strong sense of belonging.

Connecting with each other builds understanding, increases our sense of belonging and inclusion, and makes our communities more resilient.

When we are included and valued in the community we are empowered to contribute and participate. Connected and empowered local communities will create a Queensland community that is harmonious and respectful of diversity.

We each have the power to make a positive difference in our neighbourhoods, schools and workplaces through simple actions that help people feel welcomed and included.

The **Queensland Government will** work to build respect and bridge connections between cultures and communities. This includes ways to create new connections, such as supporting community-based project and events.

The **Queensland Government will** invest in building stronger communities. This includes supporting initiatives that increase community awareness of the benefits of diversity and foster community cohesion, helping everybody to thrive.





A respectful and inclusive narrative about diversity

When our conversation about who we are is respectful and fact based, it builds understanding and connection and makes us stronger.

Having a fair and fact-based public conversation about multiculturalism is important. It is about preventing misconceptions that cause divisions in our community and making sure the voices of all Queenslanders are valued and heard in our public conversations.

Our governments, communities and industries must lead in making clear statements that build our story of inclusion.

This is about acknowledging our past and the positive contributions all Queenslanders have made to our society and economy.

It is about recognising our present and the benefits of multiculturalism — a strong economy and vibrant community — which enrich us all.

It is about valuing the important role of diversity and the opportunities it offers in shaping our future.

It is about taking action to ensure our future is inclusive and provides opportunities for everybody.

The **Queensland Government will** challenge racism and discrimination that undermine our community cohesion and connectedness as Queenslanders.

The **Queensland Government will** increase community awareness of the benefits of multiculturalism to build more inclusive communities, including promoting and embedding the charter.

The **Queensland Government will** support communities and businesses to build Queensland's story of inclusion. This includes helping to build an informed public conversation and supporting all individuals, including young people, to have their voices heard.

The **Queensland Government will** work to build understanding of the experiences and journeys of refugees and people seeking asylum, including the international political, economic and social factors that contribute to conflict and displacement.





Our commitment

Racism has no place in Queensland

Racism can take many forms.

Racism can occur among individuals and at institutional levels through policies that disadvantage certain groups. It often manifests through unconscious bias or prejudice.⁶

It can be seen in jokes or comments that cause offence or hurt, sometimes unintentionally — name-calling or verbal abuse, harassment or intimidation, or commentary in the media or online that inflames hostility towards certain groups.

No matter what form racism takes, its impact is profoundly damaging. It makes people feel excluded, impacts negatively on mental health and it can entrench disadvantage in our communities.

The Queensland Government condemns racism in all forms.

We can all help end racism by encouraging understanding, respect and acceptance in our communities, including where we work, study and volunteer.

Celebrating our multiculturalism, supporting strong, connected communities and building a narrative of inclusion and respect will help change attitudes and reduce the negative impacts of racism.

The **Queensland Government** will take action against racism by working with government, businesses and industries to promote the Multicultural Queensland Charter, which speaks of equity, fairness and inclusion.

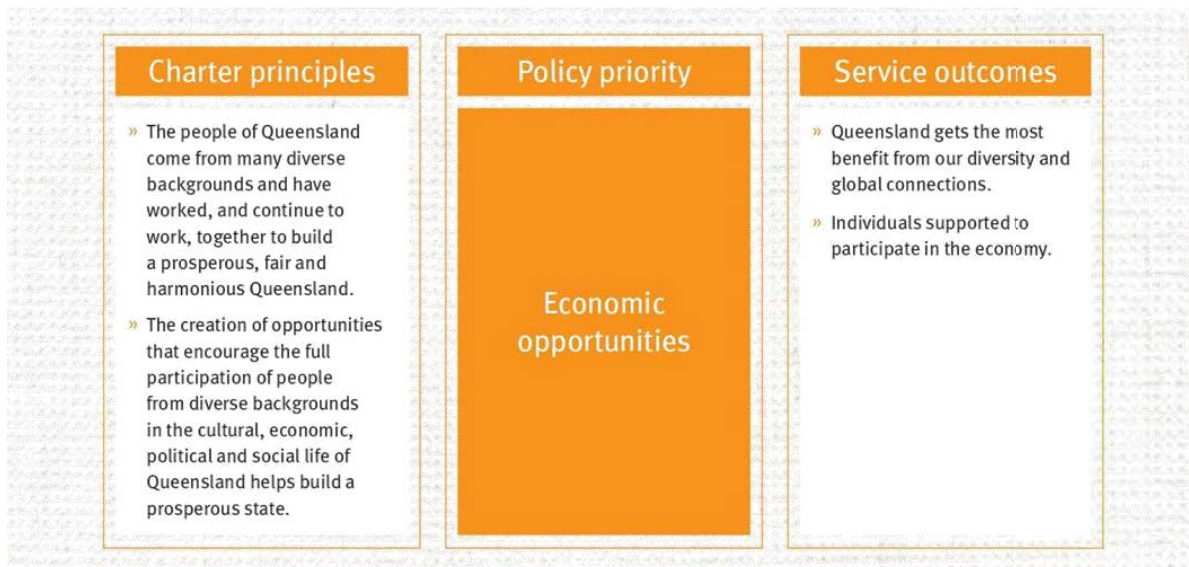
‘There are significant harms that racism causes. Prejudice and discrimination are barriers to fair treatment and equal opportunity. They harm an individual’s freedom to participate as a citizen in the community. Where it exists in sufficient doses, racism can impair social cohesion.’⁷

Dr Tim Soutphommasane, Former Race Discrimination Commissioner, Australian Human Rights Commission





Priority 3: Economic opportunities



Queensland's cultural and linguistic diversity is one of our greatest strengths.

Our cultural diversity is part of who we are as Queenslanders and offers remarkable opportunities and benefits for our future economic development. To get the most from our diversity, we need to build a community and economy where all individuals can participate, successfully navigate systems and overcome barriers, and achieve their economic goals.

Queensland gets the most benefit from our diversity and global connections

Immigration supports a strong economy by increasing our population, participation and productivity.

Migrants bring new perspectives and skills, expand our links to overseas markets and support international trade and tourism.

Working holiday makers and skilled migrants fill skills gaps and labour shortages — keeping our industries strong.

Refugees and people seeking asylum make substantial contributions to our state, bringing in new skills, creating employment and filling employment gaps and strengthening our links to new markets.⁸

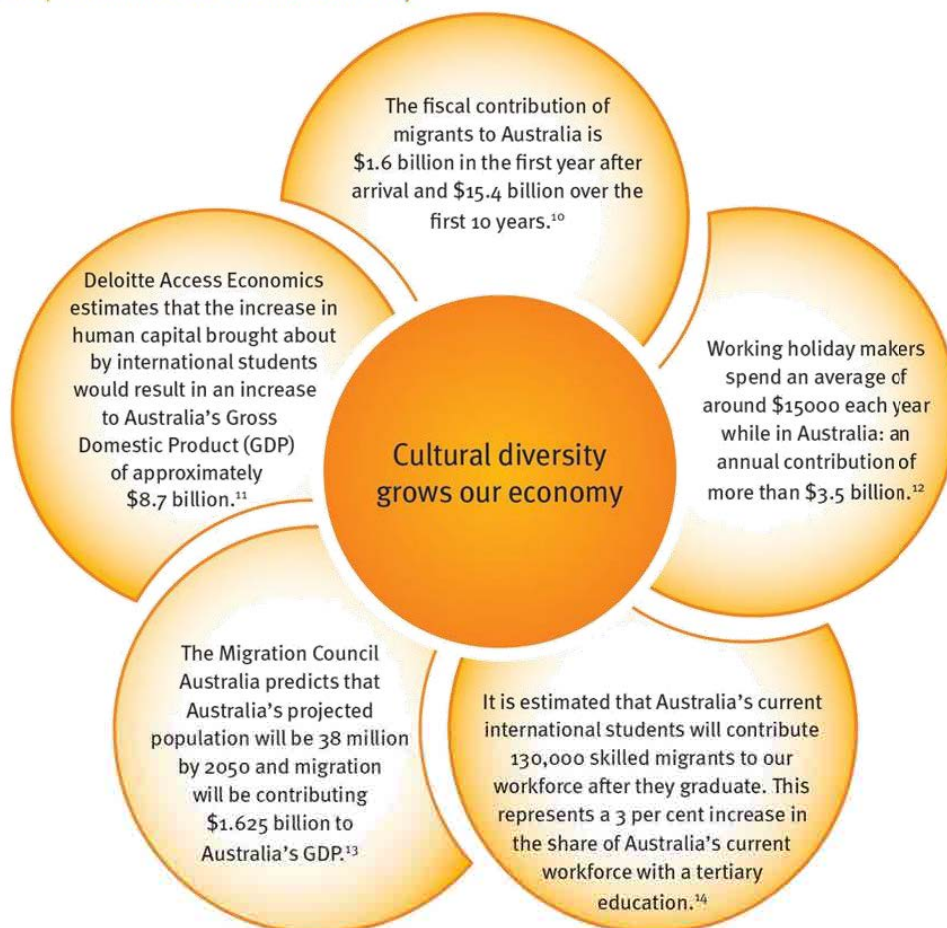
International students contribute significantly to our economy. In 2015–16, international education was worth an estimated \$3 billion in export revenue and supported around 20,000 jobs.⁹

Diagram 4 demonstrates the economic value of cultural diversity.

Our diversity positions us to benefit from the move into knowledge-based industries as well as supporting small business and entrepreneurship.



Diagram 4: Economic value of cultural diversity



Benefiting from our diversity means investing in our knowledge economy, working towards fair, equitable, culturally capable workforces across all sectors, and promoting our state as a welcoming and harmonious community so migrants, investors, international students and tourists continue choosing Queensland.

Our culturally diverse community means Queenslanders have strong international connections with our regional neighbours and further afield, opening up new markets and opportunities for our economy.

The **Queensland Government will** maximise the benefits of our increasing cultural diversity, driving Queensland's economic growth and positioning our state as a global destination to live, work, visit, build connections, do business and invest.

To gain the benefits of our diversity the **Queensland Government will** work collaboratively with partners across government, in the community, private sector, non-government organisations and individuals.



Success story

Remarkable contributions

Dr Homa Forotan was just 13 when she fled Afghanistan with her family, more than a decade ago.

After achieving remarkable academic results in Years 11 and 12, achieving an OP1, Homa studied science at the University of Queensland majoring in Biomedical Science and Neuroscience. Always wanting to become a doctor, she then studied a Bachelor of Medicine and Bachelor of Surgery at Griffith University.

Homa is now giving back to communities working as a Medical Registrar at the Princess Alexandra Hospital, aiming to specialise in cardiology. She is undertaking a dual master's degree in international public health and health economics with the University of New South Wales.



'I am just one of countless success stories in Australia today,' Dr Forotan says of the contribution she has made coming from a refugee background.

Individuals supported to participate in the economy

All Queenslanders benefit when everyone has fair and equitable access to opportunities that let us thrive and achieve our goals.

Each of us has the potential to participate in and contribute to the economy — this may include gaining further education or training, getting the right job, launching a start-up business or getting more involved in volunteering. Cultural background should not block any person from achieving their goals.

Despite the extraordinary benefits Queensland's cultural diversity offers, many Queenslanders still face obstacles to being part of our community and economy.

People who have been in Australia for less than five years and are from a non-English speaking background experience significant disadvantage entering the labour market. In 2011, the unemployment rate for migrants from a non-main-English speaking country was 8.1 per cent, compared with 5.8 per cent for the rest of the state's population.¹⁵





Some people are discriminated against when trying to get a job or pursue better opportunities in the workplace. Unconscious bias by employers and a lack of cultural capability in workplaces present very real barriers to people's ability to participate and reach their goals.

In addition, many newcomers to Queensland are unfamiliar with local systems such as the steps to follow in getting overseas qualifications recognised, or the particular rules that business owners and employers have to follow to meet Queensland's laws and regulations. Many people living in Queensland simply lack the networks and local connections that would help them on their way. There is a need for opportunities for people to gain Australian-based work experience.

We miss out on benefits for individuals, our economy and our state when we do not enable people to contribute their skills and experiences.

An environment where everybody can thrive is one where people can:

- » be on an equal footing
- » get the most out of opportunities, including getting the right support in the way they need it, when they need it
- » get a job that makes the most of their skills and knowledge
- » be mobile within the labour market to pursue different goals and diversify their skills
- » navigate the system.

In pursuing our economic goals — such as finding employment, starting a business, or gaining a qualification or skill — we navigate many systems and structures in government, community and private sectors. These systems and structures can either create a pathway to success, or can be complicated and confusing, and create barriers to success.

A system that works for everybody is one that responds to the diversity of our community — such as culture, language, faith, disability, age, gender identity or sexual orientation.

From early childhood programs through every stage of learning and life, all Queenslanders should enjoy safe, comfortable and fair learning and economic opportunities that will help them succeed and have a good life.

The whole community has a role in shaping equitable systems and structures that give everyone a fair go.

The **Queensland Government will** work with our partners to break down barriers to economic participation. An important part of this is promoting the Multicultural Queensland Charter with its principles of equity, fairness and inclusion right across Queensland, including in business, industry and institutions.

The **Queensland Government will** take action and support collaboration across all sectors to achieve flexible, joined up systems that allow everybody to thrive and Queensland to get the most advantage from our cultural diversity.





Success story

Creating pathways to employment for new arrivals: Work and Welcome Program

State Library of Queensland is committed to creating an inclusive workplace that values and celebrates diversity. One way it does this is by participating in the MDA Ltd's Work and Welcome Program. This program offers short-term paid work experience for newly arrived refugees and migrants as a means of improving economic outcomes and supporting successful settlement for new Queenslanders.

