



ORDINARY MEETING

AGENDA

17 SEPTEMBER 2019

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 17 September 2019 commencing at 9.00am for transaction of the enclosed business.

Chris Murdoch
CHIEF EXECUTIVE OFFICER
11 September 2019

Next Meeting Date: 08.10.19

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.

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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 Nick Sheehan - Chief Human Resources Officer

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the Ordinary Meeting held 3 September 2019.

5 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

6 PUBLIC FORUMS/DEPUTATIONS

Nil

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 - September 2019** [↓](#)

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 - September 2019

Meeting Date: 17 September 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 1 Policy presented to Council Meeting for adoption in May 2019. 2 policies still remain outstanding.
2.	5 December 2017	Regulated Car Parking Yeppoon Foreshore and Town Centre	THAT Council resolve to: 1. Declare a Traffic Area having a default parking limit of one hour, with the inclusion of two and three hour designations being established in specific precincts as supported by Attachment Four Community Engagement WrAPup Car Parking Strategy Yeppoon CBD and as shown in Attachment One (Schedule One - Declaration of Traffic Area); 2. Endorse and enact the regulated parking strategy once the changes to the Subordinate Local Law No. 5 (Parking) 2011 Schedule One and Schedule Two take effect and regulated parking signage is in place; 3. Once enacted adequately inform the community of the regulated parking areas (via engagement, media and signage). An initial warning period of one month will be afforded to motorists found overstaying the timed period. After one month the monetary value of an infringement will resume; 4. Consider a budget allocation at the 17/18 Quarter Two Budget review for updated parking signage in the amount of \$30,000; 5. Endorse the installation of smart parking beacons and technology to the designated one hour regulated traffic area to be funded from the Yeppoon Town Centre Smart Lighting Project; 6. Amend Subordinate Local Law No. 5 (Parking) 2011 Schedule One Declaration of traffic area to define a Traffic Area for Yeppoon as shown in Attachment One (Schedule One - Declaration of Traffic Area);	Manager Engineering Services	30/09/19	05 Aug 2019 - 10:34 AM - Executive Assistant Infrastructure Target completion date for installation is 1 September 2019 (subject to marketing strategy). Installation of Regulated Parking signs will coincide with the implementation of paid parking at the lagoon with both projects going live simultaneously.

			7. Amend Subordinate Local Law No. 5 (Parking) 2011 Schedule Two Declaration of off-street regulated parking areas to include off-street regulated parking for Queen Street (Lot 10 on Y17136), the Yeppoon Town Centre Car Park (Lot 10 on SP289416) and the Yeppoon Foreshore (part of Lot 65 on SP234671); and 8. Amend Subordinate Local Law No. 5 (Parking) 2011 Schedule Two Declaration of off-street regulated parking areas to rescind all reference and plans associated with the region of Rockhampton Regional Council.			
3.	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	31/10/19	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.
4.	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	02 Sep 2019 - 10:11 AM Policy and Planning Officer Approaches made to alternative landowner. If negotiations successful, no land will be required from Lot 69.
5.	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 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 2. provide Trustee Leases over land currently described Reserve for Recreation, Public	Property Officer	31/12/19	11 Dec 2018 – 7:57 AM – Property Officer Draft documents have been prepared, however the execution of lease documents cannot occur until the new title is registered over the land. Council is awaiting notification of registration from the Department of Natural

			Boat Ramp, Jetties and Landing Place over Lot 2 on Survey Plan 104438 to: 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 b) Keppel Coast Arts Council Incorporated for a term of 5 years for operation of the Artship.			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).
6.	06 November 2018	Notice of Motion - Councillor Adam Belot - Wreck Point Pathway	THAT LSC review the current design of the proposed walking path from Cooee Bay to Lammermoor Beach including: Consideration of redesigning path alignment/direction b) Design that will best accommodate users of all abilities	Executive Director Infrastructure Services	31/12/19	2 April 2019 - 8:11 AM – Executive Director Infrastructure Design will be considered following the alignment of Mathew Flinders Drive.
7.	20 November 2018	Ogmore Community and Recreation Committee Incorporated Request for Tenure over a Portion of Lot 8 07508 (Bicentennial Park)	THAT Council resolves to: 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 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.	Community Development Officer	30/09/19	09 Sep 2019 - 11:35 AM – Community Development Officer Awaiting final draft lease from properties team.
8.	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	
9.	05 February 2019	Mayoral Minute - Capricorn Coast International Women's Day event committee contribution to a shade	THAT Council resolves to: 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	Executive Director, Liveability & Wellbeing	31/12/19	13 Aug 2019 - 2:59 PM – Executive Director, Liveability & Wellbeing.

		structure for the Yeppoon Lagoon	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.			The Capricorn Coast International Women's day will retain the money in trust until a specific amenity has been identified.
10.	19 February 2019	Sale of 18 School Street, Mount Chalmers	THAT Council resolves to: 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 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.	Project Support Officer	30/09/19	13 Aug 2019 - 1:35 PM – Project Support Officer Council have engaged a Real Estate agent to undertake the Expression of Interest process and gauge the current market. The Expression of Interest will close on Friday, 16 August 2019. Applications will be assessed and taken to a future Council meeting for consideration.
11.	19 February 2019	Acquisition of Easement for Water Supply Purposes - Ironpot	THAT Council resolve to authorise the Chief Executive Officer to commence negotiations with the owner of Lot 156 SP213739 to dedicate a water supply easement as shown on Drawing Nos 19-091-01 and 19-091-02.	Policy and Planning Officer	30/09/19	05 Aug 2019 - 11:29 AM - Property Officer Waiting for Titles documents to be returned from landowner.

12.	19 March 2019	Request for renewal of lease - the caves rural fire brigade	THAT Council resolve: 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	30/09/19	23 Aug 2019 - 12:10 PM - <i>Principal Property Officer</i> New lease agreement has been executed by both parties and registered in the Titles Registry.
13.	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	16 Aug 2019 - 10:07 AM – EA <i>Executive Director Infrastructure</i> Action reassigned to Manager Water and Waste Operations
14.	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	31/10/19	11 Jun 2019 - 11:00 AM - <i>Principal Property Officer</i> 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.
15.	18 April 2019	Options for Tenancies – Centre of Excellence for Disaster Management, Innovation and Community Resilience (The Hub)	THAT Council resolve: 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	Principal Property Officer	31/10/19	11 Jun 2019 - 11:03 AM <i>Principal Property Officer</i> A response is still awaited on the proposal provided to

			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: (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.			prospective tenant for the front section of the first floor. Tender documentation currently being prepared for tenancies on the ground floor.
16.	07/05/19	Loading Zone on Anzac Parade	THAT Council authorise the installation of a loading zone on Anzac Parade, taking up the necessary number of existing car-parking bays in front of the Echelon building.	Manager – Infrastructure Services	30/09/19	01 Aug 2019 - 10:59 AM – Administration Support – Infrastructure Plans are still being finalised and are pending authorisation by required signatories. Once plans have been finalised they will be issued to the construction team immediately. Line marking

						and sign installation have a projected target date at the end of August 2019.
17.	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	31/10/19	11 Jun 2019 - 11:03 AM - Property Officer The Applicant was advised of Council's resolution on 10 May 2019. Investigations into temporary road closure are currently being undertaken by Infrastructure Services.
18.	07/05/19	Paint Pot Gallery Accommodation	THAT Council resolve to: 1. meet the cost of a further eight (8) month lease arrangement to accommodate the Paint Pot Gallery at Shop 3, 18 James Street Yeppoon from 1 July 2019 to 29 February 2020; and 2. provide an eight (8) month lease to the Capricorn Society of Arts Incorporated over Shop 3, 18 James Street Yeppoon from 1 July 2019 to 29 February 2020 at a rental of \$1,000 inclusive of Goods and Services Tax.	Principal Property Officer	31/10/19	23 Aug 2019 - 12:15 PM - Principal Property Officer New lease agreements until 29/2/2020, with both the owner of the premises and the Capricorn Society of Arts 29/2/2020 have been executed.
19.	07/05/19	Roman Catholic Church Land – Marlborough	THAT Council resolve to: 1. authorise Council officers to enter into negotiations with The Roman Catholic Trust Corporation for the Diocese of Rockhampton for the purchase of Lots 12, 13, 14 and 15 on Registered Plan 602167; 2. authorise Council officers to negotiate with The Roman Catholic Trust Corporation for the Diocese of Rockhampton on the purchase of Lots 12, 13, 14 and 15 on Registered Plan 602167 in accordance with Option Two, as detailed within this report.	Principal Property Officer	30/09/19	23 Aug 2019 - 12:19 PM - Principal Property Officer Settlement of the purchase completed on 2 August 2019.

20.	07/05/19	Opening of Todds Road Through Greenlake Station	THAT Council resolve to reopen the section of road described as the last four kilometres of the constructed section of Ingrey Road, which was previously closed to traffic pursuant to s69 of the <i>Local Government Act 2009</i> and; In relation to the matter of the proposed road opening that Council resolve to pursue Option 1 as detailed in the report below.	Manager – Infrastructure Services	30/09/19	01 Aug 2019 - 11:08 AM - Executive Support – Infrastructure Recent inspection by Council Officer confirms that the landowner has started constructing the fences adjacent to the road reserve and it appears the landowner is on target to have gates removed within timeframes.
21.	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	30/09/19	05 Aug 2019 - 11:43 AM - Policy and Planning Officer Waiting on report from Director Infrastructure on related topic - report expected to be presented to Council in August for consideration.
22.	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	Principal Property Officer	30/09/19	23 Aug 2019 - 12:07 PM - Principal Property Officer Draft lease agreement has been prepared and forwarded to the Coast Guard.

			per annum, over part of Lot 3 on Registered Plan 618778.			
23.	06/08/19	Petition Requesting changes to Council Meeting Procedures with regard to Notices of Motions and Questions on Notice.	THAT - the petition requesting changes to Council Meeting Procedures with regard to Notices of Motions and Questions on Notice be received; and - the matter be referred to a future Councillor briefing session.	Chief Financial Officer	30/09/19	11 Sep 2019 – 12:56 PM – Executive Support Officer Briefing will be provided to Councillors at a future briefing session.
24.	06/08/19	Livingstone Planning Scheme 2018 - Proposed Second Amendment	THAT Council resolve to: - make amendments to the <i>Livingstone Planning Scheme 2018</i> in accordance with the changes identified in Attachment One; and - 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>.	Strategic Planning Officer	30/09/19	13 Aug 2019 - 8:42 AM - Strategic Planning Officer 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.
25.	13/08/19	Trusteeship of Reserve for Recreation, Public Boat Ramp, Jetties and Landing Place and Proposed Formalisation of Tenure over Fig Tree Creek Jetty Sites	THAT Council resolve to: - 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 - 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.	Property Officer	31/08/19	20 Aug 2019 - 1:08 PM – Property Officer On 15 August 2019, Council advised 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. This action is complete.

26.	13/08/19	Queensland Government - Building Our Regions - Round 5	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: 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	31/10/19	05 Sep 2019 - 3:17 PM – EA Executive Director Infrastructure 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 Building Our Regions Round 5 program on 30/08/2019.
27.	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	31/10/19	
28.	20/08/19	Request for revocation of Quarry Reserves - Lot 53 on Crown Plan LN675 and Lot 55 on Crown Plan LN689, Atkinson Road, Canoona	THAT Council resolve to advise Rees R and Sydney Jones Solicitors that it does not object to the revocation of the quarry reserves over Lot 53 on Crown Plan LN675 and Lot 55 on Crown Plan LN689 located at Atkinson Road, Canoona.	Property Officer	31/08/19	26 Aug 2019 - 3:29 PM – Property Officer On 26 August 2019, Rees R and Sydney Jones Solicitors was advised that Council does not object to the revocation of the quarry reserves over Lot 53 on Crown Plan LN675 and Lot 55 on Crown Plan LN689 located at Atkinson Road, Canoona. This action is complete.
29.	20/08/19	Drink Container Recycling at Community Events	That Council resolve to purchase ten (10) of each style of bin lid at a cost of \$1,317 and the hire scheme be managed by Council's Engagement & Events team as a trial.	Manager Water and Waste Operations	30/09/19	05 Sep 2019 - 1:51 PM – EA Executive Director Infrastructure Action reassigned to Manager Water and Waste Operations.

30.	20/08/19	Annual Review of Council Powers Delegated to the Chief Executive Officer	1. THAT as per section 257 of the <i>Local Government Act 2009</i>, Council resolves to delegate to the Chief Executive Officer, the exercise of powers as itemised in Attachment 1 and limited by the scope contained within Attachment 2; and 2. THAT Council resolves to delegate the Chief Executive Officer the Financial Delegations as contained in Attachment 3.	Corporate Compliance and Grants Officer	30/09/19	
31.	20/08/19	Contracting Exceptions - Sole Supplier Report	THAT in accordance with Section 235 (a) and (b) of the <i>Local Government Regulation 2012</i> , that Council resolve that for the services and suppliers listed in the report, that there is only one (1) supplier reasonably available to Livingstone Shire Council.	Quality Assurance and Compliance Officer	30/09/19	
32.	20/08/19	Councillor Belot - Request for Change to Meeting Procedures Policy and Briefing Session Policy	THAT the following request put forward by Councillor Belot be considered: That Council change the Meeting Procedures Policy and Councillor Briefing Session Policy to reflect the following, aimed at fostering greater community engagement, transparency and accountability: 1. Briefing Session 'Table of Contents' set by the CEO will be displayed on the Council Portal for public interest in accordance with the <i>Information Privacy Act (2009)</i>. 2. Urgent Business to be dealt with prior to Confidential business on the Ordinary Meeting Agenda in order to better accommodate members of the public and media.	Chief Financial Officer	30/09/19	06 Sep 2019 - 1:52 PM - Coordinator Executive Support & EA to the CEO Agenda sections have been updated for Urgent Business to appear prior to closed sessions.
33.	20/08/19	Internal Audit Plan 2019-20 to 2022-23	That Council approve the Internal Audit Plan 2019 – 2020.	Internal Auditor	30/09/19	

34.	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	30/09/19	
35.	20/08/19	Amenities Charges	THAT Council resolve to continue the arrangements as resolved at the Council meeting on 15 August 2017 until such time as new public facilities are available in the vicinity, with a bi-annual review of these arrangements.	Chief Financial Officer	30/09/19	
36.	03/09/19	Development Application for a Development Permit for Reconfiguring a Lot (two lots into six lots) at 535 Bungundarra Road and Lot 100 Bungundarra Road, Bungundarra	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 a site visit with Councillors; to return to the Council Meeting being held on 17 September 2019.	Senior Planning Officer	30/09/19	
37.	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	30/09/19	

7.2 LIFTING MATTERS LAYING ON THE TABLE

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

SUMMARY

This report is being presented to Council in order for the stated matter 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 3 September 2019, be lifted from the table to be dealt with later in the meeting:

- Development Application for a Development Permit for Reconfiguring a Lot (two lots into six lots) at 535 Bungundarra Road and Lot 100 Bungundarra Road, Bungundarra

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

Nil

9 MAYORAL MINUTE

Nil

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE REPORTS

11.1 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING 28 AUGUST 2019

File No: CM4.2.1
Attachments: Nil
Responsible Officer: Rodney Chapman - Coordinator Governance
Andrea Ellis - Chief Financial Officer
Author: Tanya Callaghan - Support Services Officer

SUMMARY

The Audit, Risk and Business Improvement Committee conducted its last meeting as a “flying minute” or “vote outside committee”. This was done with consideration of the planned agenda items and the unforeseen unavailability of both Councillor members of the Committee. This meeting was deemed to have been held on 28 August 2019. This report provides the recommendations from the Committee for consideration and adoption by Council.

OFFICER’S RECOMMENDATION

THAT the unconfirmed minutes of the Audit, Risk and Business Improvement Committee held on 28 August 2019, be received and the following recommendations contained within those minutes be adopted.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

THAT the minutes of the Audit, Risk and Business Improvement Committee held on 24 June, 2019 be taken as read and adopted as a correct record.

7.2 DRAFT CONTENT FOR THE 2019 ANNUAL REPORT – ARABIC

THAT the Audit, Risk and Business Improvement Committee receive this report containing proposed content for the Annual Report on the Committee.

7.5 2018-19 UNAUDITED GENERAL PURPOSE FINANCIAL STATEMENTS

THAT the Audit, Risk and Business Improvement Committee receive the unaudited 2018-19 Financial Statements as presented and endorses that the statements are to be given to the Auditor-General under section 212 of the Local Government Regulation 2012.

7.8 DRAFT CONTENT FOR THE ANNUAL REPORT RE INTERNAL AUDIT

THAT the Committee receive this draft of the content noting a final version will be presented at the next meeting if required.

BACKGROUND

The Audit, Risk and Business Improvement Committee (ARaBIC) operates in accordance with the ARaBIC Policy and ARaBIC Terms of Reference.

COMMENTARY

The procedure for conduct of the meeting was as follows:

1. All members were sent the meeting papers in the standard format. Members were also sent an endorsement sheet to complete and return providing their response to each recommendation. This was done on August 26.
 2. The endorsement sheets were to be returned by COB on Wednesday, August 28. It is at this time that the meeting is deemed to have occurred.
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3. The minute's record the members who did and did not provide a response. The responses received were unanimous in their support of each of the recommendations.

PREVIOUS DECISIONS

Not applicable, each report on a Committee meeting is considered separately from previous reports.

BUDGET IMPLICATIONS

There are no budget implications as a result of the Committee meeting.

LEGISLATIVE CONTEXT

Section 105 of the Local Government Act 2009 requires Council to establish an Audit Committee. Section 211 of the Local Government Regulations 2012 requires this report to be presented to Council following each meeting of the Committee.

LEGAL IMPLICATIONS

There are no legal implications arising from the operation of the Committee.

STAFFING IMPLICATIONS

There are no staffing implications as a result of the Committee meeting.

RISK ASSESSMENT

The Audit, Risk and Business Improvement Committee is a key part of the governance structures established by Council that help ensure there is effective ongoing risk management. No specific risks have been identified in relation to the operation of the Committee or these minutes

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: **Strategy GO3: Pursue financial sustainability through effective use of the Council's resources and assets and prudent management of risk.**

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

CONCLUSION

Council is demonstrating strong governance responsibilities by enabling independent oversight of the: management of risk; compliance with legislation and standards; internal audit function; and external audit and reporting requirements.

12 REPORTS

12.1 DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (TWO LOTS INTO SIX LOTS) AT 535 BUNGUNDARRA ROAD AND LOT 100 BUNGUNDARRA ROAD, BUNGUNDARRA

File No: D-29-2019

Attachments:

1. Attachment 1 - Locality Plan [↓](#)
2. Attachment 2 - Proposal Plan [↓](#)
3. Attachment 3 - Council Meeting Resolution for Development Permit D-17-2017 [↓](#)

Responsible Officer: Maddie Ward - Co-ordinator Development Assessment
David Battese - Manager Liveability

Author: Jenna Davies - Principal Planning Officer

SUMMARY

This matter was presented to the Council meeting held on 3 September 2019 and it was resolved that the matter was to 'lay on the table' pending Councillors attending a site inspection. The matter is now presented to Council to be dealt with.

<i>Applicant:</i>	<i>C. & M. Roebuck</i>
<i>Consultant:</i>	<i>Capricorn Survey Group (CQ) Pty Ltd</i>
<i>Real Property Address:</i>	<i>Lot 1 on SP289213 and Lot 100 on SP280113</i>
<i>Common Property Address:</i>	<i>535 Bungundarra Road and Lot 100 Bungundarra Road, Bungundarra</i>
<i>Area of Site:</i>	<i>291 hectares combined (approximately)</i>
<i>Planning Scheme:</i>	<i>Livingstone Shire Planning Scheme 2005 (reprint 7, in force 10 July 2017)</i>
<i>Planning Scheme Zone:</i>	<i>Rural Zone</i>
<i>Planning Scheme Overlays:</i>	<i>Overlay Map O2 Steep Land Overlay Map O2 Drainage Problem Area Overlay Map O3 Wetlands and Wetlands 100 metre buffer Overlay Map O3 Waterways and Waterways 100 metre buffer Overlay Map O5 Bushfire Hazard Overlay Map O9 Special Management Area – Precinct B</i>
<i>Planning Scheme Maps:</i>	<i>PSM2A Agricultural Land Classification – Shire Balance PSM10 Locally Significant Vegetation</i>
<i>Existing Development:</i>	<i>Dwelling house and Kennels (not approved)</i>
<i>Level of Assessment:</i>	<i>Code assessable</i>
<i>Submissions:</i>	<i>Not applicable</i>
<i>Referral matters:</i>	<i>Infrastructure – Clearing native vegetation</i>

(10.3.4.2.1)

*Infrastructure Charge Area:**Outside the Priority Infrastructure Area**Application progress:*

Application received:	12 February 2019
Development control unit meeting:	13 February 2019
Application properly made:	19 February 2019
Confirmation notice issued:	26 February 2019
Extension of time agreed to (referral period):	5 March 2019
Application referred to State agency:	8 March 2019
Information request issued:	12 March 2019
State agency response:	8 April 2019
Information request response received:	30 May 2019
Further advice issued:	2 July 2019
Extension of time agreed to:	5 July 2019
Further advice response received:	26 July 2019
Council meeting date:	3 September 2019
Statutory determination date:	6 September 2019

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (two lots into six lots), made by C. & M. Roebuck, over Lot 1 on SP289213 and Lot 100 on SP280113, and located at 535 Bungundarra Road and Lot 100 Bungundarra Road, Bungundarra, Council resolves to Refuse the application given the following reasons:

- 1.0 The proposal fails to satisfy the purpose of the Rural Zone Code under the *Livingstone Shire Planning Scheme 2005* as the proposal will result in;
 - (i) the creation of lots that are not designed and developed to achieve the protection of large tracts of bushland having significant local environmental value and do not have suitable sizes and dimensions commensurate with the natural features, hazards and agricultural land classes exhibited by the site.
 - (ii) Potential land use conflicts with nearby productive agricultural uses, resulting from the location of non-rural activities on rural land through the provision of a Dwelling house on each lot (indicated by the Building Location Envelope).
 - (iii) the creation of lots unsuitable for rural purposes to occur, with consideration given to natural hazards and removal of Locally Significant Vegetation. Rural purposes would be subject to the desire of the future landowner and subject to assessment by the Department of Natural Resources, Mines and Energy for a relevant purpose determination prior to clearing as agriculture is not listed as a relevant purpose under section 22A of the *Vegetation Management Act 1999*.
- 2.0 The proposal fails to satisfy the purpose of the Clearing Code under the *Livingstone Shire Planning Scheme 2005* as the proposal will result in:
 - (i) Clearing of large portions of locally significant vegetation for building location envelopes, property boundaries, bushfire mitigation and access tracks, which will significantly and irreversibly impact the visual integrity and ecological features and processes that underpin the biodiversity of site the locality in general.

- 3.0 The proposal fails to satisfy the purpose of the Natural Features Code in relation to Bushfire Hazard Special Management Area under the *Livingstone Shire Planning Scheme 2005* as the proposal will result in:
- (i) Locating building location envelopes in very high hazard areas with Bushfire Attack Levels up to Flame Zone resulting in significant impost upon future landholders to implement and maintain vegetation clearing and building design measures to mitigate the risk to a tolerable level and reduce the Bushfire Attack Level to BAL-29 or less.
 - (ii) Significant building protection zones, of thirty-five (35) metres, are proposed outside of the large Building Location Envelopes, which will result in additional clearing to occur to achieve suitable and safe Bushfire Attack Levels for future buildings.
- 4.0 The proposal fails to satisfy the purpose of the Capricorn Coast Landscape Special Management Area Code under the *Livingstone Shire Planning Scheme 2005* as the proposal will result in:
- (i) Diminished landscape values in terms of physical changes to the natural environment and significant visual detracting as a result of the necessary clearing for bushfire mitigation. In addition, the proposal does not provide for the protection of vegetation located outside the building location envelopes or along proposed property boundaries.
- 5.0 On balance, the application should be refused because the development does not comply with the purpose of above aspects of the assessment benchmarks and compliance is unable to be achieved through reasonable and relevant conditions.

BACKGROUND

A request to accept, assess and decide a Superseded Planning Scheme application under the *Livingstone Shire Planning Scheme 2005* (reprint 7) was received on 27 November 2018. The request was made on the presumption that the refusal grounds for Development Permit D-17-2017 were weighted heavily by the Coty principle and 2018 scheme provisions, despite being made under the *Livingstone Shire Planning Scheme 2005*. Council agreed to the request on 6 February 2019 (reference D-266-2018) and issued the requisite notice on 8 February 2019.

COMMENTARY

The proposed subdivision is for the creation of six (6) allotments of the following sizes, road frontages and Building Location Envelopes;

Lot no.	Size area (hectares)	Road frontage and access length	Building Location Envelope size
1	160.4	Fifty five (55) metres frontage and accessed via an access handle of approximately 524.79 metres	Nil
2	35.83	508 metre long easement from Bungundarra Road	8,000 square metres
3	25.1	218 metres frontage to Madges Road	1 hectare
4	25.1	101 metres frontage to Madges Road	8,000 square metres
5	15.76	671 metres frontage to Bungundarra Road	6,400 square metres

6	30.06	233 metre long easement from Bungundarra Road	6,400 square metres
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Proposed Lot 1 is the largest allotment and is over the centre of the development. It will have frontage via an access handle with a width of approximately fifty-five (55) metres to Bungundarra Road. Part of this lot will contain the existing vegetation Covenant B on SP289213 and part of the covenant will be over proposed Lot 6, with no change to the area of the covenant.

Proposed Lots 3 and 4 have frontage to Madges Road. Proposed Lot 2 has access via a proposed access easement (with a width of approximately fifty one (51) metres) to Bungundarra Road. Proposed Lot 6 also has access via an easement (shared with proposed Lot 1) to Bungundarra Road.

Two stages have been proposed as follows:

- Stage One: Lots 1, 2, 3 and 4
- Stage two: Lots 5 and 6

Change to the application

In response to the Information Request, the building location envelope for proposed Lot 2 was relocated to be outside of the Steep land overlay. The building envelope was reduced from a 100 metre by 100 metre envelope to a 100 metre by eighty (80) metre envelope.

SITE AND LOCALITY

The subject site is over two allotments. Lot 100 is currently vacant and 535 Bungundarra Road currently contain a Dwelling house and Animal Keeping (Dog Kennels). The site is significantly constrained by a number of environmental features including locally significant vegetation (Planning Scheme Map 10) and state significant vegetation (as per State Planning Policy Mapping). A 41.64 hectare portion of 535 Bungundarra Road is contained within a vegetation protection covenant, registered on the title. Parts of the subject site are mapped as containing Locally Significant Vegetation under the *Livingstone Shire Planning Scheme 2005*. Specifically, the local environmental values on the site are:

- old growth forest and woodland; and
- potential habitat for *Cycas ophiolitica*, potential koala habitat, glider habitat and climate change refugia.

The Locally Significant Vegetation and natural bushland over the site, provides an ecological function by connectivity for fauna, running from the south east to the north west through the subject site and linking other significant vegetation communities over a large tract of land.

The topography of the site is characterised by several hills and gullies and is traversed by a waterway which aligns to the current shared property boundary and is located at approximately twenty-five (25) metres Australian Height Datum. The highest point on the land is located within proposed lot 2 at approximately 145 metres Australian Height Datum. The site exhibits topography in excess of fifteen (15) per cent in terms of steep land hazards.

The locality is characterised by a range of rural allotment sizes with a mix of agricultural uses including a number of large pineapple plantations approximately three (3) kilometres to the west. Lot sizes vary greatly within the locality as Bungundarra Road forms the boundary between the Capricorn Coast Agricultural Area and the balance of the Shire.

Related permits (approvals or refusals) and approvals on adjoining properties

Lot number	Development approval no.	Lawful use
Lot 1 on SP289213	D-44-2010	Reconfiguring a Lot (one lot into three lots)

535 Bungundarra Road (subject site)	D-52-2015	Reconfiguring a Lot (one lot into three lots) - completed
	D-17-2017	Reconfiguring a Lot (two lots into four lots) – refused – court appeal process
	D-266-2018	Superseded Planning Scheme request for Reconfiguring a Lot (two lots into six lots and access easement)
Lot 100 on SP280815 Lot 100 Bungundarra Road, Bungundarra (subject site)	D-396-2011	This lot was created as a balance lot by way of the Reconfiguring a Lot (Two lots into seven lots) approved 1 May 2012
	D-219-2017	Boundary Realignment (two lots into two lots) approved 29 March 2018
	D-17-2017	Reconfiguring a Lot (two lots into four lots) – refused – court appeal process
	D-266-2018	Superseded Planning Scheme request for Reconfiguring a Lot (two lots into six lots and access easement)
Lot 2 on SP280812 775 Bungundarra Road, Bungundarra (to the north)	D-Y/2007-519	Reconfiguring a Lot (one lot into six lots) approved 16 December 2008
	D-156-2011	Reconfiguring a Lot (three lots into four lots) approved 30 June 2011
	D-107-2015	Boundary Realignment (Two lots into two lots) approved 30 June 2015
Lot 7 on SP256817 Lot 7 Bungundarra Road Lot 8 on SP256817 709 Bungundarra Road (to the north) Lot 9 on SP256817 Lot 9 Bungundarra Road (to the north) Lot 10 on SP280815 665 Bungundarra Road (to the north)	D-396-2011	Reconfiguring a Lot (Two lots into seven lots) approved 1 May 2012 creating the allotment
	D-302-2012	Operational works for Access works
Lot 1 on LIV40730 (to the north east)	No records	
Lot 1 on SP289213 535 Bungundarra Road (to the east)	D-52-2015	Reconfiguring a Lot (One lot into three lots)

Lot 2028 on LIV40730 249 Madges Road, Bungundarra (to the south)	No records
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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 instrument/s for the development and having regard to the *Central Queensland Regional Plan*, 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
Rural Zone Code Natural Features Code Capricorn Coast Landscape Code Clearing Code	<i>Livingstone Planning Scheme 2005</i> , reprint 7 as in force 10 July 2017
Chapter 4 – Regional outcomes and policies	<i>Central Queensland Regional Plan</i> , October 2013
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 assessment

Infrastructure Operations Unit – 20 June 2019

Support, subject to conditions.

Natural Resource Management – 28 June 2019 (email)

Recommend refusal based on reasons related to ecology, clearing of Locally Significant Vegetation and Bushfire Hazard.

Growth Management – 28 June 2019 (email)

Recommend refusal based on reasons related to non-compliance with the *Livingstone Shire Planning Scheme 2005* (reprint 7) as the lot sizes of proposed Lots 2 to 6 are not able to meet the Purpose and Overall Outcomes of the Rural Zone in relation to natural features. **Information request**

An information request was issued by Council on 12 March 2019 which included (but was not limited to) the following;

- Grounds to support the proposal in accordance with section 60(2)(b) of the *Planning Act 2016*.
- An assessment against the Desired Environmental Outcomes of the *Livingstone Shire Planning Scheme 2005*.
- An Agricultural land study prepared by a suitably qualified professional which demonstrates compliance with Specific Outcome O4 of the Rural Zone Code which states; “*Reconfigured lots are designed and developed:*
 - o *with sufficient area and suitable proportions for preferred or consistent uses;*
 - o *with adequate frontage for safe and convenient vehicular and pedestrian access;*
 - o *with suitable areas within each lot for the location of relevant activities and works;*
 - o *in a manner that does not expose people and works to unacceptable risks from flooding or other hazards; and*
 - o *with lots having sizes and dimensions commensurate with the characteristics of the site having regard to surrounding land use, natural features, hazards, infrastructure availability and agricultural land class, in accordance with Table S1.*
- Further details as to how the proposal will not result in land use conflicts in accordance with Overall Outcome (iv) of the Rural Zone Code which states; “*Agriculture, including both extensive and intensive activities is protected from land use conflicts resulting from the location of non-rural activities on rural land*”.
- A site specific Ecological Assessment Report, prepared by a suitably qualified professional which clearly demonstrates that the proposal will not adversely impact upon the environmental values of the site, in accordance with Overall Outcome (v) of the Rural Zone Code which states; “*Large tracts of bushland identified as having significant environmental value are protected from development*”.
- A geotechnical report to support the proposed Lot layout which clearly demonstrates the site is suitable for construction given the slope and soil classification.
- Justification of the proposal against the Purpose of the Capricorn Coast Landscape Special Management Area Code.
- A Bushfire Hazard Assessment and Bushfire Management Plan prepared by a suitably qualified professional in accordance with the *Australian Standard AS3959 – Construction of buildings in bushfire-prone areas*. The assessment must have regard to all proposed lots and Building Location Envelopes and determine an appropriate Bushfire Attack Level (BAL) as well as specific bushfire hazard mitigation measures including firebreaks, building setbacks, and alternative access/egress points.

Further advice

Council issued further advice to the applicant on 2 July 2019 pertaining to:

- Fragmentation of Rural Land;
- Bushfire Hazard;
- Ecology;
- Capricorn Coast Landscape Area; and
- Building Location Envelopes.

The applicant responded to the further advice on 26 July 2019 by providing an amended bushfire hazard assessment and bushfire management plan to address individual building location envelopes, an amended ecology report to address local values, a supporting agricultural report statement and an amended plan illustrating the setbacks from boundaries of the proposed building location envelopes. The response to the further advice did not reduce the number of lots proposed and did not address the non-compliance with the minimum lot size for Class C2 land or further justify the proposal against the Purpose and Overall Outcomes for the Rural Zone.

State Planning Policy – July 2017

Part E of the State Planning Policy provides for interim development assessment benchmarks for local government until such time as the State Planning Policy is reflected within the planning scheme. The state interests identified are listed below.

Housing supply and diversity: The development is proposed in a Rural Zone. It is not for the provision of residential land.

Liveable Communities: Not applicable as the proposal does not involve buildings either attached or detached.

Agriculture: Part of the subject site (Lot 100 on SP280113) is identified as Agricultural Land Classification (ALC) Class A and Class B land. This is over an area already cleared of native vegetation and will be contained to the west of proposed Lots 3 and 4. The area is less than 2,000 square metres and will be fragmented by the proposed dividing boundary. The balance of the land is not mapped as Class A and Class B, and does not present itself, due to the topography and native bushland, for agricultural pursuits.

The proposal will create more lots in the locality, potentially impacting on existing intensive agriculture land uses on properties surrounding the site. The proposal will increase traffic movements, provide the ability to develop a Dwelling house on each lot and may affect the operation of existing agricultural activities.

The provision of additional sensitive land uses, or land uses which present biosecurity risks for agriculture, is likely to cause potential for conflict between existing properties and the proposed new properties. Adequate separation area has not been demonstrated in the application as to suitable areas for rural activities, surrounding uses and proposed building location envelopes.

Development and construction: Not applicable as the development is rural in nature.

Economic Growth – Mining and extractive resource: Not applicable as the sites are not a Key Resource Area; nor are the roads Key Transport Routes.

Tourism: There is no state endorsed tourism studies or plans for the area; nor is tourism proposed as part of the development.

Biodiversity: Under the State Planning Policy Mapping, the sites contain Matters of State Environmental Significance including regulated vegetation – category R, wetland and intersecting a watercourse.

Proposed Lot 1 will wholly contain the regulated vegetation – intersecting a watercourse which follows Daly Creek. Daly Creek will be predominately contained within proposed Lot 1. There is a tributary that runs through proposed Lot 5 and will be traversed in a new area

The Category R vegetation is towards the south-west along Daly Creek and predominately on the adjoining property (Lot 202 on LIV40730). The existing boundaries will not change as part of this application where they currently traverse the Category R vegetation.

The wetland is towards the south-west of the Lot 1 on SP289213 and will remain within proposed Lot 1. No new boundaries are proposed through the wetland area.

Coastal Environment: The site is not a coastal location (identified as Precinct A) despite the proposal will involving the fragmentation of scenic amenity and aesthetic values of important

natural landscapes, views and vistas, as identified under the planning scheme as the Capricorn Coast Landscape Area (Precinct B).

Cultural heritage: The site does not contain known cultural heritage values as mapped under the planning scheme. Advisory notes are included on all decision notices advising about matters of Aboriginal cultural heritage and Torres Strait Islander cultural 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 and Flood hazard area (Local Government flood mapping area).

