



ORDINARY MEETING

AGENDA

2 OCTOBER 2018

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 2 October 2018 commencing at 9:00am for transaction of the enclosed business.

A handwritten signature in dark ink, appearing to read "Alan Peel", is positioned above the title of the Chief Executive Officer.

CHIEF EXECUTIVE OFFICER
27 September 2018

Next Meeting Date: 16.10.18

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.

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1 OPENING

2 ATTENDANCE

Members Present:

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

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
Mr Shane Weir - Acting Chief Human Resources Officer

3 LEAVE OF ABSENCE / APOLOGIES

3.1 LEAVE OF ABSENCE FOR COUNCILLOR JAN KELLY 2 - 5 OCTOBER 2018 INCLUSIVE

File No: 13.4.1

Attachments: Nil

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Jan Kelly requested a leave of absence from 2 – 5 October 2018 inclusive.

RECOMMENDATION

THAT Leave of Absence be granted to Councillor Jan Kelly for the period 2 – 5 October 2018 inclusive.

4 PUBLIC FORUMS/DEPUTATIONS

Nil

5 MAYORAL MINUTE

Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the Ordinary Meeting held 18 September 2018

7 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

Nil

9 PRESENTATION OF PETITIONS

Nil

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

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 LIFTING MATTERS LYING ON THE TABLE

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

SUMMARY

The Business Outstanding Table is used as a tool to identify when reports are due back to the table. Items lying on the table require a report to be lifted from the table before being dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the current meeting 2 October 2018.

OFFICER'S RECOMMENDATION

THAT the following matters, 'lying on the table' in the Business Outstanding Table due to return to Council Meeting, be lifted from the table and be dealt with accordingly.

- Notice of Motion – Councillor Adam Belot – Change to Media Policy

12.2 WORKS FOR QUEENSLAND (W4Q) PROGRAM FUNDING REALLOCATION

File No: GS15.2.7-1
Attachments: Nil
Responsible Officer: Dan Toon - Executive Director Infrastructure Services
Author: Jeff Carter - Manager Construction & Maintenance

SUMMARY

The purpose of this report is to recommend alterations and addition of projects for consideration by Council to submit to the Queensland Government as variations to the currently approved Works for Queensland (W4Q) Program.

OFFICER'S RECOMMENDATION

THAT Council approve the community infrastructure projects identified in the conclusion section of this report for submission of a variation request for Round 2 of the Queensland Government Works for Queensland Program.

BACKGROUND

In September 2017, the Queensland Government approved \$3,490,000 for LSC as part of Round 2 of the Works for Queensland (W4Q) funding package. The program covered projects to be constructed between September 2017 and June 2019.

Individual projects nominated by Council resolution on the 18 July 2017 for the funding application were as follows;

- Svendsen Road - upgrade from unsealed to sealed - \$1,700,000
- Taranganba Road / Frangipani Drive - upgrade intersection to signals - \$1,200,000
- Upgrade of 11 floodways from gravel to concrete (various locations) - \$590,000

COMMENTARY

The above mentioned projects were adopted in Council's 2018-19 capital works program and are proceeding as follows;

- Svendsen Road commenced construction in June 2018 and reached practical completion in early September 2018.
- Floodway upgrades commenced in September 2018 and are due for completion in April 2019.
- Taranganba Road / Frangipani Drive is programmed for construction between October 2018 and March 2019.

With the Svendsen Road upgrade now having reached practical completion it has been determined that the final project cost is likely to be in the order of \$900,000, subject to receipt of final supplier invoices, some \$800,000 under the current approved W4Q funding application amount. A recent construction estimate of \$1,300,000 has been formulated for the Taranganba Road / Frangipani Drive intersection project which currently has an approved W4Q funding allocation of \$1,200,000. Current estimates for floodway upgrades are in line with the approved W4Q funding approval of \$590,000.

Overall, it is currently estimated that completion of existing approved projects will result in an underspend of \$700,000 of approved W4Q funding.