State Library of Queensland staff members voluntarily contribute to the Work and Welcome Program fund through regular payroll deductions. This fund is used to host work placements for newly arrived people from migrant or refugee backgrounds.

To date, State Library of Queensland has hosted work placements for four new arrivals from Eritrea, Afghanistan, Pakistan and Malaysia. The participants have said their work experience with State Library of Queensland has made a marked difference in their journey towards gaining full-time employment and has increased their ability to make a positive contribution to the Queensland community.

In 2018, State Library of Queensland hosted its most recent Work and Welcome Program participant. The experience gained whilst on work experience placement at State Library Queensland has contributed to this participant's success in securing a role within a Queensland Government agency.



Queensland Multicultural Policy: Our story, our future | 21



Implementation

Building and maintaining inclusive, harmonious and welcoming communities takes sustained effort. By working together and focusing on our priorities we will achieve our goals.

The Queensland Multicultural Action Plan sets out actions and timeframes for Queensland Government entities to advance outcomes under each of the policy priorities.

We will add to, modify and update the Queensland Multicultural Action Plan to ensure the Queensland Government is responsive to changing needs and new opportunities.

The Department Local Government, Racing and Multicultural Affairs, through **Multicultural Affairs Queensland**, has a leadership role in ensuring Queensland Government policies, programs and services are responsive to our culturally diverse communities.

This includes working with government partners on issues that matter, such as improved settlement outcomes for people who come to Queensland as humanitarian entrants, fair treatment of people seeking asylum in Australia and fair work conditions for working holiday makers and international students.

At the state level, Multicultural Affairs Queensland will lead strong governance mechanisms to make sure actions are achieving real outcomes, systems are working and government is fulfilling its role in creating a multicultural future for all Queenslanders.



22

| Queensland Multicultural Policy: Our story, our future |





Monitoring and reporting

The monitoring and reporting approach supports implementation of the policy and action plan, aligned with the requirement of the Act. Key components are outlined below:

Annually

- » Government agencies with actions in the action plan must report publicly on their actions and provide a summary of their progress every year.

After 3 years

- » The Minister for Multicultural Affairs must report to Parliament on progress towards multicultural policy outcomes at least every three years. This will allow the community to track how the government is achieving positive change. It will also provide a picture of where changes to investment or services are needed.

After 5 years

- » The Queensland Government will evaluate the implementation of the *Multicultural Recognition Act 2016* after it has been operating for five years.
- » This evaluation will look at the impact of the policy and action plan, the charter and the advisory council on achieving an inclusive, harmonious and united Queensland.

Leveraging the Queensland Government's strategic policy efforts

The policy and action plan intersect and complement a range of strategic efforts by the Queensland Government to achieve its objectives for the community.

Key government strategies include those focused on youth, women and seniors, building financial inclusion and investing in our future to harness innovation and diversify our economy.

Together with this policy and its action plan, these Queensland Government strategies will help build an inclusive, harmonious and united Queensland for people of all cultural, language and religious backgrounds.





References

1. Australian Government, *Australian Indigenous cultural heritage*, Canberra, Australian Capital Territory, 2015, <<http://www.australia.gov.au/about-australia/australian-story/austn-indigenous-cultural-heritage>>.
2. Department of Local Government, Racing and Multicultural Affairs and Queensland Government Statistician's Office, Diversity figures report, based on data from Australian Bureau of Statistics 2016 Census of Population of Housing, Brisbane, Queensland, 2018, <<https://www.dlgrma.qld.gov.au/multicultural-affairs/multicultural-communities/multicultural-diversity-figures.html>>.
3. *ibid.*
4. Department of Immigration and Border Protection, 2016–17 Migration Programme Report, Canberra, Australian Capital Territory, 2017, <<https://www.homeaffairs.gov.au/ReportsandPublications/Documents/statistics/report-on-migration-program-2016-17.pdf>>.
5. Department of Local Government, Racing and Multicultural Affairs, loc. cit.
6. Australian Human Rights Commission, *Racism. It stops with me. Why racism? What is racism?* Sydney, New South Wales, 2016, <<https://itstopswithme.humanrights.gov.au/why-racism>>.
7. T Soutphommasane, *Racism, hate speech and multiculturalism*, Speech delivered at International House, University of Queensland, Brisbane, 2013, <<http://www.humanrights.gov.au/news/speeches/racism-hate-speech-and-multiculturalism>>.
8. Refugee Council of Australia, *Economic, civic and social contributions of refugees and humanitarian entrants: a literature review*, Surry Hills, New South Wales, 2010, <https://www.refugeecouncil.org.au/docs/resources/Contributions_of_refugees.pdf>.
9. Queensland Government, Treasurer and Minister for Trade and Investment, Media release, Funding available for international education and training sector, Brisbane, Queensland, 31 May 2017 <<http://statements.qld.gov.au/Statement/2017/5/31/funding-available-for-international-education-and-training-sector>>.
10. Department of Immigration and Citizenship, Population flows: Immigration aspects 2010–11 edition, Australian Government, Canberra, 2012.
11. Deloitte Access Economics, The value of international education to Australia, Brindabella, Australian Capital Territory, 2016, <<https://internationaleducation.gov.au/research/research-papers/Documents/ValueInternationalEd.pdf>>.
12. Productivity Commission, Migrant intake into Australia. Australian Government, Canberra, Australian Capital Territory, 2016, <<http://www.pc.gov.au/inquiries/completed/migrant-intake/report/migrant-intake-report.pdf>>.
13. Migration Council Australia, The economic impact of migration, Canberra, Australian Capital Territory, 2015, <http://migrationcouncil.org.au/wp-content/uploads/2016/06/2015_EIOM.pdf>.
14. Deloitte Access Economics, loc.cit.
15. Queensland Treasury and Trade, *Labour market analysis of persons from non-English speaking backgrounds in Queensland*, based on data from Australian Bureau of Statistics 2011 Census of Population and Housing, Brisbane, Queensland, 2013, <<http://www.qgso.qld.gov.au/products/reports/labour-market-analysis-non-english-speak-bgrd/labour-market-analysis-non-english-speak-bgrd.pdf>>.



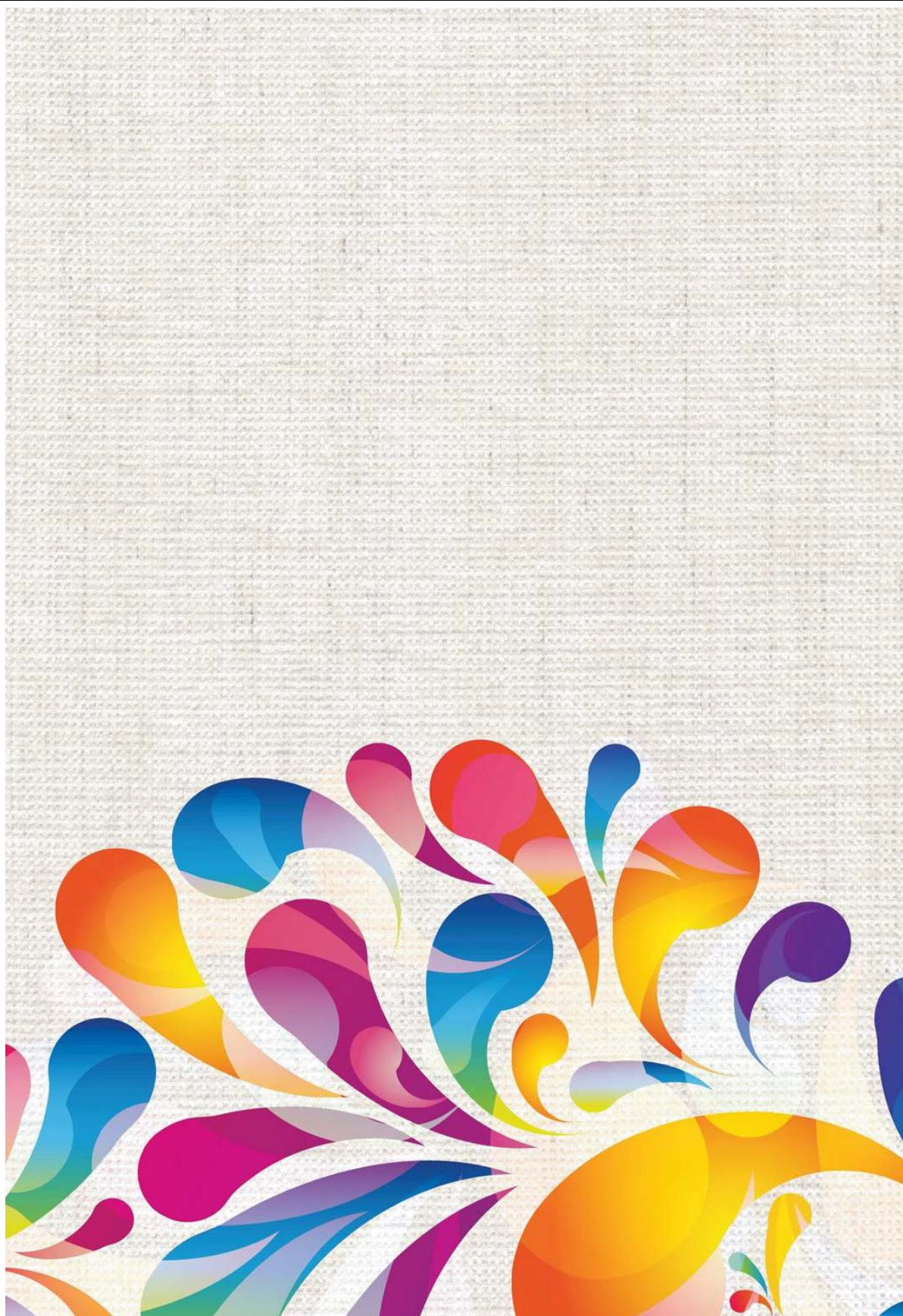


Do you need an interpreter? If you need an interpreter, call the Translating and Interpreting Service (TIS National) on 131 450 and request to be transferred to Multicultural Affairs Queensland on 13 QGOV (13 74 68).

© State of Queensland, December 2018. Published by the Department of Local Government, Racing and Multicultural Affairs, 1 William Street, Brisbane Qld 4000, Australia.

This work is licensed under the Creative Commons CC BY 4.0 Australia Licence. In essence, you are free to copy and distribute this material in any format, as long as you attribute the work to the State of Queensland (Department of Local Government, Racing and Multicultural Affairs) and indicate if any changes have been made.

Department of Local Government, Racing and Multicultural Affairs
PO Box 15009
City East Qld 4002
www.dlgrma.qld.gov.au



12.7 - LIVINGSTONE SHIRE COUNCIL'S MEMBERSHIP OF THE WELCOMING CITIES NETWORK

Benchmarking of Livingstone Shire Council practices against the Welcoming Cities Standard.

Meeting Date: 19 November 2019

Attachment No: 3



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

Standard 1.0 - Leadership

Welcoming Cities respectfully acknowledge the past, present and emergind traditional owners, the Aboriginal and Torres Strait Islander peoples, the traditional custodians of this land, and respect their culture and identity which has been a continuim with the land and sea for millenia.

1.1 The local Council recognises Aboriginal and Torres Strait Islander people as the First Peoples of this Nation and seek to engage local Indigenous communities in welcoming work.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
1.11 Actively working towards reconciliation with Aboriginal and Torres Strait Islander people and communities.	<ul style="list-style-type: none"> - Reconciliation Action Plan Development - Support and/or sponsorship of NAIDOC celebrations (including subsidising local NAIDOC shirts for staff). 	<ul style="list-style-type: none"> - Complete Reconciliation Action Plan - Continue to support and/or sponsor NAIDOC celebrations - Fly Aboriginal and Torres Strait Islander Flags all year round. 	CDSR E&E HR All of Council
1.12 Formally acknowledging Traditional Owners through collaboration with elders past, present and future in policies, initiatives and public events.	<ul style="list-style-type: none"> - Welcome and/or acknowledgement of country provided at events and meetings. Governance recently presented a report to Council requesting formal acknowledgement to be adopted (TBC). - Native Title policy and procedures well established. 	<ul style="list-style-type: none"> - Include in meeting template, acknowledgement of country. - Accept and adhere to Reconciliation Action Plan recommendations. - In all policy development and revision, Aboriginal and Torres 	All of Council.


Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

	<ul style="list-style-type: none"> - Community Engagement Framework. 	<ul style="list-style-type: none"> - Strait Islander perspectives should be considered. - Include Aboriginal and Torres Strait Islander people and/or representative groups in formal stakeholder engagement for all projects/activities. 	
1.13 Facilitating opportunities to learn about Aboriginal and Torres Strait Islander culture.	<ul style="list-style-type: none"> - Free online Cultural Awareness Training (SBS). - Support for external training in cultural awareness provided as requested. 	<ul style="list-style-type: none"> - Make training mandatory for all staff. - Encourage and support staff to access external training (particularly local Aboriginal and Torres Strait Islander Providers). 	HR



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

1.2 The local Council partners with diverse stakeholders to promote a welcoming culture through advocacy and communication activities across various platforms.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
1.21 A public resolution declaring the local Council to be a welcoming community, and an explanation of what this means.	- Council's Commitment to being a Welcoming City document has been signed and submitted.	- Present this benchmarking document as part of Council report requesting public resolution declaring Council a 'Welcoming City' and an explanation of what that means.	CDSR Comms
1.22 Messaging that communicates the community-wide benefit of cultural diversity and inclusion and the benefits of migration and settlement.	- Some limited information on Council website. - Inclusive Community Policy adopted.	- Further develop webpage communication regarding positives of diversity and inclusion. - Develop further communication methods (eg. Diversify stock photos, good news media releases, social media promo etc). - Explore opportunities for the Mayor's welcome letter to new residents members to be more inclusive (ie. In a variety of languages). - Promote the Inclusive Community Policy internally and what that means in practice across Council.	Comms IT CS CDSR Governance
1.23 Presenting narratives that communicate positive migrant stories and contributions.		- Explore options to present local positive migrant stories and contributions.	Comms ED


Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

1.24 Supporting and promoting events and activities representative of the diversity of the local community.	<ul style="list-style-type: none"> - Events Supported – NAIDOC, Harmony Day, Multicultural QLD Month. - Groups Supported – Cap Coast Multicultural Group, Capricorn Coast Indigenous Mob, Cap Coast Access and Equity Group, Cap Coast Indigenous Community of Practice, Central QLD Multicultural Association, Multicultural Development Association Inc. - Assets – Respect Tree 	- Continue to support and seek further opportunities to support and promote the diversity in Livingstone.	E&E CDSR Comms Com Centre
---	---	---	------------------------------------



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

1.3 The local Council supports and promotes activities and initiatives that nurture connections between migrants and receiving communities.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
1.31 Supporting activities and initiatives that connect people from migrant communities and people from receiving communities.	- The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community members and connect them to relevant activities, supports and each other.	- Further develop methods to support people from migrant and receiving communities (eg. culturally safe spaces, language options, volunteer diversity).	Com Centre Library E&E Comms CS CDSR
1.32 Identifying and facilitating opportunities that bring together representatives from migrant communities and receiving communities to discuss community issues.	- The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community members and connect them to relevant activities, supports and each other.	- Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities.	Com Centre Library E&E CDSR



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

1.4 The local Council incorporates cultural diversity and inclusion in strategic, business and community plans and monitors their progress.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
1.41 Engaging diverse stakeholders, from both migrant communities and receiving communities, in the development, implementation and maintenance of the plans.	- Some consultation occurs (intermittent)	- Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. Ensure this stakeholder group is considered in the project management framework.	CDSR PM
1.42 Developing a stakeholder reference group that reflects the diversity of the community.	- Various groups supported provide feedback/suggestion to Council.	- Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. (this group could consist of representatives from a variety of existing groups) Ensure this stakeholder group is considered in the project management framework.	CDSR PM
1.43 Assessing the priorities of the local community and using that feedback to improve the plans.	- Multiple engagement methods employed across Council (eg. Needs Analysis, Get Involved, Community Consultation etc.)	- Ensure engagement methods reflect the diversity of Livingstone Shire and that approaches across departments are consistent. - Ensure the stakeholder group/s are included.	E&E CDSR Comms



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

Standard 2.0 - Social and Cultural Inclusion

Welcoming Cities facilitate relationships between migrant and receiving communities that address racism and promote social cohesion.

2.1 The local Council's policies and practices activity include and engage both receiving and migrant communities.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
2.11 Collecting and analysing demographic data to determine the cultural, religious and linguistic composition of the local community.	- A variety of needs analysis/community consultations/data analysis.	- Continue to regularly review and track trends through these means.	ED E&E CDSR
2.12 Ensuring that the development, implementation and review of Council policies, strategies, programs and initiatives are compliant with Federal and State legislation for racial religious non-discrimination and take into account the principles of substantive equality.	- Council's policies currently are compliant with relevant legislation.	- Strengthen process for ensuring that Council complies with Federal and State legislation for racial religious, non-discrimination and take into account the principles of substantive equality.	HR Governance
2.13 Conducting reviews to identify and revise any policies or practices that exclude or disenfranchise migrant communities.	- Policy review occurs on a regular basis.	- Strengthen process for ensuring policies and practices don't exclude or disenfranchise migrant communities.	HR Governance
2.14 Providing accessible information on, or referral to, community support services and programs.	- The Community Centre, Libraries, Customer Support and Events aim to provide accessible information on and referral to community support services and programs. - Community Assistance Programmes Policy	- Further develop methods to provide accessible information (eg. culturally safe spaces, language options, volunteer diversity).	Com Centre CS Library E&E


Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

2.15 Supporting initiatives that empower individuals to prevent, and respond effectively to, racism and discrimination.	Events supported - Harmony Day, Anti-Poverty Week, National Reconciliation Week, QLD Women's Week, Reconciliation Action Plan, Youth Week, Celebrating Multicultural QLD Month. Groups supported – Cap Coast Multicultural Group, Cap Coast Indigenous Mob, Cap Coast Access and Equity Group, Youth Action Group	- Continue to support current practices AND explore further initiatives to support (eg. Sorry Day, World Refugee Day. Reconciliation Action Week).	CDSR The Com Centre E&E
---	--	--	-------------------------------



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

2.2 The local Council facilitates diverse cultural expression through a range of activities and observances.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
2.21 Celebrating community festivals, cultural events, and religious observances that represent diversity and encourage dialogue.	<ul style="list-style-type: none"> - Events supported - Harmony Day, Anti-Poverty Week, National Reconciliation Week, QLD Women's Week, Youth Week, Celebrating Multicultural QLD Month, Tropical Bloom. - Groups supported – Cap Coast Multicultural Group, Cap Coast Indigenous Mob, Cap Coast Access and Equity Group, Youth Action Group. 	<ul style="list-style-type: none"> - Continue to support current practices AND explore further initiatives to support (eg. Sorry Day, World Refugee Day, Reconciliation Action Week). - Work with diverse stakeholder group to determine further initiatives. 	E&E CDSR Com Centre
2.22 Encouraging programs and initiatives that bring together diverse cultures and support opportunities for cultural expression and intercultural understanding.	<ul style="list-style-type: none"> - The Community Centre, Libraries, Customer Support and Events aim to provide accessible information on and referral to community support services and programs. - Community Assistance Programmes Policy 	<ul style="list-style-type: none"> - Continue to support current practices AND explore further initiatives to support (eg. Sorry Day, World Refugee Day). - Work with diverse stakeholder group to determine further initiatives. 	E&E CDSR Com Centre



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

2.3 The local Council facilitates language access.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
2.31 Assessing language needs for migrant communities to increase access to services and activities.	- Local language and access data available via CDSR research (consultations/need analyses) and/or ED.	- Provide information to departments across Council.	CDSR ED
2.32 Engaging accredited translators or interpreters in Council services and related events.	- There are no local accredited translators or interpreters in the region.	- Advocate for this service at a state and federal level. - Encourage and support locals to gain accreditation if appropriate.	Mayor/Councillors ED Com Centre CDSR
2.33 Providing information on Council services, and resident information guides in community languages.	- The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community members and connect them to relevant activities, supports and each other.	- Improve website to reflect need of the diverse community (eg. multiple languages, read aloud feature, text size etc). - Explore opportunities for an accessible resident information guide (ie. Multiple languages) - Improve communication methods to reflect need of diverse community.	Comms IT CS
2.34 Providing accessible Council feedback and complaints processes.	- Available online and in person at Customer Service points.	- Improve website to reflect need of the diverse community and improve accessibility (eg. multiple languages, read aloud feature, text size etc). - Improve communication methods to reflect need of diverse community and improve accessibility.	Comms IT CS


Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

2.35 Providing accessible information on dispute resolution and local by-laws.	<ul style="list-style-type: none"> - Available online and in person at Customer Service points. 	<ul style="list-style-type: none"> - Improve website to reflect need of the diverse community and improve accessibility (eg. multiple languages, read aloud feature, text size etc). - Improve communication methods to reflect need of diverse community and improve accessibility. 	Comms IT CS Local Laws
2.36 Advocating to other tiers of Government and associated agencies to ensure that essential information and services (such as emergency management information) are accessible to migrant communities.	<ul style="list-style-type: none"> - When a need arises for advocacy, The Community Centre, CDSR and Mayor/Councillors will advocate on behalf of community. - Disaster Management has access to some information in multiple languages. 	<ul style="list-style-type: none"> - Continue advocacy as needed (eg. lack of accredited translators). - Continue to advocate for local specific language groups to be included in resources. 	Councillors/Mayor ED CDSR The Com Centre Disaster Management



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

2.4 The local Council partners with government, business and community stakeholders to promote affordable, safe and accessible housing, health, justice and transport services for all residents.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
2.41 Referral to accessible information on, and promotion of, preventative health programs, public health risks, and community recreational activities.	- Available online and in person at Customer Service points.	- Improve website to reflect need of the diverse community and improve accessibility (eg. multiple languages, read aloud feature, text size etc). - Improve communication methods to reflect need of diverse community and improve accessibility. - Advocate on behalf of the community to with direct service agencies (ie. Local hospital) to ensure the communities needs are being met.	Comms Enviro Health E&E Local Laws CS IT Mayor and Councillors
2.42 Advising stakeholders in the development of local community housing and affordable housing initiatives.	- The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community members and connect them to relevant activities, supports and each other.	- Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. Ensure this stakeholder group is considered in the project management framework.	The Com Centre CDSR
2.43 Advising stakeholders and transport services to identify accessible and affordable transportation services.	- The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community members and connect them to relevant activities, supports and each other.	- Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. Ensure this stakeholder	The Com Centre CDSR


Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

	- Council participates in the Capricornia Regional Accessible Transport Committee and the Cap Coast Community Access and Equity Group.	group is considered in the project management framework.	
2.44 Advising the local police service to build positive connections with migrant communities through crime prevention information sessions and community liaison.	- CDSR supports the Community Safety Advisory Committee (CSAC).	- Continue to support the Community Safety initiatives as a result of the CSAC.	CDSR Local Laws Mayor/Councillors



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

2.5 The local Council is committed to embedding broader diversity and inclusion approaches across the organisation and recognises that there are often additional barriers and vulnerabilities faced by Aboriginal and Torres Strait Islanders, women from migrant backgrounds, younger and older people from migrant backgrounds, people living with disability, and/or people who identify as LGBTI.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
2.51 Cross-departmental initiatives and strategies that address barriers to access and inclusion and the additional challenges of inter-sectionality in policy and practice across a range of areas.	<ul style="list-style-type: none"> - Cultural Awareness Training available and supported. - Access and Inclusion Consultation complete and available as reference point. 	<ul style="list-style-type: none"> - Cultural Awareness training mandatory for all employees. - Development/support of cultural awareness training/awareness specific to Aboriginal, Torres Strait Islanders and South Sea Islanders and Livingstone. - Explore barriers to access. - Explore 'identified positions'. 	HR



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

3.0 Economic Development

Welcoming Cities recognise that economic growth relies on an inclusive economy that encourages the active participation of all its residents.

3.1 The local Council employs a workforce that is inclusive and diverse.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
3.11 Identifying and addressing barriers and unconscious bias, which may limit diversity and inclusion in employment practices.	- HR adheres to all state and federal laws relating to discrimination.	- Engage in information/training with the local branch of the QLD Human Rights Commission. - Discuss with stakeholder group.	HR ED
3.12 Highlighting the value of a diverse workforce and encouraging applicants from diverse backgrounds to apply.	- Broad statements regarding Council's respect for a diverse community and the benefits of diversity.	- Engage in information/training with the local branch of the QLD Human Rights Commission. - Explore 'identified positions'. - Promote specifically the value of Council having a diverse workforce.	HR ED Comms IT
3.13 Exploring innovative ways of promoting job opportunities to reach a broad and diverse range of potential applicants.	- Positions are currently advertised across a number of platforms.	- Engage in information/training with the local branch of the QLD Human Rights Commission. - Discuss with stakeholder group.	HR ED Comms IT



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

3.2 The local Council advances local business sourcing and contracting.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
3.21 Addressing the barriers for local businesses to access Council tendering and contracting opportunities.	- Livingstone Shire Council's Procurement Policy and Purchasing Directive comply with all relevant acts.	- Explore barriers to access. - Discuss with stakeholder group.	ED Procurement
3.22 Reviewing procurement policies and practice and identifying opportunities to engage local suppliers.	- Livingstone Shire Council's Procurement Policy and Purchasing Directive comply with all relevant acts.	- Review on a regular basis with a consideration of barriers to access.	ED Procurement



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

3.3 The local Council partners with the local business community to identify strategic opportunities for economic development and to encourage local jobs for local people, including those from migrant communities.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
3.31 Supporting and facilitating networking events, business development workshops, mentoring and other activities that grow local skills, knowledge and commerce.	<ul style="list-style-type: none"> - ED runs a variety of business development workshops annually. - CDSR runs a variety of capacity building workshops for Not For Profits groups annually. 	<ul style="list-style-type: none"> - Explore barriers to access. - Discuss with stakeholder group. - Continue to maintain these relationships. 	ED CDSR Comms
3.32 Partnering with employers, local chambers of commerce, financial institutions, employment services, and other relevant community based organisations to identify needs and opportunities.	<ul style="list-style-type: none"> - ED runs a variety of business development workshops annually. - CDSR runs a variety of capacity building workshops for Not For Profits groups annually. - The Community Centre has a number of partnerships with relevant services and groups which assist with identifying needs and opportunities (some delivered by the Com Centre itself). 	<ul style="list-style-type: none"> - Explore barriers to access. - Discuss with stakeholder group. - Continue to maintain these relationships. - Advocate as required. 	ED CDSR Com Centre Mayor/Councillors
3.33 Supporting and advocating for strategies to monitor and prevent labour exploitation.		<ul style="list-style-type: none"> - Explore whether this is an issue facing Livingstone and possible solutions. - Discuss with stakeholder group. 	ED CDSR
3.34 Working with employers, local chambers of commerce and other relevant community based organisations to identify and address barriers to local employment.	<ul style="list-style-type: none"> - Supports initiatives that identify and address barriers to local employment. 	<ul style="list-style-type: none"> - Further explore barriers. - Advocate as required. - Discuss with stakeholder group. 	ED Mayor/Councillors



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

3.4 The local Council supports both receiving and migrant communities to advance economic development opportunities.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
3.41 Supporting and referring to business incubator, entrepreneurship programs and other initiatives to identify and grow enterprise opportunities.	- ED facilitates and/or supports entrepreneurship programs and other initiatives to identify and grow enterprise opportunities.	- Explore the potential of diversifying this space. - Explore barriers to access.	ED
3.42 Supporting and promoting cultural initiatives and activities that draw visitors to the community.	- Events supported and promoted - Harmony Day, Anti-Poverty Week, National Reconciliation Week, QLD Women's Week, Reconciliation Action Plan, Youth Week, Celebrating Multicultural QLD Month, Tropical Bloom. - Cultural initiatives and activities are supported and promoted on a regular basis. - Sponsorship - Community Assistance Programmes Policy	- Explore potential cultural initiatives and activities relevant to local diversity.	E&E CDSR Comms Arts and Culture



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

4.0 - Learning and Skills Development

Welcoming Cities support both receiving and migrant communities to develop the skills, assets, and opportunities required to foster social cohesion.