Erosion prone areas within a coastal management district:	
Development does not occur in an erosion prone area within a coastal management district unless the development cannot feasibly be located elsewhere and is: (a) coastal-dependent development; or (b) temporary, readily relocatable or able to be abandoned development; or (c) essential community infrastructure; or (d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned.	Not applicable The site is not in an erosion prone area.
Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level.	Not applicable
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.	Does not comply The site is sporadically mapped as drainage problem area, which identifies lower lying land. The proposed building location envelopes are outside of the mapped drainage problem areas. The proposal involves Bushfire prone land. The proposed building location envelopes are mapped in areas of mapped, very high, high and medium potential bushfire intensity, and the potential impact buffer. A Bushfire Hazard Assessment and Bushfire Management Plan have been submitted with the application but Council is not satisfied that the reports demonstrate the bushfire risk can be mitigated to an acceptable or tolerable level without extensive clearing of significant vegetation. There is not considered sufficient justification demonstrating the proposed lots are suitable for future rural uses and an ancillary dwelling house, without requiring significant clearing and works to suitably locate uses.
All natural hazard areas:	

Development supports and does not hinder disaster management response or recovery capacity and capabilities.	Does not comply The development will not support disaster management capacity or capabilities as it is creating additional allotments, with the potential for a Dwelling house to be constructed on each lot, in very high, high and medium potential bushfire intensity areas. Further, not all allotments have direct frontage to a road and are accessible via easements in excess of 200 metres in length. The alternative access route for proposed Lot 2 is via an adjoining properties (proposed Lots 1 and 3) and Madges Road is a lower order rural access road.
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.	Does not comply The development does not avoid the bushfire hazard areas and places building envelopes (for the future development of Dwelling houses) in areas of hazard.
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.	Complies in part 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.
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.	Does not comply Clearing of vegetation is proposed to mitigate bushfire risk in accordance with the bushfire hazard assessment and management plan. Further, the bushfire hazard assessment identifies that if possible, development should rely on 'cut-in benches' rather than fill that will likely cause a development site to extrude towards a down-slope hazard source.

Energy and water supply – There is no major electricity infrastructure through the property.

Infrastructure Integration – There is no significant infrastructure planned for this subject site such as trunk infrastructure, new roads, water, sewer or stormwater.

Transport infrastructure – There is no transport infrastructure or corridors proposed.

Strategic airports and aviation facilities – There is no airports or aviation facilities in the development area.

Strategic ports – There are no strategic ports in the development area.

Central Queensland Regional Plan

The Central Queensland Regional Plan commenced in October 2013 and is not appropriately reflected within the *Livingstone Shire Planning Scheme 2005*. The regional plan aims to provide policy direction for decision making for the co-existence of extractive/mining industry, agriculture and priority living areas. In this regard, the four regional policies are not applicable to this application as it is not for an extractive/mining or agricultural land use and is not within proximity to an identified Priority Living Area (the closest being the locality of Yeppoon and surrounds). The regional plan does not provide any assessment benchmarks for reconfiguring a lot.

Other State or Commonwealth Legislation

Vegetation Management Act 1999

On 9 May 2018, the *Vegetation Management Act 1999* was amended to remove clearing of native vegetation for cropping (high value agriculture) and irrigation (high value irrigated agriculture) as a relevant purpose under section 22A. This now makes both activities prohibited under the *Planning Act 2016* and *Planning Regulation 2017*. Specifically, under Schedule 10, Part 3, Division 1, section 4 of the *Planning Regulation 2017*, clearing of vegetation that is not for a relevant purpose under section 22A is now listed as prohibited development without a relevant purpose determination being assessed and issued by the Department of Natural Resources, Mines and Energy prior to a Material Change of Use or Operational Works application being lodged.

Nature Conservation Act 1992

The site is within a mapped high-risk area for protected plants under the *Nature Conservation Act 1992*. The flora survey (as part of the Ecological Assessment Report part 2.1) did not identify endangered, vulnerable or near threatened protected plants.

Environmental Protection and Biodiversity Conservation Act 1999

The site inspection conducted as part of the flora survey (as part of the Ecological Assessment Report part 2.1) did not identify threatened species listed under the *Environmental Protection and Biodiversity Conservation Act 1999*.

Livingstone Shire Planning Scheme 2005

Planning Scheme Shire Wide Outcomes The Shire Wide Desired Environmental Outcomes, as identified by section 2.2 of the *Livingstone Planning Scheme 2005*, are not called up as an assessment benchmark for this assessment given the proposal is Code Assessable.

Rural Zone Outcomes

The Overall Outcomes applicable to the Rural Zone are set out at section 3.5 of the scheme as follows:

- (a) *The purpose of the Rural Zone Code is the achievement of the overall outcomes sought for the Rural zone.*
- (b) *The overall outcomes sought for the Rural Zone are:*
 - (i) *Preferred land use:*
 - (A) *is any rural purpose (as defined in the planning scheme).*
 - (ii) *Land use (other than preferred land use) occurs only if:*
 - (A) *it is a recreational or community facility that is more appropriately located in the rural area; and*
 - (B) *is one of the following:*
 - a. *a local utility; or*
 - b. *a major utility; or*
 - c. *outdoor recreation; or*
 - d. *telecommunications facility (medium impact); or*
 - (C) *it is a land use which:*
 - a. *is compatible with surrounding rural purposes by being of similar scale, intensity and character; and*
 - b. *supports a rural purpose; and*
 - c. *does not adversely affect the amenity of the locality; and*
 - is one of the following:*
 - i. *a residential purpose being a dwelling house, home based business, or host farm; or*

- ii. *an arts and craft centre; or*
 - iii. *an extractive industry; or*
 - iv. *a garden centre; or*
 - v. *landscape supplies.*
- (iii) *Land used for rural activities such as grazing, agriculture and horticulture is protected from development, which would significantly infringe on the landscape setting and rural amenity of the Shire.*
- (iv) *Land with productive capacity is preserved for a range of existing and emerging agricultural activities significant to the economy of the Shire.*
- (v) *Large tracts of bushland identified as having significant environmental value are protected from development.*
- (vi) *Agriculture, including both extensive and intensive activities is protected from land use conflicts resulting from the location of non-rural activities on rural land.*
- (vii) *Uses and works are located and designed to maximise the efficient use and extension and safe operation of infrastructure.*
- (viii) *Residential purposes are ancillary to the primary rural purposes in the rural area.*
- (ix) *Mineral and extractive resources and transport routes associated with resources are protected from incompatible development.*
- (x) *Buildings and structures that are not associated with rural purposes have heights that are low-rise and not exceeding 12 metres.*
- (xi) *Development is provided with adequate infrastructure and essential services.*

The proposal is for the subdivision of two allotments to create six (6) allotments with provision for a Building Location Envelope to contain a Dwelling house on each lot. Although the future potential use being a Dwelling house on a rural lot may be considered to be a preferred use within the zone, the proposal itself is considered to impede the achievement of the purpose of the zone in terms of the environmental values and potential land use conflict with future users and hence the purpose of the Rural Zone, in particular, the proposal will result in;

- Fragmentation of rural land as a result of exempt clearing (under the *Vegetation Management Act 1997*) of large tracts of bushland through the creation of additional allotments and requisite bushfire breaks for access, building location envelopes and property boundaries identified as having significant local environmental and scenic value; and
- Potential for land use conflicts with nearby productive agricultural uses, resulting from the location of non-rural activities on rural land through the provision of a Dwelling house on each lot (indicated by the Building Location Envelopes). This can only be mitigated through the provision of rural activities on the allotment, which is not proposed at this time however may not be achievable on each allotment due to the land being mapped as regulated vegetation (Category A and B that is a least concern regional ecosystem) under the *Vegetation Management Act 1999* and clearing for cropping (high value agriculture) or irrigation (high value irrigated agriculture) being listed as prohibited as these purposes have been removed from section 22A of the *Vegetation Management Act 1999*. Further, it is at the discretion of future landholders if they wish to undertake a rural activity on the proposed lots. The site constraints in terms of topography would also need to be considered if such a pursuit would be viable.
- An increase in persons and property (through the creation of four (4) additional allotments) at significant risk of bushfire. Although mitigation measures are potentially able to be conditioned, provision of bushfire mitigation through on-site services including firebreaks, water and access will largely be the responsibility of future property owners. This mitigation is not achievable without significant environmental and scenic amenity degradation by way of vegetation clearing.

Rural Zone Code Requirements

The following is an assessment of the proposal against the Rural Zone Code, which includes an assessment of the development against the relevant specific outcomes of the code.

Specific Outcomes		Response
Land Use		
O1	Land use is: (a) a rural purpose (as defined in the planning scheme); or (b) a use which provides recreational or essential community facilities that are more appropriately located in the rural area (as identified in the overall outcomes of this code); or (c) a use (as identified in the overall outcomes of this code) which: (i) is compatible with and supports a use within the rural purpose group; and (ii) is compatible with and does not limit or compromise surrounding rural purposes; and (iii) does not adversely affect the amenity of the locality.	Complies in part The proposal is for the subdivision of land. While not specifically for a land use as it does not involve a Material Change of Use, justification of the lot size for five (5) of the lots has been demonstrated to be suitable to accommodate a rural purpose and ancillary Dwelling house. The application material includes a report assessing the agricultural suitability of each lot. The report identifies that a minimum of five (5) hectares is available on each proposed lot for intensive agricultural pursuits, however, has not considered the impact of rural purposes on ancillary Dwelling houses, surrounding properties, the clearing required to undertake the rural purpose and other hazards and constraints applicable to each proposed lot. As such, it is not considered that the agricultural options report provides a succinct recommendation and justification that all proposed lots could be utilised for preferred rural activities. Specifically, the applicant purports that the proposal to fragment the two existing properties provides smaller land holdings, allowing more people to enter into the agriculture and horticultural field. There is no nexus drawn between the current lots not being viable and that creating more allotments will improve pastures. Further, there is no certainty that a future landholder will undertake a rural purpose or establish a Dwelling house ancillary to the rural purpose to meet the overall outcomes. Significant clearing of the land would be required, in areas also affected by other constraints of the planning scheme, would be required to facilitate an area suitable to undertake a rural purpose and this is in conflict with Overall Outcome (v).
Subdivision Design		
	Reconfigured lots are designed and developed:	Complies in part The proposal is for the creation of six (6) lots

Specific Outcomes	Response
• with sufficient area and suitable proportions for preferred or consistent uses; • with adequate frontage for safe and convenient vehicular and pedestrian access; • with suitable areas within each lot for the location of relevant activities and works; • in a manner that does not expose people and works to unacceptable risks from flooding or other hazards; and • with lots having sizes and dimensions commensurate with the characteristics of the site having regard to surrounding land use, natural features, hazards, infrastructure availability and agricultural land class, in accordance with Table S1 below.	with five (5) of the lots less than the 150-hectare lot size sought by Table S1. The proposed lots may be able to cater for a single dwelling and the supporting subdivision report (prepared by Grazing Best Practice) indicates small scale cropping production may occur on the future lots; despite not illustrating where on the proposed lots rural pursuits could occur. The limited rural potential for the lots, combined with the clearing of large tracts of bushland, compromises the outcomes sought for the zone and the underlying rationale, being to avoid potential land use conflicts between non-rural uses and large agricultural operations to the west of the property. Further it conflicts with protecting large tracts of bushland being protected from development. In terms of the creation of lots in a bushfire hazard area, the risk is able to be mitigated through the provision of bushfire breaks. This includes Building Location Envelopes, extensive clearing of these envelopes, and clearing surrounding these envelopes, access tracks and building construction to be in accordance with the relevant Australian Standards however these measures will remain largely the responsibility of the future owners and have not been demonstrated to be achievable through the application material. Proposed Lots 1, 2 and 6 also do not have direct frontage to a road and are accessed via access easements. The easements vary in length from 230 metres and greater, which also poses a risk to people in a bushfire event for access through alternative routes.
Built Form	
O3 Uses and works are located, designed and operated to minimise adverse impacts on: • existing environmental conditions relating to air, water and soil, • the amenity of adjacent properties and public spaces, • visual quality of landscapes in terms of: • reducing ribbon development and sprawl, • loss of green break separations,	Does not comply The subject site will result in the clearing of significant local vegetation in order to provide Building Location Envelopes, fire breaks along property boundaries and internal access tracks. This clearing will be visible to surrounding properties given the topography of the land is considered to impact upon the visual quality of the landscape and the amenity of surrounding properties. Further, the fragmentation of the land will impact the existing green break separation between the Bungundarra community and the nearby productive agricultural land.

Specific Outcomes		Response
	- obstructing significant local and distant views of prominent natural features and landmarks, and - the health and safety of people using the premises and adjacent premises.	The health and safety of people using the adjacent properties may be impacted upon as the creation of additional lots, with the potential to be developed with Dwelling houses, will place additional pressure on existing rural pursuits. It will also put additional traffic along Madges Road and Bungundarra Road.
O4	Buildings and structures are: - a height that is low-rise and not exceeding 12 metres if they are not associated with rural purposes; - constructed of materials and finishes compatible with other development in the area; - integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, and outlook; and - designed to screen materials stored outside buildings when viewed from adjacent premises and public spaces.	Not applicable The proposal does not provide details of any buildings and structures at this stage. The proposed building location envelopes are considered to have adequate size and dimension to cater for a future Dwelling house and ancillary structures normally associated with a rural property. It should be noted that all future Dwelling houses are required to obtain a Development Permit for a Material Change of Use for a Dwelling house given the Overlays listed on the site. In this regard, it would be the responsibility of future owners to ensure compliance.
O5	For a noise sensitive place, activities are laid out and buildings are designed and constructed to mitigate to a level, that does not adversely affect the health and safety of people using premises, the effects of noise from: - Traffic on major roads (including State controlled roads); or - Operations within railway corridors.	Not applicable The subject site is not identified as being a noise sensitive place as it is not within fifty (50) metres of a State controlled road or 100 metres of a State controlled railway corridor.
Cultural Heritage Values		
O6	Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.	Complies The subject site is not identified as containing any significant cultural heritage values pursuant to Schedule 3 of the Planning Scheme.
Flood Immunity		

Specific Outcomes	Response
O7 Development is immune to flood events which result in unacceptable risk to health and safety or unacceptable risk of property damage.	Complies The subject site is traversed by a waterway (Daly Creek) which could reasonably be assumed to be effected by localised creek flooding during a significant event and has scattered areas of mapped drainage problem area. The modelling Council holds for Daly Creek illustrates all building envelopes are outside of the maximum water surface level of Q100 flooding which is at approximately 28.5 metres Australian Height Datum. The extent of the Q100 flooding is contained to proposed Lot 1 and the western side of proposed Lot 5. Further, the proposed Building location envelopes are sited above forty (40) metres Australian Height Datum, well above the waterway at approximately twenty-five (25) metres Australian Height Datum, and are located away from the waterway, significantly limiting any potential impact from flood.
Vehicle Parking and Movement	
O8 Development is provided with an on-site parking and movement system designed and constructed to: • be integrated with the site layout including: - o direct access to a road providing a level of service required to accommodate traffic generated by the use; and - o appropriately designed footpath crossovers; and - o provision for safe pedestrian movement between public footpath and facility entry points; and - o manoeuvring within the site/loading/unloading; and • accommodate all modes of transport (including motor vehicles and bicycles) generated by the use; and • facilitate non-discriminatory accessibility; and • provide for safe and efficient loading and unloading of goods and safe manoeuvring of vehicles; and	Complies Proposed Lots 1 (and subsequently Lots 5 and 6) and 2 are proposed to access from Bungundarra Road with the access locations already approved as part of an unrelated access works permits. Access to proposed Lots 3 and 4 is proposed to be from Madges Road. Council engineers confirm that Madges Road is currently a gravel seal and is a Rural Access road. It can accommodate the proposed two (2) additional lots. New access crossovers will be required to service the subject lots. The proposed building location envelopes are of sufficient size to accommodate future on-site car parking to meet the requirements of Schedule 2.

Specific Outcomes	Response
• allow for vehicle queuing necessary for the use; and • provide for passenger set down/pick up necessary for the use; and • facilitate public access to the foreshore and riparian open space networks.	
Infrastructure	
O9 Water supply, sewerage, drainage, roads, power and communications are provided to meet the appropriate standards of service and construction at least whole-of-life cost, which: • comprise components and materials that are: - o readily accessible and available; and - o robust and reliable in terms of operational life and purpose; and - o easily maintained without unnecessarily requiring specialist expertise or equipment; and • are integrated with the design, construction and operation of existing systems and facilitate orderly provision of future systems; and • meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme; and • are constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.	Complies in part The subject site does not have access to reticulated water or sewer. An on-site water supply for domestic purposes would be required and also a supply for firefighting purposes would be required. For firefighting purposes, a minimum of 25,000 litres is required for each allotment. Onsite sewerage treatment and disposal would also be required, subject to a Development Permit for Plumbing and Drainage Works, from which no contaminated runoff to be discharged to Daly Creek. In terms of water supply and on-site sewerage treatment, this is provided at the time future development occurs. Electricity and telecommunications would be required to the standard of service nominated by the electricity supply authority and can be conditioned. All lots also require vehicular access to a road and must meet the <i>Capricorn Municipal Development Guidelines</i>.

As evident from the above assessment, the proposal does not comply with the Specific Outcomes and the underlying rationale for subdivision design and character and amenity which further undermine the ability of the proposal to achieve the Overall Outcomes and Purpose sought for the Rural Zone.

Special Management Areas Codes

The subject site is affected by the Capricorn Coast Landscape overlay (precinct B) and five (5) of the elements within the Natural Features Code:

- Bushfire Hazard (Overlay Map O5);
- Drainage problem (Overlay Map O2);
- Steep Land (Overlay Map O2);

- Wetland (Overlay Map O3); and
- Waterway (Overlay Map O3).

Natural Features Code

- (a) *The purpose of the Natural Features Code is the achievement of the overall outcomes sought for the special management areas shown on Overlay Maps O1 to O8 as identified in this code.*
- (b) *The overall outcomes sought for the special management areas shown on Overlay Maps O1 to O8 as identified in this code are:*
- (i) *that development is managed to protect the significant values of the various natural features and resources in terms of:*
 - (A) *physical change;*
 - (B) *damage or removal;*
 - (C) *accessibility; or*
 - (D) *visual detracting;*
 - (ii) *development avoids or minimises, within acceptable levels, risk to the natural or built environment or human health or safety; and*
 - (iii) *development does not adversely impact the safety and operational integrity of operational airspace associated with the Rockhampton Airport.*

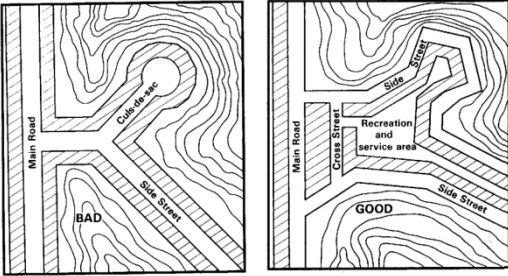
The proposed development will cause physical change to the landscape in terms of removal of vegetation and will cause a visual detracting to the visual amenity. The risk of bushfire hazard has not been sufficiently addressed due to the location of proposed building location envelopes.

The following is an assessment of the proposal against the above elements of the Natural Features Code, which includes an assessment of the development against the relevant specific outcomes.

Specific Outcomes		Response
Bushfire Hazard Special Management Area		
O5	Public safety, lives and property are not placed at unacceptable levels of risk.	Complies in part The Bushfire Hazard Assessment identified all building location envelopes were of different Bushfire Attack Levels (BAL). The proposed Building Location Envelopes for Lots 2, 3 and 6, without the proposed firebreaks around the envelope, would be in a flame zone. This is not a preferred outcome to locate people and property in the highest level of hazard. Significant clearing would be required to reduce the bushfire attack levels for building. The Bushfire Management Plan recommends that no lower than a BAL 29 could be achieved with a building protection zone with a total distance of thirty five (35) metres from the edge of the building location envelopes. There was an outer zone required if it was a BAL 29 or higher.

Specific Outcomes		Response
		There is no certainty at this stage as to where a future landholder may construct their Dwelling house within the identified building location envelopes. This will require significant vegetation clearing (approximately 4.4 hectares inclusive of the building location envelope area) and building construction techniques to mitigate the risk to a tolerable level. In doing so, the scenic and biodiversity values of the land are significantly diminished. In response to the further advice, the Bushfire Hazard Assessment has provided individual assessments for each of the proposed lots and Building Location Envelopes. The hazardous vegetation is wholly mapped as flame zone, rather than classifiable vegetation and there is no distances (metres) identified in the report to support the BAL score for each building envelope. The envelope on proposed Lot 2 is of concern as it is surrounded by dense vegetation on a steep slope (identified as a downslope of 15-20 degrees) and the access crosses steep land and dense vegetation in the event of an emergency. It is not clear from the report if the ground fuel, fire scarring, weed abundance (and the like) was assessed in the envelopes. Further, the report identifies the entire site as RE 11.11.14 however, the online mapping identifies the site as a mix of regional ecosystems.
O6	The highest intensity of use occurs in those parts of the site which are least bushfire prone and limits the intensity of use elsewhere	Does not comply Proposed Lot 5 is of lowest hazard, occurring in a generally clear area of the site. All other building location envelopes, and predominately the whole site for proposed Lot 6, has part of the site within a Bushfire Attack Level of Flame Zone, which is the highest level of hazard. Significant clearing and building works techniques would need to be undertaken to ensure buildings achieved no greater than a BAL-29. This is not considered a suitable outcome to locate people and property in this high level of hazard. Although, there are mechanisms available to minimise the risk through building provisions and vegetation clearing, these requirements could be negated should the building location envelopes be relocated to

Specific Outcomes		Response
		a less prone area of land with less slope.
O7	Purposes resulting in high concentrations of people on a site (including child care centre, educational establishment, hospital, residential purposes comprising multi-unit long term accommodation and short term accommodation, commercial and industrial purposes) being exposed to unacceptable levels of risk are inconsistent with the outcomes sought for this special management area	Not applicable The proposal does not result in high concentrations of people, being for a rural subdivision for four additional allotments. It does result in a higher number of people in a bushfire prone area, through the additional four (4) lots with the potential for a Dwelling house on each lot, with the reliance on future land holders to ensure bushfire management plans are implemented.
O8	Development is sited and designed to minimise bushfire risk having regard to: aspect, elevation, slope, and vegetation.	Complies in part In relation to Bushfire hazard, the applicant was requested to provide a bushfire hazard assessment and management plan in accordance with the <i>Australian Standard AS3959-2009</i>. This assessment was a desktop assessment to be utilised for the basis of siting a future dwelling house. This report was amended to include specific recommendations to each building location envelope however, the mapping shows the majority of the site as flame zone which usually would be mapped as the classifiable vegetation and setbacks would be determined from the classifiable vegetation. There have been recommendations for each building envelope however, in order to appropriately mitigate the risk to property, significant vegetation clearing is recommended in addition to building standards to be in accordance with the Australian Standard, at the cost of the future land owner. The proposal fails to mitigate risk of the natural hazard whilst maintaining natural processes and protective functions of the site. The necessary clearing for bushfire mitigation will significantly diminish the biodiversity values of the site.
O9	Road layouts facilitate easy and safe movement in the event of encroaching fire and provides for alternative safe access if one direction is blocked in the event of fire (Refer Figure A below).	Not applicable The proposal does not result in any new roads. Despite this, Lots 1, 2, 5 and 6 are all access via access easements. Private roads must meet section 4 of the Bushfire Management Plan.. It has not been demonstrated if all private access driveways can meet these standards including gradients, widths, cleared heights and the

Specific Outcomes	Response
 Figure A	like. Further, proposed lots one and two results in significant potential for entrapment in the event of a fire, both only offering only one point of entry and exit. There is a recommendation that the landholder of Lot 2 can obtain emergency alternative road access through either Lot 1 or Lot 3 and will be noted on title but this is not proposed as part of this application by way of formal easement or identified the standard of the existing tracks.
O10 A sufficient supply of water is available for fire-fighting purposes	Can condition to comply The subject site does not have access to reticulated water. The Bushfire Management Plan recommends water tanks be provided for buildings having a gross floor area greater than fifty (50) square metres. A minimum of capacity of 25,000 litres is required to be provided. As this is for Reconfiguring a Lot, the provision of water will be a requirement of future landholders to provide.
Steep Land Special Management Area	
O11 Buildings and structures are located on a site with natural ground level slopes that do not exceed 15%.	Complies in part All building location envelopes have been located outside the steep land overlay. Access to the building envelope on proposed Lot 2 will traverse the steep land and no details have been provided as to access to the land. There are requirements in the Bushfire Management Plan which private access driveways must comply with.
O12 Public safety, lives and property are not placed at unacceptable levels of risk.	Complies in part Although the proposal does not impact public safety, the risk to lives and property of potential owners is not an acceptable level. The building envelope on proposed Lot 2, despite not being located in the steep land overlay, is not considered acceptable given the access being through steep land areas and combined with other constraints, such as bushfire hazard, it places the future landholder at an unacceptable level of risk.
O13 Development occurs in those parts of the site which are geologically stable and limits the intensity of use	Complies in part The location of proposed lot two is

Specific Outcomes		Response
	elsewhere.	considered to be highly constrained by slopes in excess of fifteen percent. Although the building location envelope is located on a relative plateau and has been located outside the steep land overlay, the ingress and egress will be constrained by steep land.
O14	Buildings and structures are designed, sited and erected to maintain: natural landform; natural drainage patterns; existing vegetation.	Not applicable The proposal does not involve buildings or structures at this stage however it is noted that the development is unable to retain intact tracts of locally significant vegetation due to proposed building location envelopes, bushfire protection zones and proposed new lot boundaries. These areas will traverse steep land areas may affect the natural landform and will involve the removal of natural vegetation which may assist with the stability of the land.
Wetland Special Management Area		
O15	There are no significant adverse effects on identified wetlands in terms of: habitat; water quality; landscape quality.	Complies The wetland runs along Daly Creek. It will be contained with proposed Lot 1 and proposed Lot 1 is of a sufficient area for a future building to locate outside of the wetland area.
Waterway Special Management Area		
O16	There are no significant adverse effects on identified waterways in terms of: (a) habitat; (b) riparian vegetation; (c) water quality; (d) water flow; (e) landscape quality and amenity; and (f) recreational value.	Complies The waterway follows Daly Creek and will predominately be contained within proposed Lot 1. There will be no new boundaries proposed through the waterway being Daly Creek. There is a waterway tributary towards the north that runs east. This will be divided by a proposed new boundary for proposed Lot 5. There is not considered to be a detrimental affect caused to the waterway as a result of the proposed new boundary, and the building envelope on proposed Lot 5 is towards the east. There should be minimal requirement for the future property owner to need to clear the vegetation along the proposed new boundary to the west.
O17	Riparian land is preserved for public use where the land is required for ecological, open space or recreation	Not applicable The proposal involves freehold land and does not require public use or access to

Specific Outcomes		Response
	functions including: (a) public use; (b) access for maintenance; (c) linking core and remnant habitat areas (d) protecting water quality and ecological processes; and (e) other public benefit.	riparian land.
Drainage Problem Special Management Area		
O18	Development levels are set above the design flood level to avoid property damage and, where applicable, ensure public safety.	Complies Areas along Daly Creek is identified as drainage problem area. It could reasonably be assumed to be prone to localised creek flooding during a significant event. As stated in the report above, the modelling Council holds for Daly Creek illustrates all building envelopes are outside of the maximum water surface level of Q100 flooding which is at approximately 28.5 metres Australian Height Datum. The extent of the Q100 flooding is contained to proposed Lot 1 and the western side of proposed Lot 5. Further, the proposed Building location envelopes are sited above forty (40) metres Australian Height Datum, well above the waterway at approximately twenty-five (25) metres Australian Height Datum, and are located away from the waterway, significantly limiting any potential impact from flood.

As evident from the above assessment, the proposal does not comply with the Specific Outcomes for bushfire hazard and steep land, which further undermines the ability of the proposal to achieve the Overall Outcomes and Purpose sought for the Natural Features Code.

Capricorn Coast Landscape Code

The site is identified as being within the Capricorn Coast Landscape Area - Precinct B (Overlay Map O9).

- (a) *The purpose of the Capricorn Coast Landscape Code is the achievement of the overall outcomes sought for the special management areas shown on Overlay Maps O9.*
- (b) *The overall outcomes sought for the Capricorn Coast Landscape special management areas are:*
 - (i) *Development integrates all aspects of engineering and architecture with the natural features and characteristics of the site to minimise any adverse effects on the environment and landscape.*
 - (ii) *Areas identified as having landscape values are protected from development or the effects of development that may reduce those values in terms of physical*

changes to the natural environment, damage or removal of vegetation, prominence of the development within its landscape setting and the extent of associated visual detraction.

- (iii) *Vegetation outside the immediate envelope of a building or structure is preserved.*
- (iv) *Development is not visually detractive when viewed from a Level 1 Viewer Place in terms of;*
 - (A) *scarring by exposed earthworks; or*
 - (B) *canopy removal on hilltops, prominent headlands, ridges and hillslopes; or*
 - (C) *modification of the natural environment which dominates the landscape.*
- (v) *Development does not adversely impinge on the integrity of identified 'green break' areas which provide a green-belt of natural landscape defining the limits of each of the coastal towns/localities.*
- (vi) *In landscape special management area – Precinct A, reconfiguring a lot only occurs if the resulting lots have regular dimensions and are equal to or larger than the minimum lot size specified for the underlying zone for the site with the only exception being within the residential zone where the lot size must be at least 1,500 square metres in area.*

The proposal fails to satisfy the purpose of the Capricorn Coast Landscape Special Management Area Code given the significant fragmentation and resulting clearing involved at lot sizes well below that intended for the Rural Zone and necessary to support Rural uses and/or protect the amenity and natural features of the land.

Specific Outcomes		Response
O1	The height of buildings and structures, except in the Yeppoon Central zone is not greater than: 9 metres if within 20 metres of the frontage to the Scenic Highway, Farnborough Road, Yeppoon Road, Tanby Road and Emu Park Road; or - elsewhere, 12 metres.	Not applicable The proposal does not involve any building works. Any future dwelling house will require a Development Permit for a Material Change of Use.
O2	The slope of natural ground level of any development site is not greater than 15%.	Complies in part As stated in response to the Steep Land Overlay, all building location envelopes have been located outside the steep land overlay. Access to the building envelope on proposed Lot 2 will traverse steep land and no details have been provided as to access to the land. There are requirements in the Bushfire Management Plan which private access driveways must comply with including clearing, maximum gradients and the like which may cause a visual impact as a result of these works.
O3	Clearing except in association with other assessable site development is	Does not comply As previously stated, the proposal is likely to

Specific Outcomes		Response
	inconsistent development.	result in the clearing of vegetation around the building location envelopes for construction and bushfire mitigation, for potential rural uses, and for proposed lot boundaries. Additional clearing will require a Development Permit. Clearing of the proposed lot boundaries, in particular for proposed Lots 2 and 4 is not preferred outcome as clearing of vegetation will occur in areas mapped as Precinct B and along ridges which will cause a visual impact.
O4	Buildings and structures are not sited above fifty (50) metres Australian Height Datum.	Does not comply Although the proposal does not involve building or structures, two of the five building location envelopes (proposed Lots 2 and 6) are sited above fifty (50) metres Australian Height Datum. Further, development on proposed Lot 1 could also occur above fifty (50) metres Australian Height Datum.
O5	Buildings and structures are constructed primarily of non-reflective materials or if reflective materials form part of a building or structure, the level of light reflectivity of the material is not greater than 10%.	Not applicable The proposal does not include for any buildings or structures. Any future Dwelling house will be required to obtain a Development Permit for a Material Change of Use.
O6	Buildings and structures including infrastructure are constructed in materials that complement the coastal location and blend with the surrounding area in terms of colour and texture.	Not applicable The proposal does not include for any buildings or structures. Any future Dwelling house will be required to obtain a Development Permit for a Material Change of Use.
O7	Retaining walls are restricted to a maximum of 1.5 metres vertical height.	Not applicable The proposal does not involve any retaining walls at this stage. Any retaining structures in excess of 1.5 metres in the Capricorn Coast Landscape Area will require a planning application.
O8	Earthworks do not result in batter slopes that: • have a vertical height greater than 3 metres; or • are steeper than 25%.	Not applicable The proposal does not involve any earthworks at this stage. Earthworks may be required as it is recommended in the Bushfire Hazard Assessment that building pads should rely on cut in benches rather than fill to reduce the likelihood of hazard.

Specific Outcomes		Response
O9	Earthworks and buildings are not located: - across or result in the redirection of watercourses and natural drainage lines; or - to require the removal of vegetation which defines watercourses and natural drainage lines.	Not applicable The proposal does not involve any earthworks at this stage. There should be no works proposed over the mapped waterways for buildings as the proposed envelopes are away from the mapped waterways.
O10	In Landscape special management area – Precinct A, despite applicable minimum lot size and minimum frontage outcomes nominated in the Residential zone code, new lots are not less than 1 500 m² in area and comprise at least one discrete area of not less than 500 m² which: - has a minimum dimension of 20 metres; and - is located at least 15 metres from the road fronting the lot; and - has a natural ground level slope not greater than 15%.	Not applicable The subject site does not contain any land identified as Precinct A however there are two large tracts of land identified as Precinct B.

As evident from the above assessment, the proposal is unable to comply with Specific Outcomes O2, O3 and O4 of the code in terms of clearing of vegetation, building location envelopes sited above fifty (50) metres Australian Height Datum and the slope of land exceeding fifteen (15) percent to access proposed Lot 2, and comprises the overall outcomes sought for the Capricorn coast landscape area.

Clearing Code

- (a) *The purpose of the Clearing Code is the achievement of the overall outcomes sought for the control of clearing.*
- (b) *The overall outcomes sought are:*
- (i) *The visual integrity of the natural landscape is not significantly impacted by indiscriminate and unnecessary clearing*
 - (ii) *Ecological features and processes that underpin the biodiversity of the Shire are not disturbed by inappropriate clearing;*
 - (iii) *Vegetation in areas vulnerable to land degradation is not cleared, unless such clearing is required for the management of the degradation.*

The proposal cannot be considered to meet the purpose and overall outcomes of Clearing code as the resultant clearing will significantly and irreversibly impact upon the visual amenity and ecological values of the land and the larger vegetation network for the locality.