W4Q guidelines provide that variations to W4Q funding allocations can be applied for via the dedicated form and approval process through the Department of Local Government, Racing

and Multicultural Affairs. Variations can include; reallocation of funds between approved projects, deletion of an approved project and insertion of a new project.

Two projects have been identified that would be suitable for inclusion into a variation application for changes to Round 2 of W4Q funding approval.

Morris Street, Yeppoon is currently showing a high degree of pavement distress requiring reconstruction and upgrading. The existing narrow pavement between John Street and Whitman Street will be reconstructed, widened and have kerb and channel installed, whilst the remainder of Morris Street from Whitman Street to Fig Tree Creek will receive an asphalt overlay between existing kerb & channel.

The existing narrow culvert structure on Joskeleigh Road at Pumpkin Creek was identified as having severe structural deficiencies in 2017 requiring prompt replacement. The existing 3 cell culvert will be replaced with "uni-culverts" (crown unit and base in single components) so as to reduce the time the community of Joskeleigh is disrupted on their only Council maintained road access. The works will also involve the widening of the floodway to 2 lanes.

PREVIOUS DECISIONS

At the 18 July 2017 Ordinary Council Meeting, Council resolved to submit Svendsen Road, Taranganba Road and eleven (11) floodways as the preferred projects for Round 2 of W4Q funding. The projects were subsequently approved by the Queensland Government in September 2017.

BUDGET IMPLICATIONS

Whilst Councils are not required to contribute to projects deemed eligible under the Works for Queensland Program, they may do so if they wish.

LEGISLATIVE CONTEXT

Nil

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

No additional project management, supervisor or construction staff are required to undertake proposed variation projects.

RISK ASSESSMENT

Council risks underspending approved W4Q funding should it not submit applicable projects as variation to the current approved W4Q funding program.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy EC1: Identify and capitalise on economic opportunities for the benefit of 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 Queensland Government's W4Q Program provides a streamlined application process to vary approved funding programs that provide for prompt delivery of community infrastructure projects that create jobs and improve assets. The 100% funding opportunity will greatly assist the community and the projects listed below are recommended for inclusion in the variation application for the current approved funding program;

1. Variation of Taranganba Road/Frangipani Drive intersection from \$1,200,000 to \$1,300,000.
2. Variation of Svendsen Road from \$1,700,000 to \$900,000.
3. Rural Floodway Upgrade Program to remain as approved at \$590,000.
4. Inclusion of Morris Street upgrade for a value of \$580,000; and
5. Inclusion of Joskeleigh Road culvert upgrade for a value of \$120,000.

12.3 RESPONSE TO NOTICE OF MOTION - THE CAVES WATER SUPPLY

File No: WS32.6.1
Attachments: 1. Notice of Motion from Cr Mather [↓](#)
Responsible Officer: Dan Toon - Executive Director Infrastructure Services
Author: Sean Fallis - Manager Water and Waste Operations

SUMMARY

This report provides information on The Caves pipeline.

OFFICER'S RECOMMENDATION

THAT Council receive the following report in response to the attached Notice of Motion from Cr Mather.

BACKGROUND

A scour on the pipeline at Belmont Creek was damaged by a private bobcat on 16 September 2018. It took several hours to do a shut down and carry out the repair. An attempt to close a large section valve for the shutdown was not successful. This valve started leaking sometime after. It was difficult to repair this leak under pressure but it was repaired on 25 September 2018.

The Caves Pipeline is a 600 mm diameter steel main that was built in 1925 as part of the original Water Supply Scheme for the city of Rockhampton. It transferred water from the Mt Charlton Treatment Plant to Rockhampton. The pipe was originally laid below the ground but was subject to corrosion from aggressive soils. It was excavated and re-laid above the ground in the 1950s.