4.1 The local Council works closely with community facilities such as schools and libraries to support learning and inclusion for migrant communities.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
4.11 Advocating for and supporting programs and initiatives that connect diverse migrant communities to existing support services including education, health, and settlement services.	<ul style="list-style-type: none"> - The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community members and connect them to relevant activities, supports and each other. - Community Programmes Assistance Policy. 	<ul style="list-style-type: none"> - Explore need, liase with stakeholder group to determine appropriate initiatives. - Advocate as needed. 	Com Centre CDSR Mayor/Councillors
4.12 Facilitating programs and initiatives that ensure library and/or related services are accessible, and support targeted learning opportunities for migrant communities.	<ul style="list-style-type: none"> - The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community members and connect them to relevant activities, supports and each other. - Library Policy 	<ul style="list-style-type: none"> - Explore need, liase with stakeholder group to determine appropriate initiatives. - Recognise Library services as the first point of community entry for most 'new' community members. Explore this opportunity. 	Library CS Com Centre CDSR IT Comms
4.13 Supporting learning and skills development opportunities from migrant	<ul style="list-style-type: none"> - The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community 	<ul style="list-style-type: none"> - Explore need, liase with stakeholder group to determine appropriate initiatives. 	Library Com Centre CDSR


Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

communities through collaboration with schools and other services.	members and connect them to relevant activities, supports and each other. - Current available programs at the Community Centre/Library are; Learn Japanese; Cap Coast Literacy Support Group; Tech Savvy Seniors.	- Recognise Library services as the first point of community entry for most 'new' community members. Explore this opportunity.	
--	--	--	--



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

4.2 The local Council encourages learning and skills development opportunities that enable people from migrant communities

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
4.21 Referral to information on English language learning opportunities.	- The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community members and connect them to relevant activities, supports and each other.	- Explore need, liaise with stakeholder group to determine appropriate initiatives. - Recognise Library services as the first point of community entry for most 'new' community members. Explore this opportunity. - Advocate for English language opportunities to be delivered in Livingstone (currently only available in Rockhampton).	Com Centre Library E&E CDSR
4.22 Encouraging and supporting programs and initiatives that provide opportunities for migrant and receiving communities to share their history, ideas, knowledge and experiencing to grown cultural understanding.	- The Community Centre, Customer Support, Libraries, The Hub and Events welcome all community members and connect them to relevant activities, supports and each other. - Community Assistance Programmes Policy	- Explore need, liaise with stakeholder group to determine appropriate initiatives. - Recognise Library services as the first point of community entry for most 'new' community members. Explore this opportunity.	Com Centre Library E&E CDSR
4.23 Identifying and delivering professional development for Council staff that increases their capacity and skills to engage with and respond appropriately and effectively to the needs of a culturally diverse community.	- Cultural Awareness Training available and supported.	- Cultural Awareness training mandatory for all employees. - Development/support of cultural awareness training/awareness specific to Aboriginal, Torres Strait Islanders and South Sea Islanders and Livingstone.	HR



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

5.0 – Civic Participation

Welcoming Cities actively encourage all residents to participate in civic life.

5.1 The local Council communicates their roles and responsibilities, and advances civic participation for both receiving and migrant communities.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
5.11 Providing accessible information on the role and responsibilities of local Councils and civic engagement opportunities.	<ul style="list-style-type: none"> - Some information available. - Get Involved platform. - Civic engagement opportunities promoted well at the time. 	<ul style="list-style-type: none"> - Provide detailed and accessible information regarding the role and responsibilities of local Councils and civic engagement opportunities on a permanent basis (ie. Page on website/flyer). - Explore the accessibility and comprehension of the information. 	Comms E&E CDSR IT
5.12 Encouraging and supporting the participation of culturally diverse groups in public Council meetings and forums.	<ul style="list-style-type: none"> - Council supports a number of groups/individuals to participate in public Council meetings and forums as well as promotes that 'all are welcome' to participate. 	<ul style="list-style-type: none"> - Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. This group is asked to engage in civic participation as it arises. This group could be made up of representatives from existing groups. - Explore need, liase with stakeholder group to determine appropriate initiatives. - Explore barriers to access. 	E&E CDSR


Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

<p>5.13 Promoting and supporting the participation of representatives from culturally diverse groups, including young people, and seniors, in Council committees, advisory and reference groups.</p>	<p>- Council supports a number of groups/individuals to participate in Council committees, advisory and reference groups.</p>	<p>- Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. This group is asked to engage in civic participation as it arises. This group could be made up of representatives from existing groups.</p> <p>- Explore barriers to accessing/participating in current Council committees, advisory and reference groups.</p>	<p>CDSR E&E</p>
--	---	--	-------------------------



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

5.2 – The local Council supports and celebrates the attainment of citizenship.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
5.21 Promoting information about pathways and processes for obtaining Australian Citizenship to migrant communities.	- Some information on the website.	- Improve accessibility of information.	E&E
5.22 Hosting, promoting and celebrating citizenship ceremonies (where applicable).	- This happens often. Largest and most promoted is the Australia Day ceremony.	- Increase promotion of the celebration aspect.	E&E

**Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019****5.3 The local Council supports all eligible residents to enrol to vote and participate in local government elections.**

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
5.31 Working with the State Government and/or Electoral Commissions to eliminate barriers to voting.		<ul style="list-style-type: none">- Explore potential barriers to voting.- Advocate as required.	Mayor/Councillors



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

5.4 The local Council supports people from both receiving and migrant communities to celebrate and participate in volunteering.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
5.41 Identifying and supporting volunteering opportunities that engage people from migrant communities and receiving communities, in order to encourage dialogue and relationship building.	- Comprehensive volunteering policy and coordination.	- Liaise with stakeholder group to explore any barriers to access. - Review policy on a regular basis with consideration of diversity.	DM&R Com Centre Nursery Library ALS E&E Arts and Culture Friends of Beach Open Spaces
5.42 Recognising and celebrating diverse volunteer contributions that may not be reflected in formal and traditional concepts of volunteering.	- Comprehensive volunteering policy and coordination.	- Liaise with stakeholder group to explore any barriers to access and potential other volunteer contributions. - Review policy on a regular basis with consideration of diversity.	DM&R Com Centre Nursery Library ALS E&E Arts and Culture Friends of Beach Open Spaces



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

6.0 – Places and Spaces

Welcoming Cities value public spaces and facilities that enhance liveability, social cohesion and inclusion of all residents.

6.1 The local Council ensures that public spaces and facilities are safe and accessible to all residents.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
6.11 Consulting with culturally diverse groups to explore how Council spaces and facilities may be more accessible, inclusive, and responsive to community needs and aspirations.	<ul style="list-style-type: none"> - Council currently supports and/or participates in a range of groups that provide input into the accessibility of Council spaces. - Inclusive Community Policy - Access and Inclusion Report 	<ul style="list-style-type: none"> - Adhere to the Access and Inclusion Report recommendations. - Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. To be included in the PM framework. - Explore barriers to accessing Council spaces. - Close the loop of communication when these groups provide input. Did their input affect the final product? Why? or Why Not?. 	Facilities Planning/Development Infrastructure Open Spaces CDSE PM
6.12 Assessing development applications against non-discriminatory access requirements under the Building Code of Australia, and guidelines under the Disability Discrimination Act.	<ul style="list-style-type: none"> - Council adheres to all relevant acts and legislation relating to access requirements and the Disability Discrimination Act. - Council currently supports and/or participates in a range of groups that provide input into the accessibility of Council spaces. 	<ul style="list-style-type: none"> - Commit to the principle that compliance does not necessarily equal 'functionality' – meaning that compliance standards should be tested against the communities needs and adapted if necessary to achieve functionality. 	Planning/Development Infrastructure CDSR PM


Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

		- Liase with stakeholder group for input.	
6.13 Ensuring that both receiving and migrant communities are consulted in the urban planning process.		- Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. To be included in the PM framework.	Planning/Developing CDSR E&E



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

6.2 Public spaces and facilities encourage community interaction, and facilitate diverse cultural expression and celebration.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
6.21 Enabling the use of public spaces and facilities by people who represent the diversity of the community.	<ul style="list-style-type: none"> - Council currently supports and/or participates in a range of groups that provide input into the accessibility of Council spaces. - Inclusive Community Policy 	<ul style="list-style-type: none"> - Adhere to the Access and Inclusion Report recommendations. - Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. To be included in the PM framework. - Explore barriers to accessing Council spaces. - Close the loop of communication when these groups provide input. Did their input affect the final product? Why? or Why Not?. 	Facilities Planning CDSR



Welcoming Cities Standards – Livingstone Shire Council Benchmarking August 2019

6.3 The local Council works to recognise Aboriginal and Torres Strait Islander and migrant heritage in public spaces and facilities.

Indicator	Livingstone Shire Council Current Practices	Recommended Actions	Responsible Department/Team
6.31 Supporting initiatives that communicate the cultural stories in public places and facilities.	<ul style="list-style-type: none"> - Relationship with local Indigenous groups has been established and Council has indicated support to facilitating cultural stories in public places. - Placemaking framework and guidelines. - Community Assistance Programmes Policy <p>Current Assets</p> <ul style="list-style-type: none"> - Respect Tree - Yeppoon Car Park artwork 	<ul style="list-style-type: none"> - Continue to seek funding to support local Indigenous groups stories being told. - Adhere to the Reconciliation Action Plan, Inclusive Community Policy and Access and Inclusion Report recommendations. 	Placemaking CDSR

Organisational Overarching Recommended Actions

- 1 - Develop a stakeholder group that reflects the diversity of Livingstone Shire to be consulted by Council on relevant projects, strategies and activities. To be included in the Project Management Framework.
- 2 – Any policy/procedure/framework development and/or review must include consideration of diverse perspectives and explore barriers to access.
- 3 – All communication strategies must consider accessibility, diverse representation and cultural safety.
- 4 – Adhere to the Reconciliation Action Plan, Access and Inclusion Report and Inclusive Community Policy recommendations and guidelines.

12.7 - LIVINGSTONE SHIRE COUNCIL'S MEMBERSHIP OF THE WELCOMING CITIES NETWORK

**Completed commitment agreement to
the Welcoming Cities Network from
Livingstone Shire Council.**

Meeting Date: 19 November 2019

Attachment No: 4



COMMITMENT TO PARTICIPATE IN THE WELCOMING CITIES NETWORK

Local Councils

"Welcoming is not just the right thing to do, it's the smart thing to do."

We recognise that cities and municipalities that proactively foster an environment of belonging and participation for receiving communities, as well as new and emerging communities, increase their social cohesion and economic capability and resilience.

We therefore resolve to participate as a *member* of the *Welcoming Cities Network* and commit to taking the following initial steps toward creating an environment that unlocks the full potential of all members of the community:

- **Join, and participate in, a network of cities and communities** that are committed to becoming more welcoming.
- **Identify at least one key staff contact** for the project that will liaise directly with the *Welcoming Cities* team.
- **Communicate regularly with the Welcoming Cities team**, through at least three conference calls each year and an annual in-person meeting, to progress planning and share and learn from practices of other welcoming cities and communities.

We understand that the Welcoming Cities network involves a number of key elements:

Knowledge Sharing. Supporting local councils and communities to learn from each other and access resources, research, policies, and case studies.

Partnership Development. Brokering meaningful multi-sector partnerships that foster a sense of belonging and participation for all members of the community.

Celebrating Success. Showcasing leading practice through case studies and a national award that acknowledges welcoming efforts.

Standard and Accreditation. Setting the National Standard for cultural diversity and inclusion policy and practice in Local Government.

Local councils participate as *members* of the Welcoming Cities network, while community organisations, businesses and other agencies are involved as *supporters*. Both *members* and *supporters* can access the key elements of the network.

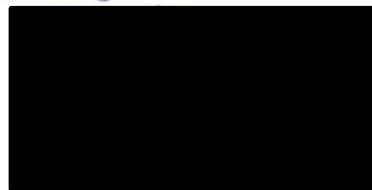
The intent and commitment to participate as a member of the Welcoming Cities network is made by the following parties.

Council: Livingstone Shire Council

Council Representative: Tish Weir

Council Executive: Brett Bacon

Date: 31 / 01 / 19



Welcoming Cities is an initiative of the Scanlon Foundation and Welcome to Australia



12.8 REGIONAL ARTS DEVELOPMENT FUND ROUND ONE 2019/2020

File No: GS15.2.5
Attachments: Nil
Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing
Author: Toni Shaw - Support Services Officer

SUMMARY

Five Applications were received for Round One of the 2019/2020 Regional Arts Development fund, which closed on Wednesday 30 October 2019 with a total amount of \$20,645 requested. The budget available for the 2019/2020 financial year is \$65,598.