Specific Outcomes		Response
Vegetation Management		
O1	Development protects the nature conservation values and water quality	Complies in part The existing property boundary is located

Specific Outcomes	Response
of watercourses, wetlands, lakes and springs from degradation.	along the mapped waterway and may be subject to vegetation clearing which would be considered exempt development under the 2005 planning scheme. It is understood that significant vegetation clearing has been undertaken along the southern side of the watercourse (being the northern property boundary of Lot 1 on SP289213), which limits the ecological function of the waterway in terms of erosion. The proposed new lot layout will allow the waterway (Daly Creek) to be predominately contained within proposed Lot 1 and will remove the ability to clear the proposed lot boundary which currently follows the waterway. There is a waterway tributary towards the north that runs east. This will be divided by a proposed new boundary for proposed Lot 5. There is not considered to be a detrimental affect caused to the waterway as a result of the proposed new boundary, and the building envelope on proposed Lot 5 is towards the east. There should be minimal requirement for the future property owner to need to clear the vegetation along the proposed new boundary to the west. Waterway tributaries in the north-west of Lot 100 SP280113 that drain south-east into Daly Creek are not mapped waterways.
O2 Areas identified (refer to PSM 10A & 10B – Locally Significant Vegetation) as containing locally significant vegetation are protected from development and its effects that may significantly reduce the values of the area in terms of: (a) damage or removal of vegetation; (b) loss of biodiversity; (c) loss of canopy cover and habitat; (d) visual detracton.	Does not comply As previously stated, the site contains large tracts of Locally significant vegetation and native bushland. The large size of this tract of vegetation within a broadly cleared landscape and the feature that native vegetation provides wildlife movement corridors from lower parts of the landscape around Daly Creek up to the hilltop areas to the north and south supports high biodiversity value. The allotment layout proposed will result in vegetation clearing through these areas for building envelopes, lot boundaries, bushfire mitigation and access, significantly diminishing the biodiversity value of the site as the fragmentation will impede the important function of the vegetation as a contiguous wildlife habitat and movement corridor. The intensification of land use resulting from higher density occupation will impact upon the existing ecological functions of the locally significant vegetation in regard to the protection of slopes from erosion and

Specific Outcomes	Response
	prevention of sediment moving into the watercourse. It will result in loss of canopy cover in areas of visual significance on hillsides.
O3 Viable networks of habitat are protected from damage or destruction which may lessen their value to sustain wildlife.	Does not comply The location of property boundaries will result in vegetation clearing in areas recognised as containing Locally significant vegetation. The Ecological Assessment Report has not given sufficient regard to the 'local' value of the vegetation on the subject site, in particular the value of the viable habitat network within an already fragmented landscape. Also, justification for the application is that rural activities could be undertaken which will also result in significant clearing (proposed there may be a minimum of five hectares on each lot suitable for rural pursuits in the Subdivision Report by Grazing BestPrac) which will significantly remove and diminish the natural bushland and locally significant values of the area through fragmentation and edge effects. In this regard, the proposal will directly result in the fragmentation through clearing for property boundaries and fire breaks as well as fencing of these locally significant vegetation communities which perform an important biodiversity role within the locality.
Watercourses and adjacent habitat are protected in terms of: (a) minimising erosion and slumping; (b) retaining vegetation to provide for the natural filtering of sediments, nutrients and other pollutants prior to discharge; and (c) adverse impacts on the aquatic habitat.	Complies in part As stated above, the existing property boundary is located along the mapped waterway. The proposed new lot layout will allow the waterway (Daly Creek) to be predominately contained within proposed Lot 1 and will remove the ability to clear the proposed lot boundary which currently follows the waterway. There is a waterway tributary towards the north that runs east. This will be divided by a proposed new boundary for proposed Lot 5. There is not considered to be a detrimental affect caused to the waterway as a result of the proposed new boundary, and the building envelope on proposed Lot 5 is towards the east. There should be minimal requirement for the future property owner to need to clear the vegetation along the proposed new boundary to the west. Unmapped tributaries on the land contribute to the natural filtering of sediments and

Specific Outcomes	Response
	nutrients and the disturbance of these areas by intersecting property boundaries is likely to adversely impact downstream aquatic habitat.
Vegetation removal does not result in land degradation as a result of: erosion, particularly top soils; reduction in the fertility of the soil; or changes in the water table which increase surface wetness or salinity.	Complies in part Although the extent of clearing is relatively unknown, the potential clearing which would need to take place in order to mitigate bushfire can be considered to result in an increased risk of erosion, particularly on steep and sloping land. This is also the case if the future landowner seeks to undertake a rural pursuit on one of the proposed lots as per the recommendations of the Subdivision Report (by Grazing BestPrac). There is also the risk of erosion for access tracks to service the proposed lots. There are not considered to be a significant known impact upon the fertility of soil or the water table.
Land cleared to facilitate agriculture including forestry business or other intensive forms of agriculture is capable of sustainable use for such activities.	Not applicable The Subdivision Report (by Grazing BestPrac) identifies that a minimum of five (5) hectares on each lot could be used for rural pursuits and the lots have been designed to accommodate this. It has not been clearly identified as to where on each proposed lot agriculture could be undertaken and if this would be within areas for the building envelopes or outside these areas, which would result in additional clearing. It is also not clear where on each of the lots would be capable of facilitating agriculture and if the agriculture would be sustainable.

The proposal conflicts with the Specific Outcomes of the Clearing Code in several instances which further limits its ability to achieve the overall outcomes and purpose of the code.

Planning Scheme Policy 8 – Retention of Vegetation within Development

Does not comply

This policy provides for the retention of vegetation within development and specifically areas of significant remnant vegetation including areas identified by the State under the *Vegetation Management Act* and Planning Scheme Map 10 as locally significant, and at least twenty (20) metres from the banks of a watercourse. This proposal will result in clearing of both these areas due to the location of property boundaries and location of building envelopes and associated access tracks. The development would not be able to take place without this clearing (due to bushfire mitigation requirements) and therefore cannot be supported.

INFRASTRUCTURE CHARGES

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

Charge:	\$61,000.00
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. Six (6) lots at \$15,250.00 per lot. 2. less a credit of \$15,250.00 per lot.
Credit:	The above calculation takes into account a credit of \$30,500.00 for the existing allotments pursuant to Part 4.0 of Council's <i>Adopted Infrastructure Charges Resolution (No. 3) 2018</i> . The credit is calculated as follows: two (2) existing lot at \$15,250.00 per lot.
Offset:	No offsets are applicable to the development

Should the proposal be supported, a total charge of \$61,000.00 is payable and must be reflected in an Infrastructure Charges Notice.

REFERRALS

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning for the following provisions of the *Planning Regulation 2017*:

- Schedule 10, part 3, division 4, table 2, item 1 – Clearing native vegetation

The Department provided a response on 8 April 2019 stating that the Department has no requirements relating to the application. The reasons for the response is that the development:

- Will allow clearing of 'least concern' regional ecosystems to occur, however the clearing is not considered to threaten ecological processes; and
- The development complies with state code 16.

SUMMARY OF ASSESSMENT

Council should note that pursuant to Section 60(2)(b) of the Planning Act 2016, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks. In addition, pursuant to section 60(2)(d), an assessment manager may refuse the application only if compliance cannot be achieved by imposing development conditions.

The assessment concludes that the proposed development, will conflict with the purpose and overall outcomes of the Rural zone, and in this instance there are not sufficient reasons available to support an alternative favourable consideration of the development.

The assessment summary and pursuant to section 62 (2) of the *Planning Act 2016*, the reasons for refusal are based on findings on material questions of fact and must be included in the reasons accompanying the decision notice and are detailed in the recommendation below.

1. REASONS FOR THE DECISION

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

- 2.0 The proposal fails to satisfy the purpose of the Rural Zone Code under the *Livingstone Shire Planning Scheme 2005* as the proposal will result in;

	(iv) the creation of lots that are not designed and developed to achieve the protection of large tracts of bushland having significant local environmental value and do not have suitable sizes and dimensions commensurate with the natural features, hazards and agricultural land classes exhibited by the site. (v) Potential land use conflicts with nearby productive agricultural uses, resulting from the location of non-rural activities on rural land through the provision of a Dwelling house on each lot (indicated by the Building Location Envelope). (vi) the creation of lots unsuitable for rural purposes to occur, with consideration given to natural hazards and removal of Locally Significant Vegetation. Rural purposes would be subject to the desire of the future landowner and subject to assessment by the Department of Natural Resources, Mines and Energy for a relevant purpose determination prior to clearing as agriculture is not listed as a relevant purpose under section 22A of the <i>Vegetation Management Act 1999</i>. 2.0 The proposal fails to satisfy the purpose of the Clearing Code under the <i>Livingstone Shire Planning Scheme 2005</i> as the proposal will result in: (i) Clearing of large portions of locally significant vegetation for building location envelopes, property boundaries, bushfire mitigation and access tracks, which will significantly and irreversibly impact the visual integrity and ecological features and processes that underpin the biodiversity of site the locality in general. 3.0 The proposal fails to satisfy the purpose of the Natural Features Code in relation to Bushfire Hazard Special Management Area under the <i>Livingstone Shire Planning Scheme 2005</i> as the proposal will result in: (iii) Locating building location envelopes in very high hazard areas with Bushfire Attack Levels up to Flame Zone resulting in significant impost upon future landholders to implement and maintain vegetation clearing and building design measures to mitigate the risk to a tolerable level and reduce the Bushfire Attack Level to BAL-29 or less. (iv) Significant building protection zones, of thirty-five (35) metres, are proposed outside of the large Building Location Envelopes, which will result in additional clearing to occur to achieve suitable and safe Bushfire Attack Levels for future buildings. 4.0 The proposal fails to satisfy the purpose of the Capricorn Coast Landscape Special Management Area Code under the <i>Livingstone Shire Planning Scheme 2005</i> as the proposal will result in: (ii) Diminished landscape values in terms of physical changes to the natural environment and significant visual detracting as a result of the necessary clearing for bushfire mitigation. In addition, the proposal does not provide for the protection of vegetation located outside the building location envelopes or along proposed property boundaries. 5.0 On balance, the application should be refused because the development does not comply with the Purpose of above aspects of the assessment benchmarks and compliance is unable to be reasonably or relevantly conditioned. 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 5 of this notice.
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2. ASSESSMENT BENCHMARKS

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Rural Zone Code Natural Features Code Capricorn Coast Landscape Code Clearing Code	<i>Livingstone Planning Scheme 2005</i> Reprint 7 as in force 10 July 2017
Chapter 4 – Regional outcomes and policies	<i>Central Queensland Regional Plan, October 2013</i>
Part E: State interest policies and assessment benchmarks (Biodiversity, Agriculture and Natural hazards, risk and resilience)	<i>State Planning Policy, July 2017</i>

3. COMPLIANCE WITH BENCHMARKS

The development does not comply with the assessment benchmarks as per the summary set out in the findings on material questions of fact in section 1 of this notice.

4. RELEVANT MATTERS

Not applicable to this application.

5. MATTERS RAISED IN SUBMISSIONS

Not applicable to 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 Central Queensland Regional Plan;
- (iii) The Rural Zone Code, Natural Features Code, Capricorn Coast Landscape Area Code and Clearing Code, in the *Livingstone Planning Scheme 2005 (reprint 7)*;
- (iv) The land at 535 Bungundarra Road, Bungundarra, the subject of the application is developed with a Dwelling house and Animal keeping;
- (v) The land at Lot 100 Bungundarra Road, Bungundarra, the subject of the application is vacant;
- (vi) The surrounding development, in terms of commensurate and consistent development; and
- (vii) The common material, being the material submitted with the application.

PREVIOUS DECISIONS

This matter was 'laid on the table' at the Council meeting on 3 September 2019.

It is noted that Council has previously approved development applications for Reconfiguring a Lot within the immediate vicinity of the subject site which also failed to meet the minimum lot size stipulated in the *Livingstone Shire Planning Scheme 2005*. These decisions include the following;

- D-Y/2007-519 Reconfiguring a Lot (one lot into six lots) at 817 Bungundarra Road
- D-44-2010 for Reconfiguring a Lot (one lot into three lots) at 487 Bungundarra Road
- D-156-2011 Reconfiguring a Lot (three lots into four lots) at 777 Bungundarra Road
- D-396-2011 for Reconfiguring a Lot (two lots into seven lots) at 777 and 487 Bungundarra Road
- D-52-2015 for Reconfiguring a Lot (one lot into three lots) at 487 Bungundarra Road

It should also be noted that Development Application D-17-2017 for Reconfiguring a Lot (two lots into four lots) located 535 Bungundarra Road and Lot 100 Bungundarra Road, Bungundarra (being the same subject site of this development application), was refused by Council (as per the officers recommendation included at attachment three) at its meeting of 17 April 2018. This application was lodged in January 2017, assessed pursuant to the provisions of the *Livingstone Shire Planning Scheme 2005* with some weight given to the provisions of the 2018 scheme, through the coty principle as permitted at the time of assessment.

As can be seen above, each approval paves the way for additional applications and the impacts of such decisions should not be considered in isolation, in particular the extent of vegetation clearing which has taken place as a direct result of the creation of additional allotments within the vicinity. In each instance above, a large 'balance area' has remained intact in order to provide an ecological and scenic function. This area is now the subject of the current development application.

In addition, it should be noted that each decision is made on its merits at the time and with the best planning information available. There are instances above whereby there were sufficient grounds to support the proposals, subject to reasonable and relevant conditions, which are not considered to exist in the current case. Specifically, the land use conflicts between adjoining properties, bushfire hazard and clearing of locally significant vegetation are unavoidable for the current proposal. It should also be noted that a large consideration in supporting these previous applications was on the proviso that the intact vegetation on this subject site (formerly the balance land for previous decision) remain intact and in some cases be protected by a vegetation covenant.

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 favourably or unfavourably is the risk of appeal from the developer. It is noted that the applicant currently has an appeal before the Planning and Environment Court in relation to the Decision to Refuse Development Application D-17-2017. Should Council refuse this Development Application, it is thought that the existing appeal would be discontinued given the lower resultant lot yield and an appeal may be lodged against this Decision. These potential legal implications also bring unknown budget implications.

STAFFING IMPLICATIONS

No staffing implications have been identified in the assessment.

RISK ASSESSMENT

A determination of the application contrary to the outcome sought by the applicant may be escalated to appeal by the applicant, should they contend the position by Council is unreasonable. Officers consider that the risk of appeal is a medium to high probability. Costs of an appeal would be borne by Council.

Council's reputation may be impacted if it does not maintain the policy position of the planning scheme given it is the endorsed policy position. Decisions divergent from these policies may undermine future decision making.

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 proposed development, being for the reconfiguration of two lots into six lots, cannot be considered to meet with the purpose of the Rural Zone Code or Special Management Area Codes. The hazards and constraints, in terms of Locally Significant Vegetation, Bushfire hazard, the Capricorn Coast Landscape Area and Steep land, have not be adequately considered in the proposed lot layout.

The proposed Building Location Envelopes, place people and property at a high level Bushfire Hazard and significant vegetation clearing and construction techniques would be required to mitigate this risk by future land owners. Significant clearing outside of the proposed Building Location Envelopes would also be required to meet the requirements of the Bushfire Hazard Assessment and Management Plans to ensure a Bushfire Attack Level is at or below a BAL-29.

The application material includes a Subdivision Report purporting a minimum of five (5) hectares is available on each proposed lot for intensive agricultural pursuits. The application has not considered the impact of rural purposes on ancillary Dwelling houses, surrounding properties, the clearing required to undertake the rural purpose and other constraints including bushfire hazard, topography and vegetation applicable to each proposed lot. The fragmentation of the land will limit the ability for landholders to undertake a sustainable rural purpose and rural purposes would be subject to the desire of the future landowner.

Insufficient reasons were provided to justify approving the application, despite the various non-compliances with the relevant assessment benchmarks under Section 60 of the *Planning Act 2016*. In addition, conditioning compliance with one element of the non-compliance (being bushfire risk and appropriate mitigation) will significantly and irreversibly diminish the ecological and scenic values of the subject site and the locality in general.

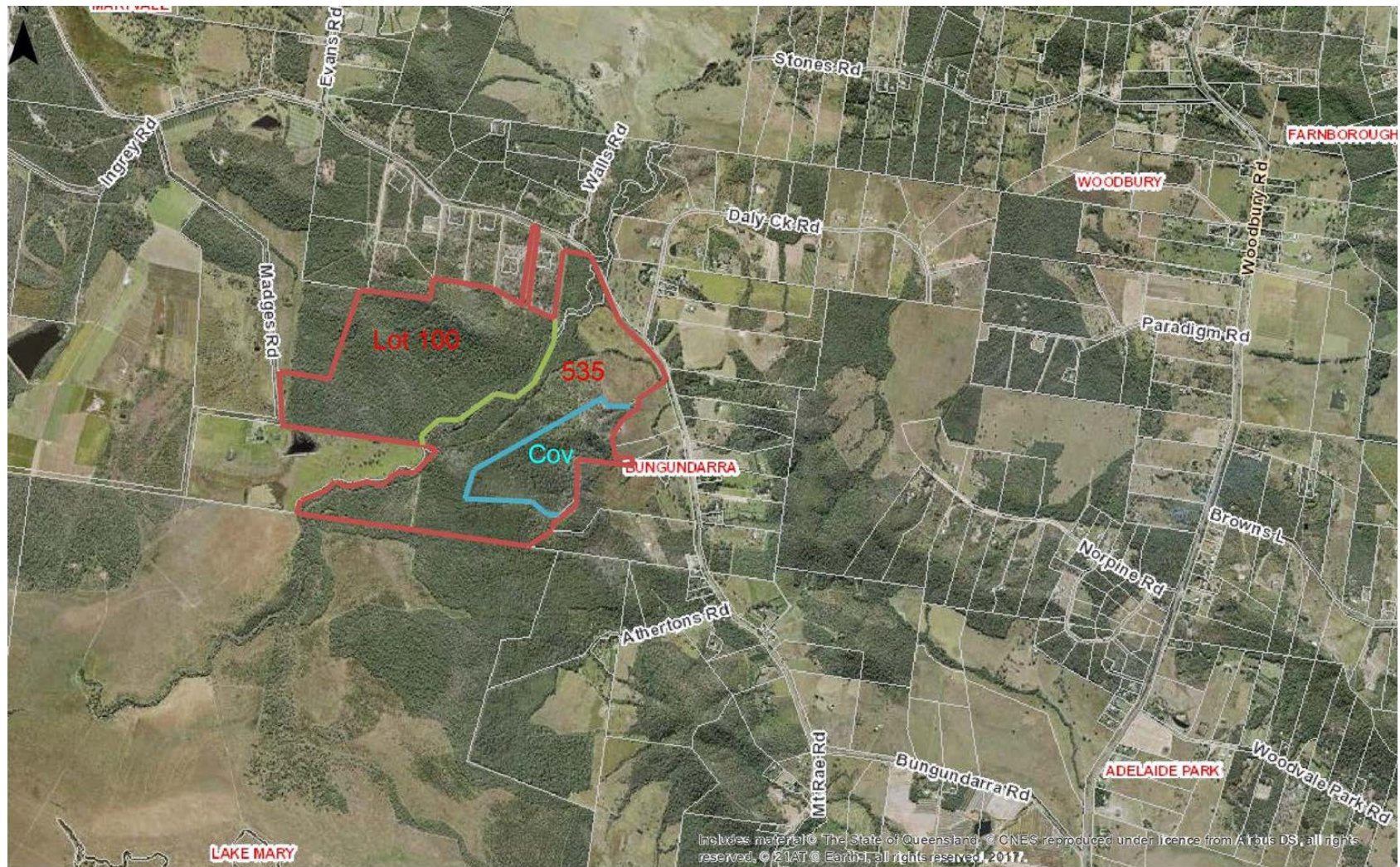
Accordingly, the proposal cannot be supported through reasonable and relevant conditions and is recommended for refusal.

**12.1 - DEVELOPMENT APPLICATION
FOR A DEVELOPMENT PERMIT FOR
RECONFIGURING A LOT (TWO LOTS
INTO SIX LOTS) AT 535
BUNGUNDARRA ROAD AND LOT 100
BUNGUNDARRA ROAD,
BUNGUNDARRA**

Attachment 1 - Locality Plan

Meeting Date: 17 September 2019

Attachment No: 1



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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

Locality Plan

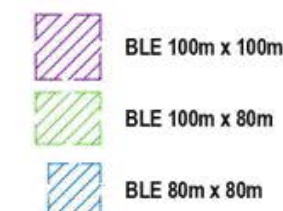
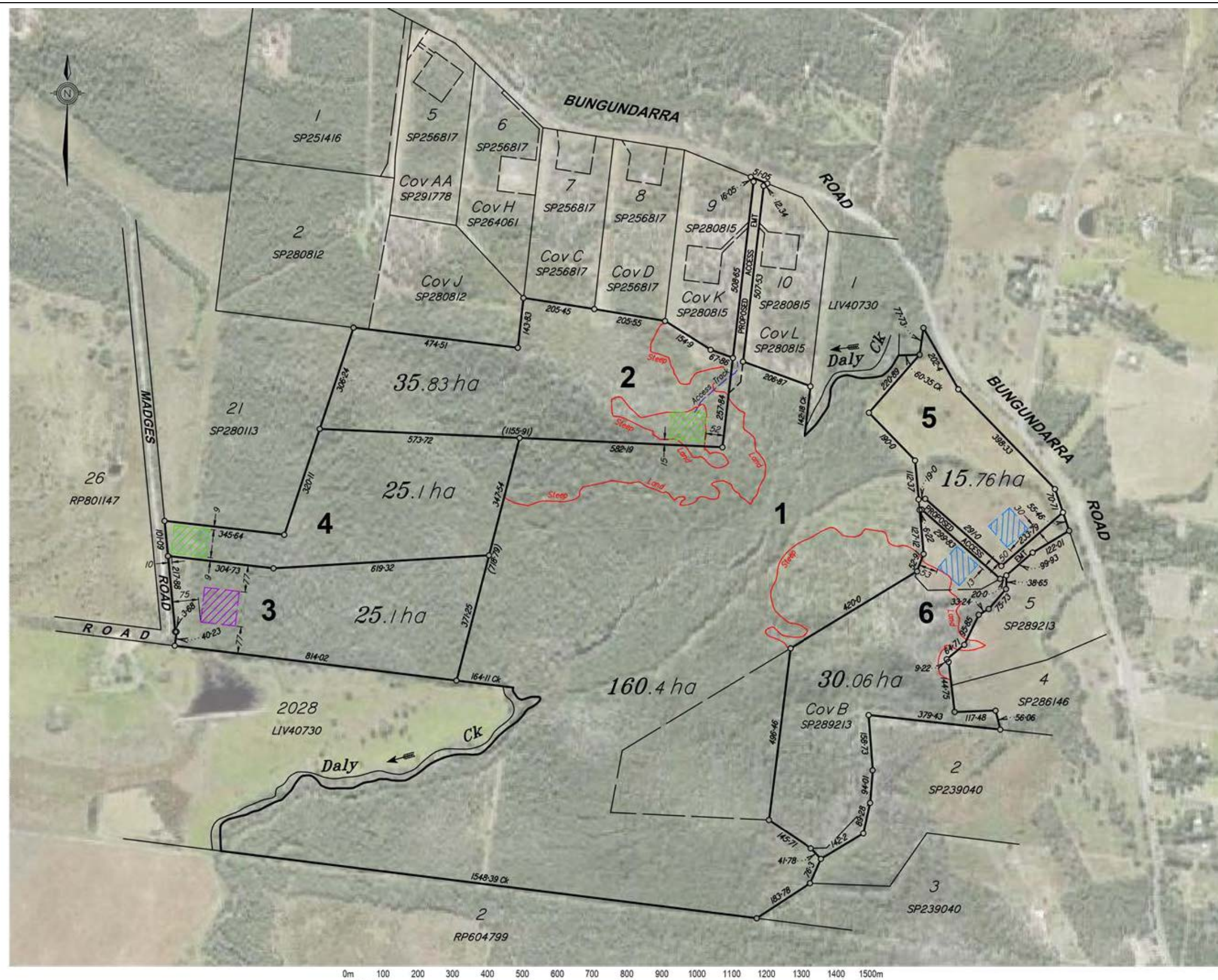
Map Created by: Web AppBuilder for ArcGIS

**12.1 - DEVELOPMENT APPLICATION
FOR A DEVELOPMENT PERMIT FOR
RECONFIGURING A LOT (TWO LOTS
INTO SIX LOTS) AT 535
BUNGUNDARRA ROAD AND LOT 100
BUNGUNDARRA ROAD,
BUNGUNDARRA**

Attachment 2 - Proposal Plan

Meeting Date: 17 September 2019

Attachment No: 2

**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

C. Roebuck

project

**487 Bungundarra Road,
Bungundarra**

plan of

**Reconfiguration Plan
2 Lots into 6 Lots
(with Ortho Underlay)**

rp

**Lot 100 on SP280113 &
Lot 1 on SP289213**

lga

Livingstone Shire Council

issue	date	details	author
A	7-11-2018	Initial issue	RJK
B	28-05-2019	BLE's amended	RJK
C	29-07-2019	BLE setbacks added	RJK

created



scale
1:10000 @ A3

sheet no.
1 of 1

plan no.
6537-07-ROL

datum
QLD GDA94

cad file
6537-07-ROL-C

issue
C

**12.1 - DEVELOPMENT APPLICATION
FOR A DEVELOPMENT PERMIT FOR
RECONFIGURING A LOT (TWO LOTS
INTO SIX LOTS) AT 535
BUNGUNDARRA ROAD AND LOT 100
BUNGUNDARRA ROAD,
BUNGUNDARRA**

**Attachment 3 - Council Meeting
Resolution for Development Permit D-
17-2017**

Meeting Date: 17 September 2019

Attachment No: 3

12.8 DECISION ASSESSMENT REPORT FOR DEVELOPMENT APPLICATION D-17-2017 FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (TWO LOTS INTO FOUR LOTS)

File No: D-17-2017

Attachments:

1. Bungundarra Locality Map⇒
2. Aerial map of subject site (2014 image)⇒
3. Original Proposal Plan⇒
4. Amended Proposal Plan (reduction to four lots)⇒
5. Final Proposal Plan (with boundary realignment)⇒
6. Related application approved plan (D-219-2017)⇒
7. Matters of Local Environmental Significance Mapping⇒
8. Amended Bushfire Assessment⇒
9. Agriculture Options Report⇒
10. DAFF third party advice - Rural Fragmentation⇒
11. DSDIP third party advice - Vegetation Clearing⇒

Responsible Officer: Erin McCabe - Co-ordinator Development Assessment

Author: Madelaine Ward - Senior Planning Officer

SUMMARY

Applicant:	Mr Colin Roebuck
Planning consultant:	Scot Stewart
Surveyor:	Capricorn Survey Group (CQ) Pty Ltd
Real Property Address:	Lot 1 on SP289213 and Lot 100 on SP280815
Common Property Address:	535 Bungundarra Road and Lot 100 Bungundarra Road, Bungundarra
Area of Site:	359 hectares (approximately)
Planning Scheme:	<i>Livingstone Shire Planning Scheme 2005</i>
Planning Scheme Zoning:	Rural Zone
Planning Scheme mapping:	Locally significant vegetation (PSM 10)
Planning Scheme Overlays:	Steep land (OM 2B) Wetlands (OM 3A) Waterway (OM 3B) Bushfire Hazard (OM 5B) Capricorn Coast Landscape Special Management Area – Precinct B and Green breaks (OM 9)
Existing Development:	Vacant land, densely vegetated hillslopes with some cattle grazing at lower topographies
Level of Assessment:	Code assessable

ORDINARY MEETING MINUTES

17 APRIL 2018

Referral agencies: Nil

Third party advice: Department of Infrastructure, Local government and Planning for vegetation clearing

Department of Agriculture and Fisheries for agriculture and rural lands

Adopted Infrastructure Charges Area: Outside the Priority Infrastructure Area\

Application progress:

Application Lodged:	27 January 2017
Acknowledgement notice issued:	9 February 2017
Notice of a minor change received:	14 February 2017
Confirmation of minor change and withdrawal of acknowledgement notice sent:	15 February 2017
Third party advice from Department of Agriculture and Fisheries regarding fragmentation of rural land received:	20 February 2017
Request for Further Information sent:	23 February 2017
Third party advice from Department of Infrastructure, Local Government and Planning regarding vegetation clearing received:	24 March 2017
Applicant requests extension to the information request response period until 8 September 2017	22 August 2017
Request for Further Information responded to:	8 September 2017
Council request for additional twenty (20) business to decision period days until 6 November 2017 without agreement:	25 September 2017
Council request for additional twenty (20) business days to decision period until 23 November 2017:	23 October 2017
Applicant agreement received:	24 October 2017
Council workshop meeting	23 October 2017
Council request for additional forty (40) business days to decision period until 11 January 2018:	14 November 2017
Applicant agreement received:	20 November 2017
Council request for additional thirty (30) business days to decision period until 22 February 2018:	2 January 2018
Applicant agreement received:	9 January 2018
Amended proposal plan provided (minor change)	29 January 2018
Council workshop meeting (held over from 5 March) – Officers report	19 March 2018
Council request for an additional twenty (20) business days to decision period until 20 April 2018	21 March 2018
Applicant agreement received:	22 March 2018
Amended Bushfire hazard response received:	3 April 2018
Council workshop – Applicant deputation	4 April 2018
Council meeting date:	17 April 2018

ORDINARY MEETING MINUTES

17 APRIL 2018

Statutory determination date:	20 April 2018
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COUNCIL RESOLUTION

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (two lots into four lots), made by Mr Colin Roebuck, on Lot 1 on SP289213 and Lot 100 on SP280815 and located at 535 Bungundarra Road and Lot 100 on Bungundarra Road, Council resolves to Refuse the application based on the following grounds;

- 1.0 The proposal compromises the achievement of Shire Wide Outcomes (a) and (j) of the *Livingstone Shire Planning Scheme 2005*, specifically the proposal will result in;
 - (i) Fragmentation of rural land as a result of exempt clearing (under the *Vegetation Management Act 1997*) of large tracts of bushland (approximately ten (10) hectares in total) through the creation of additional allotments and requisite bushfire breaks for access, building location envelopes and property boundaries identified as having significant local environmental and scenic value and further identified as forming an important biodiversity corridor under the draft planning scheme; and
 - (ii) Inconsistent lot sizes and land use patterns (being small rural holdings with one hectare building location envelopes) from that which is intended for zoned land (being Agriculture) and in which the necessary water and access infrastructure is not existing and will not be provided for by the developer, but the future landowner. Therefore, the development cannot be considered an efficient and logical extension of development within the locality.
- 2.0 The proposal fails to satisfy the purpose of the Rural Zone Code under the *Livingstone Shire Planning Scheme 2005* as the proposal will result in;
 - (i) Potential for land use conflicts with nearby productive agricultural uses, resulting from the location of non-rural activities on rural land through the provision of a Dwelling house on each lot (indicated by the Building Location Envelope). This can only be mitigated through the provision of rural activities on the allotment, which is not proposed at this time however may be achievable, subject to the desire of the future landowner; adequate planning grounds or evidence has not been provided to support an overwhelming demand for further large rural residential allotments to be provided at this location and sufficient grounds have not been provided to deviate from the applicable relevant instruments and cannot be regarded as being in the public interest.
 - (ii) The creation of lots less than sixty (60) hectares conflicts with the draft Livingstone Planning Scheme to commence May 2018. In addition, the proximity of Rural Residential zoned land indicates that any future need for 'lifestyle allotments' can be adequately catered for within appropriately zoned land.
- 3.0 The proposal fails to satisfy the purpose of the Clearing Code under the *Livingstone Shire Planning Scheme 2005* as the proposal will result in:
 - (i) Clearing of large portions of locally significant vegetation which will significantly and irreversibly impact the visual integrity and ecological features and processes that underpin the biodiversity of the locality, specifically of a site which is identified as forming part of an identified biodiversity corridor under the draft planning scheme.
- 4.0 The proposal fails to satisfy the purpose of the Capricorn Coast Landscape Special Management Area Code under the *Livingstone Shire Planning Scheme 2005* as the proposal will result in:
 - (i) Diminished landscape values in terms of physical changes to the natural

ORDINARY MEETING MINUTES

17 APRIL 2018

environment and significant visual detracting as a result of the necessary clearing for bushfire mitigation. In addition, the proposal does not provide for the protection of vegetation located outside the building location envelopes.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED



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. [Headworks calculation sheet D/Y/2005-1723](#)

Responsible Officer: Maddie Ward - Co-ordinator Development Assessment
David Battese - Manager Liveability

Author: Jodie Roche - Development Officer

SUMMARY

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. The report will then detail the request by the owners to apply a credit in line with the headworks contributions paid during the creation of the estate in relation to the new Infrastructure Charges Notice issued for the Building works. This approach is outside the scope of the current statutory charging mechanism.

RECOMMENDATION

THAT, In relation to the request to withdraw Infrastructure Charges Notice D-151-2017 for the amount of \$20,500.00 on the basis that the contributions paid for the property under the original subdivision catered for the full extent of the development, Council resolves to:

1. 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.

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 pursuant to 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 paid under the previous Planning Scheme Policy at the time 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.

Recalculation of the Infrastructure Charges of \$45,500.00 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.

Development Engineering officers support option two considering the unique past calculation method used which resulted in significantly higher contributions imposed over the entire site.

PREVIOUS DECISIONS

Council has made no previous decisions in relation to this matter or similar matters as it has not received any requests of this nature due to the

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

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*.

LEGAL IMPLICATIONS

There are no legal implications to consider in making this decision, as there are no appeal rights. The recovery of infrastructure charges may be pursued through planning compliance action under the *Planning Act 2016* culminating in the matter being progressed the Council's finance department for recovery.

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 important that Council consider a corresponding credit reflective of this payment. It is equally important to note that applying a credit consistent with the superseded methodology is no longer consistent with the current charging regime. In this regard, Council has three options available for consideration. It is the officers recommendation that option two (2) of this report be supported.