When the Fitzroy River Barrage and Glenmore Water Treatment Plant were built in the early 1970s, The Caves pipeline was not required to transfer water to Rockhampton but was retained to transfer water from Rockhampton to the Mt Charlton Reservoir to supply The Caves water supply areas.

The size of the pipeline is grossly in excess of that required to supply the volumes of water for The Caves supply areas.

Up until the amalgamation of Councils, the pipeline was the property of Rockhampton City Council and was operated under an agreement with Livingstone. At de-amalgamation, the pipeline became the property of Livingstone Shire Council.

Under Council's Asset Management System, the pipeline has an asset value of \$19M and a life of 100 years (replacement due 2025).

A preliminary condition assessment was carried out last year to confirm the accuracy of the current asset data. The preliminary assessment determined that the pipeline was reasonably sound but required further detailed assessment. It is proposed that the detailed assessment be carried out in the near future. Once the detailed assessment is received, major repair and replacement works can be programmed.

The pipeline is showing signs of age and Council officers are fully aware of its condition. A significant amount of maintenance has been carried out in recent years mainly in the form of vegetation clearing to provide access to the pipeline. There is an allocation of \$90,000 for repairs and maintenance in the 2018/19 program and a subsequent allocation in the draft program for 2019/20 of \$330,000. This allocation will be used for prioritised works including repairs to valves, patches to larger weeps and repairs to concrete supports.

COMMENTARY

Concerns have been raised about the condition of the pipeline following a recent incident where a lengthy shut down was required to repair damage to it.

PREVIOUS DECISIONS

NIL

BUDGET IMPLICATIONS

The current and future budgets include provision for major repairs and eventual replacement.

LEGISLATIVE CONTEXT

NIL

LEGAL IMPLICATIONS

NIL

STAFFING IMPLICATIONS

NIL

RISK ASSESSMENT

From the assessments completed to date, the risk of catastrophic failure is considered to be negligible. As the pipeline ages, the incidence of small failures and leaks will increase. It is important that sections can be isolated quickly to repair these leaks. This will be considered with future prioritisation of works.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy AM2: Identify infrastructure and asset requirements through community consultation and technical expertise.

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

A detailed condition assessment of the pipeline is scheduled to provide an accurate assessment for major repairs and replacement works. In the interim, maintenance repairs will be carried out.

12.3 - RESPONSE TO NOTICE OF MOTION - THE CAVES WATER SUPPLY

Notice of Motion from Cr Mather

Meeting Date: 2 October 2018

Attachment No: 1

PO Box 5186
Red Hill PO
Rockhampton Q 4701
21 September 2018

Chief Executive Officer
Livingstone Shire Council
Yeppoon Q 4703

**Notice of Motion
The Caves Water Supply**

Dear Madam CEO,
I hereby give Notice of my intention to move the following motion at the next Ordinary Meeting of Council:

**"That Council undertake a health check of the infrastructure supplying water from Ramsay Creek to Mt Charleton, and provide a report to Council, which will include
a) the need for any required upgrade/repairs, and
b) an estimated cost for any upgrade/repairs."**

Background:

Last week an estimated hundreds of residents lost their water supply for approximately nine hours due to damage to the pipeline at Belmont Creek - which is near the entrance to Glendale Estate.

The damage was not caused by Council, but it took our staff well into the night to repair and "bleed" the line. The staff did a great job in the circumstances, as the pipeline travelled under the creek at that location.

I walked the 2kl pipeline from my house to the damage site, and noticed what I considered substantial areas along this section of line to be in need of maintenance.

I have since been back to take photos of the locations in questions, so that Councillors and staff can see first-hand what I refer to. (Photos have already been sent through to Management).

On this second visit I discovered a major leak on what appears to be a large valve. (photos provided of this too). This was reported from the site. There were several other areas along the line which needed attention.

Added to this, the concrete "cradles" supporting the pipeline are old, fractured, or decaying. (photos will show these too). To suspend the pipeline, these need to be replaced, which I expect will cause a considerable outlay.