The Regional Arts Development Fund Assessment Panel assessed the applications and nominated that five applicants met the programme criteria and recommended they be funded for the total amount of \$20,645.

OFFICER'S RECOMMENDATION

THAT in accordance with the recommendation of the Livingstone Shire Regional Arts Development Fund Assessment Panel, the following grant applications be funded from the Regional Arts Development Fund.

Name	Purpose of Grant	\$Total Project Expenses	\$Grant Requested	\$Grant Recommended
Julie Barratt (IPD)	To attend an artist residency at the Arteles Creative Centre in Finland in March 2020 for professional and artistic development.	\$4,926	\$2,000	\$2,000
Kim Payne	To run the Sandy Krak Music, Arts & Conservations Festival	\$14,710	\$8,310	\$8,310
Yeppoon Little Theatre Group Inc	To host a six day intensive workshop for teenagers in the region.	\$4,630	\$1,955	\$1,955
Keppel Coast Blues & Music Club	To run a series of workshops to improve access and skill levels of both experienced and novice musicians.	\$6,350	\$3,400	\$3,400
Keppel Coast Arts	To establish a community based committee to assist with the management of the new art gallery spaces in Livingstone Shire.	\$7,380	\$4,980	\$4,980

BACKGROUND

The Regional Arts Development Fund is a partnership between state and local governments which invests in quality arts and cultural experiences across Queensland based on locally determined priorities. The Regional Arts Development Fund 2019/20 promotes the significance and value of arts, culture and heritage as the key to:

- 1) Supporting diversity and inclusivity;

- 2) Growing stronger regions; and
- 3) Provide training, education and employment opportunities for Queensland artists and local communities.

The budget available for the 2019/20 rounds of Regional Arts Development Fund is \$65,598 (comprising \$35,000 from the State Government Arts Queensland, \$30,000 from Livingstone Shire Council and \$598 carryover from last year). Additionally the amount of \$4,434 has been returned this financial year from either unused portion of earlier applications or applications not carrying out their project and returning all their funding. An out of round application was also approved at the 5 November Council Meeting for \$5,500 which leaves \$64,532 available for this financial year.

COMMENTARY

Five (5) applications were received for Round One of the 2019/20 Regional Arts Development Fund which closed on Monday 30 October 2019.

The Regional Arts Assessment Panel assessed the applications and nominated that five (5) applicants met the programme criteria and are recommended to be funded for the amount of \$20,645.

PREVIOUS DECISIONS

This specific matter has not been the subject of any Council decision. At its meeting of the 5 November 2019, Council resolved to approve One (1) application. This request is consistent with previous decisions.

BUDGET IMPLICATIONS

The request can be readily accommodated within the budget allocation for the purposes of the Regional Arts Development Fund.

LEGISLATIVE CONTEXT

There is no legislative context applicable to the administration of the Regional Arts Development Fund.

LEGAL IMPLICATIONS

There is no legal implications associated with administering the Regional Arts Development Fund.

STAFFING IMPLICATIONS

The administration of the Regional Arts Development Fund is managed within existing Council Staff resources.

RISK ASSESSMENT

The principal risk associated with the grant is the misappropriation of money. Strict acquittal processes are established to ensure that all grant money is spent in accordance with its designated purpose.

CORPORATE/OPERATIONAL PLAN

Strategy CO2 of Council's Corporate Plan states: '*Facilitate programs and support local social, cultural, artistic and community building initiatives.*'

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) *Transparent and effective processes, and decision-making in the public interest; and*
- (b) *Sustainable development and management of assets and infrastructure, and delivery of effective services; and*

- (c) *Democratic representation, social inclusion and meaningful community engagement; and*
- (d) *Good governance of, and by, local government; and*
- (e) *Ethical and legal behaviour of councillors and local government employees.*

CONCLUSION

The Regional Arts Development Fund Assessment Panel considers that the recommended applications fulfil the criteria for this funding programme and that the proposed projects will offer benefits to the Livingstone Shire.

12.9 REQUEST FOR COUNCIL'S VIEWS ON FUTURE DEALINGS RELATING TO TWO TERM LEASES**File No:** GR14.4.2**Attachments:**

1. Letter from the Department of Natural Resources, Mines and Energy [↓](#)
2. Aerial photograph of Lot 443, 444 and 445 on Crown Plan Y16911 [↓](#)
3. Aerial photograph of Lot 59 on Crown Plan LN1807 [↓](#)

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing
David Mazzaferri - Manager Community Wellbeing
Mark McLean - Principal Property Officer**Author:** Maddie Crigan - Property Officer

SUMMARY

This report pertains to a request from the Department of Natural Resources, Mines and Energy for Council's views or requirements in relation to two term leases located at Yaamba and Bondoola.

OFFICER'S RECOMMENDATION

THAT Council resolve to advise the Department of Natural Resources, Mines and Energy that:

1. it is not aware of any local non-indigenous cultural heritage values which the Department of Natural Resources, Mines and Energy should consider if an application is made for Term Lease 0/216476 at Yaamba and Term Lease 0/217224 at Bondoola to be converted to freehold;
2. it does not have any objections that the Department of Natural Resources, Mines and Energy should consider if an application is made by the existing lessee of Term Lease 0/216476 over Lots 443, 444 and 445 on Crown Plan Y16911 at Yaamba for the lease to be converted to freehold or for the lease to be renewed;
3. Lot 59 on Crown Plan LN1807 is the subject of an Application to Dedicate State Land as Road (Case ID: 2017/000680) and that Council objects to any action being undertaken in relation to Term Lease 0/217224 over Lot 59 on Crown Plan LN1807 until all actions associated with Case ID: 2017/000680 are finalised;
4. it objects to the portion of Term Lease 0/217224 over Lot 59 on Crown Plan LN1807 which is located on the eastern side of Bondoola Road being converted to freehold tenure as it contains an endangered vegetation type, namely the unique Serpentine vegetation community. This vegetation is endemic to Livingstone Shire only and it is considered that the change of tenure will introduce a range of exempt clearing opportunities and accepted development clearing opportunities which will have a detrimental environmental impact on this small area of significant vegetation.
5. it would not object to the portion of Term Lease 0/217224 over Lot 59 on Crown Plan LN1807 located on the western side of Bondoola Road being converted to freehold tenure, after all actions associated with the Application to Dedicate State Land as Road (Case ID: 2017/000680) are finalised.
6. it would not object to Term Lease 0/217224 over Lot 59 on Crown Plan LN1807 being renewed, after all actions associated with the Application to Dedicate State Land as Road (Case ID: 2017/000680) are finalised.

BACKGROUND

In October 2019, Council received correspondence from the Department of Natural Resources, Mines and Energy in relation to Term Lease 0/216476 at Yaamba, and Term Lease 0/217224 at Bondoola (refer Attachment One for a copy of the letter). Both sites are zoned Rural, pursuant to the *Livingstone Planning Scheme 2018*, and the existing leases allow the land to be used for residential purposes only.

Term Lease 0/216476 over Lots 443, 444 and 445 on Crown Plan Y16911 comprises 6069 square metres, and is located at Adelaide Street, Yaamba. This lease has a 20 year term which is due to expire in October 2021 (refer Attachment Two for an aerial photograph of the lease area).

Term Lease 0/217224 over Lot 59 on Crown Plan LN1807 comprises 2.327 hectares and is located at Bondoola Road, Bondoola. The lease has a 20 year term which is due to expire in December 2021 (refer Attachment Three for an aerial photograph of the lease area).

COMMENTARY

Under the *Land Act 1994* an existing lessee is able to make an application to the Department of Natural Resources, Mines and Energy to convert their tenure to freehold or to renew their existing lease. The Department of Natural Resources, Mines and Energy has advised that it has not yet received applications in relation to the subject leases but is seeking Council's views and/or requirements in relation to the future use of the land which may impact its decision if applications are received.

The Department of Natural Resources, Mines and Energy is seeking Council's views as to whether:

- 1) there is any local non-indigenous cultural heritage values that the Department of Natural Resources, Mines and Energy should consider if an application is made by the existing lessees for the land that is the subject of their leases to be converted to freehold;
- 2) Council has any other objections, views or requirements that the Department of Natural Resources, Mines and Energy should consider if an application is made by the existing lessees for the land that is the subject of their leases to be converted to freehold;
- 3) Council has any objections, views or requirements that the Department of Natural Resources, Mines and Energy should consider if an application is made by the existing lessees for their leases to be renewed;

Comment was sought from Council's Infrastructure Services portfolio and Development Assessment, Community Development and Sport and Recreation, Disaster Management and Resilience and Natural Resource Management sections. The following comments were provided:

Infrastructure ServicesEngineering Services

Engineering Services offer no objection to the conversions from lease to freehold of the 3 lots at Adelaide Street, Yaamba.

Engineering Services do have concerns about Lot 59 LN1807 on Bondoola Road as follows:

Lot 59 LN1807 is the subject of an Application to Dedicate State Land as Road which was lodged on 6 Feb 2017. An offer letter was received from NRM on 8 Oct 2019. Engineering Services are progressing through the conditions of offer and upon completion of the application, the constructed road will be in road reserve. NRM should be informed that they should take no action on this allotment until after all actions associated with Case ID: 2017/000680 have been finalised.

Construction and Maintenance

Whilst Construction and Maintenance has no issues with the lots at Yaamba, it appears that part of the adjacent "Rest Area Reserve" is constructed in Lot 443. Facilities may need a say in this.

Part of the constructed Bondoola Rd encroaches into Lot 59 on LN1807. This would need to be resolved before I agreed to conversion to freehold tenure. Possible solution may be simultaneous road opening and closing.

Water and Waste

Water and Waste Ops have no objection or comments.

Development Assessment

The duty planner has no objection to the lots being converted to freehold and can provide the following advice about the planning scheme:

Lots 443, 444 and 445 on Y16911:

- *There is no frontage to a constructed road.*
- *All lots are zoned rural.*

Lot 59 on LN1807:

- *The land is zoned rural.*

Community Development and Sport and Recreation

There are no known issues or objections from the Community Development and Sport and Recreation team relating to this matter.

Disaster Management and Resilience

No concerns from a Disaster Management perspective.

Natural Resource Management

Natural Resource Management have no comments regarding the lots at Yaamba.

The area on Bondoola Road is of significance due to the high quality Endangered Vegetation east of the constructed road.

This endangered vegetation type is the unique Serpentine vegetation community that is endemic to Livingstone Shire only.

It is recognised at State level as an endangered remnant vegetation type and is a Matter of State and Local Significance Environmental Significance in the Planning Scheme Biodiversity Overlay.

Natural Resource Management do not support the part of the land parcel that is east of the roadway becoming freehold land because the tenure change will introduce a range of exempt clearing opportunities and accepted development clearing opportunities that will have a detrimental environmental impact on this small area of significant vegetation. As it is already isolated from the rest of the parcel by the existing Bondoola Road, it is not very viable for rural pursuits.

Alternatives to freeholding this segment of the parcel exist, it may be incorporated in the proposed new road reserve or be retained as State land.

Natural Resource Management do not object to the Freehold of the area of the property west of the road.

I have attached a map showing the mapped endangered veg and one that shows the area that should be retained under trusteeship of Livingstone Shire Council.

Council's Construction and Maintenance section has identified that there may be Council assets (which would appear to be bollards) encroaching from the reserve land dedicated for rest area purposes at Yaamba onto Lot 443 on Y16911 which is part of Term Lease 0/216476. This possible encroachment is to be investigated further as

Council may be required to rectify same if an application is made to convert the lease to freehold.

PREVIOUS DECISIONS

This matter has not been the subject of any previous Council decision or direction.

BUDGET IMPLICATIONS

There are no budget implications associated with the consideration of this matter.

LEGISLATIVE CONTEXT

The management and disposal of public land is controlled by the *Land Act 1994* and *Native Title (Queensland) Act 1993*.

LEGAL IMPLICATIONS

There are no legal implications associated with consideration of this matter.

STAFFING IMPLICATIONS

There are no foreseeable staffing implications associated with this matter.

RISK ASSESSMENT

The risk in Council objecting to the conversion of the subject leases to freehold, or the granting of new term leases is that the land may revert back to unallocated state land on which Council is not able to charge rates.

CORPORATE/OPERATIONAL PLAN

Strategy AM4 of Council's Corporate Plan states: *'Operate, maintain and use Council assets to deliver efficient and cost effective services to the community.'*

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) *Transparent and effective processes, and decision-making in the public interest; and*
- (b) *Sustainable development and management of assets and infrastructure, and delivery of effective services; and*
- (c) *Democratic representation, social inclusion and meaningful community engagement; and*
- (d) *Good governance of, and by, local government; and*
- (e) *Ethical and legal behaviour of councillors and local government employees.*

CONCLUSION

The Department of Natural Resources, Mines and Energy is seeking Council's views and/or requirements on possible future dealings with Term Lease 0/216476 at Yaamba and Term Lease 0/217224 at Bondoola namely the conversion of the land which is the subject of the leases to freehold tenure or granting of new term leases on expiry of the current leases.

The freeholding of the land the subject of Term Lease 0/216476 at Yaamba or a new term lease being granted on expiry of the current lease is reasonable and should be supported.

However, any such actions being undertaken in relation to the land the subject of Term Lease 0/217224 at Bondoola cannot be supported, as the site is the subject of an Application to Dedicate State Land as Road. Likewise, the freeholding of the eastern portion of the land the subject of Term Lease 0/217224 at Bondoola cannot be supported as it contains an endangered vegetation type (noting that there is no opposition to a new term lease being granted once all actions associated with the Application to Dedicate State Land as Road are finalised).