**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**

Approved Site Plan B-446-2016

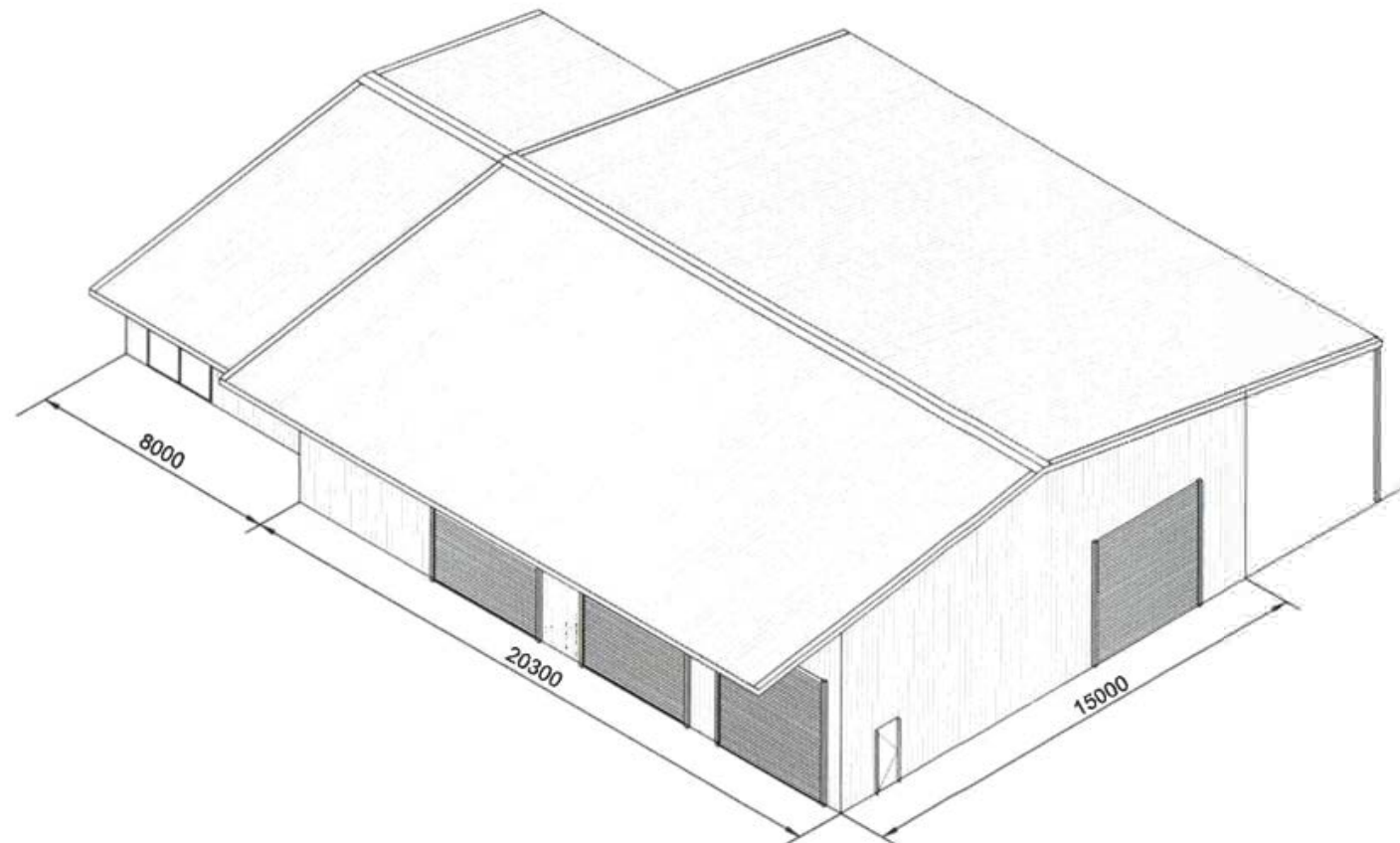
Meeting Date: 17 September 2019

Attachment No: 1

A3

PROPOSED OFICES 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

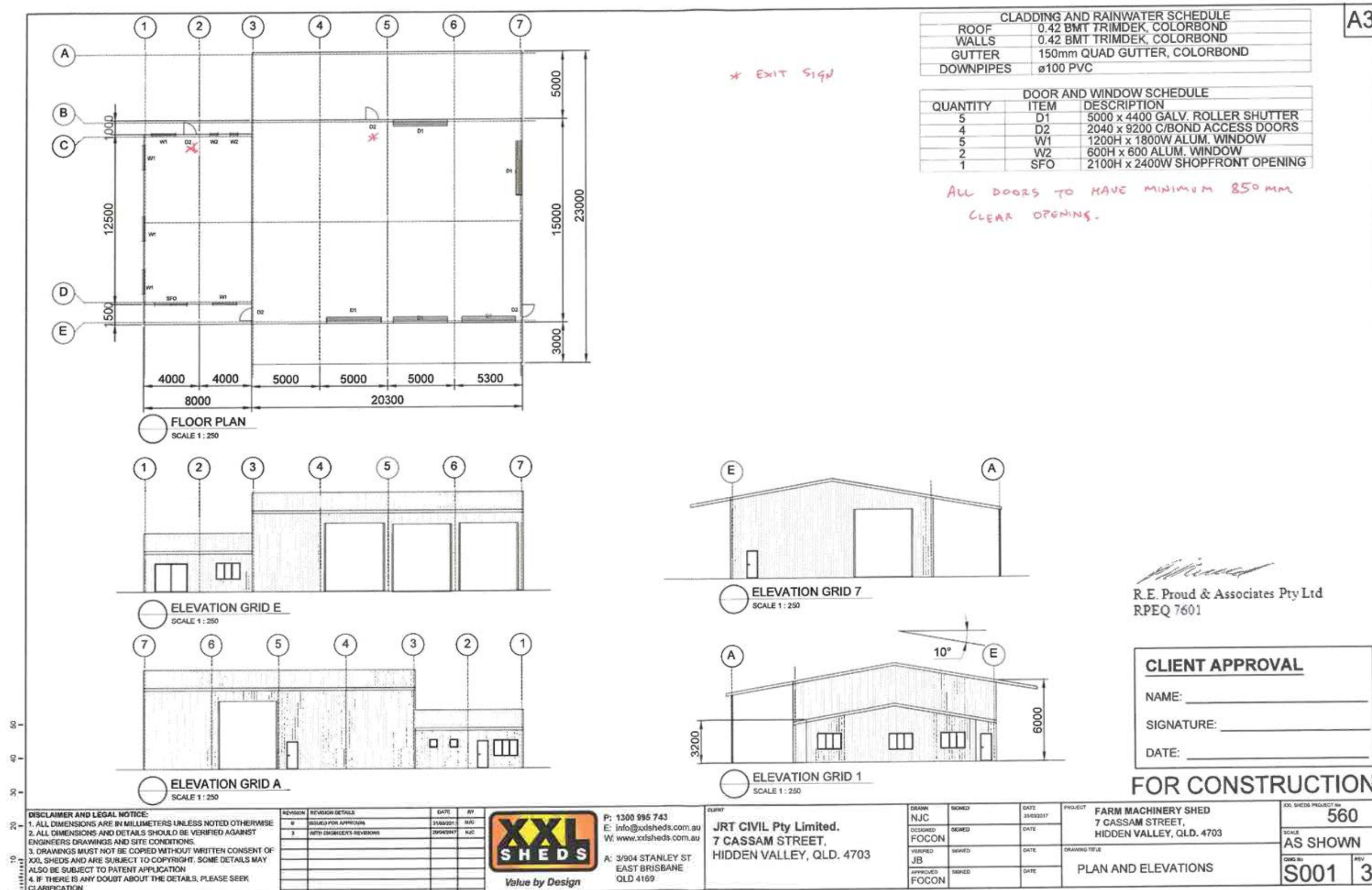
CLIENT
JRT CIVIL Pty Limited.
7 CASSAM STREET,
HIDDEN VALLEY, QLD. 4703

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

PROJECT
PROPOSED OFICES 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: 17 September 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
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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. <u><i>Please contact Council for your payment reference number PRIOR to making payment</i></u> 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
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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

4 .Infrastructure charges notice An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds— (a) the notice involved an error relating to— (i) the application of the relevant adopted charge; or Examples of errors in applying an adopted charge — • the incorrect application of gross floor area for a non-residential development • applying an incorrect 'use category', under a regulation, to the development (ii) the working out of extra demand, for section 120; or (iii) an offset or refund; or (b) there was no decision about an offset or refund; or (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or (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.			
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**

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

Meeting Date: 17 September 2019

Attachment No: 3

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

THE UNIVERSITY OF CHICAGO PRESS

[illegible]

Livingstone Shire Council

Headworks - Water Supply & Sewerage

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

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 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	

Proposed or Building Use

Desc	Unit	Max Density Dp (ET/unit W & S)
Various Indl	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

$$\frac{1}{2} \frac{d}{dt} \left(\frac{1}{2} \frac{d}{dt} \right)$$

1 Pe water = 0

04/12/2006

1 of 2

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

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

2

	CPI	CPI	\$/ET	Cw	\$/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

No. Units	Pp (W&S)	Pp water
Up		

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
\$176,594.05	\$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

$$C_s = \$2,024.09$$

$$P_e = 0.00$$

$$P_p = 80.94$$

$$H_s = \$163,829.67$$

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

by property owner at building stage, subject to fire sizing

Backflow

as per Council's standard installation

Sewerage Connection

by property owner at building stage

Trade Waste Permit

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 DEVELOPMENT APPLICATIONS FOR DEVELOPMENT PERMITS FOR RECONFIGURING A LOT RESULTING IN THE CREATION OF 119 LOTS AND BALANCE LAND AND A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR 119 DWELLING HOUSES (SEA HAVEN ESTATE STAGES 10, 11, 12 AND 13)

File No: D-13-2018, D-15-2018, D-16-2018 and D-17-2018

Attachments:

1. Taroomball Locality Plan [↓](#)
2. Proposal Plan Stage 10 [↓](#)
3. Proposal Plan Stage 11 [↓](#)
4. Proposal Plan Stage 12 [↓](#)
5. Proposal Plan Stage 13 [↓](#)
6. Overall Plan of Development (all stages) [↓](#)

Responsible Officer: David Battese - Manager Liveability

Author: Maddie Ward - Co-ordinator Development Assessment

SUMMARY

Applicant: Keppel Developments Pty Ltd

Consultant: Capricorn Survey Group (CQ) Pty Ltd

Real Property Address: Lot 5006 on SP296906

Common Property Address: Lot 5006 Havenwood Drive, Taroomball

Area of Site: 27,640 hectares

Planning Scheme: *Livingstone Planning Scheme 2005*

Planning Scheme Zone: Rural Zone

Planning Scheme Overlays: Drainage problem and steep land (OM2A)
Waterways and Wetlands (OM3B)
Good Quality Agricultural Land (OM4A)
Storm tide Hazard (OM5A)
Bushfire Hazard (OM5B)
Acid Sulphate Soils (OM8A)
Capricorn Coast Landscape Special Management Area – Precinct A and B (OM9)

Existing Development: Vacant land (Sea Haven Estate balance land)

Level of Assessment: Code Assessable

Referral matters: Ergon Energy

Infrastructure Charge Area: Charge Area 1

Application progress:

Applications received:	23 January 2018
Development control unit meeting:	24 January 2018
Action notices issued:	6 February 2018
Response to Action notices (being payment of fees) extended by agreement until 7 April 2018	19 February 2019
Applications properly made (fee paid):	6 April 2018

Applications stopped until 10 October 2018:	6 April 2018
Confirmation notice issued:	10 October 2018
Information request issued:	23 October 2018
Information request response extended by agreement until 24 July 2019:	4 December 2018
Information request response received:	19 July 2019
Council meeting date:	20 August 2019
Statutory determination date:	26 August 2019
Extension by agreement to decide application:	23 September 2019

OFFICER'S RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit D-13-2018, D-15-2018, D-16-2018 and D-17-2018, made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906, and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the applications given pursuant to Section 60(2)(b) of the *Planning Act 2016*, there are considered to be circumstances that favour Council exercising its discretion to approve the development despite the conflict with the Rural zone code. The circumstances are:

- (i) The subject site forms a key urban development link, which will lead to future connectivity between the localities of Taranganba, Taroomball and Lammermoor; providing the site with the opportunity for urban development, as identified within the new planning scheme. In this regard the proposal is simply bringing forward the timing of the development as per the Urban and New Urban provisions in the new planning scheme.
- (ii) The subject site represents a logical extension to existing urban development, considering the subject site is located on the immediate periphery of residential development, and is within proximity to schools, other key services and infrastructure and is consistent with the settlement pattern in the immediate area.

RECOMMENDATION B1 – D-13-2018 STAGE 10A AND 10B

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into nineteen (19) lots + balance) and a Development Permit for a Material Change of Use for nineteen (19) Dwelling houses (Stage 10A & 10B), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906, and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the application subject to the following conditions:

PART A – RECONFIGURING A LOT (ONE LOT INTO NINETEEN (19) LOTS + BALANCE) STAGES 10A1, 10A2, 10B1 AND 10B2

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 approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.

- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 1.6.1 Operational Works:
- (i) Road Works;
 - (ii) Access Works;
 - (iii) Sewerage Works;
 - (iv) Water Works;
 - (v) Stormwater Works;
 - (vi) Inter-allotment Drainage Works (if necessary); and
 - (vii) Site Works;
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 10A-10B	6616-10-ROL Rev B Sheet 1 and Sheet 2	29 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 STAGED DEVELOPMENT

- 3.1 This approval is for a development to be undertaken in four (4) discrete stages, namely:
- 3.1.1 Stage 10A1: (One lot) Lot 286 and Road reserve;
 - 3.1.2 Stage 10A2: (Ten lots) Lot 287 to Lot 296 and Road reserve;
 - 3.1.3 Stage 10B1: (Five Lots) Lot 297 to Lot 301 and Road reserve; and
 - 3.1.4 Stage 10B2: (Three Lots) Lot 302 to Lot 304 and Road reserve.
- in accordance with the approved plans (refer to condition 2.1).
- 3.2 Multiple development stages may be undertaken concurrently, provided all allotments can be connected to the full range of urban infrastructure including access availability from a constructed road frontage.

-
- 3.3 Infrastructure (including but not limited to road, pedestrian access, water, sewer, stormwater infrastructure) must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension of infrastructure during future stages.
- 3.4 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 4.0 ROAD WORKS
- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.
- 4.4 Eucalyptus Avenue must be designed and constructed as a Minor Urban Collector road classification standard.
- 4.5 A suitable area of land must be dedicated as road reserve for the extension of Carige Boulevard including any proposed service road and the intersection between Carige Boulevard and the internal road with the creation of the first lot within Stage 10A1.
- 4.6 The Carige Boulevard (full width) section located within the development must be designed and constructed, including all necessary infrastructure, including street lighting to comply with the road classification requirements of a Major Urban Collector.
- 4.7 Carige Boulevard and the internal road intersection (non-trunk) must be designed and constructed, including all necessary infrastructure including street lighting. The subject intersection type must be supported by an intersection analysis (for example a SIDRA intersection analysis) and agreed in consultation with Council as part of an application for a Development Permit for Operational Works (road works).
- 4.8 Direct vehicle access to any Major Collector roads from private allotments is not permitted. Direct vehicle access to a service road within the Major Collector road reserve is permitted.
- 4.9 The design and construction of all terminating roads or cul-de-sac streets must include a sealed turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.
- 4.10 The locations and construction requirements of any temporary turning areas must be agreed in consultation with Council as part of any application for a Development Permit for Operational Works (road works).
- 4.11 The area taken up by temporary turning areas at the ends of roads must be covered by road reserve.
- 4.12 All pathways within road reserves (including access ramps) must:
- 4.12.1 Incorporate kerb ramps at all road crossing points; and
- 4.12.2 Be provided with public space lighting in accordance with *Australian Standard AS1158 Lighting for Roads and Public Spaces*.
- 4.13 Bus set-down area(s) must be investigated and identified within the overall road network layout as part of any application for a Development Permit for Operational
-

Works (road works). Major urban collector road proposed within the development site must be designed and constructed to accommodate bus routes and associated infrastructure in accordance with *Public Transport Infrastructure Manual*.

- 4.14 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 4.15 Any application for a Development Permit for Operational Works (road works) must include details, including signage, of the Council approved road names for all new roads.
- 4.16 Retaining walls must be wholly contained within private allotments and not be constructed within road reserves as Council-owned infrastructure, unless specifically approved as part of a Development Permit for Operational Works (road works).
- 4.17 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.

A detailed inspection and 'as constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction. The approved design and/or construction of the retaining walls must not be modified without Council's prior written approval.

5.0 ACCESS WORKS

- 5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), the *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).
- 5.3 A compliant access driveway must be designed and constructed for proposed lots 286, 290 and 292.

6.0 SEWERAGE WORKS

- 6.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 6.3 All lots within the development must be connected to Council's reticulated sewerage network via gravity connection. Each of the lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.
- 6.4 The trunk sewer main (SEW -121) located within the Carige Boulevard road reserve must be extended up to the southern end of the stage 10B2 boundary (i.e southern property boundary of the proposed Lot 304).
- 6.5 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 6.6 Sewerage infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

7.0 WATER WORKS

- 7.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 7.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 7.3 All lots within the development must be connected to Council's reticulated water network. Each of the lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 7.4 The trunk water main (WAT-9) located within the Carige Boulevard road reserve must be extended up to the southern end of the stage 10B2 boundary (i.e southern property boundary of the proposed Lot 304).
- 7.5 Water infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

8.0 STORMWATER WORKS

- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 8.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy*, sound engineering practice, and the provisions of a Development Permit for Operational Works (stormwater works).
- 8.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.
- 8.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.
- 8.5 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by the Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 8.6 Any application for Operational Works (stormwater works) must be accompanied by a detailed stormwater management strategy certified by a suitably qualified Registered Professional Engineer of Queensland. The strategy must include the following (but not limited to);
 - 8.6.1 A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies discharge point(s) and demonstrate lawful discharge;
 - 8.6.2 Detention systems. The volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure non-worsening of the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;
 - 8.6.3 Layouts showing the extent of the one (1) per cent Annual Exceedance

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- Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;
- 8.6.4 Pre and post one (1) year average recurrence interval (ARI) event peak flow and velocity details at discharge points within the Ross Creek to demonstrate compliance with waterway stability requirements;
- 8.6.5 Designs of outlet systems for the proposed drainage systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;
- 8.6.6 Full calculations, including (where necessary) electronic modelling files from industry standard modelling software, (inclusive of both electronic model files and results files) and all details of the modelling assumptions to support the proposed stormwater management strategy;
- 8.6.7 Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
- 8.6.8 Details of ongoing maintenance and management actions required with regard to any proposed detention basin / retention systems.
- 8.7 The potential pollutants in stormwater runoff, discharged from the site must be managed in accordance with *Urban Stormwater Quality Planning Guidelines and State Planning Policy*. As part of the Operational Works application (stormwater works) an overall Sea Haven stormwater quality management strategy is required addressing the collection and capture of gross pollutants.
- 8.8 Any culvert/cross drainage structures associated with the development must be designed and constructed to ensure;
- (i) Safe trafficability during the relevant Defined Flood Event;
 - (ii) Limiting the impacts to adjacent properties and infrastructure with twenty (20) per cent blockage factor; and
 - (iii) The maximum flow depth over any cross drainage structure must be limited to 200 millimetres, demonstrating allowable velocity/depth product(s).
- 9.0 INTER-ALLOTMENT DRAINAGE
- 9.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any inter-allotment drainage works on the site.
- 9.2 Inter-allotment drainage, must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and *Queensland Urban Drainage Manual* for Level II and must be provided to any lot where it cannot be satisfactorily demonstrated that roofwater drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 9.3 Easements must be provided over all inter-allotment drainage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 10.0 SITE WORKS
- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 10.2.1 the location of cut and/or fill;
 - 10.2.2 the type of fill to be used and the manner in which it is to be compacted;
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- 10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 10.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 10.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
 - 10.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
 - 10.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance to adjoining properties or infrastructure.
 - 10.5 All site works must be undertaken to ensure that no actionable nuisance results from an increase in:
 - 10.5.1 peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive); or
 - 10.5.2 downstream or upstream flood inundation levels; or
 - 10.5.3 velocity profiles.
 - 11.0 LANDSCAPING WORKS
 - 11.1 Landscaping, or any part thereof, upon reaching full maturity, must not:
 - (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
 - 12.0 ELECTRICITY AND TELECOMMUNICATIONS
 - 12.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
 - 12.2 Any existing overhead electricity infrastructure traversing the relevant stage to be developed must be removed and the associated easement extinguished.
 - 12.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities.
 - 13.0 ASSET MANAGEMENT
 - 13.1 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.
 - 13.2 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.
 - 13.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the approval of a plan of subdivision (survey plan endorsement). This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
 - 14.0 ENVIRONMENTAL
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- 14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) site location / topography / soil type;
 - (ii) objectives;
 - (iii) concept;
 - (iv) design details;
 - (v) implementation procedures for construction and post construction phases of work.
 - (vi) vegetation;
 - (vii) interim drainage plan during construction;
 - (viii) dust suppression;
 - (ix) top soil management;
 - (x) acid sulphate soils; and
 - (xi) erosion susceptibility and risk
- 14.2 The approved Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The Erosion and Sediment Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 15.0 OPERATING PROCEDURES
- 15.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with the *Adopted Infrastructure Charges Resolution (No.2) 2015*. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 5. Trunk Stormwater infrastructure

Future stormwater trunk infrastructure D-8 (Ross Creek drainage system management) and D-29 (Ross Creek drainage feature system – Tanby Road) are identified within the subject Lot 5006 SP296906. Stormwater trunk infrastructure D-83 (Ross Creek drainage feature system) and D-84 (Ross Creek District Treatment Facility) are also identified within the subject lot under *Adopted Infrastructure Charges Resolution (No. 3) 2018*. The floodplain areas of Ross Creek within the subject lot can be transferred to Council as “Fee simple” or as “Fee simple as trustee” at no cost to Council.

NOTE 6. Stormwater management strategy

Total catchment modelling must be undertaken to determine preferred location and operational requirements of any stormwater detention / retention system. Target flow regime boundary conditions at discharge locations along the trunk system must be agreed in consultation with Council. No increases in flows for the 5% AEP event to fit current culvert design at Taranganba Road.

Council requires the applicant to investigate and provide sufficient details taking into account all associated catchments for pre and post development scenarios. The investigation should include selected range of events including major and minor events up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration with relevant hydrographs.

Flow regime includes discharge quantity / volume, flood level, velocity, frequency and duration. As part of the detailed design it is important to check the overall impact in terms of flow regime changes at discharge points within Ross Creek. For further clarity cross sections at few intermediate points within the study area including discharge locations needs to be included.

NOTE 7. Stormwater quality

Relevant rainfall intensities (if necessary) may be obtained from Council for MUSIC modelling.

NOTE 8. Water works

A water network analysis / new water supply strategy is required if any building pad level of proposed allotments exceeds thirty-five (35) metres Australian Height Datum to maintain the standard water supply services in accordance with *Water Supply (Safety and Reliability) Act*.

PART B – MATERIAL CHANGE OF USE FOR NINETEEN DWELLING HOUSES

16.0 ADMINISTRATION

- 16.1 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.
- 16.2 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.
- 16.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

- 16.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 16.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 16.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 16.6.1 Operational Works:
- (i) Access Works;
- 16.6.2 Plumbing and Drainage Works; and
- 16.6.3 Building Works.
- 16.7 All Development Permits for Operational Works (for any vehicle access that is non-compliant with the *Capricorn Municipal Development Guidelines*) and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 16.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 16.9 The Survey Plan creating the relevant lots the subject of Part A of this permit, cancelling Lot 5006 on SP296906, must be registered prior to the commencement of the use on the land for a Dwelling house.
- 16.10 This approval is for the construction of a Dwelling house and outbuildings necessary for purposes ancillary to the occupation of a Dwelling house on the nineteen (19) proposed allotments shown on the approved plans (refer to condition 18.1). Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit may trigger assessment against the Planning Scheme in force at the time the development occurs.

17.0 APPROVED PLANS AND DOCUMENTS

- 17.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 10A-10B	6616-10-ROL Rev B Sheet 1 and Sheet 2	29 June 2019

- 17.2 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.
- 17.3 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.
- #### 18.0 ACCESS WORKS
- 18.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any works on the site.
- 18.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 18.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access works).

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- 18.3 A *Capricorn Municipal Development Guidelines* compliant vehicle access must be designed and constructed for each Dwelling house. Any non-compliant vehicle access will require a Development Permit for Operational Works (access works) prior to commencement of any vehicle access works associated with that lot.
- 18.4 Direct vehicle access to any Major Collector roads from private allotments is not permitted. Direct vehicle access to a service road within the Major Collector road reserve is permitted.
- 18.5 A minimum of two (2) off-street car parking spaces must be provided for each Dwelling house in accordance with the *Queensland Development Code - Mandatory Part 1.2*, one (1) of which must be covered.
- 19.0 PLUMBING AND DRAINAGE WORKS
- 19.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 19.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 18.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 19.3 The development must be connected to Council's reticulated sewerage and water networks.
- 19.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 20.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 20.1 All roof and allotment drainage must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 20.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or damage infrastructure.
- 21.0 SITE WORKS
- 21.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 21.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 22.0 BUILDING WORKS
- 22.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 22.2 All buildings and structures must be designed and sited in accordance with the 'development standards' specified on the approved plans (refer to condition 17.1).
- 22.3 All buildings and structures must comply with the provisions of the *Queensland Development Code - Mandatory Part 1.4*.
- 22.4 The finished floor level of all habitable areas must be a minimum 300 millimetres above the Defined Flood Event (DFE) level.
- 23.0 ELECTRICITY AND TELECOMMUNICATIONS
- 23.1 Underground electricity and telecommunication connections must be provided to each Dwelling house to the requirements of the relevant authority.
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24.0 ASSET MANAGEMENT

- 24.1 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.
- 24.2 Any damage to existing 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.
- 24.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

25.0 ENVIRONMENTAL

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

26.0 OPERATING PROCEDURES

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

ADVISORY NOTES**NOTE 1. Aboriginal Cultural Heritage**

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

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.

RECOMMENDATION B2 - D-13-2018 STAGES 10A AND 10B

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into nineteen (19) lots + balance) and a Development Permit for a Material Change of Use for nineteen (19) Dwelling houses (Stage 10A & 10B) made by Keppel Developments Pty

Ltd, on Lot 5006 on SP296906, and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$399,000.00** with the following sub-staging:

10A1	\$21,000.00
10A2	\$210,000.00
10B1	\$105,000.00
10B2	\$63,000.00

RECOMMENDATION C1 – D-15-2018 STAGE 12A1, 12A2, 12B1 and 12B2

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into forty (40) lots + balance) and a Development Permit for a Material Change of Use for forty (40) Dwelling houses (Stage 12A1, 12A2, 12B1 and 12B2), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906, and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the application subject to the following conditions:

PART A – RECONFIGURING A LOT (ONE LOT INTO FORTY (40) LOTS + BALANCE) STAGES 12A1, 12A2, 12B1 and 12B2

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 approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Road Works;
 - (ii) Sewerage Works;
 - (iii) Water Works;
 - (iv) Stormwater Works;
 - (v) Inter-allotment Drainage Works (If Necessary); and
 - (vi) Site Works;
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 12A-12B	6616-12-ROL Rev B Sheet 1 and Sheet 2	29 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 STAGED DEVELOPMENT

- 3.1 This approval is for a development to be undertaken in four (4) discrete stages, namely:

- 3.1.1 Stage 12A1: (Ten lots) Lot 353 to Lot 362 and Road reserve and PUL;
- 3.1.2 Stage 12A2: (Eleven lots) Lot 363 to Lot 373 and Road reserve;
- 3.1.3 Stage 12B1: (Eleven Lots) Lot 374 to Lot 384 and Road reserve; and
- 3.1.4 Stage 12B2: (Eight Lots) Lot 385 to Lot 392 and Road reserve.

in accordance with the approved plans (refer to condition 2.1).

- 3.2 Multiple development stages may be undertaken concurrently, provided all allotments can be connected to the full range of urban infrastructure including access availability from a constructed road frontage.
- 3.3 Infrastructure (including but not limited to road, pedestrian access, water, sewer, stormwater infrastructure) must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension of infrastructure during future stages.
- 3.4 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

4.0 ROAD WORKS

- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.

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- 4.4 Direct vehicle access to any Major Collector roads from private allotments is not permitted
- 4.5 All new *cul-de-sac* roads must comply with all requirements for a road classification of “*Access Place*” in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.6 The design and construction of all terminating roads or cul-de-sac streets must include a sealed turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.
- 4.7 The locations and construction requirements of any temporary turning areas must be agreed in consultation with Council as part of any application for a Development Permit for Operational Works (road works).
- 4.8 The area taken up by temporary turning areas at the ends of roads must be covered by road reserve.
- 4.9 All pathways within road reserves (including access ramps) must:
- 4.9.1 Incorporate kerb ramps at all road crossing points; and
- 4.9.2 Be provided with public space lighting in accordance with *Australian Standard AS1158 Lighting for Roads and Public Spaces*.
- 4.10 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 4.11 Any application for a Development Permit for Operational Works (road works) must include details, including signage, of the Council approved road names for all new roads.
- 4.12 Retaining walls must be wholly contained within private allotments and not be constructed within road reserves as Council-owned infrastructure, unless specifically approved as part of a Development Permit for Operational Works (road works).
- 4.13 Any retaining structures above one (1) metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.

A detailed inspection and ‘as constructed’ record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall’s foundation ground conditions nominated in the design were inspected and achieved during construction. The approved design and/or construction of the retaining walls must not be modified without Council’s prior written approval.

5.0 SEWERAGE WORKS

- 5.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 5.3 All lots within the development must be connected to Council’s reticulated sewerage network via gravity connection. Each of the lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.
- 5.4 Easements must be provided over all sewerage infrastructure located within private
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property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

- 5.5 Sewerage infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

6.0 WATER WORKS

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

- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).

- 6.3 All lots within the development must be connected to Council's reticulated water network. Each of the lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.

- 6.4 Water infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

7.0 STORMWATER WORKS

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

- 7.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Urban Stormwater Quality Planning Guidelines*, *State Planning Policy*, sound engineering practice, and the provisions of a Development Permit for Operational Works (stormwater works).

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

- 7.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.

- 7.5 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by the Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.

- 7.6 Any application for Operational Works (stormwater works) must be accompanied by a detailed stormwater management strategy certified by a suitably qualified Registered Professional Engineer of Queensland. The strategy must include the following (but not limited to);

- 7.6.1 A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies discharge point(s) and demonstrate lawful discharge;

- 7.6.2 Detention systems. The volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure non-worsening of the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;

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- 7.6.3 Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;
 - 7.6.4 Pre and post one (1) year average recurrence interval (ARI) event peak flow and velocity details at discharge points within the Ross Creek to demonstrate compliance with waterway stability requirements;
 - 7.6.5 Designs of outlet systems for the proposed drainage systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;
 - 7.6.6 Full calculations, including (where necessary) electronic modelling files from industry standard modelling software, (inclusive of both electronic model files and results files) and all details of the modelling assumptions to support the proposed stormwater management strategy;
 - 7.6.7 Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
 - 7.6.8 Details of ongoing maintenance and management actions required with regard to any proposed detention basin / retention systems.
- 7.7 The potential pollutants in stormwater runoff, discharged from the site must be managed in accordance with *Urban Stormwater Quality Planning Guidelines and State Planning Policy*. As part of the Operational Works application (stormwater works) an overall Sea Haven stormwater quality management strategy is required addressing the collection and capture of gross pollutants.
- 7.8 Any culvert/cross drainage structures associated with the development must be designed and constructed to ensure;
- (i) Safe trafficability during the relevant Defined Flood Event;
 - (ii) Limiting the impacts to adjacent properties and infrastructure with twenty (20) per cent blockage factor; and
 - (iii) The maximum flow depth over any cross drainage structure must be limited to 200 millimetres, demonstrating allowable velocity/depth product(s).
- 8.0 INTER-ALLOTMENT DRAINAGE
- 8.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any inter-allotment drainage works on the site.
- 8.2 Inter-allotment drainage, must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and *Queensland Urban Drainage Manual* for Level II and must be provided to any lot where it cannot be satisfactorily demonstrated that roofwater drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 8.3 Easements must be provided over all inter-allotment drainage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 9.0 SITE WORKS
- 9.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 9.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 9.2.1 the location of cut and/or fill;
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- 9.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 9.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 9.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 9.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 9.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 9.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance to adjoining properties or infrastructure.
- 9.5 All site works must be undertaken to ensure that no actionable nuisance results from an increase in:
- 9.5.1 peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive); or
 - 9.5.2 downstream or upstream flood inundation levels; or
 - 9.5.3 velocity profiles.
- 10.0 LANDSCAPING WORKS
- 10.1 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 11.0 ELECTRICITY AND TELECOMMUNICATIONS
- 11.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 11.2 Any existing overhead electricity infrastructure traversing the relevant stage to be developed must be removed and the associated easement extinguished.
- 11.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities.
- 12.0 ASSET MANAGEMENT
- 12.1 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.
- 12.2 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.
- 12.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the approval of a plan of subdivision (survey plan endorsement). This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
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13.0 ENVIRONMENTAL

13.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) site location / topography / soil type;
- (ii) objectives;
- (iii) concept;
- (iv) design details;
- (v) implementation procedures for construction and post construction phases of work.
- (vi) vegetation;
- (vii) interim drainage plan during construction;
- (viii) dust suppression;
- (ix) top soil management;
- (x) acid sulphate soils; and
- (xi) erosion susceptibility and risk

13.2 The approved Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped).

14.0 OPERATING PROCEDURES

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

ADVISORY NOTESNOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

The *Workplace Health and Safety Act* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to

ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with the *Adopted Infrastructure Charges Resolution (No.2) 2015*. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 5. Trunk Stormwater infrastructure

Future stormwater trunk infrastructure D-8 (Ross Creek drainage system management) and D-29 (Ross Creek drainage feature system – Tanby Road) are identified within the subject Lot 5006 SP296906. Stormwater trunk infrastructure D-83 (Ross Creek drainage feature system) and D-84 (Ross Creek District Treatment Facility) are also identified within the subject lot under *Adopted Infrastructure Charges Resolution (No. 3) 2018*. The floodplain areas of Ross Creek within the subject lot can be transferred to Council as “Fee simple” or as “Fee simple as trustee” at no cost to Council.

NOTE 6. Stormwater management strategy

Total catchment modelling must be undertaken to determine preferred location and operational requirements of any stormwater detention / retention system. Target flow regime boundary conditions at discharge locations along the trunk system must be agreed in consultation with Council. No increases in flows for the 5% AEP event to fit current culvert design at Taranganba Road.

Council requires the applicant to investigate and provide sufficient details taking into account all associated catchments for pre and post development scenarios. The investigation should include selected range of events including major and minor events up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration with relevant hydrographs.

Flow regime includes discharge quantity / volume, flood level, velocity, frequency and duration. As part of the detailed design it is important to check the overall impact in terms of flow regime changes at discharge points within Ross Creek. For further clarity cross sections at few intermediate points within the study area including discharge locations needs to be included.

NOTE 7. Stormwater quality

Relevant rainfall intensities (if necessary) may be obtained from Council for MUSIC modelling.

NOTE 8. Water works

A water network analysis / new water supply strategy is required if any building pad level of proposed allotments exceeds thirty-five (35) metres Australian Height Datum to maintain the standard water supply services in accordance with *Water Supply (Safety and Reliability) Act*.

PART B – MATERIAL CHANGE OF USE FOR FORTY-EIGHT DWELLING HOUSES

15.0 ADMINISTRATION

15.1 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.

15.2 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.

- 15.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 15.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 15.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 15.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 15.6.1 Operational Works:
- (i) Access Works;
- 15.6.2 Plumbing and Drainage Works; and
- 15.6.3 Building Works.
- 15.7 All Development Permits for Operational Works (for any vehicle access that is non-compliant with the *Capricorn Municipal Development Guidelines*) and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 15.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 15.9 The Survey Plan creating the relevant lots the subject of Part A of this permit, cancelling Lot 5006 on SP296906, must be registered prior to the commencement of the use on the land for a Dwelling house.
- 15.10 This approval is for the construction of a Dwelling house and outbuildings necessary for purposes ancillary to the occupation of a Dwelling house on the forty (40) proposed allotments shown on the approved plans (refer to condition 17.1). Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit may trigger assessment against the Planning Scheme in force at the time the development occurs.
- 16.0 APPROVED PLANS AND DOCUMENTS
- 16.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 12A-12B	6616-12-ROL Rev B Sheet 1 and Sheet 2	29 June 2019

- 16.2 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.
- 16.3 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.
- 17.0 ACCESS WORKS
- 17.1 A Development Permit for Operational Works (access works) must be obtained prior

to the commencement of any works on the site.

- 17.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 17.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access works).
- 17.3 A *Capricorn Municipal Development Guidelines* compliant vehicle access must be designed and constructed for each Dwelling house. Any non-compliant vehicle access will require a Development Permit for Operational Works (access works) prior to commencement of any vehicle access works associated with that lot.
- 17.4 A minimum of two (2) off-street car parking spaces must be provided for each Dwelling house in accordance with the *Queensland Development Code - Mandatory Part 1.2*, one (1) of which must be covered.

18.0 PLUMBING AND DRAINAGE WORKS

- 18.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 18.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 17.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 18.3 The development must be connected to Council's reticulated sewerage and water networks.
- 18.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.

19.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 19.1 All roof and allotment drainage must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 19.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or damage infrastructure.

20.0 SITE WORKS

- 20.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 20.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.

21.0 BUILDING WORKS

- 21.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 21.2 All buildings and structures must be designed and sited in accordance with the 'development standards' specified on the approved plans (refer to condition 17.1).
- 21.3 All buildings and structures must comply with the provisions of the *Queensland Development Code - Mandatory Part 1.4*.
- 21.4 The finished floor level of all habitable areas must be a minimum 300 millimetres above the Defined Flood Event (DFE) level.

22.0 ELECTRICITY AND TELECOMMUNICATIONS

- 22.1 Underground electricity and telecommunication connections must be provided to each Dwelling house to the requirements of the relevant authority.

23.0 ASSET MANAGEMENT

- 23.1 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.
- 23.2 Any damage to existing 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.
- 23.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

24.0 ENVIRONMENTAL

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

25.0 OPERATING PROCEDURES

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

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

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.

RECOMMENDATION C2 - D-15-2018 STAGES 12A1, 12A2, 12B1, 12B2

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot

into forty (40) lots + balance) and a Development Permit for a Material Change of Use for forty (40) Dwelling houses (Stage 12A1, 12A2, 12B1, 12B2) made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906, and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$882,000.00** with the following sub-staging:

12A1: \$252,000.00
12A2: \$231,000.00
12B1: \$231,000.00
12B2: \$168,000.00

RECOMMENDATION D1 – D-16-2018 STAGE 13A, 13B AND 13C

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into twelve (12) lots + balance) and a Development Permit for a Material Change of Use for twelve (12) Dwelling houses (Stage 13A, 13B and 13C), made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906, and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the application subject to the following conditions:

PART A – RECONFIGURING A LOT (ONE LOT INTO TWELVE (12) LOTS + BALANCE) STAGES 13A, 13B AND 13C

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 approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Road Works;
 - (ii) Sewerage Works;
 - (iii) Water Works;
 - (iv) Stormwater Works; and
 - (v) Site Works.
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply

with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stage 13	6616-13-ROL, rev A	21.01.2018

- 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 ROAD WORKS

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

- 3.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).

- 3.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.

- 3.4 The design and construction of all terminating roads must include a temporary turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.

- 3.5 The area taken up by temporary turning areas at the ends of roads must be covered by road reserve.

- 3.6 All pathways within road reserves (including access ramps) must:

3.6.1 Incorporate kerb ramps at all road crossing points; and

3.6.2 Be provided with public space lighting in accordance with *Australian Standard AS1158 Lighting for Roads and Public Spaces*.

- 3.7 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.

- 3.8 Any application for a Development Permit for Operational Works (road works) must include details, including signage, of the Council approved road names for all new roads.

- 3.9 Retaining walls must be wholly contained within private allotments and not be constructed within road reserves as Council-owned infrastructure, unless specifically approved as part of a Development Permit for Operational Works (road works).

- 3.10 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the

design.

A detailed inspection and 'as constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction. The approved design and/or construction of the retaining walls must not be modified without Council's prior written approval.

4.0 SEWERAGE WORKS

- 4.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 4.3 All lots within the development must be connected to Council's reticulated sewerage network via gravity connection. Each of the lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.
- 4.4 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.5 Sewerage infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

5.0 WATER WORKS

- 5.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 5.3 All lots within the development must be connected to Council's reticulated water network. Each of the lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 5.4 Water infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

6.0 STORMWATER WORKS

- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 6.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, Urban Stormwater Quality Planning Guidelines, State Planning Policy*, sound engineering practice, and the provisions of a Development Permit for Operational Works (stormwater works).
- 6.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.
- 6.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for

the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.