These matters need urgent attention, and the will of the table to ensure the residents in the western suburbs are guaranteed of a reliable water supply in the future.

Many thanks, Glenda Mather CLr

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

13.1 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - THE CAVES WATER SUPPLY

File No: GV13.4.4

Attachments: 1. Notice of Motion [↓](#)

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 2 October 2018, as follows:

RECOMMENDATION

THAT Council undertake a health check of the infrastructure supplying water from Ramsay Creek to Mt Charleton, and provide a report to Council, which will include

- a) the need for any required upgrade/repairs, and
- b) an estimated cost for any upgrade/repairs

BACKGROUND

Refer to attached notice of motion.

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.

**13.1 - NOTICE OF MOTION -
COUNCILLOR GLENDA MATHER -
THE CAVES WATER SUPPLY**

Notice of Motion

Meeting Date: 2 October 2018

Attachment No: 1

Chief Executive Officer
Livingstone Shire Council
Yeppoon Q 4703

PO Box 5186
Red Hill PO
Rockhampton Q 4701
21 September 2018

**Notice of Motion
The Caves Water Supply**

Dear Madam CEO,
I hereby give Notice of my intention to move the following motion at the next Ordinary Meeting of Council:

**"That Council undertake a health check of the infrastructure supplying water from Ramsay Creek to Mt Charleton, and provide a report to Council, which will include
a) the need for any required upgrade/repairs, and
b) an estimated cost for any upgrade/repairs."**

Background:

Last week an estimated hundreds of residents lost their water supply for approximately nine hours due to damage to the pipeline at Belmont Creek - which is near the entrance to Glendale Estate.

The damage was not caused by Council, but it took our staff well into the night to repair and "bleed" the line. The staff did a great job in the circumstances, as the pipeline travelled under the creek at that location.

I walked the 2kl pipeline from my house to the damage site, and noticed what I considered substantial areas along this section of line to be in need of maintenance.

I have since been back to take photos of the locations in questions, so that Councillors and staff can see first-hand what I refer to. (Photos have already been sent through to Management).

On this second visit I discovered a major leak on what appears to be a large valve. (photos provided of this too). This was reported from the site. There were several other areas along the line which needed attention.

Added to this, the concrete "cradles" supporting the pipeline are old, fractured, or decaying. (photos will show these too). To suspend the pipeline, these need to be replaced, which I expect will cause a considerable outlay.

These matters need urgent attention, and the will of the table to ensure the residents in the western suburbs are guaranteed of a reliable water supply in the future.

Many thanks, Glenda Mather Clr

13.2 QUESTIONS ON NOTICE - COUNCILLOR GLENDA MATHER - WATER AND SEWER INFRASTRUCTURE KINKA**File No:** GV13.4.4**Attachments:** 1. QoN - Kinka Infrastructure [↓](#)**Responsible Officer:** Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Glenda Mather indicated her intention to place the following questions on notice in relation to water and sewer infrastructure at Kinka at the next Council Meeting 2 October 2018.

Infrastructure to provide estimated timelines for the following services:

a) to commence the water and sewer infrastructure to the Kinka area where these services currently do not exist; and

b) when these services are expected to be operational

RECOMMENDATION

THAT the questions on notice be received.

BACKGROUND

Refer to attached questions on notice.

**13.2 - QUESTIONS ON NOTICE -
COUNCILLOR GLENDA MATHER -
WATER AND SEWER
INFRASTRUCTURE KINKA**

QoN - Kinka Infrastructure

Meeting Date: 2 October 2018

Attachment No: 1

PO Box 5186
Red Hill PO
Rockhampton Q 4701
24 September 2018

Chief Executive Officer
Livingstone Shire Council
Yeppoon Q 4703

**Question on Notice
Water and Sewer Infrastructure
Kinka**

Dear Madam CEO,

Would you please ask Infrastructure to provide the estimated time lines for the following services:

- a) to commence the water and sewer infrastructure to the Kinka area where these services currently do not exist, and
- b) when these services are expected to be operational.