12.9 - REQUEST FOR COUNCIL'S VIEWS ON FUTURE DEALINGS RELATING TO TWO TERM LEASES

**Letter from the Department of Natural
Resources, Mines and Energy**

Meeting Date: 19 November 2019

Attachment No: 1

Attachment One

Author: Annette Caple
File / Ref number
Directorate / Unit: State Land Asset Management
Phone: (07) 48373397

Doc No		
15 OCT 2019		
Action Officer	CEO Tasking	
Retention	Vis	Rev



Department of
Natural Resources,
Mines and Energy

11 October 2019

The Chief Executive Officer
Livingstone Shire Council
PO Box 2292
Yeppoon Qld 4703

Dear Sir

APPLICATION FOR CONVERSION OF RESIDENTIAL LEASES AS PER ATTACHED SCHEDULE

The department is currently assessing the above mentioned leases for conversion to freehold. The proposed use of the land is residential.

The enclosed Smartmap shows the subject land and the surrounding locality.

Please advise the department of your views or requirements including any local non-indigenous cultural heritage values that the department should consider when assessing this application.

It is mentioned that at this stage the department has not contacted the lessee about the conversion of the lease. Please advise if, should the lessee choose not to convert the lease, whether Council has any objection to the department renewing the lease upon expiry of the current term.

Objections to the application, and any views or requirements that may affect the future use of the land should be received by close of business on **11 November 2019**. If you offer an objection, a full explanation stating the reason for the objection should be forwarded to this Office.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. An extension to this due date will only be granted in exceptional circumstances.

If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

Postal :
DNRME Rockhampton
PO Box 1762
Rockhampton
4700 QLD

Telephone : (07) 48373300
Fax: (07) 48373421

This information has been provided to you in confidence for the purpose of seeking your views on this matter. It is not to be used for any other purpose, or distributed further to any person, company, or organisation, without the express written permission of the department unless required.

If you wish to discuss this matter please contact Annette Caple on (07) 48373397.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to SLAM-Rockhampton@dnrme.qld.gov.au

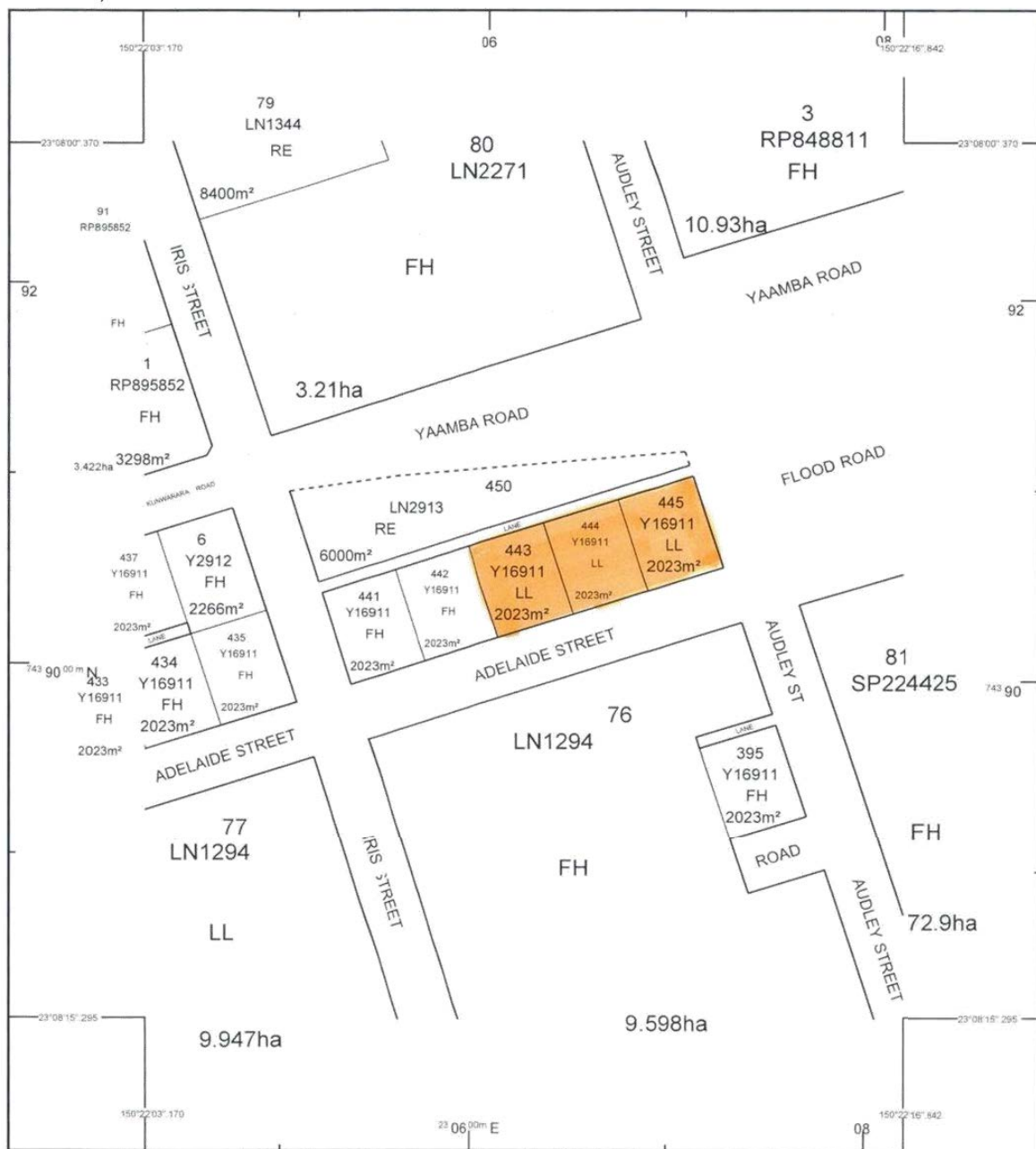
Yours sincerely



Annette Caple
Land Administration Officer
State Land Asset Management
Central Region (Rockhampton Office)

Schedule

Title Reference Number	Tenure type	Tenure number	Lot on Plan	Purpose
40030652	Term lease	216476	443/Y16911 444/Y16911 445/Y16944	Residential
40032350	Term lease	217224	59/LN1807	Residential



STANDARD MAP NUMBER
8951-13111

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	No Lot/Plan Selected.
Lot/Plan	No Lot/Plan Selected.
Area/Volume	No Lot/Plan Selected.
Tenure	No Lot/Plan Selected.
Local Government	No Lot/Plan Selected.
Locality	No Lot/Plan Selected.
Segment/Parcel	No Lot/Plan Selected.

CLIENT SERVICE STANDARDS

PRINTED (d9mm/yyyy) 11/10/2019
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB 10/10/2019

Users of the information recorded in this document (the information) accept all responsibility and risk associated with the use of the information and should seek independent professional advice in relation to dealings with property.

Despite Department of Natural Resources, Mines and Energy (DNRME)'s best efforts, DNRME makes no representations or warranties in relation to the information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the information.

For further information on SmartMap products visit <http://dnrm.qld.gov.au/propertymapping/blnmap>

SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



Queensland
Government
(c) The State of Queensland,
(Department of
Natural Resources,
Mines and Energy) 2019.

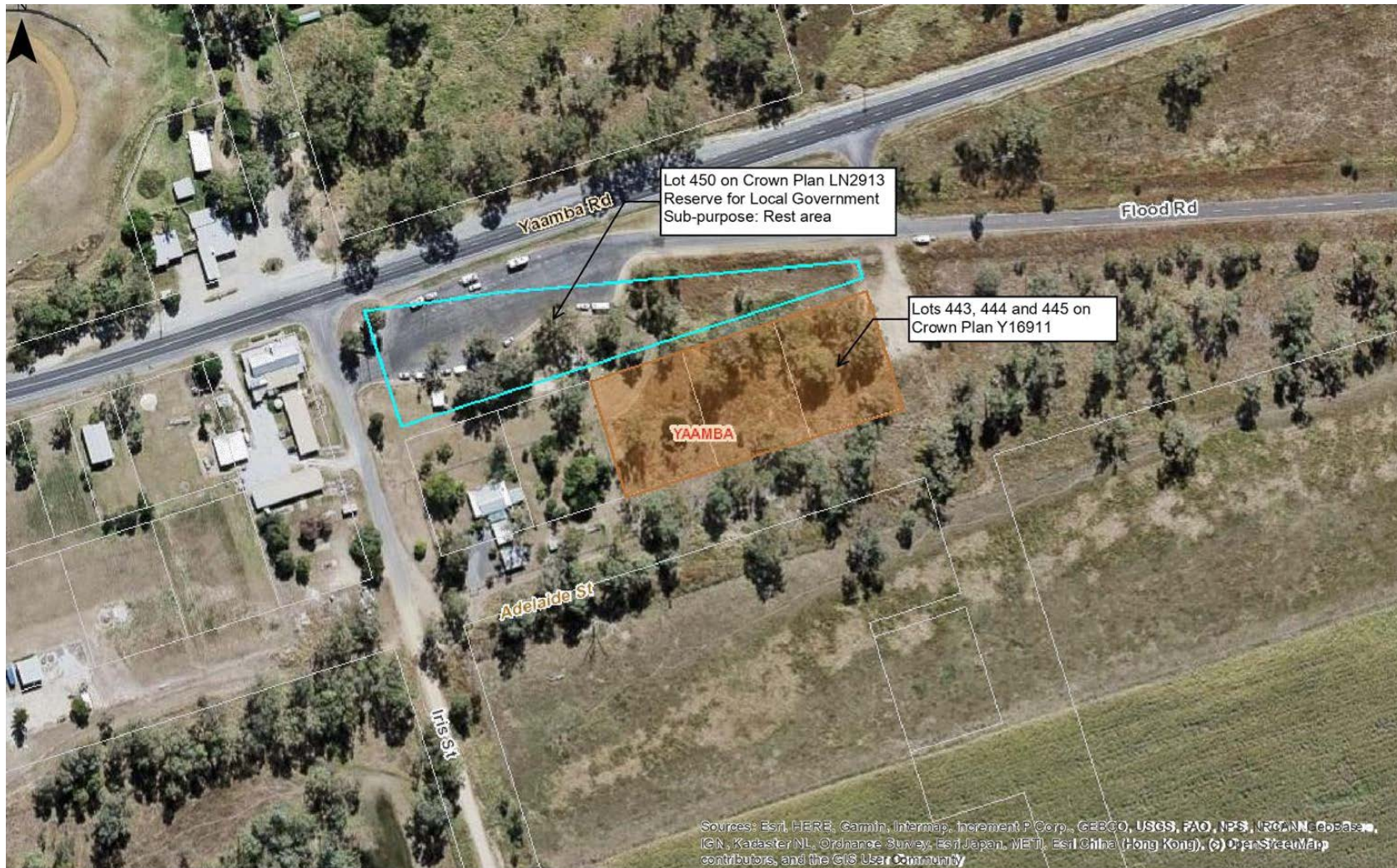


12.9 - REQUEST FOR COUNCIL'S VIEWS ON FUTURE DEALINGS RELATING TO TWO TERM LEASES

**Aerial photograph of Lot 443, 444 and
445 on Crown Plan Y16911**

Meeting Date: 19 November 2019

Attachment No: 2



Copyright protects this publication. Reproduction by whatever means is prohibited without prior written permission of the Chief Executive Officer of Livingstone Shire Council. Livingstone Shire Council will not be held liable under any circumstances in connection with or arising out of the use of this data nor does it warrant that the data is error free. Any queries should be directed to the Customer Service Centre, Livingstone Shire Council or telephone 1300 760 919. The Digital Cadastral Database is current as at 31/10/2019. The State Government of Queensland (Dept. of Natural Resources and Mines) 2019. Other data © Livingstone Shire Council 2019.

0 0.0175 0.035 0.07 Km
1:25,000

Lot 443, 444 and 445 on Crown Plan Y16911

Map Created by: Web AppBuilder for ArcGIS



Printed from ArcPortal on 31/10/2019

12.9 - REQUEST FOR COUNCIL'S VIEWS ON FUTURE DEALINGS RELATING TO TWO TERM LEASES

Aerial photograph of Lot 59 on Crown Plan LN1807

Meeting Date: 19 November 2019

Attachment No: 3



Copyright protects this publication. Reproduction by whatever means is prohibited without prior written permission of the Chief Executive Officer of Livingstone Shire Council. Livingstone Shire Council will not be held liable under any circumstances in connection with or arising out of the use of this data nor does it warrant that the data is error free. Any queries should be directed to the Customer Service Centre, Livingstone Shire Council or telephone 1300 760 919. The Digital Cadastral Database is current as at November 2019.

The State Government of Queensland (Dept. of Natural Resources and Mines) 2019.

Other data © Livingstone Shire Council 2019.

0 0.0175 0.035 0.07 Km

Lot 59 on Crown Plan LN1807

Map Created by: Web AppBuilder for ArcGIS



Printed from ArcPortal on 6/11/2019

12.10 REQUEST FOR COUNCIL'S VIEWS ON PROPOSALS RELATING TO TWO GRAZING LEASES AT KUNWARARA**File No:** GR14.4.2**Attachments:**

1. Letter from the Department of Natural Resources, Mines and Energy [↓](#)
2. Aerial photograph of Lot 36 on Crown Plan LBG40189 [↓](#)
3. Aerial Photograph of Lot 33 on Crown Plan LI190 [↓](#)

Responsible Officer: David Mazzaferri - Manager Community Wellbeing
Brett Bacon - Executive Director Liveability and Wellbeing
Mark McLean - Principal Property Officer**Author:** Maddie Crigan - Property Officer

SUMMARY

This report pertains to a request from the Department of Natural Resources, Mines and Energy for Council's views or requirements in relation to the renewal of two term leases at Kunwarara over reserve land which is dedicated for camping and water purposes.