- 6.5 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by the Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 6.6 Any application for Operational Works (stormwater works) must be accompanied by a detailed overall stormwater management strategy certified by a suitably qualified Registered Professional Engineer of Queensland. The strategy must include the following (but not limited to);
- 6.6.1 A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies discharge point(s) and demonstrate lawful discharge;
- 6.6.2 Detention systems. The volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure non-worsening of the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;
- 6.6.3 Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;
- 6.6.4 Pre and post one (1) year average recurrence interval (ARI) event peak flow and velocity details at discharge points within the Ross Creek to demonstrate compliance with waterway stability requirements;
- 6.6.5 Designs of outlet systems for the proposed drainage systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;
- 6.6.6 Full calculations, including electronic modelling files from industry standard modelling software, (inclusive of both electronic model files and results files) and all details of the modelling assumptions to support the proposed stormwater management strategy;
- 6.6.7 Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
- 6.6.8 Details of ongoing maintenance and management actions required with regard to any proposed detention basin / retention systems.
- 6.7 As part of the Operational Works application (stormwater works) an overall Sea Haven stormwater quality management strategy is required addressing the collection and capture of gross pollutants.

7.0 INTER-ALLOTMENT DRAINAGE

- 7.1 Inter-allotment drainage, must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and *Queensland Urban Drainage Manual* for Level II and must be provided to any lot where it cannot be satisfactorily demonstrated that roofwater drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 7.2 Easements must be provided over all inter-allotment drainage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

8.0 SITE WORKS

- 8.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 8.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 8.2.1 the location of cut and/or fill;
 - 8.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 8.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 8.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 8.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 8.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 8.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance to adjoining properties or infrastructure.
- 8.5 All site works must be undertaken to ensure that no actionable nuisance results from an increase in:
- 8.5.1 peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive); or
 - 8.5.2 downstream or upstream flood inundation levels; or
 - 8.5.3 velocity profiles.
- 9.0 LANDSCAPING WORKS
- 9.1 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.

10.0 ELECTRICITY AND TELECOMMUNICATIONS

- 10.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 10.2 Any existing overhead electricity infrastructure traversing the relevant stage to be developed must be removed and the associated easement extinguished.
- 10.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities.

11.0 ASSET MANAGEMENT

- 11.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 11.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in
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association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

- 11.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the approval of a plan of subdivision (survey plan endorsement). This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

12.0 ENVIRONMENTAL

- 12.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) site location / topography / soil type;
- (ii) objectives;
- (iii) concept;
- (iv) design details;
- (v) implementation procedures for construction and post construction phases of work.
- (vi) vegetation;
- (vii) interim drainage plan during construction;
- (viii) dust suppression;
- (ix) top soil management;
- (x) acid sulphate soils; and
- (xi) erosion susceptibility and risk

- 12.2 The approved Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped).

13.0 OPERATING PROCEDURES

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

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust,

ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with the *Adopted Infrastructure Charges Resolution (No.2) 2015*. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 5. Trunk Stormwater infrastructure

Future stormwater trunk infrastructure D-8 (Ross Creek drainage system management) and D-29 (Ross Creek drainage feature system – Tanby Road) are identified within the subject Lot 5006 SP296906. Stormwater trunk infrastructure D-83 (Ross Creek drainage feature system) and D-84 (Ross Creek District Treatment Facility) are also identified within the subject lot under *Adopted Infrastructure Charges Resolution (No. 3) 2018*. The floodplain areas of Ross Creek within the subject lot can be transferred to Council as “Fee simple” or as “Fee simple as trustee” at no cost to Council.

NOTE 6. Stormwater management strategy

Total catchment modelling must be undertaken to determine preferred location and operational requirements of any stormwater detention / retention system. Target flow regime boundary conditions at discharge locations along the trunk system must be agreed in consultation with Council. No increases in flows for the Q20 event to fit current culvert design at Taranganba Road.

Council requires the applicant to investigate and provide sufficient details taking into account all associated catchments for pre and post development scenarios. The investigation should include selected range of events including major and minor events up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration with relevant hydrographs.

Flow regime includes discharge quantity / volume, flood level, velocity, frequency and duration. As part of the detailed design it is important to check the overall impact in terms of flow regime changes at discharge point(s) within Ross Creek.

NOTE 7. Stormwater quality

Relevant rainfall intensities (if necessary) may be obtained from Council for MUSIC modeling.

NOTE 8. Water works

A water network analysis / new water supply strategy is required if any building pad level of proposed allotments exceeds thirty-five (35) metres Australian Height Datum to maintain the standard water supply services in accordance with *Water Supply (Safety and Reliability) Act*.

PART B – MATERIAL CHANGE OF USE FOR TWELVE (12) DWELLING HOUSES

14.0 ADMINISTRATION

- 14.1 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.

- 14.2 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.
- 14.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 14.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- 14.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 14.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 14.6.1 Operational Works:
- (i) Access Works;
- 14.6.2 Plumbing and Drainage Works;
- 14.7 All Development Permits for Operational Works (for any vehicle access that is non-compliant with the *Capricorn Municipal Development Guidelines*) and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 14.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 14.9 The Survey Plan creating the relevant lots the subject of Part A of this permit, cancelling Lot 5006 on SP296906, must be registered prior to the commencement of the use on the land for a Dwelling house.

15.0 APPROVED PLANS AND DOCUMENTS

- 15.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stage 13	6616-13-ROL, rev A	21 January 2018

- 15.2 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.
- 15.3 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.
- #### 16.0 ACCESS WORKS
- 16.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any works on the site.
- 16.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 15.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 “Parking Facilities”* and the provisions of a Development Permit for Operational Works (access works).

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- 16.3 A *Capricorn Municipal Development Guidelines* compliant vehicle access must be designed and constructed for each Dwelling house. Any non-compliant vehicle access will require a Development Permit for Operational Works (access works) prior to commencement of any vehicle access works associated with that lot.
- 16.4 A minimum of two (2) off-street car parking spaces must be provided for each Dwelling house in accordance with the *Queensland Development Code - Mandatory Part 1.2*, one (1) of which must be covered.
- 17.0 PLUMBING AND DRAINAGE WORKS
- 17.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 17.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 15.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 17.3 The development must be connected to Council's reticulated sewerage and water networks.
- 17.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 18.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 18.1 All roof and allotment drainage must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 18.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or damage infrastructure.
- 19.0 SITE WORKS
- 19.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 19.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 20.0 BUILDING WORKS
- 20.1 All buildings and structures must comply with the provisions of the *Queensland Development Code - Mandatory Part 1.4*.
- 21.0 ELECTRICITY AND TELECOMMUNICATIONS
- 21.1 Underground electricity and telecommunication connections must be provided to each Dwelling house to the requirements of the relevant authority.
- 22.0 ASSET MANAGEMENT
- 22.1 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.
- 22.2 Any damage to existing 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.
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23.0 ENVIRONMENTAL

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

24.0 OPERATING PROCEDURES

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

ADVISORY NOTES**NOTE 1. Aboriginal Cultural Heritage**

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

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.

RECOMMENDATION D2 - D-16-2018 STAGES 13A, 13B AND 13C

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into twelve (12) lots + balance) and a Development Permit for a Material Change of Use for twelve (12) Dwelling houses (Stage 13A, 13B and 13C) made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906, and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$252,000.00** with the following sub-staging:

13A	\$21,000.00
13B	\$42,000.00
13C	\$189,000.00

RECOMMENDATION E1 – D-17-2018 STAGE 11A1, 11A2, 11B1, 11B2, 11C1 AND 11C2

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into forty-eight (48) lots + balance) and a Development Permit for a Material Change of Use for forty-eight (48) Dwelling houses (Stage 11A1, 11A2, 11B1, 11B2, 11C1 AND 11C2),

made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906, and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to Approve the application subject to the following conditions:

PART A – RECONFIGURING A LOT (ONE LOT INTO FORTY-EIGHT (48) LOTS + BALANCE) STAGES 11A1, 11A2, 11B1, 11B2, 11C1 AND 11C2

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 approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the approval of a plan of subdivision (survey plan endorsement), unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (vii) Road Works;
 - (viii) Access Works;
 - (ix) Sewerage Works;
 - (x) Water Works;
 - (xi) Stormwater Works;
 - (xii) Inter-allotment Drainage Works (if necessary); and
 - (xiii) Site Works;

- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 11A-11C	6616-11-ROL Rev B Sheet 1 and Sheet 2	29 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 STAGED DEVELOPMENT

3.1 This approval is for a development to be undertaken in six (6) discrete stages, namely:

3.1.1 Stage 11A1: (Two lots) Lot 305 to Lot 306 and Road reserve;

3.1.2 Stage 11A2: (Eleven lots) Lot 307 to Lot 317 and Road reserve;

3.1.3 Stage 11B1: (Nine Lots) Lot 318 to Lot 326 and Road reserve;

3.1.4 Stage 11B2: (Eight Lots) Lot 327 to Lot 334 and Road reserve.

3.1.5 Stage 11C1: (Ten Lots) Lot 335 to Lot 344 and Road reserve; and

3.1.6 Stage 11C2: (Eight Lots) Lot 345 to Lot 352 and Road reserve.

in accordance with the approved plans (refer to condition 2.1).

3.2 Multiple development stages may be undertaken concurrently, provided all allotments can be connected to the full range of urban infrastructure including access availability from a constructed road frontage.

3.3 Infrastructure (including but not limited to road, pedestrian access, water, sewer, stormwater infrastructure) must be provided by the developer in a co-ordinated and a planned manner having regard to the overall catchment and staging of the development in a logical and orderly sequence to facilitate ease of extension of infrastructure during future stages.

3.4 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

4.0 ROAD WORKS

4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works on the site.

4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).

4.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.

4.4 Direct vehicle access to any Major Collector roads from private allotments is not permitted

4.5 All new *cul-de-sac* roads must comply with all requirements for a road classification of "Access Place" in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

4.6 The design and construction of all terminating roads or cul-de-sac streets must include a sealed turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.

4.7 The locations and construction requirements of any temporary turning areas must be

agreed in consultation with Council as part of any application for a Development Permit for Operational Works (road works).

- 4.8 The area taken up by temporary turning areas at the ends of roads must be covered by road reserve.
- 4.9 All pathways within road reserves (including access ramps) must:
 - 4.9.1 Incorporate kerb ramps at all road crossing points; and
 - 4.9.2 Be provided with public space lighting in accordance with *Australian Standard AS1158 Lighting for Roads and Public Spaces*.
- 4.10 Traffic signs and pavement markings including any alterations must be provided in accordance with the *Transport Operations (Road Use Management) Act 1995* and the *Manual of Uniform Traffic Control Devices (Queensland)*.
- 4.11 Any application for a Development Permit for Operational Works (road works) must include details, including signage, of the Council approved road names for all new roads.
- 4.12 Retaining walls must be wholly contained within private allotments and not be constructed within road reserves as Council-owned infrastructure, unless specifically approved as part of a Development Permit for Operational Works (road works).
- 4.13 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.

A detailed inspection and 'as constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction. The approved design and/or construction of the retaining walls must not be modified without Council's prior written approval.

5.0 ACCESS WORKS

- 5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), the *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).
- 5.3 A compliant access driveway must be designed and constructed for proposed lots 310 and 311.

6.0 SEWERAGE WORKS

- 6.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 6.3 All lots within the development must be connected to Council's reticulated sewerage network via gravity connection. Each of the lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.
- 6.4 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

- 6.5 Sewerage infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

7.0 WATER WORKS

- 7.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 7.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 7.3 All lots within the development must be connected to Council's reticulated water network. Each of the lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 7.4 Water infrastructure must be provided (if necessary) to each development stage boundaries for connectivity.

8.0 STORMWATER WORKS

- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 8.2 All stormwater management works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Urban Stormwater Quality Planning Guidelines*, *State Planning Policy*, sound engineering practice, and the provisions of a Development Permit for Operational Works (stormwater works).
- 8.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.
- 8.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.
- 8.5 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by the Defined Flood Event) and major drainage systems to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during the Defined Flood Event.
- 8.6 Any application for Operational Works (stormwater works) must be accompanied by a detailed stormwater management strategy certified by a suitably qualified Registered Professional Engineer of Queensland. The strategy must include the following (but not limited to);
- 8.6.1 A detailed assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies discharge point(s) and demonstrate lawful discharge;
- 8.6.2 Detention systems. The volume of any detention must be sufficient to attenuate the peak discharge from the site to ensure non-worsening of the flow regime immediately downstream of the development for a selected range of Annual Exceedance Probability events, up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration;
- 8.6.3 Layouts showing the extent of the one (1) per cent Annual Exceedance Probability event inundation areas (pre and post) and the details of the available freeboard to the finished ground/floor levels;

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- 8.6.4 Pre and post one (1) year average recurrence interval (ARI) event peak flow and velocity details at discharge points within the Ross Creek to demonstrate compliance with waterway stability requirements;
 - 8.6.5 Designs of outlet systems for the proposed drainage systems. Considerations must be given to critical scour velocity, discharge frequency /duration at the discharge location(s) and relevant management measures;
 - 8.6.6 Full calculations, including (where necessary) electronic modelling files from industry standard modelling software, (inclusive of both electronic model files and results files) and all details of the modelling assumptions to support the proposed stormwater management strategy;
 - 8.6.7 Detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
 - 8.6.8 Details of ongoing maintenance and management actions required with regard to any proposed detention basin / retention systems.
- 8.7 The potential pollutants in stormwater runoff, discharged from the site must be managed in accordance with *Urban Stormwater Quality Planning Guidelines and State Planning Policy*. As part of the Operational Works application (stormwater works) an overall Sea Haven stormwater quality management strategy is required addressing the collection and capture of gross pollutants.
- 8.8 Any culvert/cross drainage structures associated with the development must be designed and constructed to ensure;
- (iv) Safe trafficability during the relevant Defined Flood Event;
 - (v) Limiting the impacts to adjacent properties and infrastructure with twenty (20) per cent blockage factor; and
 - (vi) The maximum flow depth over any cross drainage structure must be limited to 200 millimetres, demonstrating allowable velocity/depth product(s).
- 9.0 INTER-ALLOTMENT DRAINAGE
- 9.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any inter-allotment drainage works on the site.
- 9.2 Inter-allotment drainage, must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines* and *Queensland Urban Drainage Manual* for Level II and must be provided to any lot where it cannot be satisfactorily demonstrated that roofwater drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 9.3 Easements must be provided over all inter-allotment drainage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 10.0 SITE WORKS
- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 10.2.1 the location of cut and/or fill;
 - 10.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
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- 10.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
- 10.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 10.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 10.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance to adjoining properties or infrastructure.
- 10.5 All site works must be undertaken to ensure that no actionable nuisance results from an increase in:
 - 10.5.1 peak discharge immediately downstream of the development for a selected range of storm durations, and a selected range of Annual Exceedance Probability (AEP) events up to Defined Flood Event (inclusive); or
 - 10.5.2 downstream or upstream flood inundation levels; or
 - 10.5.3 velocity profiles.
- 11.0 LANDSCAPING WORKS
- 11.1 Landscaping, or any part thereof, upon reaching full maturity, must not:
 - (iv) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (v) adversely affect any road lighting or public space lighting; or
 - (vi) adversely affect any Council infrastructure, or public utility plant.
- 12.0 ELECTRICITY AND TELECOMMUNICATIONS
- 12.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 12.2 Any existing overhead electricity infrastructure traversing the relevant stage to be developed must be removed and the associated easement extinguished.
- 12.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities.
- 13.0 ASSET MANAGEMENT
- 13.1 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.
- 13.2 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.
- 13.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the approval of a plan of subdivision (survey plan endorsement). This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 14.0 ENVIRONMENTAL
- 14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not

limited to, the following:

- (xii) site location / topography / soil type;
- (xiii) objectives;
- (xiv) concept;
- (xv) design details;
- (xvi) implementation procedures for construction and post construction phases of work.
- (xvii) vegetation;
- (xviii) interim drainage plan during construction;
- (xix) dust suppression;
- (xx) top soil management;
- (xxi) acid sulphate soils; and
- (xxii) erosion susceptibility and risk

- 14.2 The approved Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped).

15.0 OPERATING PROCEDURES

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

ADVISORY NOTES – PART A and PART B

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with the *Adopted Infrastructure Charges Resolution (No.2) 2015*. The charges are

presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

NOTE 5 Trunk Stormwater infrastructure

Future stormwater trunk infrastructure D-8 (Ross Creek drainage system management) and D-29 (Ross Creek drainage feature system – Tanby Road) are identified within the subject Lot 5006 SP296906. Stormwater trunk infrastructure D-83 (Ross Creek drainage feature system) and D-84 (Ross Creek District Treatment Facility) are also identified within the subject lot under *Adopted Infrastructure Charges Resolution (No. 3) 2018*. The floodplain areas of Ross Creek within the subject lot can be transferred to Council as “Fee simple” or as “Fee simple as trustee” at no cost to Council.

NOTE 6. Stormwater management strategy

Total catchment modelling must be undertaken to determine preferred location and operational requirements of any stormwater detention / retention system. Target flow regime boundary conditions at discharge locations along the trunk system must be agreed in consultation with Council. No increases in flows for the 5% AEP event to fit current culvert design at Taranganba Road.

Council requires the applicant to investigate and provide sufficient details taking into account all associated catchments for pre and post development scenarios. The investigation should include selected range of events including major and minor events up to the Defined Flood Event (inclusive) for a range of storm durations, including critical storm duration with relevant hydrographs.

Flow regime includes discharge quantity / volume, flood level, velocity, frequency and duration. As part of the detailed design it is important to check the overall impact in terms of flow regime changes at discharge points within Ross Creek. For further clarity cross sections at few intermediate points within the study area including discharge locations needs to be included.

NOTE 7. Stormwater quality

Relevant rainfall intensities (if necessary) may be obtained from Council for MUSIC modelling.

NOTE 8. Water works

A water network analysis / new water supply strategy is required if any building pad level of proposed allotments exceeds thirty-five (35) metres Australian Height Datum to maintain the standard water supply services in accordance with *Water Supply (Safety and Reliability) Act*.

PART B – MATERIAL CHANGE OF USE FOR FORTY-EIGHT (48) DWELLING HOUSES – STAGES 11A, 11B AND 11C

16.0 ADMINISTRATION

16.1 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.

16.2 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.

16.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

16.4 All conditions, works, or requirements of this approval must be undertaken and

- completed prior to the commencement of use, unless otherwise stated.
- 16.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of use, unless otherwise stated.
- 16.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 16.6.1 Operational Works:
- (ii) Access Works;
- 16.6.2 Plumbing and Drainage Works; and
- 16.6.3 Building Works.
- 16.7 All Development Permits for Operational Works (for any vehicle access that is non-compliant with the *Capricorn Municipal Development Guidelines*) and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 16.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 16.9 The Survey Plan creating the relevant lots the subject of Part A of this permit, cancelling Lot 5006 on SP296906, must be registered prior to the commencement of the use on the land for a Dwelling house.
- 16.10 This approval is for the construction of a Dwelling house and outbuildings necessary for purposes ancillary to the occupation of a Dwelling house on the forty-eight (48) proposed allotments shown on the approved plans (refer to condition 18.1). Any development other than a Dwelling house consistent with the approved plans and the conditions of this permit may trigger assessment against the Planning Scheme in force at the time the development occurs.
- 17.0 APPROVED PLANS AND DOCUMENTS
- 17.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan of Development Stages 11A-11C	6616-11-ROL Rev B Sheet 1 and Sheet 2	29 June 2019

- 17.2 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.
- 17.3 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.
- 18.0 ACCESS WORKS
- 18.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any works on the site.
- 18.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 18.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access works).

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- 18.3 A *Capricorn Municipal Development Guidelines* compliant vehicle access must be designed and constructed for each Dwelling house. Any non-compliant vehicle access will require a Development Permit for Operational Works (access works) prior to commencement of any vehicle access works associated with that lot.
- 18.4 A minimum of two (2) off-street car parking spaces must be provided for each Dwelling house in accordance with the *Queensland Development Code - Mandatory Part 1.2*, one (1) of which must be covered.
- 19.0 PLUMBING AND DRAINAGE WORKS
- 19.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 19.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 18.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 19.3 The development must be connected to Council's reticulated sewerage and water networks.
- 19.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 20.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 20.1 All roof and allotment drainage must be discharged lawfully in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 20.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or damage infrastructure.
- 21.0 SITE WORKS
- 21.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 21.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 22.0 BUILDING WORKS
- 22.1 A Development Permit for Building Works must be obtained prior to the commencement of any building works on the site.
- 22.2 All buildings and structures must be designed and sited in accordance with the 'development standards' specified on the approved plans (refer to condition 18.1).
- 22.3 All buildings and structures must comply with the provisions of the *Queensland Development Code - Mandatory Part 1.4*.
- 22.4 The finished floor level of all habitable areas must be a minimum 300 millimetres above the Defined Flood Event (DFE) level.
- 23.0 ELECTRICITY AND TELECOMMUNICATIONS
- 23.1 Underground electricity and telecommunication connections must be provided to each Dwelling house to the requirements of the relevant authority.
- 24.0 ASSET MANAGEMENT
- 24.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with
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the development, must be at full cost to the developer.

- 24.2 Any damage to existing 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.
- 24.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 25.0 ENVIRONMENTAL
- 25.1 An Erosion and Sediment Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion and Sediment Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 26.0 OPERATING PROCEDURES
- 26.1 All construction materials, waste and waste skips must be located and stored on-site. All construction materials and waste must be secured and not allowed to be washed or blown by the wind off-site. At all times machinery and contractor's vehicles must be parked so as to not unreasonably obstruct the road pavement, road verges/footpaths or any neighbouring property accesses.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

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.

RECOMMENDATION E2 - D-17-2018 STAGES 11A1, 11A2, 11B1, 11B2, 11C1 AND 11C2

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into forty-eight (48) lots + balance) and a Development Permit for a Material Change of Use for forty-eight (48) Dwelling houses (Stage 11A1, 11A2, 11B1, 11B2, 11C1 AND 11C2) made by Keppel Developments Pty Ltd, on Lot 5006 on SP296906, and located at Lot 5006 Havenwood Drive, Taroomball, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$1,008,000.00** with the following sub-staging:

11A1	\$42,000.00
11A2	\$231,000.00
11B1	\$189,000.00
11B2	\$168,000.00
11C1	\$210,000.00
11C2	\$168,000.00

BACKGROUND

Sea Haven estate is currently developed with four (4) stages pursuant to approvals issued by Council (under delegated authority) in November 2013 (D-265-2013) and May 2014 (D-6-2014). The estate comprises eighty-eight (88) residential lots, a playground area, drainage reserves and linear parkland and internal road connections as well as an urban collector road being Carige Boulevard providing a connection to Taranganba Road. The majority of the lots are improved with residential building construction, with only a limited proportion of lots remaining vacant.

The five (5) applications currently under decision assessment propose to create 199 new residential lots and dwelling houses plus drainage channels and linear parkland in a public use lot. Internal roads are proposed to service the lots as well as an urban road linking to Eucalyptus Avenue to the east and further extensions to Carige Boulevard, which will eventually link to the extension of Chandler Road extending east from Lammermoor.

For the purposes of undertaking a holistic approach to the assessment of the proposed additional stages of the estate, this report includes an assessment for the five (5) development applications lodged.

COMMENTARY

The proposal is for the creation of 119 residential allotments, which will comprise stages 10A to 13C of Sea Haven Estate with the following sub staging;

Stage	10A	10B	11A	11B	11C	12A	12B	13A	13B	13C	
Yield	11	8	13	17	18	21	19	1	2	9	119

These sub-stages are further broken down to sub-sub-stages for each individual survey plans will be lodged for. The proposal also seeks a Material change of use for a Dwelling house on each residential lot. The plan of development includes development standards to regulate how the Dwelling houses must be sited, which reflect the *Queensland Development Code – Mandatory Part 1.2* and scheme provisions on height limitations. Lot sizes proposed range from 559 square metres to 1,565 square metres. Road frontage also ranges from seven (7) metres to over thirty (30) metres but averaging around twenty (20) metres. All proposed allotments will have direct vehicular access to a residential street and are able to be connected to all standard urban infrastructure services.

SITE AND LOCALITY

The subject site is known as the balance area of Sea Haven Estate. Given the extent of the balance land, for the purposes of this assessment, the 'site' is considered in terms of the development area itself inclusive of roads and easements. This area is considered to be relatively unconstrained in terms of topography, vegetation and infrastructure provision however the balance allotment of Sea Haven Estate and is identified as containing small tracts of locally significant vegetation as well as bushfire hazard and steep land to the south.

Sea Haven Estate has a constructed open space network inclusive of pedestrian pathways and a children's playground.

The locality of Taroomball is characterised by a mix of residential and rural land. This area is considered a vital link between residential areas of Lammernoor to the south and Taranganba and Yeppoon to the north. The primary centre of Yeppoon services the locality commercially with convenience shopping catered for in the locality of Taranganba. The wider locality contains two primary schools, a kindergarten and day care centre within proximity to the site.

Related permits (approvals or refusals) and approvals on adjoining properties including lawful use of premises

The subject site adjoins over thirty properties. The majority of these properties are residential lots of Sea Haven Estate. The subject site also adjoins Rural zoned land to the west and south. Southern adjoining properties form part of The Shoals residential estate. Properties to the west are largely vacant with no significant development approvals and with the land uses being primarily rural or rural residential in nature.

For the purpose of this assessment and in the interest of brevity, greater consideration is given to the approvals over the land rather than those adjoining which include;

- Development Permit D-265-2013 for Reconfiguring a Lot (forty-one lots) and a Dwelling house on forty lots) – Sea Haven Estate Stages 1 and 2;
- Development Permit D-6-2014 for Reconfiguring a Lot (one lot into forty-seven lots) and a Dwelling house on forty-six lots) – Sea Haven Estate Stages 3 and 4; and
- Development Permit D-3-2017 for a Material change of use for a Display home.

ASSESSMENT BENCHMARKS

Relevant Council planning, engineering, natural resource management and growth management as required have assessed this application. 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 instrument/s for the development and having regard to the *Central Queensland Regional Plan*, the State Planning Policy and any development approval for and any lawful use of the premises or adjoining premises, and the common material. The assessment has also had regard to other relevant matters such as the *Livingstone Planning Scheme 2018* through the Coty Principal.

Benchmarks applying for the development	Benchmark reference
Shire Wide Outcomes Rural Zone Code Natural Features Code Capricorn Coast Landscape Code	Livingstone Planning Scheme 2005, reprint 7 as in force 10 July 2017
Chapter 4 – Regional outcomes and policies	<i>Central Queensland Regional Plan</i> , October 2013
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 Livingstone Planning Scheme 2018	In respect of the policy direction

	incorporating a transition precinct to the north of the site
The common material submitted with the application	In respect of the reports provided in the material including proposal plans and supporting information

Internal advice and assessmentInfrastructure Operations Unit – 5 August 2019

Support, subject to conditions.

Natural Resource Management – DCU Meeting minutes

No comments.

Public and Environmental Health – DCU Meeting minutes

No comments.

Growth Management – 25 September 2017

“Strategic Planning offer no objection to these stages to be developed as urban residential as indicated on the proposed plan. All relevant special management areas mapped need to be considered appropriately and a responsive layout plan to reflect relevant matter in this regard.”

Information request

An information request was issued by council on 23 October 2018 which included (but was not limited to) the following;

- Overall road layout plan
- Intersection analysis in relation to Trunk Road T-37 (Rosslyn-Tanby Link Road)
- Concept infrastructure layout including a water network analysis report.

The applicant provided a response (in full) on 19 July 2019.

State Planning Policy – July 2017

Part E of the State Planning Policy provides for interim development assessment benchmarks for local government until such time as the State Planning Policy is reflected within the planning scheme. The state interests identified are listed below.

Liveable Communities: Not applicable as the proposal does not involve community management schemes.

Economic Growth – Mining and extractive resource: Not applicable as the subject site is not within proximity to any Key Resource Areas.

Environment and Heritage - Water quality: Water quality assessment benchmarks are required to be considered given the proposal is for urban purpose and will result in six or more lots. The following assessment has been included.

Benchmark	Officer comments
Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values arising from: (a) altered stormwater quality and hydrology	Complies The proposed layout provides for a drainage easement as part of this stage to integrate with the existing stormwater network.

(b) waste water (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilisation of nutrients and sediments.	
Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2)	Complies Council's Infrastructure Operations Unit has assessed the development and appropriate conditions are included to ensure that Operational Works associated with the development will comply with this element of the State Planning Policy, as well as other documents such as the <i>Queensland Urban Drainage Manual</i>.

Safety and resilience to hazards: The subject site is identified as containing portions of flood hazard and bushfire hazard although the development area specifically does not impede these areas. In this regard, an assessment has been undertaken against the following benchmarks.

Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:	
Development in bushfire, flood, landslide, storm tide inundation or erosion prone natural hazard areas: (a) avoids the natural hazard area; or (b) 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.	Complies The proposed allotments are located wholly outside the flood hazard area to the north west and the bushfire hazard area to the south.
Development in natural hazard areas: (a) supports, and does not hinder disaster management capacity and capabilities (b) directly, indirectly and cumulatively avoids an increase in the exposure or severity of the natural hazard and the potential for damage on the site or to other properties (c) avoids risks to public safety and the environment from the location of the storage of hazardous materials and the release of these materials as a result of a natural hazard (d) maintains or enhances the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard.	Complies The proposed allotment layout avoids areas of natural hazards, provides connectivity to higher order roads for appropriate access, and is not considered to increase the risk to public safety and the environment in regards to either flood or bushfire.

Central Queensland Regional Plan

The *Central Queensland Regional Plan* commenced in October 2013 and is not appropriately reflected within the *Livingstone Shire Planning Scheme 2005*. The regional

plan aims to provide policy direction for decision making for the co-existence of extractive/mining industry, agriculture and priority living areas. In this regard, Regional Policy Four is applicable to the development given the site is located within a Priority Living Area - Yeppoon.

Regional Policy	Officer Response
Regional outcome Agriculture and resources industries within the Central Queensland region continue to grow with certainty and investor confidence.	
Regional policy 1 Protect Priority Agricultural Land Uses within Priority Agricultural Areas.	Not applicable Livingstone Shire Council local government area does not contain any priority agricultural areas.
Regional policy 2 Maximise opportunities for co-existence of resource and agricultural land uses within Priority Agricultural Areas.	Not applicable Livingstone Shire Council local government area does not contain any priority agricultural areas.
Regional outcome The growth potential of towns within the Central Queensland region is enabled through the establishment of Priority Living Areas. Compatible resource activities within these areas which are in the communities' interest can be supported by local governments.	
Regional policy 3 Safeguard the areas required for the growth of towns through the establishment of Priority Living Areas (Schedule 1).	Complies The subject site is located within Taroomball which is within the Yeppoon Priority Living Area. As the proposal is for 199 residential allotments it is considered to be consistent with the policy.
Regional policy 4 Provide for resource activities to locate within a Priority Living Area where it meets the communities' expectations as determined by the relevant local government.	Not applicable The proposal does not involve a resource activity.

The proposed development is for the creation of 199 residential allotments with provision for a Dwelling house on each. Given the 2005 scheme Rural zone, the proposal is not specifically anticipated as preferred development given the expectations for rural land. The new planning scheme, which commenced on 1 May 2018, transitions the subject land into the Emerging community zone. This is a new zone under the *Queensland Planning Provisions* and the purpose of the zone as detailed in the scheme is as follows:

- (1) *to provide for development on land that is considered to be generally suitable for urban activities;*
- (2) *to protect land in the zone from development which compromises or limits its ability to develop for urban activities when needed;*
- (3) *to provide for the timely, orderly and efficient conversion of non-urban land to land providing for urban activities;*
- (4) *to provide for the development of new well planned urban communities;*

- (5) *to provide for the development of small scale and low intensity uses until such time as the land is needed for urban activities; and*
- (6) *to facilitate the achievement of overall outcomes sought for the zone.*

(extract from *Livingstone Planning Scheme 2018*– section 6.5.2.2.)

Considering the timing of a decision on the subject applications, the 'Coty principle' has been utilised to ensure decision making is consistent with new policy direction. The Coty principle arises from the case of *Coty (England) Pty Ltd –v- Sydney City Council* (1957) which provides that weight may be given to a new planning document (which arises after the lodgment date of a subject application), depending on how far it is along the legislative path to adoption. Essentially the principle provides that the new document should be given more weight the further it is along the legislative path. The Coty principle allows Council to give full weight to the new policy directions.

In regards to the subject site, the land is located in the Urban and New Urban designations in the Strategic Framework, which comprises land in proximity to urban areas, which are intended for expansion of urban development to accommodate the projected population growth up to and beyond the year 2026 and up to the year 2031, subject to further investigations. The intention of the Emerging community zone is to cater for urban development where overriding community need is established and development occurs where structure planning is undertaken as per the Structure planning and urban design planning scheme policy. The policy provides guidance on how structure planning should occur to ensure orderly efficient and co-ordinated use of land and infrastructure.

The applications do not specifically include a formal structure plan however an overall concept plan has been included with the application material detailing a conceptual layout for the estate including potential future lots, not part of the subject stages under development. This plan provides guidance on how the estate is anticipated to develop in terms of lot layout, road connections and public use land expansions. Whilst not to the extent sought by the draft planning scheme provisions, the overall concept plan assists Council in understanding elements of the future estate development.

Livingstone Shire Planning Scheme 2005

Shire Wide Outcomes

The Shire Wide Desired Environmental Outcomes, as identified by section 2.2 of the *Livingstone Planning Scheme 2005* have been addressed for a comprehensive assessment of the development and are as follows:

- (a) *Development does not adversely affect the values of the Shire's natural environment including coastal areas, wetlands, beaches, headlands, waterways, protected areas, undeveloped hillslopes, and areas of significant native vegetation, from any adverse effects accruing from clearing, soil degradation and pollution, due to erosion and contamination, acidification, salinity, waste disposal and any modifications to natural processes.*

Complies: The balance land is identified as containing locally significant vegetation and is within the Capricorn Coast Landscape Special Management Area. These areas are not subject to this stage of development and therefore the proposed allotments will have no significant adverse impacts upon the environmental values of the southern balance area. Concerning the mapped waterway, being a tributary of Ross Creek, this stage of development will also not impede this area.

- (b) *Development does not adversely affect the quality and quantum of water available for a range of consumptive uses throughout the Shire.*

Complies: The subject site can be connected to water infrastructure, subject to a related Operational works permit as conditioned in the recommendation.

- (c) *Risks to safety, property and the environment are not increased by the interaction of development and natural or other hazards, including flooding, bushfires, and disturbance of acid sulfate soils, storm tide, cyclonic weather events and landslide.*

Complies: The southern balance portion of the site is identified as containing bushfire hazard although this area is not impeded by this particular stage of development. This hazard will need to be managed at future stages.

- (d) *Development protects the economic values of natural resources, including good quality agricultural land, extractive and mineral resources, vegetation, and water.*

Complies: The subject site is identified as containing tracts of good quality agricultural land. In this regard, the proximity to urban uses creates an undesirable location for such uses and therefore diminishes its productive capacity. Subsequently, the development proposed is considered the most appropriate for the location, despite the mapped values.

- (e) *Development provides a benefit to and satisfies an economic demand of residents of the area in which it is located.*

Complies: The development facilitates urban residential development in an appropriate location and, in so doing, satisfies the economic demand of residents within the area.

- (f) *Opportunities for maintaining and improving employment resulting from advancements in information technology and emerging business and industry trends are maximised.*

Not applicable: The proposal will have no impact upon emerging industry trends and information technology however it is noted that previous stages of the estate are connected to the National Broadband Network.

- (g) *The Shire's tourism industry is strengthened and expanded based on the sustainable use of natural, cultural, and man-made assets, and the orderly provision of services and facilities.*

Not applicable: The subdivision is for long-term residence and will not impact upon the Shires tourism industry.

- (h) *Yeppoon continues to function as the main business centre and administrative hub for the Shire.*

Complies: The development contributes to consolidating urban development surrounding the Yeppoon area, which strengthen the role of Yeppoon as the main business centre.

- (i) *Development promotes the efficient use, and provides for the orderly expansion of the Shire's movement system, including motorised and non-motorised modes.*

Complies: The development accommodates appropriate connections to the Shire's movement network.

- (j) *Development occurs in an area:*

- (i) *which is intended for the development as identified by the outcomes for zoned land; and*
- (ii) *in which services and facilities required in respect of the development are existing, planned or provided by the development.*

Complies in part: Despite the Rural zone of the land, Sea Haven estate has continued to develop south in an orderly and sequential manner anticipated by residents and in an area which is able to be connected to all standard urban infrastructure networks.