Background:

There have been a number of residents in this area who are keen to have these services available, and have been waiting patiently.

Despite the high water table in this area and associated drainage issues in parts, the prolonged dry weather is taxing the underground table, and the ability to tend their gardens. In a septic-dominated area, it is desirable to ensure these services are progressed at the earliest.

Many thanks,
Glenda Mather C/r

13.3 NOTICE OF MOTION - COUNCILLOR ADAM BELOT - CHANGE TO MEDIA POLICY**File No:** GV13.4.4**Attachments:** 1. Notice of Motion [↓](#)**Responsible Officer:** Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Adam Belot has indicated his intention to move the following Notice of Motion at the next Council Meeting 4 September 2018, as follows:

RECOMMENDATION

THAT a review be undertaken of the Media Policy Guidelines and roles/responsibilities, in order to encourage greater Councillors participation and freedom when commenting in the media.

BACKGROUND

Refer to attached notice of motion.

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.

13.3 - NOTICE OF MOTION - COUNCILLOR ADAM BELOT - CHANGE TO MEDIA POLICY

Notice of Motion

Meeting Date: 2 October 2018

Attachment No: 1

To the Office of the CEO
Livingstone Shire Council
Anzac Parade Yeppoon.
27/08/2018

I request that the attached Notice of Motion be included at the next available LSC meeting if at all possible.

That a review be undertaken of the Media Policy Guidelines and Roles / Responsibilities, in order to encourage greater Councillor participation and freedom when commenting in the Media.

Supporting Information:

Under current Media Policy Guidelines 5.1.4 Portfolio Councillors are the primary spokespersons in media releases relating to their portfolio where applicable. Furthermore under Roles and Responsibilities 5.2.2 Councillors are expected to comment on their Council portfolios if requested to do so by the Mayor.

Ultimately, commenting in the media *where applicable* and at the *expectation of the Mayor*, could be somewhat restricting and not necessarily conducive to Councillors being able to interact with the media and community in a meaningful, transparent and constructive manner .

Current Guidelines 5.1.4

Portfolio Councillors will be the primary spokesperson in media releases relating to their portfolio, where applicable.

Current Roles and Responsibilities

5.2.2 Councillors are expected to comment on their Council Portfolio if requested to do so by the mayor.

Sincerely,

Cr Adam Belot

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 PAINT POT GALLERY ACCOMMODATION

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 Statue Bay Reconstruction Project

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 Proposed Boundary Change - Amended Terms of Reference

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 CONFIDENTIAL REPORTS

15.1 PAINT POT GALLERY ACCOMMODATION

File No: LEA264

Attachments: Nil

Responsible Officer: David Mazzaferri - Manager Disaster Management,
Recovery and Resilience
Brett Bacon - Executive Director Liveability and
Wellbeing

Author: Mark McLean - Principal 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 provides information in relation to the provision of accommodation for the Paint Pot Gallery.

15.2 STATUE BAY RECONSTRUCTION PROJECT**File No:** 14-134**Attachments:** Nil**Responsible Officer:** Chris Murdoch - Chief Executive Officer**Author:** Dan Toon - Executive Director Infrastructure Services

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 and a recommendation to Council in relation to completion of the Statue Bay Project.

15.3 PROPOSED BOUNDARY CHANGE - AMENDED TERMS OF REFERENCE**File No:** GR14.1.1**Attachments:** 1. Amended Terms of Reference**Responsible Officer:** Chris Murdoch - Chief Executive Officer**Author:** Nicole Robertson - Executive Support 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

In response to the draft Terms of Reference Livingstone Shire Council provided feedback to Department of Local Government, Racing and Multicultural Affairs. The department has taken into account the suggestions from both Council's and provided an amended Terms of Reference for consideration.

16 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

17 CLOSURE OF MEETING