OFFICER'S RECOMMENDATION

THAT Council resolve to advise the Department of Natural Resources, Mines and Energy that:

- 1) on expiry of the existing leases, Council, as trustee, would not be prepared to offer a trustee lease or trustee permit to the current lessees of Lot 36 on Crown Plan LBG40189 and Lot 33 on Crown Plan LI190; and
- 2) Council would not object to the Department of Natural Resources, Mines and Energy granting new term leases to the existing lessees of Lot 36 on Crown Plan LBG40189 and Lot 33 on Crown Plan LI190.

BACKGROUND

On 10 October 2019, Council received correspondence from the Department of Natural Resources, Mines and Energy in relation to two term leases at Kunwarara over reserve land which is dedicated for camping and water purposes (refer Attachment One for a copy of the letter). Both sites are zoned Rural, pursuant to the *Livingstone Planning Scheme 2018*, and the existing leases, which are due to expire in October 2021, allow the land to be used for grazing purposes only.

Term Lease 0/216474 over Lot 36 on Crown Plan LBG40189 comprises approximately 259 hectares and is located at Kunwarara Road, Kunwarara (refer Attachment Two for an aerial photograph of Lot 36). Term Lease 0/216475 over Lot 33 on Crown Plan LI190 comprises 177 hectares and is located at Raspberry Creek Road, Kunwarara (refer Attachment Three for an aerial photograph of Lot 33).

The Department of Natural Resources, Mines and Energy is seeking Council's views as to whether:

- 1) on expiry of the existing leases Council, as trustee, would be prepared to offer the current lessees a trustee lease or trustee permit over their subject areas in accordance with Section 57 of the *Land Act 1994* and Policy PUX/901/210 – Leases over Reserves; and
 - 2) if entering into a trustee lease or trustee permit is not an option, Council's views or requirements to the granting of new team leases over the subject areas.
-

COMMENTARY

Under the *Land Act 1994*, a term lease over reserve land cannot be converted to freehold without the reserve first being revoked. Council has previously advised the lessee and the Department of Natural Resources, Mines and Energy that Lot 36 is no longer required for its dedicated purpose (camping and water purposes) and that Council would not object to same having its reserve status revoked. It is understood that an application to obtain freehold title over Lot 36 has not been submitted by the current lessee, but the lessee has applied to renew the term lease.

Comment was sought from Council's Infrastructure Services Portfolio, Development Assessment section, Natural Resource Management section, Disaster Management and Resilience section and Community Development and Sport and Recreation section in relation to the term lease renewal applications. No objections were raised to the proposed renewals, however, the following comments were provided.

Infrastructure Services

Engineering Services

Engineering Services offers no objection to the renewal of either or both of these leases.

Construction and Maintenance

No objection from Construction and Maintenance for renewal of grazing leases.

Water and Waste

No comments and no objections from Water and Waste Ops.

Development AssessmentLot 36 Kunwarara Road (Lot 36 on LBG40189)

The site is located within the Rural zone and affected by the following overlays:

OM07 Biodiversity

MSES – Regulated vegetation

MLSE – Habitat and vegetation

OM10 Biodiversity – Wetlands and waterways

MSES - Watercourse

OM11 Biodiversity – Stream order

Watercourse Stream order 1 and 2

Waterway potential assessment area

OM12 Bushfire Hazard Area – Medium potential bushfire intensity

OM15 Drainage Problem Area

Grazing (Animal husbandry) is an accepted use within the Rural zone and the duty planner has no objection to the continuation of the use on the site.

Lot 33 Raspberry Creek Road, Kunwarara (Lot 33 on LI190)

The site is located within the Rural zone and affected by the following overlays:

OM07 Biodiversity

MSES – Regulated vegetation

OM10 Biodiversity – Wetlands and waterways

MSES – Watercourse

MLES – Wetlands

*OM11 Biodiversity – Stream order**Watercourse Stream order 1 and 2 & 3 and 4**Waterway potential assessment area**OM12 Bushfire Hazard Area**Medium potential bushfire intensity**Potential impact buffer**OM15 Drainage Problem Area**OM16 Extractive and Mining Resource Area**Mining Lease**Mineral Development Licence*

Grazing (Animal husbandry) is an accepted use within the Rural zone and the duty planner has no objection to the continuation of the use on the site.

Community Development and Sport and Recreation

No comments or objections.

Disaster Management and Resilience

No concerns.

Natural Resource Management

Natural Resource Management do not object to renewal of the grazing leases, however do note that the properties contain significant vegetation, particularly the one on Atkinson Road. I have attached map of the latter property showing the vegetation cover and status including endangered Vegetation and the presence of protected plants.

Natural Resource Management do not support the freeholding of this parcel in the future due to the introduction of exempt clearing and accepted Development clearing opportunities upon conversion to freehold land.

This remains a very significant parcel of public owned land that deserves protection for its environmental value.

PREVIOUS DECISIONS

This matter has not been the subject of any previous Council decision or direction.

BUDGET IMPLICATIONS

There are no foreseeable budget implications associated with the consideration of this matter.

LEGISLATIVE CONTEXT

The management and disposal of public land is controlled by the *Land Act 1994* and *Native Title (Queensland) Act 1993*.

LEGAL IMPLICATIONS

There are no foreseeable legal implications associated with consideration of this matter.

STAFFING IMPLICATIONS

There are no foreseeable staffing implications associated with the renewal of the term leases the subject of this report.

RISK ASSESSMENT

The risk in Council objecting to the proposal to renew the term leases is that the land may revert to reserve land on which Council would be unable to charge rates.

CORPORATE/OPERATIONAL PLAN

Strategy AM4 of Council's Corporate Plan states: '*Operate, maintain and use Council assets to deliver efficient and cost effective services to the community.*'

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

- (a) *Transparent and effective processes, and decision-making in the public interest; and*
- (b) *Sustainable development and management of assets and infrastructure, and delivery of effective services; and*
- (c) *Democratic representation, social inclusion and meaningful community engagement; and*
- (d) *Good governance of, and by, local government; and*
- (e) *Ethical and legal behaviour of councillors and local government employees.*

CONCLUSION

The Department of Natural Resources, Mines and Energy is seeking Council's views as to whether, on expiry of two term leases at Kunwarara over reserve land which is dedicated for camping and water purposes, Council as trustee would be prepared to offer the current lessees a trustee lease or trustee permit over their subject areas. Alternatively, if entering into a trustee lease or trustee permit is not an option, whether Council has any views or requirements in relation to the granting of new term leases over the subject areas.

Consultation was undertaken with internal Council stakeholders and no objections were raised to the proposal for new term leases. It is considered that a lease or permit directly between the State and the prospective lessee is a more efficient regime than including Council as a third party.

**12.10 - REQUEST FOR COUNCIL'S
VIEWS ON PROPOSALS RELATING TO
TWO GRAZING LEASES AT
KUNWARARA**

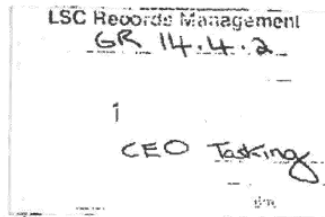
**Letter from the Department of Natural
Resources, Mines and Energy**

Meeting Date: 19 November 2019

Attachment No: 1

Doc#9114327

Author Annette Caple
File / Ref number
Directorate / Unit State Land Asset Management
Phone (07) 48373397



Department of
Natural Resources,
Mines and Energy

10 October 2019

The Chief Executive Officer
Livingstone Shire Council
PO Box 2292
Yeppoon Qld 4703

Dear Sir

APPLICATION FOR RENEWAL OF GRAZING LEASES AS PER ATTACHED SCHEDULE

The department is currently assessing the above mentioned leases for renewal. The proposed use of the land is grazing.

The enclosed Smartmaps show the subject land and the surrounding locality.

Please advise if your agency has any issues that the Minister should consider in respect of the renewal of these leases, any views or requirements that may affect the future use of the land and your comments with regard to the following –

- On expiry of the existing lease, would you as Trustee be prepared to offer the current lessee a Trustee Lease or Trustee Permit over the subject area in accordance with Section 57 of the *Land Act 1994* and Policy PUX/901/210 – Leases over reserves.
- If entering into a Trustee Lease or Trustee Permit is not an option, your views or requirements to the granting of a new Term Lease over the subject area.

Objections to the application, and any views or requirements that may affect the future use of the land should be received by close of business on **10 November 2019**. If you offer an objection, a full explanation stating the reason for the objection should be forwarded to this Office.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. An extension to this due date will only be granted in exceptional circumstances.

If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter

Postal :
DNRME Rockhampton
PO Box 1762
Rockhampton
4700 QLD

Telephone : (07) 48373300
Fax : (07) 48373421

Doc#9114327

This information has been provided to you in confidence for the purpose of seeking your views on this matter. It is not to be used for any other purpose, or distributed further to any person, company, or organisation, without the express written permission of the department unless required.

It is mentioned that at this stage the department has not contacted the lessee about the expiry of the current lease, however if an application for renewal of the lease under the *Land Act 1994* is made, then the department will assess the application in terms of section 159 of the Act before making a decision on the application.

If you wish to discuss this matter please contact Annette Caple on (07) 48373397.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to SLAM-Rockhampton@dnrme.qld.gov.au

Yours sincerely



Annette Caple
Land Administration Officer
State Land Asset Management
Central Region (Rockhampton Office)

Doc#9114327

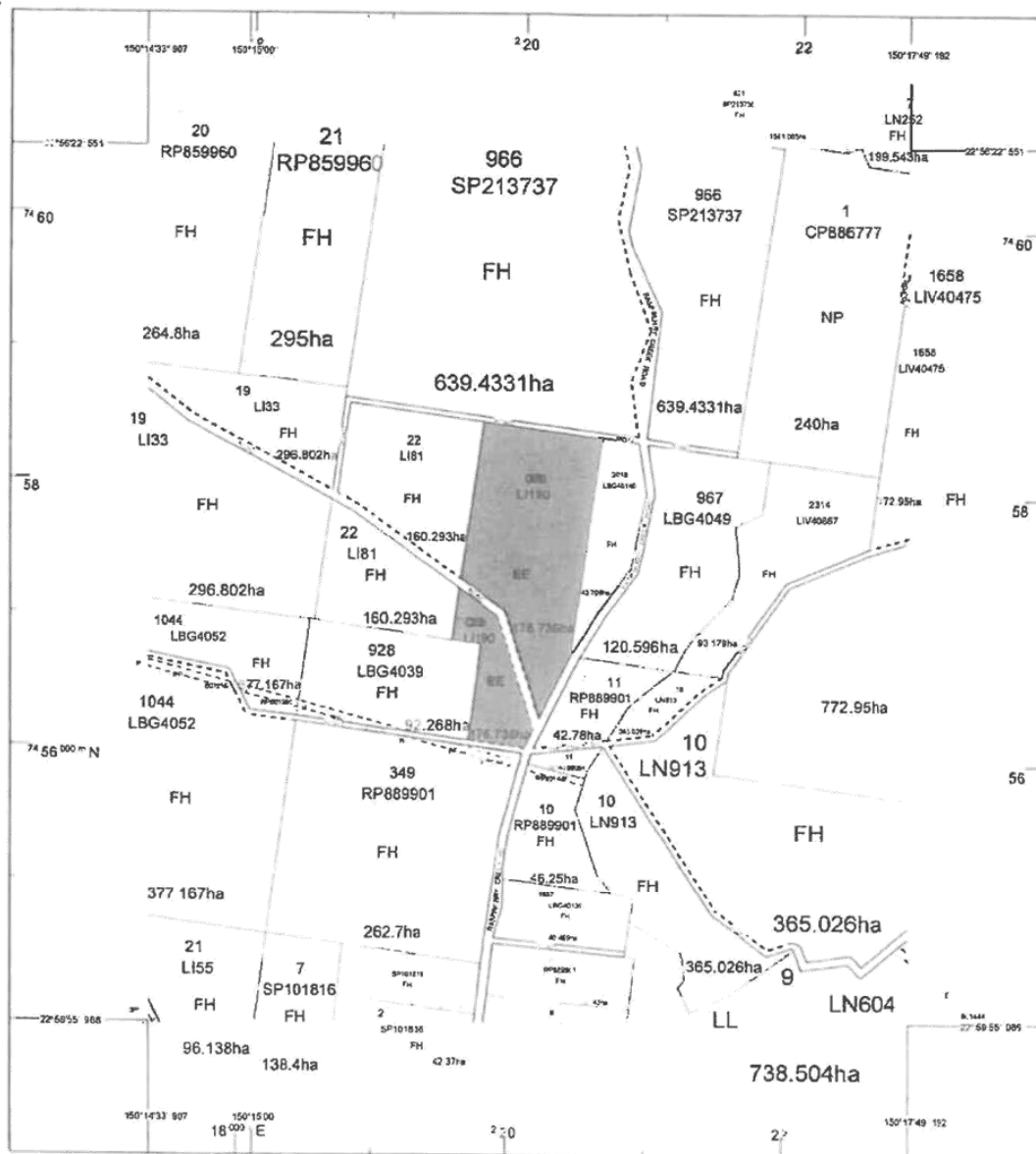
Schedule

Title Reference Number	Tenure Type	Tenure Number	Lot/Plan	Purpose
40030650	Term Lease	216474	36/LBG40189	Grazing - Reserve Road or Stock Route
40030651	Term Lease	216475	33/L1190	Grazing - Reserve Road or Stock Route

Queensland
Government
(c) The State of Queensland,
(Department of
Natural Resources,
Mines and Energy) 2019.