- (k) *Development does not adversely affect:*

- (i) *the community's health and safety; or*

(ii) *the amenity enjoyed by people in different areas of the Shire.*

Complies: The development is able to be delivered in a sequential manner, connected to the existing Sea Haven estate and will not impact upon the communities' health and safety. The amenity enjoyed by existing residents through the provision of bikeways and open space networks will be continued through future stages.

(l) *Development reflects the community's reasonable expectations, harmonises with the natural environment, and does not prejudice the Shire's existing scenic amenity, particularly along the Capricorn Coast.*

Complies: Despite the Rural zone of the land, Sea Haven estate has continued to develop south in an orderly and sequential manner and further expansion of the estate is considered to be reasonably anticipated by residents in the estate and in nearby areas. The proposed stages do not impinge on scenic amenity values, which are identified elsewhere on the balance land.

(m) *The community values of places and landscapes reflecting the community's history and identity are not detrimentally affected by development.*

Not applicable: The subject site is not identified as containing any known historic or cultural features.

The performance assessment of the proposal demonstrates that the development will not compromise the overall thrust of the Shire Wide Desired Environmental Outcomes.

Rural Zone Outcomes

The provisions and requirements pertaining to the Rural Zone are set out at section 3.3 of the *Livingstone Planning Scheme 2005*.

The overall outcomes sought for the Rural Zone are as follows:

- (i) *Preferred land use:*
 - (A) *Is any rural purpose (as defined in the planning scheme)*
- (ii) *Land use (other than preferred land use) occurs only if:*
 - (B) *It is a recreational or community facility that is more appropriately located in the rural area; and*
 - (C) *Is one of the following:*
 - a. *Local utility,*
 - b. *Major utility,*
 - c. *Outdoor recreation, and*
 - d. *Telecommunications facility (medium impact).*
 - (D) *It is a land use which:*
 - a. *Is compatible with surrounding rural purposes by being of similar scale, intensity and character; and*
 - b. *Supports a rural purpose; and*
 - c. *Does not adversely affect the amenity of the locality; and*
 - Is one of the following:*
 - i. *A residential purpose being a dwelling house, home based business, or host farm; or*
 - ii. *An arts and craft centre; or*
 - iii. *An extractive industry; or*
 - iv. *A garden centre; or*
 - v. *Landscape supplies.*
- (iii) *Land used for rural activities such as grazing, agriculture and horticulture is protected from development, which would significantly infringe on the landscape setting and rural amenity of the Shire;*
- (iv) *Land with productive capacity is preserved for a range of existing and emerging agricultural activities significant to the economy of the Shire;*
- (v) *Large tracts of bushland identified as having significant environmental value are protected from development;*

- (vi) *Agriculture, including both extensive and intensive activities is protected from land use conflicts resulting from the location of non-rural activities on rural land;*
- (vii) *Uses and works are located and designed to maximise the efficient use and extension and safe operation of infrastructure;*
- (viii) *Residential purposes are ancillary to the primary rural purposes in the rural area; and*
- (ix) *Mineral and extractive resources and transport routes associated with resources are protected from incompatible development.*
- (x) *Buildings and structures that are not associated with rural purposes have heights that are low-rise and not exceeding 12 metres.*
- (xi) *Development is provided with adequate infrastructure and essential services.*

The proposed development is not explicitly intended in the Rural zone, and thus cannot be considered a consistent use within the zone. Council should note, however, that pursuant to Section 60(2)(b) of the *Planning Act 2016*, the assessment manager may decide to approve an application despite the development not complying with some assessment benchmarks where there are considered to be circumstances that favour Council exercising its discretion to approve the application. The development represents a logical extension of urban development, considering the site is located on the immediate periphery of residential development, and is within proximity to schools, other key services and links the localities of Taroomball, Taranganba and Lammernoor. Furthermore, as detailed elsewhere in this report, Council recognises the subject site including the balance area of the estate as a key development front, relative to the Future Urban places provision and Emerging community zoning envisaged by the new planning scheme.

Further information on the reasons for a favourable decision are address later in this report.

Rural Zone Requirements

The following is an assessment of the proposal against the Rural Zone Code, which includes an assessment of the development against the relevant specific outcomes of the code:

Specific Outcomes		Response
Land use		
O1	(a) a rural purpose (as defined in the planning scheme); or (b) a use which provides recreational or essential community facilities that are more appropriately located in the rural area (as identified in the overall outcomes of this code); or (c) a use (as identified in the overall outcomes of this code) which: (i) is compatible with and supports a use within the rural purpose group; and (ii) is compatible with and does not limit or compromise surrounding rural purposes; and (iii) does not adversely affect the amenity of the locality.	Does not comply The proposal is for the creation of urban allotments with provision for a single dwelling house on each, generally anticipated within the Residential Zone. Despite this, the land has been progressively developed in this manner for some time and the proposed allotment layout is a logical continuation of the settlement pattern within the immediate area.
Subdivision design		
O2	Reconfigured lots are designed and developed with: - sufficient area and suitable proportions for preferred or consistent uses; - adequate frontage for safe and	Does not comply The proposed subdivision is not associated with a consistent rural use, and as such is not compliant with the first matter listed under Specific Outcome O2.

	convenient vehicular and pedestrian access; • suitable areas within each lot for the location of relevant activities and works, and: • do not expose people and works to unacceptable risks from flooding or other hazards.	However, it does comply with the other requirements listed under O4. As identified within the earlier discussion, the proposal is for a residential estate. Whilst such an estate is not a consistent use within the Rural Zone, circumstances exist for approving the development, despite the conflict.
Character and Amenity		
O3	Uses and works are located, designed and operated to minimise adverse impacts on: • existing environmental conditions relating to air, water and soil, • the amenity of adjacent properties and public spaces, • visual quality of landscapes in terms of: – reducing ribbon development and sprawl, – loss of green break separations, • obstructing significant local and distant views of prominent natural features and landmarks, and • the health and safety of people using the premises and adjacent premises.	Complies Environmental impacts from the proposed development are expected to be minimised using appropriate stormwater management measures and the avoidance of development in areas that contain protected vegetation. In addition, the proposed development is not expected to create any unreasonable impacts on the landscape or scenic amenity of the area, or any impacts on the health and safety of persons on adjoining premises.
O5	Buildings and structures are: • of a type and scale which have an attractive, functional appearance; • constructed of materials and finishes compatible with other development in the area; • integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, outlook and off-street parking; and • designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces	Complies A condition of approval will be included, requiring Dwelling houses to be constructed in accordance with the <i>Queensland Development Code</i>.
O6	For a noise sensitive place, activities are laid out and buildings are designed and constructed to mitigate to a level, that does not unreasonably adversely affect the health and safety of people using premises, the effects of noise from: • Traffic on major roads (including State controlled roads); or • Operations within railway corridors.	Not applicable The subject site is not identified as a noise sensitive place.

Cultural Heritage Values		
O7	Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.	Not applicable There are no known cultural values associated with the subject site.
Flood Immunity		
O8	Development is immune to flood events which result in unacceptable risk to health and safety or unacceptable risk of property damage.	Complies Residential allotments within the proposed development are located outside the identified Q100 area on the balance allotment.
Vehicle Parking and Movement		
O9	Development is provided with an on-site parking and movement system designed and constructed to: • be integrated with the site layout including: - o direct access to a road providing a level of service required to accommodate traffic generated by the use; and - o appropriately designed footpath crossovers; and - o provision for safe pedestrian movement between public footpath and facility entry points; and • accommodate all modes of transport (including motor vehicles and bicycles) generated by the use; and • facilitate non-discriminatory accessibility; and • provide for safe and efficient loading and unloading of goods; and • allow for vehicle queuing necessary for the use; and • provide for passenger set down/pick up necessary for the use; and • facilitate public access to the foreshore and riparian open space networks.	Complies The proposed development will be required to make adequate provision for access, in accordance with the <i>Capricorn Municipal Development Guidelines</i> .
Infrastructure		
O1	Water supply, sewerage, drainage, roads, power and communications are provided to	Complies

0	meet the appropriate standards of service and construction at least whole-of-life cost, which: • comprise components and materials that are: - o readily accessible and available; and - o robust and reliable in terms of operational life and purpose; and - o easily maintained without unnecessarily requiring specialist expertise or equipment.	The standard suite of urban infrastructure will service the proposed development and each stage is required to obtain the relevant development permits for Operational works.
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As evident from the above assessment, the proposal complies with the various requirements of the Rural Zone Code, or where it does not comply, sufficient justification exists for approving the development despite the non-compliance.

Special Management Areas Codes

The development site is directly affected by the following elements within the Natural Features Code of the Special Management Areas Codes suite:

- Bushfire Hazard (Overlay Map O5);
- Drainage Problem (Overlay Map O2);
- Good Quality Agricultural Land (Overlay Map O4).

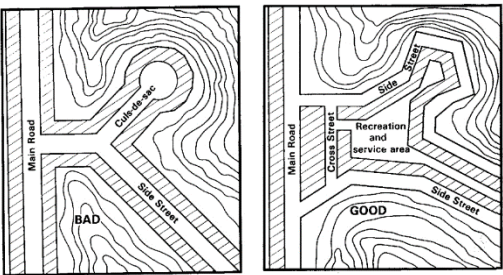
It is acknowledged that the balance area contains several additional overlays, which are not subject to this stage of development and will be assessed at a future stage.

Natural Features Code

The Overall Outcomes applicable to the Natural Features Code are set out at section 3.30 of the scheme as follows:

- (a) *The purpose of the Natural Features Code is the achievement of the overall outcomes sought for the special management areas shown on Overlay Maps O1 to O8 as identified in this code.*
- (b) *The overall outcomes sought for the special management areas shown on Overlay Maps O1 to O8 as identified in this code are:*
 - (i) *that development is managed to protect the significant values of the various natural features and resources in terms of:*
 - (A) *physical change;*
 - (B) *damage or removal;*
 - (C) *accessibility; or*
 - (D) *visual detracting;*
 - (i) *development avoids or minimises, within acceptable levels, risk to the natural or built environment or human health or safety; and*
 - (ii) *development does not adversely impact the safety and operational integrity of operational airspace associated with the Rockhampton Airport.*

Specific Outcomes		Response
Bushfire Hazard Special Management Area		
O5	Public safety, lives and property are not placed at unacceptable levels of risk.	Complies Whilst the site is mapped as being subject to

Specific Outcomes		Response
		Bushfire Hazard under the Planning Scheme, the hazard is negligible in real terms, as the land is predominantly cleared of vegetation. Bushfire hazard will increase as the development proceeds south however is not considered an unacceptable risk at this stage.
O6	The highest intensity of use occurs in those parts of the site which are least bushfire prone and limits the intensity of use elsewhere	Complies This stage of development is not identified as being within a bushfire hazard area.
O7	Purposes resulting in high concentrations of people on a site (including child care centre, educational establishment, hospital, residential purposes comprising multi-unit long term accommodation and short term accommodation, commercial and industrial purposes) being exposed to unacceptable levels of risk are inconsistent with the outcomes sought for this special management area	Complies The proposed development will result in an additional forty-five dwelling houses. Each house will be required to connect to water infrastructure and
O8	Development is sited and designed to minimise bushfire risk having regard to: (a) aspect, (b) elevation, (c) slope, and (d) vegetation	Complies The development is sited on the downhill slope on a relatively clear portion of the site.
O9	Road layouts facilitate easy and safe movement in the event of encroaching fire and provides for alternative safe access if one direction is blocked in the event of fire (Refer Figure A below).  Figure A	Complies In the event of a bushfire, road layouts are designed to facilitate appropriate movements and connectivity including connection to Lammermoor to the east and Taranganba Road to the north.
O10	A sufficient supply of water is available for fire-fighting purposes	Complies The development will be connected to water supply, providing sufficient quantity and pressure for fire-fighting purposes, subject to a related development application for Operational works, as conditioned in the recommendation.
Drainage Problem Special Management Area		

Specific Outcomes		Response
O18	Development levels are set above the design flood level to reduce property damage and, where applicable, ensure public safety.	Complies The proposed stage of development is set above the Q100 flood area.
Good Quality Agricultural Land Special Management Area		
O24	Good quality agricultural land is retained for rural purposes by: (a) conducting other uses only if they are not irreversible and do not reduce the productive capacity of the land or alienate its use for rural purposes or result in land use conflicts with adjacent existing rural uses; (b) avoiding the use of identified land for other uses unless it can be proven that: (i) the land is not actually good quality agricultural land; or (ii) there is an overriding need in terms of public benefit for the proposal and the proposal cannot be located on alternative sites that are not identified as good quality agricultural land, including if: – the proposed location has features that make it desirable for the proposal; and – the features are not available in areas not identified as good quality agricultural land	Complies Given the proximity to urban development and natural constraints on large portions of the balance land, the subject site is not considered to have significant agricultural capacity or viability. As such, the urban development proposed is considered the highest and best use of the land and is consistent with the surrounding settlement pattern.
O25	Subdivision of good quality agricultural land does not reduce the productive capacity of the land	Not applicable As stated above, despite the overlay mapping of the land,

As evident from the above assessment, the proposal complies with the various requirements of the Natural Features Code.

INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No.2) 2015 for Reconfiguring a Lot applies to the applications and the subject site falls within Charge Area 1. The Adopted Infrastructure Charges are as follows:

Infrastructure Charge (\$/lot)	Unit (per lot)	Calculated Charge Total	Sub-staging
21,000	D-13 (19 lots)	\$399,000.00	10A1: \$21,000.00
			10A2: \$210,000.00

			10B1: \$105,000.00
			10B2: \$63,000.00
	D-15 (40 lots)	882,000.00	12A1: \$252,000.00
			12A2: \$231,000.00
			12B1: \$231,000.00
			12B2: \$168,000.00
	D-16 (12 Lots)	\$252,000.00	13A: \$21,000.00
			13B: \$42,000.00
			13C: \$189,000.00
	D-17 (48 Lots)	\$1008,000.00	11A1: \$42,000.00
			11A2: \$231,000.00
			11B1: \$189,000.00
			11C1: \$210,000.00
			11C2: \$168,000.00

A credit has been applied for the existing allotment, which is absorbed by the creation of the balance land in each stage. Each of the above charges will be sub-staged as reflected in an individual Infrastructure Charges Notice for each development application.

STATEMENT OF REASONS

The development application for a **Development Permit for Reconfiguring a Lot (one lot into nineteen lots) and a Material change of use for a Dwelling house on each lot** is approved as per this Decision Notice (approval) D-13-2018; and

The development application for a **Development Permit for Reconfiguring a Lot (one lot into forty lots) and a Material change of use for a Dwelling house on each lot** is approved as per this Decision Notice (approval) D-15-2018; and

The development application for a **Development Permit for Reconfiguring a Lot (one lot into twelve lots) and a Material change of use for a Dwelling house on each lot** is approved as per this Decision Notice (approval) D-16-2018; and

The development application for a **Development Permit for Reconfiguring a Lot (one lot into forty-eight lots) and a Material change of use for a Dwelling house on each lot** is approved as per this Decision Notice (approval) D-17-2018.

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 subject site is forms a key urban development link, which will lead to future connectivity between the localities of Taranganba, Taroomball and Lammermoor; providing the site with the opportunity for urban development, as identified within the

new planning scheme. In this regard the proposal is simply bringing forward the timing of the development as per the Urban and New Urban provisions in the new planning scheme.

- (ii) The subject site represents a logical extension to existing urban development, considering the subject site is located on the immediate periphery of residential development, and is within proximity to schools, other key services and infrastructure and is consistent with the settlement pattern in the immediate area.
- (iii) The development does not comply with Specific Outcome O1 and O2 of the Rural Zone Code in terms of land use and subdivision design given the urban density and lot size proposed.
- (iv) Despite the non-compliance with Specific Outcome O1 and O2, the allotment sizes, layout and development conditions are consistent with the existing settlement pattern in the immediate area and can be considered a logical progression of the Sea Haven Estate and adjoining residential areas in Lammermoor.
- (v) The development does not compromise the achievement of the state interest – natural hazards, risk and resilience outlined in the State Planning Policy.
- (vi) The development does not compromise the achievement of regional outcomes outlined in the Central Queensland Regional Plan.
- (vii) 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 two aspects of the assessment benchmarks and conflicts with the overall outcomes of the Rural zone.

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 5 of this notice.

2. ASSESSMENT BENCHMARKS

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Shire Wide Outcomes Rural Zone Code Natural Features Code	<i>Livingstone Planning Scheme 2005</i> Reprint 7 as in force 10 July 2017
Regional Policies – Priority Living Areas	<i>Central Queensland Regional Plan, October 2013</i>
Part E: State interest policies and assessment benchmarks (Planning for safety and resilience to hazards)	<i>State Planning Policy, July 2017</i>

3. COMPLIANCE WITH BENCHMARKS

The development meets the overall outcomes for the applicable Codes, despite not complying with Specific Outcomes O1 and O2 of the Rural Zone Code.

Benchmark reference	Reasons for the approval despite non-compliance with
---------------------	--

	benchmark
Rural Zone Code – Specific Outcome O1 and O2	As per the reasons set out in the findings on material questions of fact in section 1 of this notice.

4. RELEVANT MATTERS

Not applicable to this application.

5. MATTERS RAISED IN SUBMISSIONS

Not applicable to 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 Central Queensland Regional Plan;
- (iii) The Shire Wide Outcomes, the Rural Zone Code, the Natural Features Code, in *Livingstone Planning Scheme 2005*
- (iv) Development Permits D-265-2013, D-6-2014, D-180-2017, D-182-2017, D-183-2017, D-185-2017, D-186-2017 for Reconfiguring a Lot on the adjoining land in terms of commensurate and consistent development; and
- (v) The common material, being the material submitted with the application.

PREVIOUS DECISIONS

Sea Haven estate is currently developed with four (4) stages pursuant to approvals issued by Council (under delegated authority) in November 2013 (D-265-2013) and May 2014 (D-6-2014). Subsequent stages 4B-9 were approved (as per officers recommendations) by Council resolution at its meeting of 3 July 2018.

BUDGET IMPLICATIONS

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

LEGISLATIVE CONTEXT

The application has been assessed pursuant to the *Planning Act 2016* and all subordinate legislation and policies

LEGAL IMPLICATIONS

There are minimal legal implications involved in approving, subject to conditions, a development permit for a code assessable development application. Deciding this development application unfavorably brings the risk of appeal from the applicant (should Council refuse the development application). These potential legal implications also bring unknown budget implications.

STAFFING IMPLICATIONS

No staffing implications have been identified in the assessment of this development application.

RISK ASSESSMENT

The risks associated with this assessment have been appropriately addressed in the body of this report

CORPORATE/OPERATIONAL PLAN

Strategy GO4 of the Corporate Plan is relevant to the assessment of this application and states “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 development applications for a Development Permit for Reconfiguring a Lot resulting in the creation of 119 additional residential size allotments and Material change of use for a Dwelling house on each of the 119 lots has been considered pursuant to the *Livingstone Shire Planning Scheme 2005* and *Adopted Infrastructure Charges Resolution No. 2* under which the applications were made. Despite the Rural Zone of the land under this scheme, it has been acknowledged as ‘Emerging Community’ under the *Livingstone Shire Planning Scheme 2018*. The lot sizes proposed are consistent with the existing settlement pattern and provides a logical extension for the Sea Haven Estate. The plan of development provided for each stage includes siting provisions for future Dwellings and ancillary structures in accordance with the Queensland Development Code – Mandatory Part 1.2. As such, the proposal is recommended for approval, subject to the conditions outlined in the recommendation.

**12.3 - DEVELOPMENT APPLICATIONS
FOR DEVELOPMENT PERMITS FOR
RECONFIGURING A LOT RESULTING
IN THE CREATION OF 119 LOTS AND
BALANCE LAND AND A
DEVELOPMENT PERMIT FOR A
MATERIAL CHANGE OF USE FOR 119
DWELLING HOUSES (SEA HAVEN
ESTATE STAGES 10, 11, 12 AND 13)**

Taroomball Locality Plan

Meeting Date: 17 September 2019

Attachment No: 1



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Taroomball Locality Plan

Map Created by: Web AppBuilder for ArcGIS



Printed from ArcPortal on 9/10/2019

**12.3 - DEVELOPMENT APPLICATIONS
FOR DEVELOPMENT PERMITS FOR
RECONFIGURING A LOT RESULTING
IN THE CREATION OF 119 LOTS AND
BALANCE LAND AND A
DEVELOPMENT PERMIT FOR A
MATERIAL CHANGE OF USE FOR 119
DWELLING HOUSES (SEA HAVEN
ESTATE STAGES 10, 11, 12 AND 13)**

Proposal Plan Stage 10

Meeting Date: 17 September 2019

Attachment No: 2

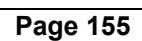


**12.3 - DEVELOPMENT APPLICATIONS
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DWELLING HOUSES (SEA HAVEN
ESTATE STAGES 10, 11, 12 AND 13)**

Proposal Plan Stage 11

Meeting Date: 17 September 2019

Attachment No: 3

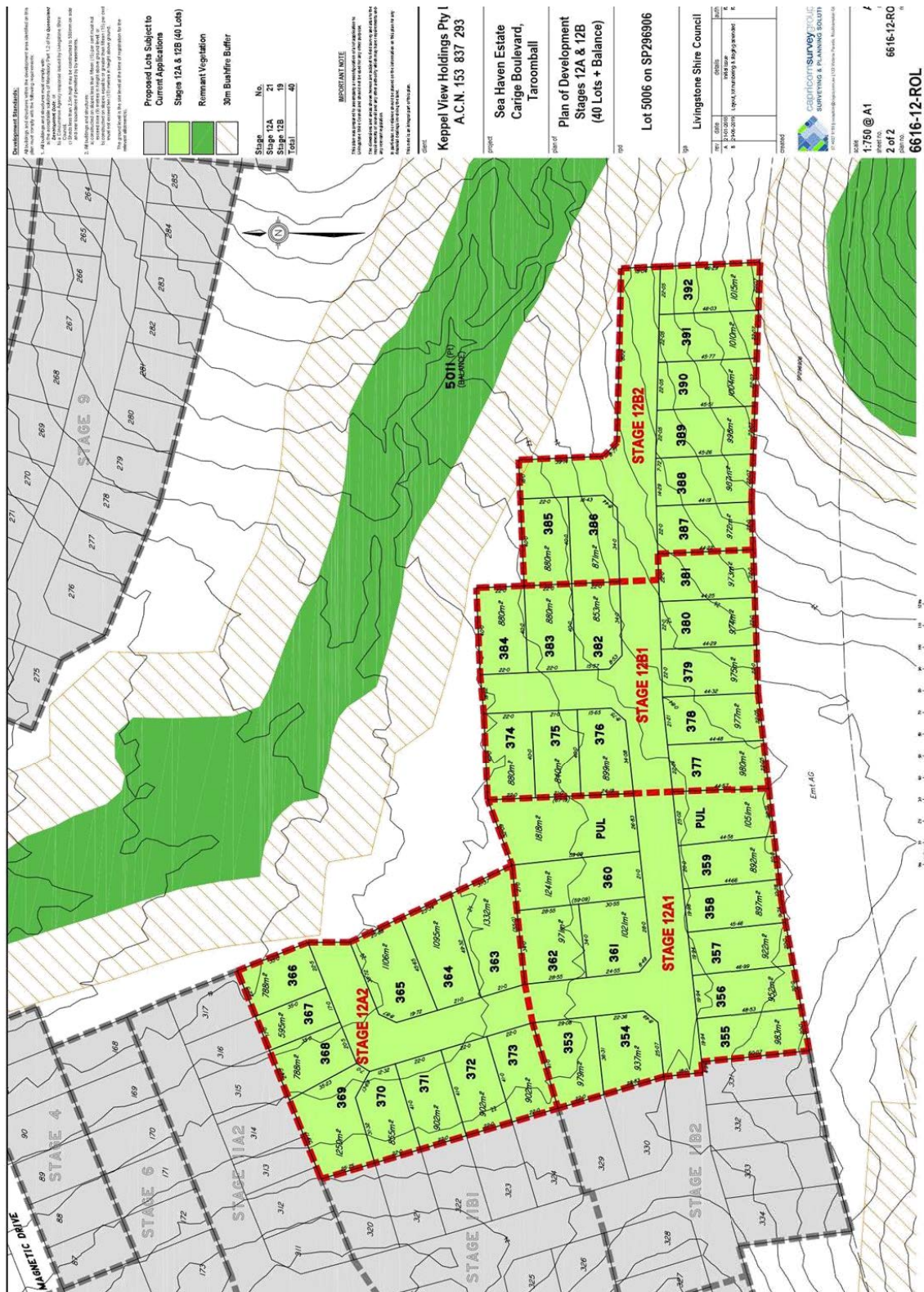


**12.3 - DEVELOPMENT APPLICATIONS
FOR DEVELOPMENT PERMITS FOR
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DEVELOPMENT PERMIT FOR A
MATERIAL CHANGE OF USE FOR 119
DWELLING HOUSES (SEA HAVEN
ESTATE STAGES 10, 11, 12 AND 13)**

Proposal Plan Stage 12

Meeting Date: 17 September 2019

Attachment No: 4

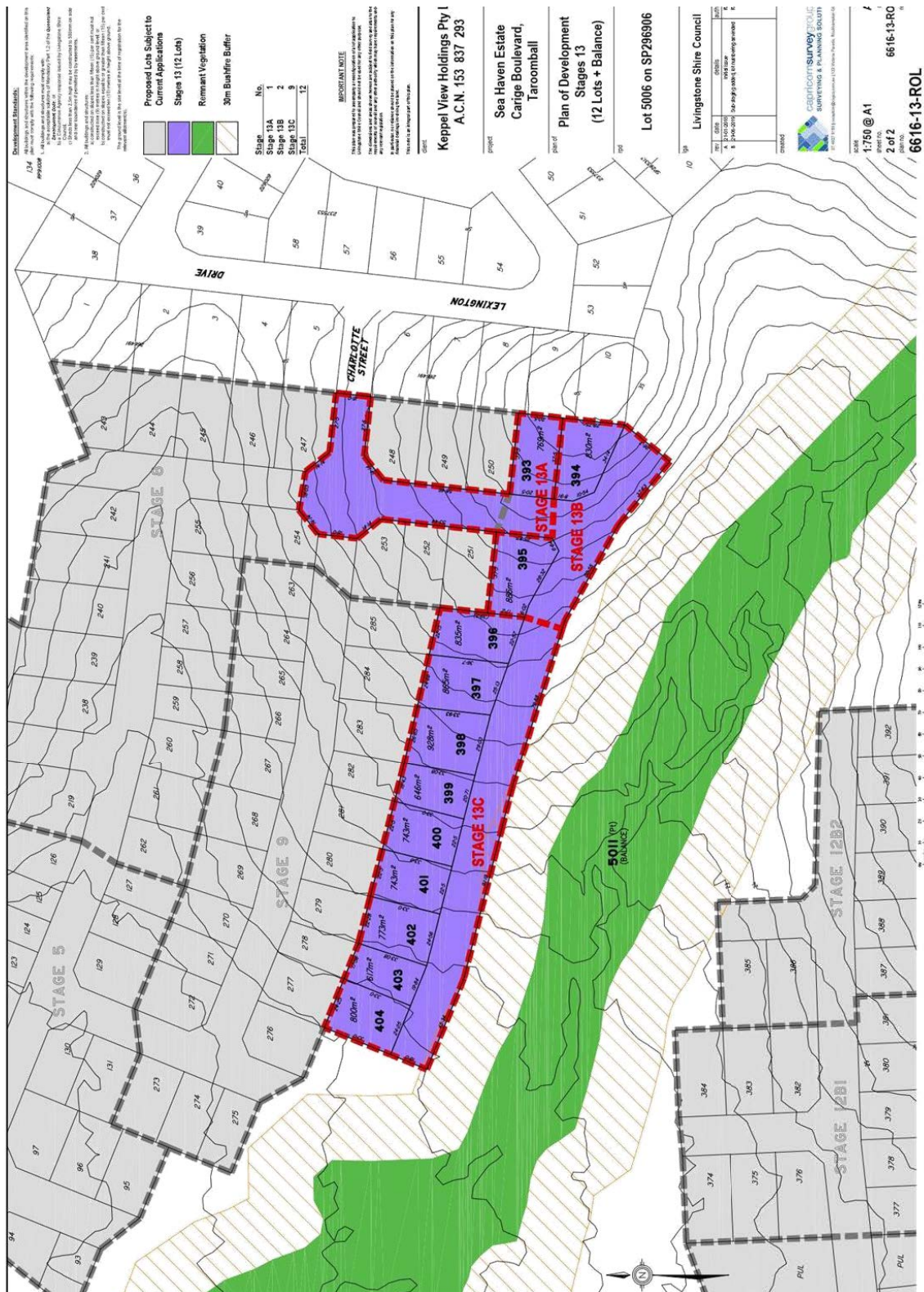


**12.3 - DEVELOPMENT APPLICATIONS
FOR DEVELOPMENT PERMITS FOR
RECONFIGURING A LOT RESULTING
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BALANCE LAND AND A
DEVELOPMENT PERMIT FOR A
MATERIAL CHANGE OF USE FOR 119
DWELLING HOUSES (SEA HAVEN
ESTATE STAGES 10, 11, 12 AND 13)**

Proposal Plan Stage 13

Meeting Date: 17 September 2019

Attachment No: 5



**12.3 - DEVELOPMENT APPLICATIONS
FOR DEVELOPMENT PERMITS FOR
RECONFIGURING A LOT RESULTING
IN THE CREATION OF 119 LOTS AND
BALANCE LAND AND A
DEVELOPMENT PERMIT FOR A
MATERIAL CHANGE OF USE FOR 119
DWELLING HOUSES (SEA HAVEN
ESTATE STAGES 10, 11, 12 AND 13)**

**Overall Plan of Development (all
stages)**

Meeting Date: 17 September 2019

Attachment No: 6



12.4 COUNCILLOR AGENDA ITEM REQUESTS

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

SUMMARY

This report is to provide information in relation to Councillor requests for agenda items.

OFFICER'S RECOMMENDATION

THAT Council receive the report in relation to the following items requested by Councillors for inclusion in an agenda:

- Reticulated Water to Mabel Edmund Park
- Reallocation of Funding
- Reinstate Meeting Procedures
- Beach Access Bangalee
- Yeppoon Aquatic Centre
- Hill Street Pedestrian
- Anzac Parade Roundabout
- Henry Beak Bridge

BACKGROUND

The information contained in the commentary of this report is being provided in accordance with section 2.9.2 of *Council Meeting's Procedures Policy*, Request by a Councillor to Place an Item on the Agenda.

COMMENTARY

Councillor	Subject	Action	Outcome / Update
Kelly	Reticulated Water to Mabel Edmund Park	Referred to officers to provide a briefing to Councillors.	Briefing was provided to Councillors on 18/3/19. Further investigation of options and an onsite meeting has occurred. Investigation with a divining rod is ongoing and information will be brought back to Council once feasibility has been assessed.
Mather	Reallocation of Funding	Referred to officers to provide a briefing to Councillors.	A briefing is scheduled to be presented to Councillors by the end of September 2019.
Mather	Reinstate Meeting Procedures	Referred to officers to provide a briefing to Councillors.	A briefing is scheduled to be presented to Councillors by the end of September 2019.

Hutton	Beach Access Bangalee	Referred to officers to provide a briefing to Councillors.	Councillors have been provided background information on this matter. A future briefing to be provided.
Kelly Mather	Yeppoon Aquatic Centre	Referred to officers to provide a briefing to Councillors.	A briefing is scheduled to be presented to Councillors by the end of September 2019.
Mather	Hill Street Pedestrian	Referred to officers to provide a briefing to Councillors	Briefing was provided to Councillors on 05/09/2019.
Belot	Anzac Parade Roundabout	Referred to officers to provide a briefing to Councillors.	Briefing will include cost estimates to demolish the concrete wall as per the Councillor's petition
Mather	Henry Beak Bridge	Referred to officers to provide a briefing to Councillors	Briefing was provided to Councillors on 09/09/2019

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

This report, presented in accordance with the *Meeting Procedures Policy* is provided for the information of Councillors.

12.5 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 AUGUST 2019**File No:** FM12.14.1**Attachments:** 1. **Monthly Financial Report - August 2019** [↓](#)**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Damien Cross - Coordinator Accounting Services
Rachel Jackson - Coordinator Procurement

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the period ending 31 August 2019 by the Chief Financial Officer.

RECOMMENDATION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 31 August 2019 be received.

BACKGROUND

The attached Financial Report is collated financial data within Council's Finance One and Pathway systems. The report presented includes:

1. Key Strategic Financial Indicators
2. Summary of Financial Results
3. Detailed Statements

The attached financial information presents a snapshot of the month (August) and year-to-date position of Council's financial performance for the 2019-20 financial year. Commitments are excluded from the reported operating & capital expenditures.

All variances are reported against the 2019-20 Adopted Budget as adopted by Council on the 11 July 2019. Budgets have been developed on a monthly basis. The attached reports show the adopted significant business activities (water, sewerage & waste) segregated revenue and expenditure statements. Over coming months Council finance officers will be simplifying the presentation of this monthly financial report to enhance the readability and relevance of the information contained within.

COMMENTARY

The Financial Report compares actual performance to date with Council's 2019-20 adopted budget and identifies significant variances or areas of concern. It also provides information about additional areas of financial interest to Council and reinforces sound financial management practices throughout the organisation. At this early stage of the financial year, few trends have emerged.

Financial Performance

The operating performance for the financial year to 31 August 2019 shows an operating surplus of approximately \$22.2 million compared to a budgeted YTD operating surplus of approximately \$21.8 million.

Total operational expenditure is \$2.4m below budget through the first two months of the financial year due in part to the non-accrual of all materials and services expenditure on a monthly basis. This underspend in operational expenditure is partly offset by a \$2.0m variance in operational revenue. It should be noted that this operational variance is a budget timing variance with Council officers planning to review the monthly phasing of revenue and expenditure budgets to as accurately as possible reflect the timing of the revenue earned and expenditure incurred.

Financial Performance Summary to 31 August 2019					
	2019-20 YTD Adopted Budget (\$m)	Actuals (\$m)	Variance (\$m)	Variance %	Status
Operating Revenue	\$37.1	\$35.1	(\$2.0)	(5%)	■
Operating Expense	(\$15.3)	(\$12.9)	\$2.4	16%	✓
<i>Net Operating Result</i>	\$21.8	\$22.2	\$0.4	2%	✓
Capital Grants	\$1.7	\$0.4	(\$1.3)	(76%)	✗
Capital Expenditure	(\$7.2)	(\$4.4)	(\$2.8)	(39%)	✗

Note: Actual results exclude purchase order commitments.

Status Legend:

- Above budgeted revenue or under budgeted expenditure ✓
- Below budgeted revenue or over budgeted expenditure <10% ■
- Below budgeted revenue or over budgeted expenditure >10% ✗

Operating Revenue

The year to date operating revenue is below the YTD adopted budget position mostly due to budget timing variances in regards to the monthly budget phasing of General Rates and Utility Charges revenue as mentioned above. At this early stage of the financial year, few definitive trends have emerged.

Interest revenue is below budget after two months of the financial year given two recent decreases in the Reserve Bank of Australia underlying cash rate, which has decreased the interest rate Council earns on its cash invested with the Queensland Treasury Corporation.

Fees and Charges revenue is below budget mostly due to waste disposal revenue, with waste charges expected to align with budget following the issue of a number of debtor's invoices in September.

Table A in the Monthly Financial Report (Attachment 1) shows operating revenue by major category of actuals to budget variances by line item.

Operating Expenses

Year to date operating expenditure is below the YTD 2019-20 adopted budget, which excludes \$15.3m in committed expenditure.

Table A in the Monthly Financial Report (Attachment 1) reports operating expenditure by major category of actuals to budget variances by line item.

Employee benefits are reported as below budget as the wages accrual for the fortnight ending Sunday 1 September 2019 of approximately \$200k which was paid to employees in

early September has not been accrued back to August. There are also a number of non-wages budget lines which are smaller contributing factors to this variance, however given only two months of the financial year has elapsed few definitive trends have emerged year to date.

Below is a snapshot of the expenditure on the rural and urban roads maintenance programs in comparison to the 2019-20 Adopted Budget.

	YTD Actuals (\$000's)	YTD Adopted Budget (\$000's)	Full Year Adopted Budget (\$000's)	% Full Year Adopted Budget Spent (\$000's)
Rural Maintenance	\$821	\$455	\$3,551	23.1%
Urban Maintenance	\$274	\$386	\$2,206	12.4%

Note: Actual results exclude purchase order commitments.

Capital Revenue

Total capital grants and contributions are below the 2019-20 YTD Adopted Budget by \$1.3m. It is only very early in the financial year and the timing of the receipt of capital grants milestone payments heavily influence the YTD budget variance.

The 2019-20 Adopted capital revenue budget for developer contributions is \$1.5M. Total year to date developer's contributions for 2019-20 are \$548k and tracking ahead of budget expectations to end of August. The monthly budget phasing of developers contributions is difficult to predict.

The actual revenues received is a factor in determining the mix of funding of Council's capital works programme will be monitored by Council officers as the financial year progresses and evaluated as part of quarterly budget reviews.

Capital Expenditure

Capital expenditure incurred as at 31 August 2019 is summarised in Table D.1 and D.2 in Attachment 1. The 2019-20 full year adopted budget capital expenditure is approximately \$36.1 million with actuals of \$4.4m spent as at 31 August 2019. There is approximately \$6.7 million of capital expenditure commitments raised as at the 31 August 2019 that predominately relates to work to be undertaken.

Table D.3 highlights the significant capital works projects with adopted budget expenditure budget greater than \$800,000 and includes the YTD actuals and project life-to-date costs in comparison to budget.

Statement of Financial Position as at 31 August 2019

A detailed balance sheet as provided in Table B in Attachment 1 as at 31 August 2019.

The balance sheet shows a low level of total liabilities in comparison to total assets and consists predominantly of loan borrowings and to a lesser extent trade & other payables and other provisions.

Council's total loan balances are approximately \$81.2 million with the next quarterly repayment scheduled is September to the Queensland Treasury Corporation (QTC). Council has not accessed the approved working capital facility.

Interest on long-term borrowings range from 3.123% to 5.554%, with the average cost of capital being 4.35%.

Statement of Cash Flows

The statement of cash flows provided in Table C in Attachment 1 shows Council's cash flows for August in comparison to the YTD budget. The cash position remains sound with cash totalling approximately \$32.3 million at 31 August 2019.

Available cash is invested with the Queensland Treasury Corporation (QTC) Capital Guaranteed Cash Fund or held in fixed term deposits with financial institutions. The annual effective interest rate for the QTC Capital Guaranteed Cash Fund at 31 August 2019 was 1.41% p.a. Council has a fixed term deposit currently earning 2.35% p.a.

Interest earned on cash and investments for the month of August was \$39k.

Outstanding Sundry Debtors

At 31 August 2019, outstanding sundry debtors total \$858k and of this balance, \$653k is current. There are 16 accounts which are over 60 days totalling \$147k which represent approximately 17% of total outstanding sundry debtors.

Outstanding and Overdue Rates and Charges

The total rates debtor balance at 31 August 2019 stands at \$29.8 million. There is \$938k in prepaid rates as at the 31 August 2019, with net rates outstanding being \$28.8 million as at 31 August.

It should be noted that the total rates debtor balances are high due to the 2019-20 half-year general rates notices and final quarter 2018-19 water consumption notices being generated during the month of July, with the issue date being 7 August 2019 and due on 11 September 2019.

The KPI target for outstanding rates is to reduce rates receivables to less than 5% of total rates outstanding prior to the next six monthly billing cycle. Whilst the collection process of overdue rates receivables is proceeding, total rates receivables as at 31 August 2019 eligible for collection (excluding the current levy) is \$3.7m, which is 10.5% of rates, levied.

The following table analyses overdue rates and charges by age of debt.

Aging Period	Arrears balance (before deducting prepaid rates)	% of eligible total for collection
Current	\$26,660,423	89.59%
1 years	\$1,814,056	6.10%
2 years	\$584,411	1.96%
3 years	\$347,409	1.17%
4 years	\$155,341	0.52%
5 years	\$195,680	0.66%
TOTAL	\$29,757,320	100%

Council offers a direct debit facility with 2,173 direct debits totalling \$178,965 processed in August.

Debt Management

Ratepayers always have the option to enter into formal payment arrangements, which prevents legal action being progressed by Council's debt collection agency. Council resolved to charge 7% per annum on overdue rates and utility charges in 2019-20, applied monthly, on all overdue balances, including those under a formal payment agreement.

In total, 34% of the overdue balances are under management, this reflects 557 assessments out of all (17,561) rateable assessments (3.2%).

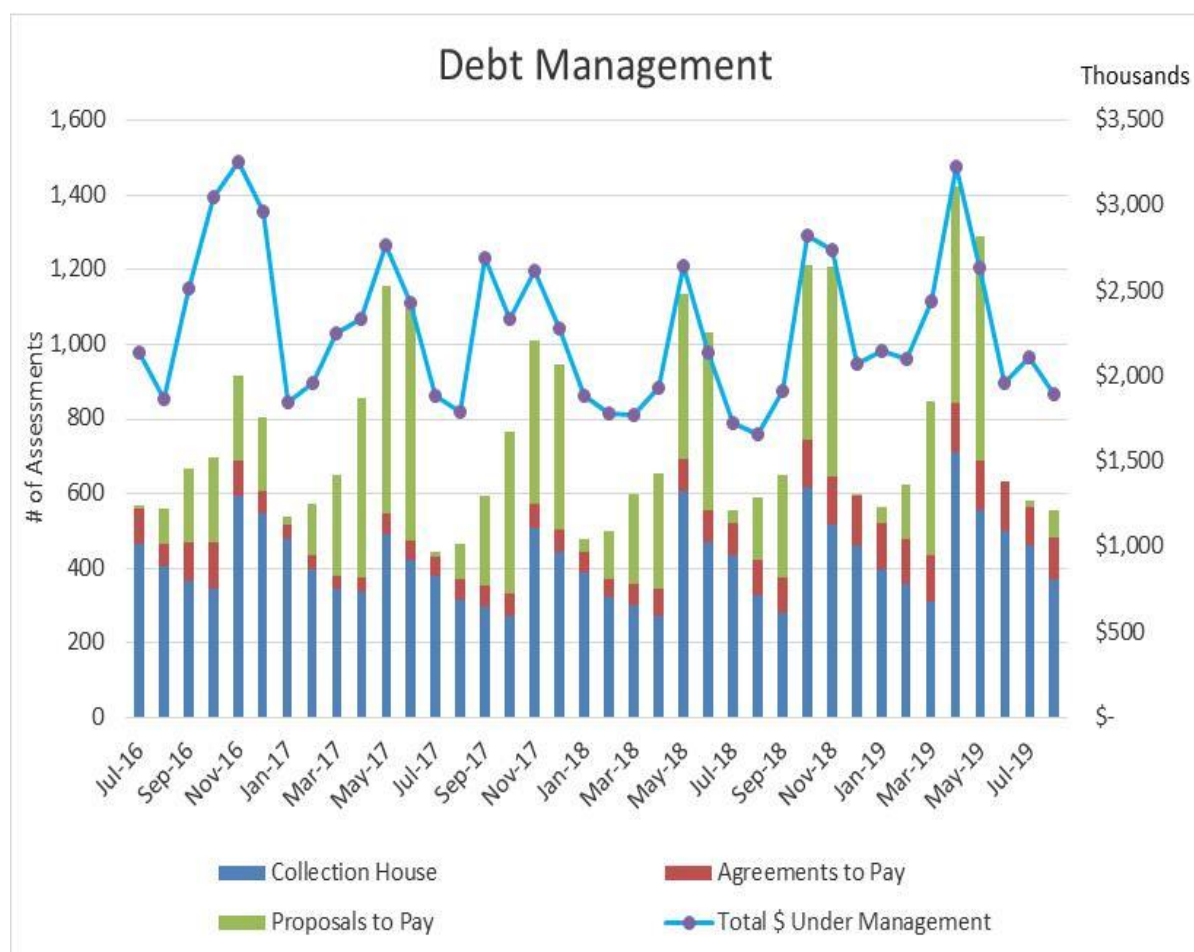
Proposals to pay require all current arrears to settle in full prior to the next rating period. There are 76 current proposals to pay (July: 19) in place as at 31 August 2019 totalling

\$120,294. The total number of proposals to pay has increased as ratepayers take up this option to manage the currently issued rates and water notice.

There are 109 assessments (July: 104) under long-term arrangements (agreements to pay) with a total of \$508,872 with varying settlement periods.

Council's debt collection agency is currently managing 372 assessments (July: 460), representing \$1,264,216 (July: \$1,534,261).

Compared to August 2018, there are 44 more assessments under a debt management arrangement with an increase in the total value under management by \$255,130. This reflects Council's proactive approach to assist ratepayers manage their financial obligations.



Procurement

Local Content

Council strongly supports locally owned and operated businesses, including those with an office or branch in our region. Council is able to report on direct local spend for both operational and capital expenditure in addition to employee salaries & wages.

The total spent with businesses located within the shire boundaries year to date is 16% or \$2.5 million and illustrated in the following pie chart. The large spend in other predominately relates to payments made to Downer Utilities Australia Pty Ltd in relation to the major capital project at the Yeppoon Sewerage Treatment Plant.

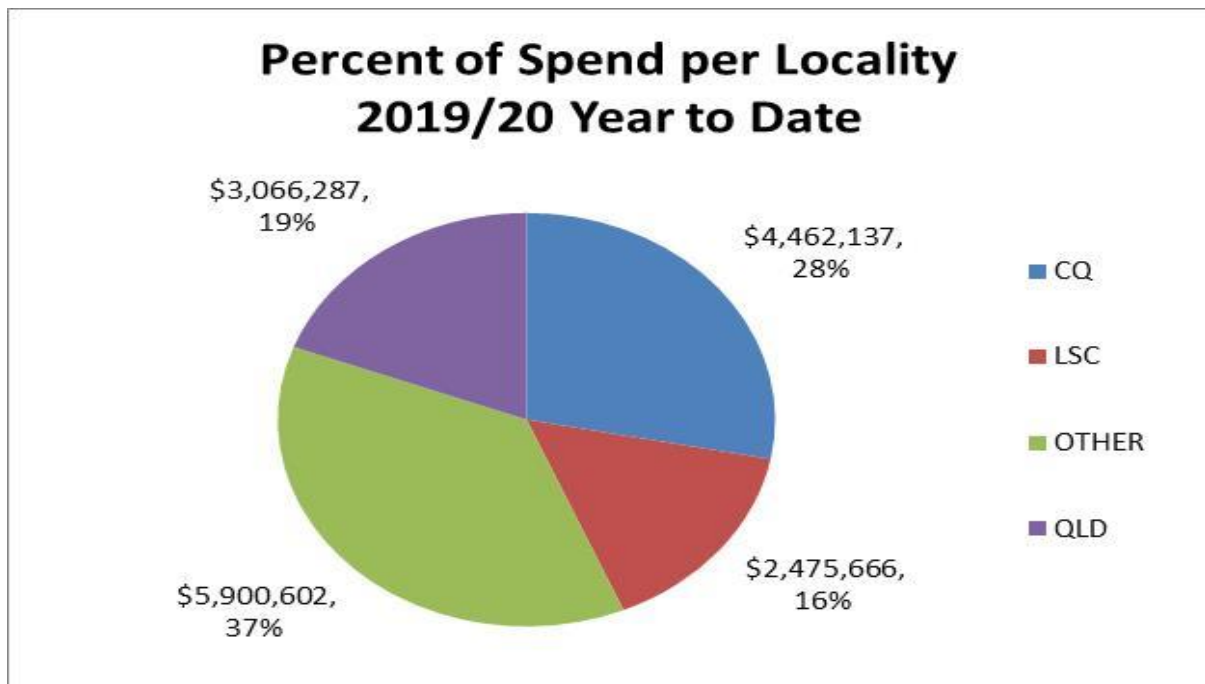
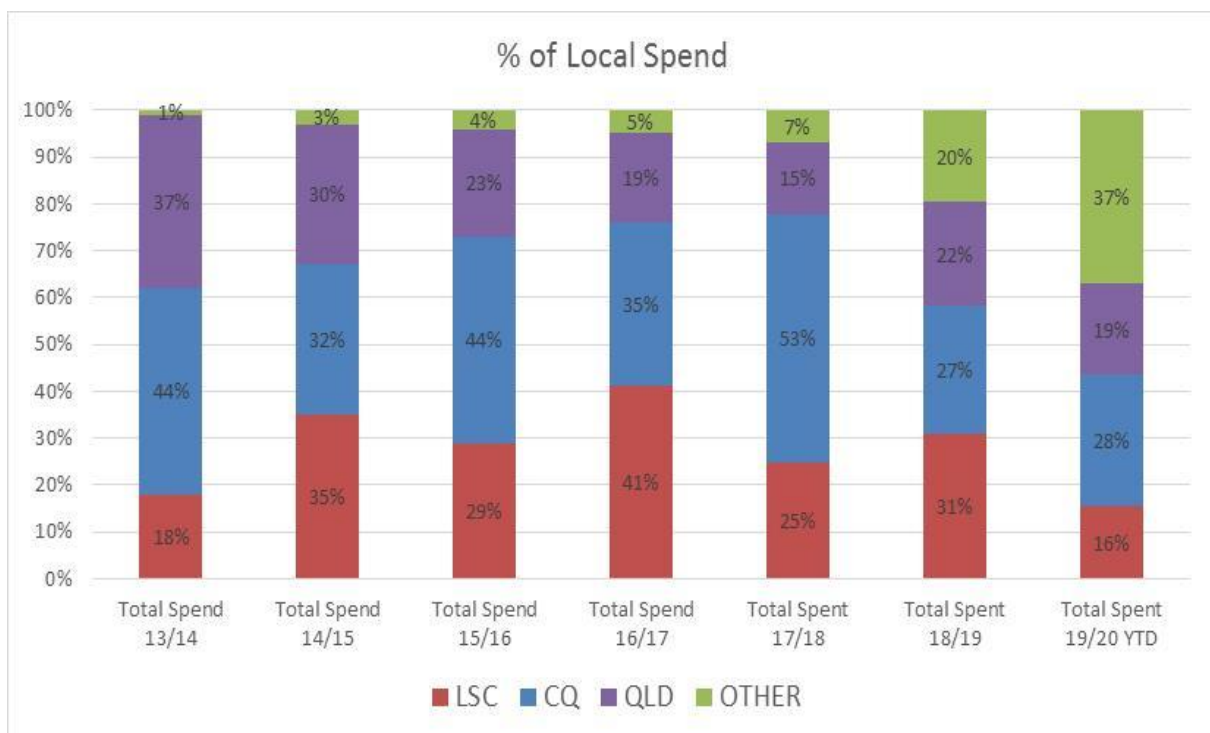


Chart legend:

- LSC Business located within the shire boundaries.
- CQ Business completely set up and run outside of LSC boundaries but within the Central Queensland region.
- QLD Business based outside of Central Queensland but within Queensland
- OTHER Business based outside of Queensland.

The bar graph below summarises the allocation by local spend categories per financial year since 2013-14. Council has procured, on average, 65% of materials & services from within the greater Central Queensland area, which includes Livingstone Shire Council.



Current Tenders

The summary of current tenders facilitates oversight of the progress by Councillors. Council applies best practice with tender evaluation undertaken at officer level by way of membership on an evaluation panel and with Councillors not being involved in the tender evaluation process.

Status legend:

Open – tender publicly advertised and suppliers are preparing and submitting tender responses. Officers and Councillors are to apply probity by directing all enquiries to the Procurement Team while the tender is open.

Evaluation – the tender is under evaluation by the Tender Evaluation Panel. Officers outside of the Evaluation Panel and Councillors are restricted from this process.

Contract Award – the evaluation process is completed and approval process to award contract is underway.

Contract – contract issued by letter of award.

Summary of current tenders:

ITT	Name	Status
2018.031	ITT - Removal of Biosolids	Evaluation
1009T	ITT - Temp Amenities - Septic GKI	Contract Award
1013T	ITT - Debt Collection Services	Evaluation
1018T	ITT - The Hub Tenancies	Evaluation
1019T	ITT - Provision of Security Services	Open
1025T	ITT - PSA - Supply & Delivery Traffic Control	Open

PREVIOUS DECISIONS

Council adopted the 2019-20 Adopted Budget on 11 July 2019.

BUDGET IMPLICATIONS

The Monthly Financial Report shows Council's financial position in relation to the 2019-20 Adopted Budget.

LEGISLATIVE CONTEXT

In accordance with Section 204 of the *Local Government Regulation 2012*, a Financial Report is to be presented to Council on at least a monthly basis.

LEGAL IMPLICATIONS

There are no legal implications because of this report.

STAFFING IMPLICATIONS

There are no staffing implications because of this report.

RISK ASSESSMENT

Regular robust reporting of Council's financial results assists in creating a framework of financial responsibility within the Council and providing sound long-term financial management of Council's operations.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy GO3: Pursue financial sustainability through effective use of the Council's resources and assets and prudent management of risk.

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 Financial Report provides information about Council's financial performance and position for the month ending 31 August 2019.

12.5 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 AUGUST 2019

Monthly Financial Report - August 2019

Meeting Date: 17 September 2019

Attachment No: 1



**Monthly Financial Report
for period ending
31/08/2019**

Contents

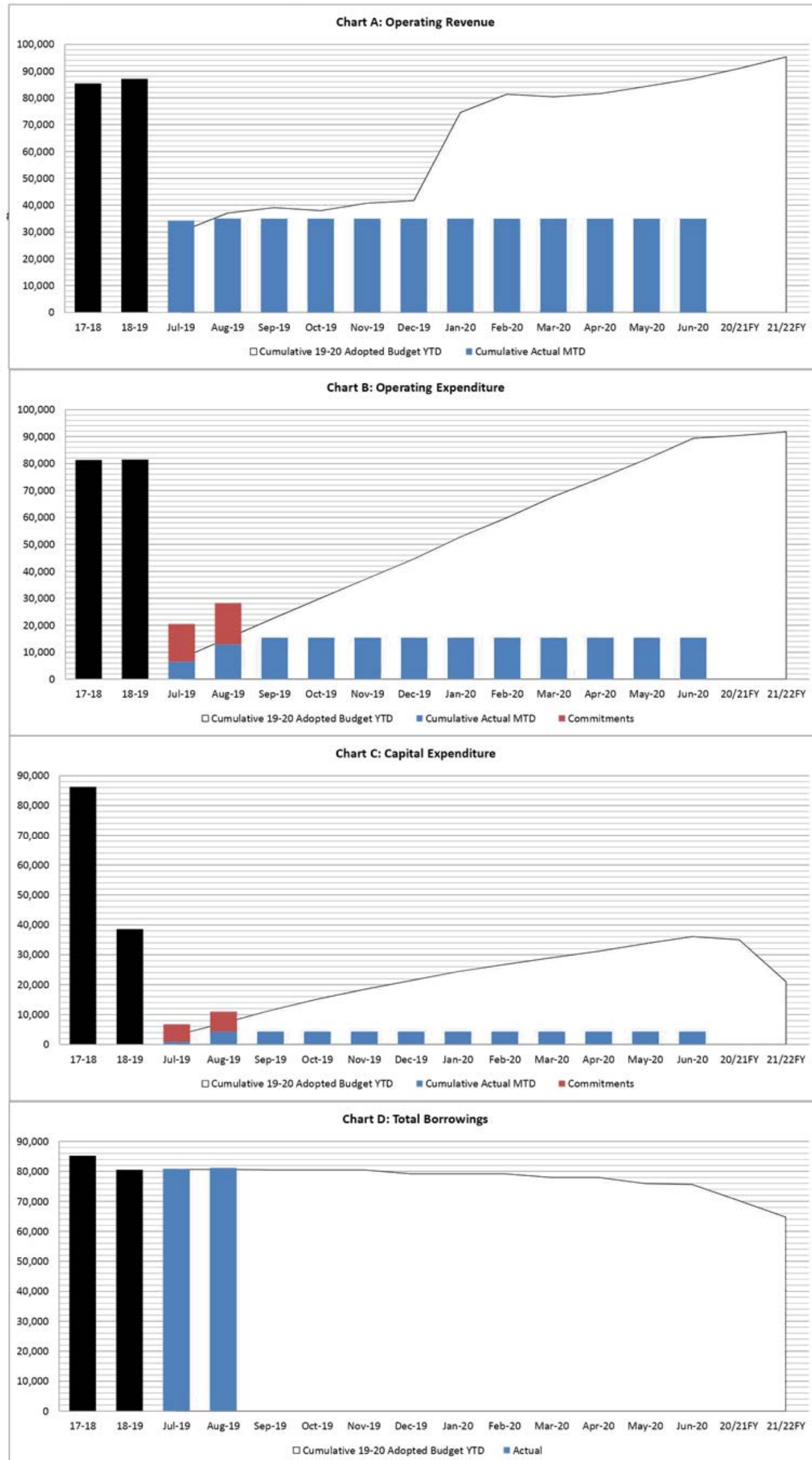
Financial Health Indicators

- Key strategic financial indicators
- Summary financial statements

Attachments: Detailed financial statements

Financial Health Indicators

Key strategic financial indicators: trend analysis



Key strategic financial indicators as at: 31/08/2019					
Operating performance					
	Target Benchmark	1920 Adopted Budget	YTD Actual	Status	Commentary
Operating surplus ratio					The operating surplus and operating efficiency ratios are well above the target range as the first bi-annual General Rates and Utility Charges notices have been recorded as revenue during July. Both of these ratios have moved closer to their respective 2019-20 adopted budget positions during August. It is expected that both ratios will continue to move closer towards their respective budgeted position as operational expenditure is incurred during the months of September to December until the next General Rates Notices are levied later in the financial year.
Operating surplus/operating revenue	0-10%	-2.6%	63.2%	✓	
Operating efficiency ratio					
Operating revenue/operating expense	110%	97.5%	271.7%	✓	
Fiscal flexibility					
	Target Benchmark	1920 Adopted Budget	YTD Actual		Commentary
Net financial liabilities ratio					The Net Financial Liabilities Ratio is above the target benchmark of less than 60%. It is anticipated that this ratio will move closer towards the target benchmark following the first quarterly repayment on Council's loan portfolio in September. The own source operating revenue ratio is well ahead of the target benchmark as general rates and utility charges have been recorded as revenue in July relative to other sources of operational revenue received YTD.
(Total liabilities - current assets) / operating revenue	<60%	75.7%	69.0%	✗	
Own-source operating revenue ratio					
Own source/operating revenue	>60%	92.4%	96.9%	✓	
Interest cover ratio					The interest cover ratio is within the lower end of the target range of 0% - 5%, mostly due to the recognition of General Rates and Utility Charges revenue in July.
Net Interest Expense / Total Operating Revenue	0% - 5%	4.6%	1.9%	✓	
Liquidity					
	Target Benchmark	1920 Adopted Budget	YTD Actual		Commentary
Cash balances - Cash capacity in months					The YTD cash expense cover indicates that Council has sufficient cash to meet current cash operating expenses for approximately 7.5 months. This is above the target benchmark as Council's closing cash position at 31 August is well ahead of the budgeted position at this same date. This in turn is mostly due to total cash at 1 July 2019 being ahead of 2018-19 Q3 budget expectations. Council's 2019-20 opening balance sheet position will be updated as part of the 2019-20 Q1 Budget Review. The current ratio is above the target benchmark of 2.0 also due to the same reasoning above.
Cash at bank/cash operating expense	3.0	0.6	7.5	✓	
Ability to pay our bills - Current Ratio (times)					
Current assets/current liabilities	2.0	2.2	5.0	✓	
Asset sustainability					
	Target Benchmark	1920 Adopted Budget	YTD Actual		Commentary
Asset Sustainability Ratio					The asset sustainability ratio will stay lower than the 90% target benchmark due to the large proportion of new assets not requiring renewal at this stage. At this early stage of the 2019-20 financial year the capital work program is only just starting to gain momentum.
Renewal expenditure/depreciation	90%	50.3%	20%	✗	
Status Legend					
KPI target (budget) achieved or exceeded		✓	KPI target (budget) not achieved		
			✗		

Summary financial statements for the year to date ending 31/08/2019

A. Summary of financial results

A. Income Statements					
	Year-to-date 2019-20 Adopted Budget		Variance		Status
	(\$m)	Actual (\$m)	\$	%	
Own-source Revenues	35.65	33.97	(1.68)	-4.7%	■
Total Revenues	37.06	35.07	(1.99)	-5.4%	■
Employee Expenses	(5.71)	(4.65)	1.06	-19%	✓
Total Expenses	(15.28)	(12.91)	2.37	-16%	✓
Operating Result					
	21.78	22.16	0.39	2%	
Own source revenue is below budget YTD mostly due to a budget timing variance in relation to General Rates and Utility Charges. The 2019-20 Q2 budget review will consider any variations needed to the phasing of this budget over the course of the 2019-20 financial year. Employee benefits are reported as below budget partly due to the non-accrual of employee wages for the fortnight ending Sunday 1 September of approximately \$200k and partly due to a number of non-wages employee benefits currently being under budget. However given only 2 months of the financial year has elapsed few definitive trends have emerged year to date.					

B. Balance Sheet					
	Year-to-date 2019-20 Adopted Budget		Variance		Status
	(\$m)	Actual (\$m)	\$	%	
Cash and Cash Equivalents	12.01	32.32	20.30	169%	✓
Current Assets	26.57	77.68	51.11	192%	✓
Current Liabilities	15.68	15.51	(0.17)	-1%	✓
Non-Current assets	957.39	976.78	19.39	2.0%	✓
Borrowings	80.64	81.19	0.55	0.7%	■
Non-Current Liabilities	85.27	86.37	1.10	1.3%	■
Net Assets	883.01	952.59	69.58	8%	
Cash balances and total current assets are well ahead of the budgeted position at the end of August as the opening cash position at 1 July 2019 was ahead of the budgeted closing cash position as at 30 June 2019. Council's 2019-20 opening balance sheet position will be updated as part of the 2019-20 Q1 Budget Review. Total borrowings are slightly over the budgeted position at end of August, however it is anticipated total borrowings will be in close proximity to budget following the first quarterly repayment on Council's loan portfolio during September.					

C. Cash flows					
	Year-to-date 2019-20 Adopted Budget		Variance		Status
	(\$m)	Actual (\$m)	\$	%	
Net Operating	1.01	1.14	0.13	13%	✓
Net Investing	(4.10)	(8.58)	(4.49)	110%	✗
Net Financing	0.00	(0.00)	(0.00)	0%	✓
Closing Cash Balance	12.01	32.32	20.30	169%	
Net Operating Cash Flows are slightly ahead of budget. Net Investing Cash Flows are ahead of budget as a number of large capital expenditure progress claims were made during the early part of the 2019-20 financial year which were accrued back into the 2018-19 financial year. In relation to Net Financing costs, Council is scheduled to make the first repayment on its loan portfolio with the Queensland Treasury Corporation in September.					

D. Capital program					
	Year-to-date 2019-20 Adopted Budget		Variance		Status
	(\$m)	Actual (\$m)	\$	%	
Renewal	1.77	0.75	(1.03)	-58%	✗
New/Upgrade	5.39	3.60	(1.79)	-33%	✗
Total Capital Program	7.17	4.35	(2.82)	-39%	
At this early stage of the 2019-20 financial year the capital work program is only just starting to gain momentum following the adoption of the 2019-20 budget on 11 July 2019.					

Status Legend:

Above budgeted revenue or under budgeted expenditure
 Below budgeted revenue or over budgeted expenditure <10%
 Below budgeted revenue or over budgeted expenditure >10%



Attachments

A: Monthly Summary revenue and expenditure report (by line item)

	1920 Adopted Budget	Year-to-date			Full year 2019-20 Adopted Budget
	(\$'000)	Actual (\$'000)	Variance (\$'000)	Variance %	(\$'000)
Revenues					
Rates & Utility Charges	34,627	33,122	(1,505)	-4%	73,538
User Fees & Charges	869	651	(219)	-25%	4,996
Operating Grants	913	915	1	0%	5,768
Interest	167	96	(71)	-42%	1,147
Sales Revenue	329	93	(236)	-72%	(398)
Other	155	194	39	25%	941
Total operating revenues	37,060	35,070	(1,990)	-5%	85,992
Expenses					
Employee Benefits	(5,710)	(4,646)	1,063	-19%	(32,550)
Materials & Services	(5,135)	(3,677)	1,458	-28%	(28,558)
Depreciation	(3,648)	(3,648)	0	0%	(21,893)
Interest	(666)	(669)	(4)	1%	(3,995)
Other	(126)	(269)	(143)	113%	(1,215)
Less: Total operating expenses	(15,284)	(12,910)	2,375	-16%	(88,211)
Net operating result	21,776	22,161	385	2%	(2,219)
Capital Income					
Capital Grants	1,662	396	(1,266)	-76%	9,972
Developer Contributions	250	548	298	119%	1,500
Other Capital Income	0	112	112	0%	0
Less: capital expenses	(24)	0	24	-100%	(146)
Net Capital Income	1,888	1,056	(832)	-44%	11,326
Total comprehensive income	23,663	23,217	(447)	-2%	9,107

B: Monthly summary of assets and liabilities report

	1920 Adopted Budget	Year-to-date			Full year 2019-20 Adopted Budget
	(\$'000)	Actual (\$'000)	Variance (\$'000)	Variance %	(\$'000)
Assets					
Cash and cash equivalents	12,014	32,318	20,304	169%	17,630
Inventory	492	442	(50)	-10%	3,485
Receivables:					
Trade & Other Receivables	14,065	30,815	16,751	119%	8,335
Land - for resale	13,786	17,915	4,129	30%	2,923
Infrastructure:					
PPE	943,448	942,347	(1,101)	0%	995,051
Capital WIP	-	30,625	30,625	0%	-
Other assets	155	4	(151)	-97%	930
Total Assets	983,960	1,054,467	70,507	7%	1,028,354
Liabilities					
Employee benefits	5,181	9,697	4,517	87%	4,782
Trade creditors and accruals	5,231	546	(4,684)	-90%	3,487
Borrowings:					
Short-term	5,270	5,824	554	11%	5,270
Long-term	75,370	75,370	0	0%	70,260
Other liabilities	9,898	10,438	540	5%	11,659
Total Liabilities	100,949	101,875	926	1%	95,458
Current assets	26,571	77,683	51,112	192%	30,380
Current liabilities	15,681	15,508	(173)	-1%	13,539
Non-current assets	957,389	976,784	19,395	2%	997,974
Non-current liabilities	85,268	86,367	1,099	1%	81,919
Net community assets	883,011	952,592	69,581	8%	932,896

C: Monthly summary cash flow report

	1920 Adopted Budget	Year-to-date			Full year 2019-20 Adopted Budget
	(\$'000)	Actual (\$'000)	Variance (\$'000)	Variance %	(\$'000)
Operating Cashflows					
<i>Cash inflows from operations</i>					
Rates & utility charges	10,152	8,623	(1,528)	-15%	76,316
User fees and charges	663	849	186	28%	4,996
Operating grants	1,148	905	(243)	-21%	5,766
Interest	217	96	(121)	-56%	1,147
Other	247	606	359	145%	0
Proceeds from sale of land inventory	0	0	0	0%	8,696
Total operating cash inflows	12,428	11,079	(1,348)	-11%	96,921
<i>Cash outflows from operations</i>					
Employee entitlements	(5,610)	(4,649)	961	-17%	(33,660)
Payments to suppliers	(5,092)	(4,618)	473	-9%	(28,583)
Borrowing costs & bank charges	(714)	(669)	45	-6%	(3,845)
Other operating cash outflows	0	0	0	0%	(300)
Total operating cash outflows	(11,416)	(9,937)	1,479	-13%	(66,388)
Net cash flows from operations	1,012	1,142	131	13%	30,533
Investing cash flows					
Proceeds on disposal of assets	0	149	149	0%	1,570
Capital grants & infrastructure charges	1,912	944	(968)	-51%	11,472
Acquisition of assets	(6,007)	(9,675)	(3,668)	61%	(36,044)
Net investing cash flows	(4,095)	(8,582)	(4,487)	110%	(23,002)
Financing cash flows					
Repayments on borrowings	0	(0)	(0)	0%	(4,999)
Net financing cash flows	0	(0)	(0)	0%	(4,999)
Net combined cash flows	(3,084)	(7,440)	(4,356)	141%	2,532
Add: Opening cash balance	15,098	39,758	24,660	163%	15,098
Closing cash balance	12,014	32,318	20,304	169%	17,630

D.1: Monthly summary capital revenue and expenditure report by category (all projects)

	1920 Adopted Budget	Year-to-date			Full year 2019-20 Adopted Budget
	(\$'000)	Actual (\$'000)	Variance (\$'000)	Variance %	(\$'000)
Renewal of existing assets					
Capital grants and contributions	(163)	(266)	(103)	63%	(980)
Renewal expenditure	1,775	745	(1,030)	-58%	11,002
New assets/upgrade of existing assets					
Capital grants and contributions	(1,499)	(131)	1,368	-91%	(8,992)
New/upgrade expenditure	5,390	3,602	(1,788)	-33%	25,060
Total					
Capital grants and contributions	(1,662)	(397)	1,265	-76%	(9,972)
Renewal, upgrade and acquisition	7,165	4,347	(2,818)	-39%	36,062

D.2: Monthly summary capital revenue and expenditure report by asset class (all projects)

	1920 Adopted Budget (\$'000)	Year-to-date			Full year 2019-20 Adopted Budget (\$'000)
		Actual (\$'000)	Variance (\$'000)	Variance %	
Land					
Capital grants and contributions	-	-	-	0%	-
Renewal, new/upgrade	17	73	56	338%	175
Buildings					
Capital grants and contributions	(108)	-	108	-100%	(650)
Renewal, new/upgrade	404	8	(395)	-98%	1,980
Plant & Equipment					
Capital grants and contributions	-	(33)	(33)	0%	-
Renewal, new/upgrade	382	348	(33)	-9%	2,116
Roads & Drainage					
Capital grants and contributions	(866)	(364)	503	-58%	(5,198)
Renewal, new/upgrade	2,780	1,157	(1,623)	-58%	15,365
Bridges					
Capital grants and contributions	-	-	-	0%	-
Renewal, new/upgrade	26	1	(25)	-97%	65
Water					
Capital grants and contributions	-	-	-	0%	-
Renewal, upgrade and acquisition	1,045	374	(671)	-64%	4,737
Sewerage					
Capital grants and contributions	(373)	-	373	-100%	(2,236)
Renewal, upgrade and acquisition	1,821	1,828	7	0%	5,781
Site Improvements					
Capital grants and contributions	(315)	-	315	-100%	(1,888)
Renewal, upgrade and acquisition	691	548	(143)	-21%	4,722
Land Development					
Capital grants and contributions	-	-	-	0%	-
Renewal, upgrade and acquisition	-	12	12	0%	1,120

D.3: Summary capital expenditure report by project (>\$800,000)