Doc#9114327

Lot 31 on Crown Plan LI190



STANDARD MAP NUMBER
8952-23331

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

Lot/Plan 33/L190
Area/Volume 176.736ha
Tenure RESERVE
Local Government LIVINGSTONE SHIRE
Locality KUNAWARRA
Segment/Parcel 42153/126

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 10/10/2019
For additional information regarding the SmartMap see page 2
Shading Rules have been applied

DCDB 08/10/2019 (Lots with an area less than 1.000ha are not shown)

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

Despite Department of Natural Resources, Mines and Energy (DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the Information and, to the extent permitted by law, excludes or limits all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information.

For further information on SmartMap products visit <http://www.qld.gov.au/property/mapping/smartmap>

SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



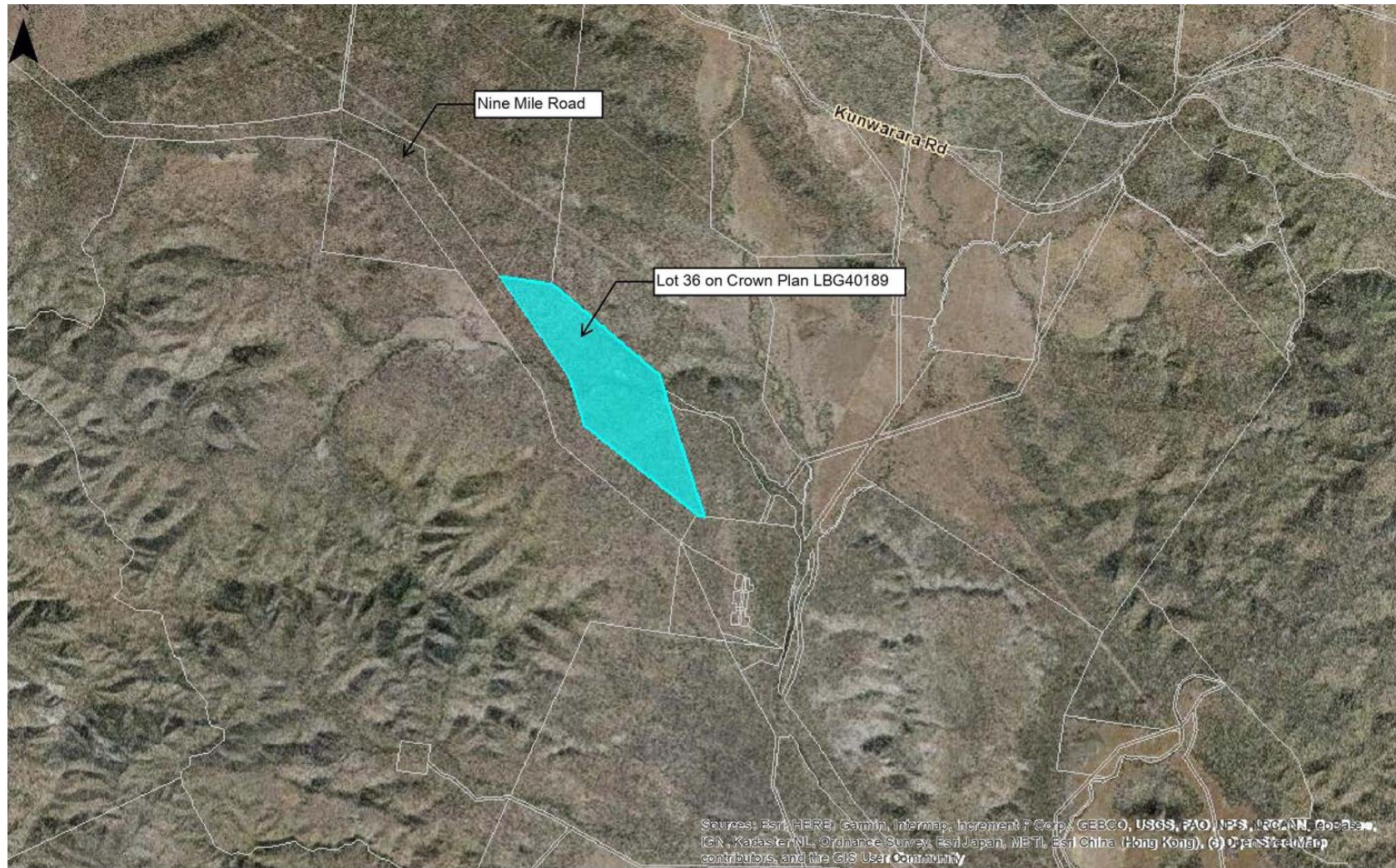
Queensland
Government
(c) The State of Queensland,
(Department of
Natural Resources,
Mines and Energy) 2019.

12.10 - REQUEST FOR COUNCIL'S VIEWS ON PROPOSALS RELATING TO TWO GRAZING LEASES AT KUNWARARA

Aerial photograph of Lot 36 on Crown Plan LBG40189

Meeting Date: 19 November 2019

Attachment No: 2



Copyright protects this publication. Reproduction by whatever means is prohibited without prior written permission of the Chief Executive Officer of Livingstone Shire Council. Livingstone Shire Council will not be held liable under any circumstances in connection with or arising out of the use of this data nor does it warrant that the data is error free. Any queries should be directed to the Customer Service Centre, Livingstone Shire Council or telephone 1300 760 919. The Digital Cadastral Database is current as at 31/10/2019.

The State Government of Queensland (Dept. of Natural Resources and Mines) 2019.
Other data © Livingstone Shire Council 2019.

Lot 36 on Crown Plan LBG40189

Map Created by: Web AppBuilder for ArcGIS



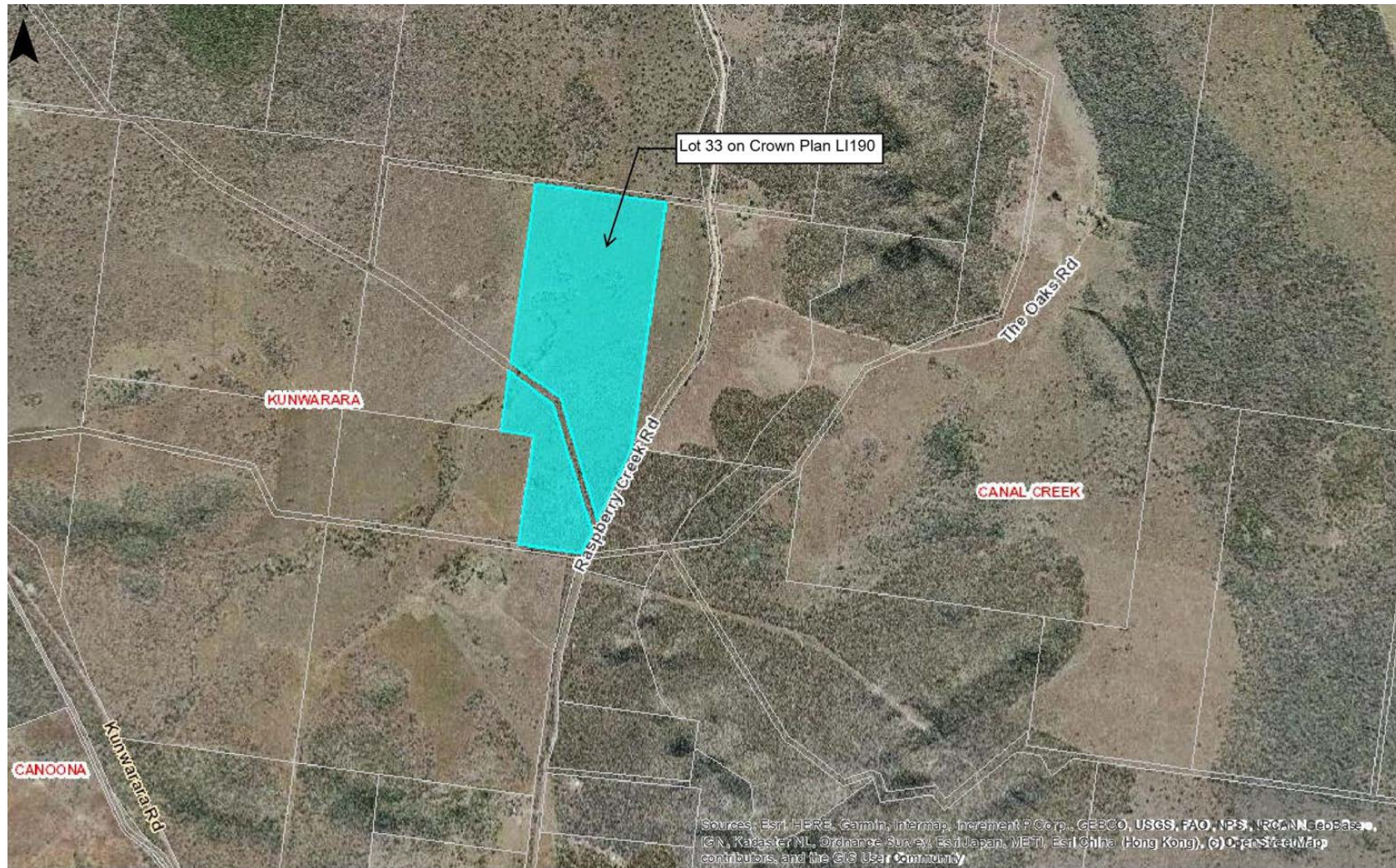
Printed from ArcPortal on 31/10/201

**12.10 - REQUEST FOR COUNCIL'S
VIEWS ON PROPOSALS RELATING TO
TWO GRAZING LEASES AT
KUNWARARA**

**Aerial Photograph of Lot 33 on Crown
Plan LI190**

Meeting Date: 19 November 2019

Attachment No: 3



Copyright protects this publication. Reproduction by whatever means is prohibited without prior written permission of the Chief Executive Officer of Livingstone Shire Council. Livingstone Shire Council will not be held liable under any circumstances in connection with or arising out of the use of this data nor does it warrant that the data is error free. Any queries should be directed to the Customer Service Centre, Livingstone Shire Council or telephone 1300 760 919. The Digital Cadastral Database is current as at 2019. The State Government of Queensland (Dept. of Natural Resources and Mines) 2019. Other data © Livingstone Shire Council 2019.

0 0.25 0.5 1.1 Km

Lot 33 on Crown Plan LI190

Map Created by: Web AppBuilder for ArcGIS



Printed from ArcPortal on 31/10/201

13 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting.

14 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.

RECOMMENDATION

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.

15.1 Proposed tenure actions arising out of the expansion of the Shoalwater Bay training area

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

15.2 Acquisition of Land for Road Purposes - Trunk Infrastructure T-100 Tanby / Chandler Roads Intersection and T-37 Chandler Road

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

15.3 Enquiry of The Gateway Business and Industry Park Proposed Lot 24

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council.

15.4 Potential Sale of 18 School Street, Mount Chalmers

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council.

15 CONFIDENTIAL REPORTS

15.1 PROPOSED TENURE ACTIONS ARISING OUT OF THE EXPANSION OF THE SHOALWATER BAY TRAINING AREA

File No: GR14.4.2

Attachments: 1. Letter from the Department of Natural Resources, Mines and Energy

Responsible Officer: Mark McLean - Principal Property Officer
Brett Bacon - Executive Director Liveability and Wellbeing

Author: Maddie Crigan - Property Officer

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

SUMMARY

This report pertains to a request from the Department of Natural Resources, Mines and Energy for Council's views in relation to a number of land tenure actions requested by the Department of Defence over land within the area acquired for the expansion of the Shoalwater Bay Training Area.

**15.2 ACQUISITION OF LAND FOR ROAD PURPOSES - TRUNK INFRASTRUCTURE
T-100 TANBY / CHANDLER ROADS INTERSECTION AND T-37 CHANDLER
ROAD****File No:** 5.2.5-004**Attachments:**

1. Map 55-3 Taroomball Transport Network Plans for Trunk Infrastructure
2. Drawing No 14-133-C-01
3. Road dedication through development

Responsible Officer: Dan Toon - Executive Director Infrastructure**Author:** Carrie Burnett - Policy & Planning Officer

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

SUMMARY

This report provides information on an acquisition proposal for future road trunk infrastructure.

15.3 ENQUIRY OF THE GATEWAY BUSINESS AND INDUSTRY PARK PROPOSED LOT 24**File No:** ED8.5.2**Attachments:** 1. Map of Stage 2 and Proposed Stages 2B and 3.**Responsible Officer:** Brett Bacon - Executive Director Liveability and Wellbeing
Jan Anfruns - Manager Economy and Places**Author:** Elle Wallin - Project Support Officer

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council.

SUMMARY

A local business has expressed interest in occupying land at The Gateway Business and Industry Park to expand its current business operations.

15.4 POTENTIAL SALE OF 18 SCHOOL STREET, MOUNT CHALMERS**File No:** ED8.5.5**Attachments:**

1. Proposal Plan for 18 School Street, Mount Chalmers as at 1 March 2018
2. Valuation of Proposed Lot 10

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing
Jan Anfruns - Manager Economy and Places**Author:** Elle Wallin - Project Support Officer

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council.

SUMMARY

This report provides Council with the outcome of the two-stage Expression of Interest and Invitation to Tender process for the disposal of proposed Lot 10, known as 18 School Street, Mount Chalmers.

16 CLOSURE OF MEETING