	Project Dates			Project Costs YTD FY19/20				Project Life Costs		
	% Project Complete	Planned Start Date	Planned Completion Date	WIP B/F from FY 2018-19	Actual	Commitments	Total Project Costs	2019-20 Adopted Budget	Project LTD Costs	Project Life Budget
Capricorn Coast New Cemetery										
580906 Capricorn Coast Cemetery - Initial Planning				10	0	0	0	0	10	
988058 Capricorn Coast Cemetery - Roadworks				3,010	0	9	9	0	3,010	
988173 Capricorn Coast Cemetery - Internal works	25%	2/07/2018	12/12/2019	502	13	134	147	850	516	
1110324 Capricorn Coast Cemetery - Internal R&D works				2,146	5	10	15	0	2,151	
<u>Subtotal</u>				5,668	18	153	171	850	5,686	6,850
Emu Park Village & Foreshore Revitalisation										
1097725 Emu Park Village & Foreshore - Emu Park Foreshore PPP				75	0	0	0	0	75	
1100767 Emu Park Village & Foreshore	80%	2/07/2018	12/12/2019	2,087	314	1,630	1,944	1,000	2,401	
1101161 Emu Park Village & Foreshore - CWA Rotunda Emu Park				2	0	0	0	0	2	
1105254 Emu Park Village & Foreshore - Kerr Park Carpark (SLSC)				805	0	0	0	0	805	
1105255 Emu Park Village & Foreshore - Tennent Memorial Dr Stage 1 Plan				18	0	0	0	0	18	
1105256 Emu Park Village & Foreshore - Emu Street Stage 1 Plans B to E				231	0	8	8	0	231	
1108479 Emu Park Village & Foreshore - Water Main Replacement Emu St				141	0	0	0	0	141	
<u>Subtotal</u>				3,359	314	1,637	1,952	1,000	3,674	5,520
1115392 ICT Strategy	0%	1/07/2019	8/06/2020	4	0	148	148	1,120	4	2,120
CP440 Fleet Renewal Program	17%	1/07/2019	8/06/2020	0	348	283	631	2,023	348	2,023
Road & Drainage										
CP422 Gravel Resheet Annual Program	11%	1/07/2019	12/03/2020	76	138	180	318	1,300	213	1,300
1017252 Matthew Flinders Drive - Scenic Highway to Gregory Street	0%	30/10/2019	18/06/2020	7	2	18	20	1,500	10	1,500
1066965 Frangipani Drive Extension & Taranganba School Bus Setdown	0%	1/07/2020	20/10/2020	318	0	0	0	920	318	1,520
1114438 Adelaide Pk Road - St Brendan's Gate 1 to Gate 2	1%	12/08/2019	20/02/2020	2	10	62	72	1,300	12	1,300
1108378 Barmaryee Rd-Oaks Village - Neil's Road	1%	1/10/2019	27/03/2020	4	13	0	13	880	16	880
1113798 Whitman St - Morris to Arthur Streets	0%	6/01/2020	5/06/2020	18	3	0	3	800	21	810
<u>Subtotal</u>				425	166	261	427	6,700	591	7,310
Major Projects										
1115553 Cooee Bay Pool- W4Q Round 3	5%	29/07/2019	30/06/2020	0	3	0	3	1,200	3	1,200
959072 Sewer Treatment Plant Yeppoon - Augmentation Design & Construction	98%	22/03/2018	30/09/2019	14,157	1,816	705	2,520	1,277	15,972	16,601
1110848 Yeppoon Water Recycling Augmentation	0%	1/07/2019	18/12/2020	10	4	0	4	1,900	13	1,900
<u>Subtotal</u>				14,167	1,822	705	2,527	4,377	15,989	19,701
Water and Waste Operations										
1100809 Yeppoon Landfill entry works - Planning and Design	1%	15/01/2020	30/06/2020	0	17	2	18	2,000	17	2,000
1116575 Reservoir West Emu Park	0%	1/07/2019	30/04/2020	0	0	0	0	2,200	0	2,200
1065688 Arthur St Yeppoon Trunk Sewer	0%	9/01/2020	25/05/2020	6	0	0	0	919	6	919
<u>Subtotal</u>				6	17	2	18	5,119	23	5,119

E.1: Business Unit summary revenue and expenditure report (by line item)																				
	Water				Sewer				Waste				Council				Consolidated			
	1920 Adopted Budget	YTD Actual	Variance	Variance	1920 Adopted Budget	YTD Actual	Variance	Variance	1920 Adopted Budget	YTD Actual	Variance	Variance	1920 Adopted Budget	YTD Actual	Variance	Variance	1920 Adopted Budget	Actual	Variance	Variance
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%
Rates & utility charges	16,732	5,087	(11,645)	-70%	9,676	5,346	(4,330)	-45%	6,204	3,324	(2,880)	-46%	40,926	19,365	(21,561)	-53%	73,538	33,122	(40,416)	-55%
User fees & charges	231	27	(204)	-88%	170	8	(162)	-95%	1,981	70	(1,910)	-96%	2,615	545	(2,070)	-79%	4,996	651	(4,345)	-87%
Operating grants	0	(5)	(5)	0%	0	0	0	0%	0	0	0	0%	5,768	910	(4,858)	-84%	5,768	906	(4,863)	-84%
Interest	0	0	0	0%	0	0	0	0%	0	0	0	0%	1,147	96	(1,051)	-92%	1,147	96	(1,051)	-92%
Sales revenue	140	4	(136)	-97%	60	50	(10)	-17%	0	0	0	0%	(598)	39	637	-106%	(398)	93	491	-123%
Other	0	9	9	0%	0	(0)	(0)	0%	216	3	(213)	-99%	724	191	(534)	-74%	941	203	(738)	-78%
Total operating revenues	17,103	5,123	(11,979)	-70%	9,906	5,404	(4,502)	-45%	8,401	3,398	(5,003)	-60%	50,582	21,146	(29,437)	-58%	85,992	35,070	(50,923)	-59%
Expenses																				
Employee benefits	(2,458)	(301)	2,156	-88%	(1,432)	(191)	1,240	-87%	(454)	(34)	420	-93%	(28,207)	(4,120)	24,087	-85%	(32,550)	(4,646)	27,904	-86%
Materials & services	(7,649)	(1,098)	6,551	-86%	(2,915)	(433)	2,483	-85%	(5,581)	(109)	5,473	-98%	(12,582)	(2,038)	10,544	-84%	(28,558)	(3,677)	25,051	-87%
Depreciation	(4,138)	(690)	3,448	-83%	(2,272)	(379)	1,893	-83%	(635)	(106)	529	-83%	(14,848)	(2,475)	12,374	-83%	(21,893)	(3,648)	18,245	-83%
Interest	(548)	(95)	453	-83%	(682)	(117)	565	-83%	(578)	(100)	478	-83%	(2,188)	(357)	1,831	-84%	(3,995)	(669)	3,326	-83%
Other	0	0	(0)	0%	0	(0)	(0)	0%	(10)	(8)	2	-20%	(1,035)	(261)	774	-75%	(1,215)	(269)	776	-74%
Less: Total operating expenses	(14,793)	(2,184)	12,609	-85%	(7,301)	(1,120)	6,181	-85%	(7,258)	(356)	6,902	-95%	(58,860)	(9,250)	49,610	-84%	(88,211)	(12,910)	75,302	-85%
Net operating result	2,310	2,939	629	27%	2,605	4,284	1,679	64%	1,143	3,042	1,899	166%	(8,278)	11,896	20,173	-244%	(2,219)	22,160	24,379	-1099%

E.2: Business Unit summary of assets and liabilities report										
	Water	Sewerage	Waste	Council	Year-to-date				Full year	
	1920 Adopted Budget	YTD Actual	Variance	Variance	1920 Adopted Budget	Actual	Variance	Variance	1920 Adopted Budget	1920 Adopted Budget
	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)
Assets										
Cash and cash equivalents	15,182	7,115	10,424	(403)	12,014	32,318	20,304	169%	17,630	17,630
Inventory	0	0	0	442	492	442	(50)	-10%	3,485	3,485
Trade & Other Receivables	9,853	0	2,499	18,464	14,065	30,815	16,751	0%	8,335	8,335
Land - for resale	0	0	0	17,915	13,786	17,915	4,129	30%	2,923	2,923
Infrastructure:	0	0	0	0	0	0	0	0%	0	0
PPE	194,942	116,971	9,098	621,336	943,448	942,347	(1,101)	0%	995,051	995,051
Capital WIP	935	16,130	17	13,543	0	30,625	30,625	0%	0	0
Other assets	0	(0)	(0)	4	155	4	(151)	0%	930	930
Total Assets	220,912	140,216	22,038	671,302	983,960	1,054,467	70,507	7%	1,028,354	1,028,354
Liabilities										
Employee benefits	644	646	951	7,456	5,181	9,697	4,517	87%	4,782	4,782
Trade creditors and accruals	43	23	13	467	5,231	546	(4,684)	-90%	3,487	3,487
Borrowings:										
Short-term	856	984	865	3,119	5,270	5,824	554	11%	5,270	5,270
Long-term	9,225	15,281	9,739	41,126	75,370	75,370	0	0%	70,260	70,260
Other liabilities	(2)	0	9,893	547	9,898	10,438	540	5%	11,659	11,659
Total Liabilities	10,766	16,934	21,460	52,715	100,949	101,875	926	1%	95,458	95,458
Current assets	25,034	7,115	12,923	32,611	26,571	77,683	51,112	192%	30,380	30,380
Current liabilities	1,525	1,635	1,828	10,520	15,681	15,508	(173)	-1%	13,539	13,539
Non-current assets	195,877	133,101	9,115	638,691	957,389	976,784	19,395	2%	997,974	997,974
Non-current liabilities	9,241	15,300	19,632	42,194	85,268	86,367	1,099	1%	81,919	81,919
Net community assets	210,146	123,282	577	618,587	883,011	952,592	69,581	8%	932,896	932,896

12.6 ADOPTION OF THE CAPRICORN COAST EVENT STRATEGY 2025

File No: ED8.5.17
Attachments: 1. Capricorn Coast Event Strategy 2025 [↓](#)
Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing
Author: Trish Weir - Manager Customer Engagement & Communications

SUMMARY

Livingstone Shire Council secured Building Better Regions Funding to produce the Capricorn Coast Events Attraction Strategy. Minor and major event organisers, venue managers and internal business units have provided input into the Capricorn Coast Region Event Strategy 2025. The vision for all stakeholders was a strategic and co-ordinated approach to growing existing events and attracting new, destination aligned events to increase overnight visitor expenditure, create jobs and grow the economic benefit for the region.

OFFICER'S RECOMMENDATION

THAT Council adopt the *Capricorn Coast Region Strategy 2025* (as contained within Attachment One) as the framework document, which will guide the identification, planning, sponsorship criteria, implementation targets and overall strategic drivers across the region relating to events.

BACKGROUND

At its Ordinary Meeting of 20 August, a deputation by Krista Hauritz outlined the draft *Capricorn Coast Region Event Strategy 2025*. Council was successful in receiving \$20,000 funding from the Australian Government's Building Better Regions Fund for consultancy services to complete the *Capricorn Coast Region Event Attraction Strategy*. Krista Hauritz Tourism and Events Consultancy lead a small internal project team which worked closely with key internal and external stakeholders, including Capricorn Enterprise, to ensure that the result was a document which provided information relating to the current state of events, organisation and groups, venues and sponsorship criteria and recommendations for the future.

There are over eighty (80) events staged in the Capricorn Coast region, representing:

- 1) thirty-five (35) per cent community;
- 2) eight (8) per cent arts and cultural;
- 3) fifteen (15) per cent business and conference;
- 4) twelve (12) per cent sporting; and
- 5) thirteen (13) percent other.

Eleven (11) formal workshops and meetings occurred with current event organisers, sponsors and venue providers between November 2018 and April 2019.

COMMENTARY

The purpose of the *Capricorn Coast Region Event Strategy 2025* is to position the Capricorn Coast as regional Queensland's leading event destination for iconic event experiences which reflect the unique coastal village lifestyle and simply stunning location on the shore of the Southern Great Barrier Reef. The current economic impact from events is \$7,900,000 per annum, combined attendances numbers of over 123,000 and peak event months are April, July, September and December.

The development of the strategy has been aligned with local, regional and state strategies to provide a long-term competitive advantage and co-ordinated approach to events, which

will be achieved through a collaborative approach with events, tourism and regional partners.

Council's role involves creating the right conditions and physical environment for event organisers to hold events in the region and success in line with the needs and expectations of the community. To achieve this, Council needs to lead by example and support the four goals of the *Capricorn Coast Region Event Strategy 2025*:

- 1) Economic Growth – long-term positive economic growth, including job creation and investment attraction;
- 2) Destination Profile – build destination brand through events which attract external visitation and significant media profile;
- 3) Sustainability – facilitate financially and environmentally sustainable events; and
- 4) Community – strengthen community connectedness, civic pride and home-grown creative talent.

Further to the above goals, five critical objectives and strategies will be:

- 1) Development of Event Infrastructure such as power, water and space;
- 2) Destination Brand Awareness and investment for the Capricorn Coast region via numerous channels with emphasis on digital;
- 3) Facilitation of Event Sustainability and capacity building to ensure longevity of members and events;
- 4) Strategic Focus and Return on Investment criteria which are aligned to Tourism and Events Queensland event funding programmes (Hallmark, Destination, Home Grown and Emerging Events); and
- 5) Increase in overnight visitor expenditure by introducing packaging and including the wider visitor economy into events.

The Action Plan outlines the priority implementation of critical success strategies with the intention to act as a working document which is regularly reviewed and updated by the Customer Engagement business unit.

PREVIOUS DECISIONS

There have been no previous decisions regarding the *Capricorn Coast Region Event Strategy 2025*.

BUDGET IMPLICATIONS

The cost of preparing the *Capricorn Coast Region Event Strategy 2025* was funded by the \$20,000 funding from Building Better Regions. Council's in-kind contribution and launch event costs are allowed for within the adopted operational budget for Engagement and Events.

Once the Strategy is adopted and officially launched, Council will have met all the milestones and requirements of the Building Better Regions funding agreement and will be in a position to acquit the funding.

LEGISLATIVE CONTEXT

There is no legislation, which is pertinent to the development of the *Capricorn Coast Region Event Strategy 2025*.

LEGAL IMPLICATIONS

There are no legal implications associated with the development of the *Capricorn Coast Region Event Strategy 2025* and all funding agreement requirements and milestone have been achieved.

STAFFING IMPLICATIONS

The *Capricorn Coast Region Event Strategy 2025* will be part of core work for the Engagement and Events team.

RISK ASSESSMENT

The risk in not preparing the *Capricorn Coast Region Events Strategy 2025* is that Council and the community will be 'left behind' in the competitiveness for events, festivals and programmes. The development of the *Capricorn Coast Region Events Strategy 2025* provides an opportunity for Council to create the right conditions and physical environment for event organisers to hold events in the region and success in line with the needs and expectations of the community.

CORPORATE/OPERATIONAL PLAN

Strategy EC3 of Council's Corporate Plan states: '*Promote Livingstone Shire as a desirable destination for investment, business, industry, tourism and living.*'

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 of the *Capricorn Coast Region Events Strategy 2025* provides an opportunity for Council to create the right conditions and physical environment for event organisers to hold events in the region and success in line with the needs and expectations of the community. It has been developed to align with local, regional and state strategies and in consultation with the local community. The outcome of this collaboration is a strategic and co-ordinated approach to growing existing events and attracting new, destination aligned events to increase overnight visitor expenditure, create jobs and grow the economic benefit for the region.

12.6 - ADOPTION OF THE CAPRICORN COAST EVENT STRATEGY 2025

Capricorn Coast Event Strategy 2025

Meeting Date: 17 September 2019

Attachment No: 1



PURPOSE

To position the Capricorn Coast as regional Queensland's leading event destination for iconic event experiences that reflect her unique coastal village lifestyle and simply stunning locations on the shores of the Southern Great Barrier Reef.

The Invest Capricorn Coast Region Event Strategy is a strategic event plan for the Capricorn Coast Region providing a coordinated approach to grow existing, home grown events and attract new, destination aligned events to increase overnight visitor expenditure, create jobs and grow economic benefit for the region.

The strategic approach is to build on the region's competitive advantages to position the Capricorn Coast's

destination profile and appeal, resulting in professional, iconic events that celebrates the region's culture, lifestyle and natural appeal while strengthening its community identity and pride.

Through greater synergies between events and the tourism industry and the wider Capricorn and State event and tourism strategies, the outcome is to create a stronger return on investment for the community and industry on the Capricorn Coast.

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Economic Impact of Livingstone Shire Events 2018, Lawrence Consulting, Capricorn Coast Event Strategy Survey Event Audit Database Local Government Benchmarking Report	

THE REHEARSAL

(setting the scene)

The Livingstone Shire, referred to as the Capricorn Coast region is located on the central coast of Queensland and home to a population of 38,000. Tourism is the region's largest employer, injecting \$151 million into the local economy, with Tourism contributing to 10%¹

of the economy, higher than the Queensland average of 6%.

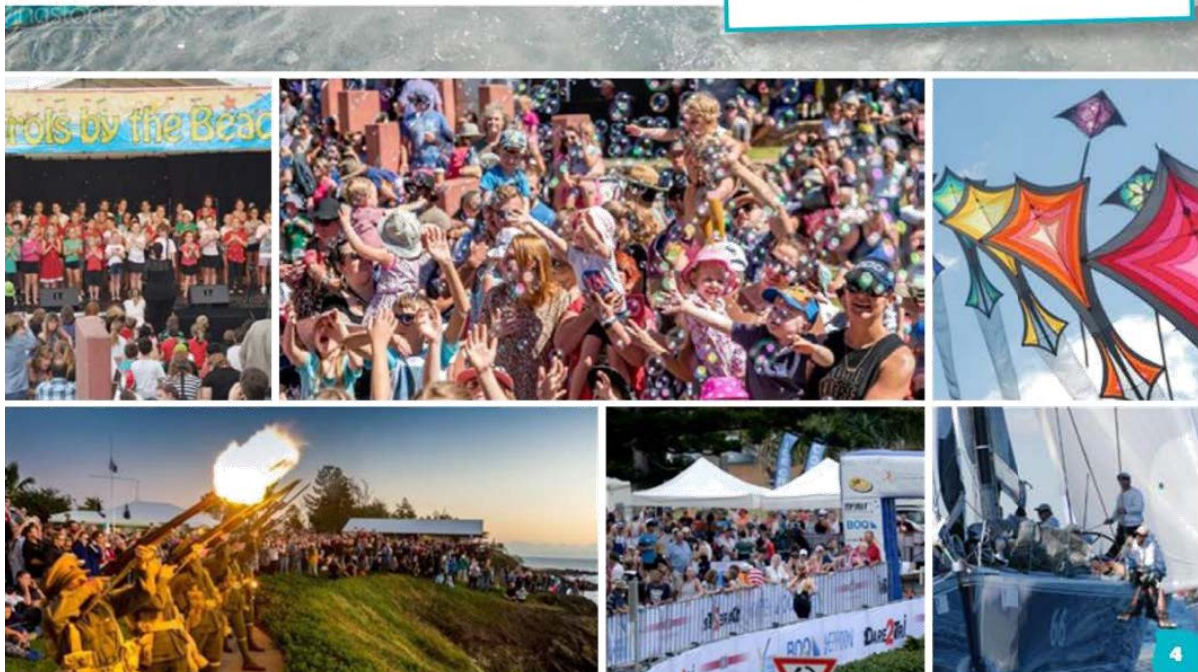
Over 80 events are staged on the Capricorn Coast annually, with major events attracting 125,285 event enthusiasts, contributing an economic impact of \$7.9 million² annually into the Livingstone Shire.

With its stunning coastline, unique coastal villages and backdrop of the Keppel Group on the shores of the Southern Great Barrier Reef, the Capricorn Coast has a distinct competitive advantage in the areas of coastal lifestyle, wellness, arts, environmental sustainability and water related sports.

1. Tourism representing a multi-industry sector - accommodation, food, arts, recreation, retail.
2. Economic Impact of Livingstone Shire Events 2018, Lawrence Consulting

Travelling to the Capricorn Coast

-  1 hr 10, Virgin + QantasLink.
6 flights daily.
-  40 min Rockhampton-Yeppoon. Within 400km radius Mackay, Emerald, Gladstone, Agnes/1770 Bundaberg.
-  7 hr 45 min train Brisbane-Rockhampton, three services per day.
40 min bus Rockhampton-Yeppoon.
-  Three times daily.
<12hrs Brisbane-Yeppoon.
-  Great Keppel Island.
within 30 minutes of Yeppoon/Roslyn Bay.



BEHIND THE SCENES

(strategic context)

Behind the scenes, the Invest Capricorn Coast Region Event Strategy has been developed to align with local, regional and state strategies to provide a long-term competitive advantage and coordinated approach.



Plan	Strategic Alignment
Livingstone Shire Council Corporate Plan 2014-2019	Diverse and unique communities that are connected with the larger community in the common pursuit of an engaged, supportive, inclusive, creative and confident Shire.
Livingstone Shire Council Operational Plan 2018/19	Development of the Event Management Strategy.
Livingstone Shire Council Arts and Cultural Strategic Plan 2017-2022	Celebrate regional identity and community distinctiveness Support the delivery of community identity and distinctiveness through iconic events, places and spaces. Support the delivery of original, imaginative and high-quality arts and cultural events and experiences which attract visitors and strengthen local community identity and pride.
Invest Capricorn Coast Region Economic Development Plan 2018	Development of locally distinctive events and better promoting existing events focused on business, sports, recreation, music, culture and celebrations.
Capricorn Business and Events Industry Development Strategy 2011	Develop an assessment framework to evaluate a broad range of event related impacts and assist with prioritising efforts to support or attract large events.
Capricorn Destination Tourism Plan 2014-2020	Iconic Experiences - to build on and leverage their strengths and heroes - iconic people, places and events which are our points of difference - giving visitors life-long memories and many reasons to stay, explore and return.
Tourism and Events Queensland's (TEQ) Events Strategy 2025	To showcase the best address on earth, signature experiences and events and leverage competitive advantage.
Advancing Tourism 2016-20	Grow quality products, events and experiences to attract visitors to Queensland and increase domestic and international overnight visitation.



PRESENTED BY (strategic partners + collaboration)

Successful events are developed through partnerships, collaboration, destination planning, management and development.

The strategy provides a cohesive framework for the development of events to create a long-term, distinctive competitive advantage for the Capricorn Coast Region. This will be achieved through a collaborative approach with events, tourism and regional partners.

Please note, strategic partnerships are not restricted to these partners identified below. The regional, state and national bodies below have been identified to assist with growing tourism and visitation.

LIVINGSTONE SHIRE COUNCIL

- Leadership and strategic direction
 - Event attraction
- Local event capacity building
- Event support (financial + in-kind)

REGIONAL PARTNERS

Capricorn Enterprise

- Destination Brand + marketing
- Digital and social media platforms
 - Media PR
- Networking with tourism
- Packaging/networking with tourism industry
- Tourism development

EVENT STAKEHOLDERS

Capricorn Coast Region Stakeholders

- Local event organisers
- Local event sponsors + suppliers
- Local tourism operators
 - Media partners
 - Volunteers
- Local community

Major Event Organisations + Sponsors

- Major Event owners and promoters
- Key event sponsors
- Event suppliers

STATE AND NATIONAL PARTNERS

Tourism and Events Queensland

- "It's Live in Queensland" campaign
- Digital and social media platforms
- Destination, Business and Major Events Programs
- Target market insights

Tourism Australia and Tourism Research Australia (TRA)

- Digital and social media platforms
 - Tourism trends
 - Visitor statistics

EVENT SNAPSHOT

80+

festivals and
events p.a.(including civic &
community events)

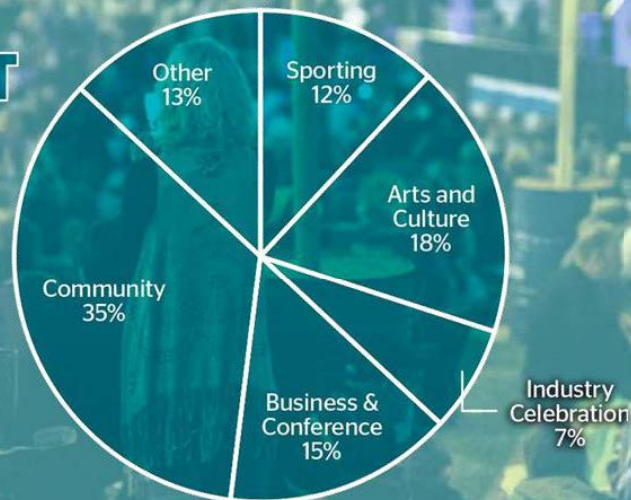
123k+

total attendance

\$7.9
million p.a.
economic impact

Peak Event Season

April, July, September + December

EVENT
TYPE

Sources: Economic Impact of Livingstone Shire Events 2018, Lawrence Consulting, Capricorn Coast Region Event Strategy Survey

Invest Capricorn Coast Region | Event Strategy 2025

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EVENT CAPACITY SNAPSHOT

VENUES

15

dedicated conference
/event spaces

7

green spaces suitable for
festivals and events

3

halls suitable for group
meetings, training,
celebrations

14

sporting facilities

BUSINESS EVENTS AND CONFERENCES

Total Number of Meeting and
Conference Venues

15

Total Capacity

5,143

Capacity Range

16 - 788

SPORTS FACILITIES

4

state standard sports facilities
- Barmaryee Sports Complex
(touch football, rugby league,
netball), Capricorn Resort
Golf, Emu Park Golf Club

4

regional standard sports
facilities - Capricorn Coast
Netball Courts, Cooee Bay
Pool, Don Ireland Pool,
Web Oval

6

local standard sports facilities
- Apex Park, Capricorn
Equestrian Centre, Emu Park
Bowls Club, Marlborough
Pool, Yeppoon Bowling Club,
Yeppoon Tennis Club

GREEN SPACES

2

green spaces suitable for major events
and festivals - Bell Park, Yeppoon
Foreshore and Amphitheatre

2

sports grounds suitable for festival with
camping - Barmaryee Sports Complex
and Hartley Street Sports Grounds

ACCOMMODATION CAPACITY

Total Capacity

1,504

Total Rooms

605

(includes: rooms, villas,
cabins, cottages)

Total Caravan/Tent Sites

663



Source: Event Audit Database

Invest Capricorn Coast Region | Event Strategy 2025

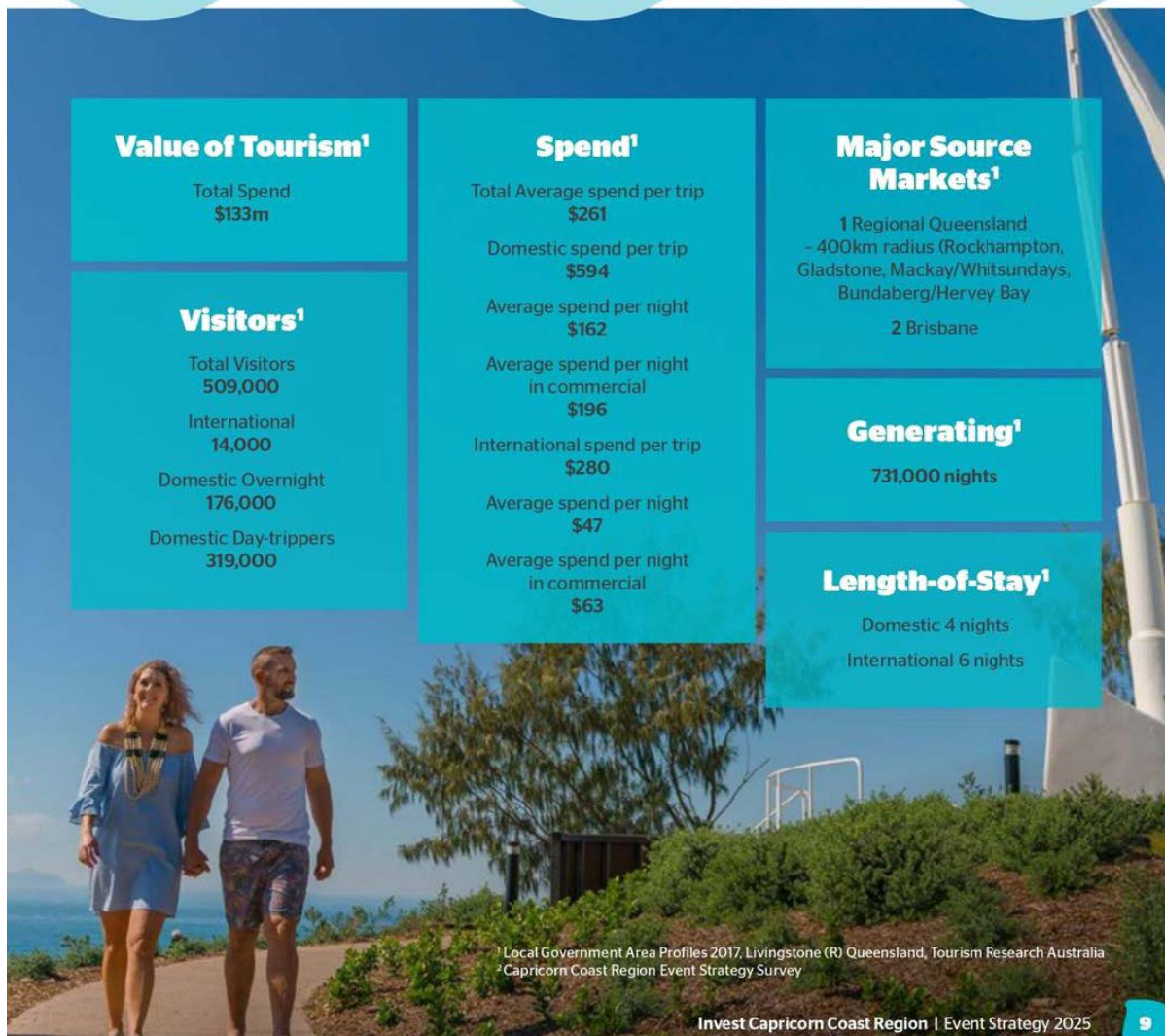
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VISITOR SNAPSHOT

Day-trippers represent the highest total number of visitors to the region.

The opportunity lies to significantly increase overnight visitor expenditure (OVE) by converting day-trippers into overnight stays by developing evening event programming and multi-day events with packaging.

Overnight visitor expenditure (OVE) is 154% greater than day-tripper spend.



THE VALUE OF EVENTS

The overall Economic Impact (i.e. Value Added) for the Region of events is \$7.9 million per annum, creating 51 direct local jobs and contributing to over .5% of the Gross Regional Product.

2025 Projection

A target attendance level of approximately 158,600 persons per annum has been conservatively estimated by the year 2025. This is based on potential for growth in both local and visitor markets for events held in Livingstone Shire, as calculated from comparative benchmarks for other local areas similar to Livingstone Shire along with broad visitor trends for the region.

This includes an expected increase in total visitors for events in Livingstone Shire to 54,730 persons, with an associated spend of approximately \$10.7 million.

Impact of a Major Festival

Were the region to develop an existing event or attract a major iconic event (e.g.. the size of the Byron Bay Blues Fest or Gympie Muster), the economic impact would be substantial, with an estimated direct output of over \$32 million, more than 240 associated direct jobs and total economic contribution exceeding \$25 million.

Source: Economic Impact of Livingstone Shire Events 2018, Lawrence Consulting

“The key to creating greater economic return on investment is to attract a significant larger number of overnight visitors from outside the region.”

WHAT'S ON

(calendar of events)

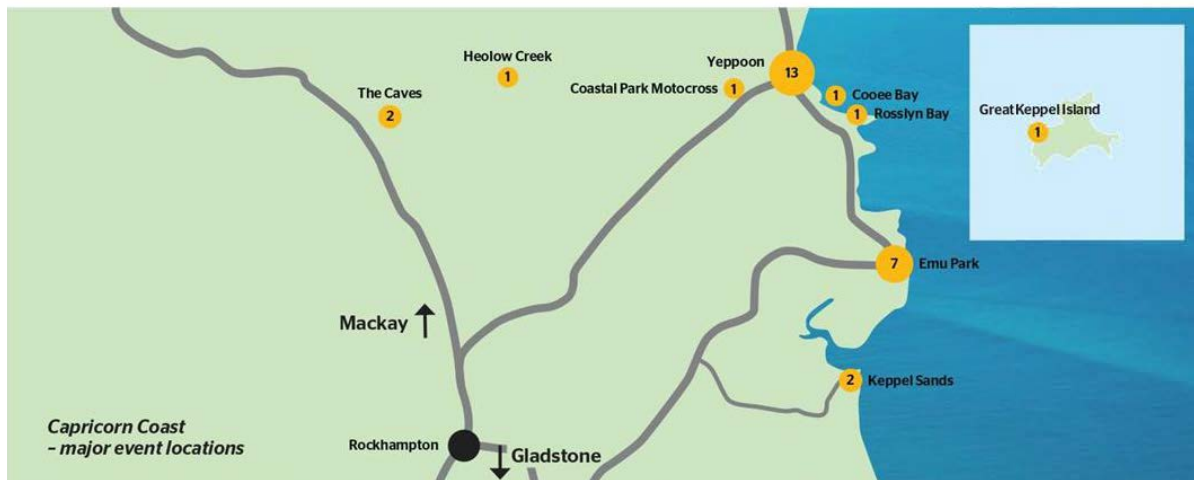
A vibrant and balanced event portfolio can generate awareness by providing a definite, time-based reason to book now, driving visitation to the Capricorn Coast Region.

The table below illustrates events with attendance over 1,000.

January 26 Great Australia Day Beach Party	February 3 Figtree Markets	March 3 Figtree Markets
April 20 Krabtastic 14 Festival of the Wind 27 Caves Show 27 Yeppoon Races	May 5 Yeppoon Races 26 Classics by the Coast	June 8-9 Yeppoon Show Society 2 Beef to Beach
July 8-13 Naidoc Week 20-21 Fitzroy Frogs Triathlon 20-21 Yeppoon Triathlon Festival 26-28 Tropical Bloom Festival	August 2 Brisbane to Keppel Tropical Yacht Race 2-11 The Village Festival 31 St Brendan's Rodeo Yeppoon Races	September 16 Teddy Bear's Picnic 16 Beach Day Out 28 Caves Rodeo 28-29 Enduro X
October 12-14 Pinefest 20 Yeppoon Running Festival	November 2 Yeppoon Races 2 Oktoberfest 24 Sunset Sessions	December 1 Figtree Markets 4 Emu Park Carols 16 Bell Park Picnic Markets 21 Carols by the Beach

THE STAGE

(event locations + facilities)



Location	Events	Number of events
Yeppoon	CQU Village Festival Great Australia Day Beach Party Yeppoon Triathlon Fitzroy Frogs PineFest Yeppoon Running Festival Carols by the Beach Yeppoon Races Yeppoon Show St Brendans Rodeo Figtree Markets	13
Keppel Sands	Krabbastic Naidoc Week	2
Rosslyn Bay	Brisbane to Keppel Tropical Yacht Race	1
Emu Park	Festival of the Wind Classics by the Coast Beef to Beach Beach Day Out Oktoberfest Emu Park Carols Bell Park Picnic Markets	7
Caves	Caves Show Caves Rodeo	2
Heolow Creek	Tropical Bloom Festival	1
Cooe Bay	Teddy Bears Picnic	1
Coastal Park Motorcross Track	Enduro	1
Great Keppel Island	Sunset Sessions	1

To gauge regional dispersal and future infrastructure needs, the map above depicts current event locality.

Most major events, that is, those with 1,000+ attendance, occur in Yeppoon (particularly on the foreshore) and Emu Park, with sailing events from Keppel Bay Marina, Roslyn Bay.

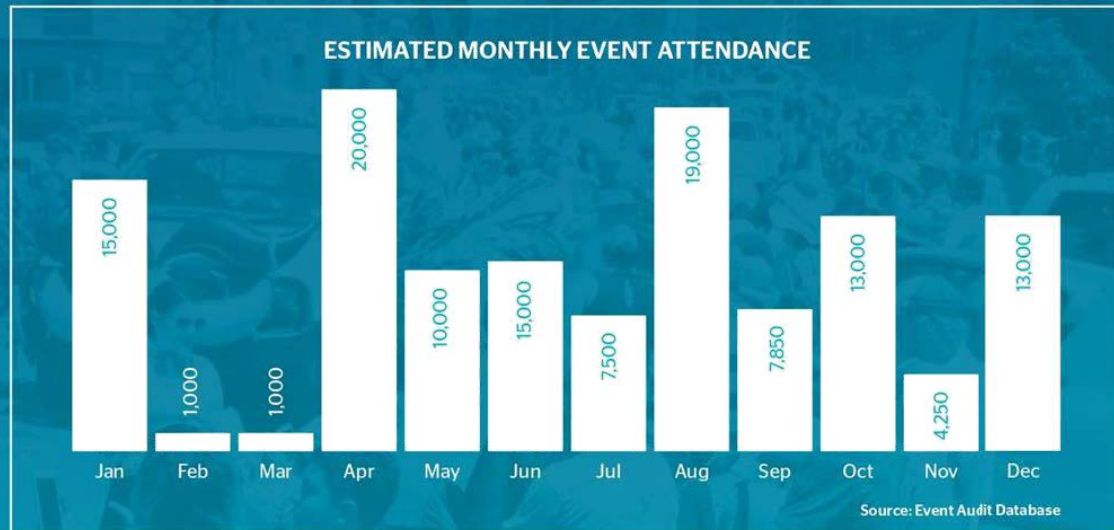
Into the future, the Yeppoon foreshore and Emu Park (Bell Park) will require event site development to cater for future growth of events (e.g. parking and facility upgrades of Bell Park).



OUR FANS

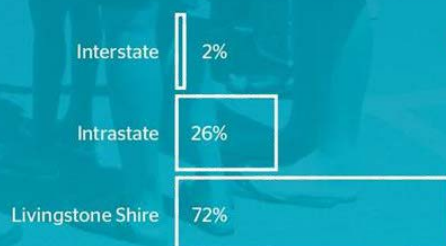
event attendees

The chart below illustrates the estimated total attendance at events in the Capricorn Coast Region with over 1,000 attendees. The months of April, August, October and December have the highest event attendance estimates with January being high due to Australia Day celebrations.

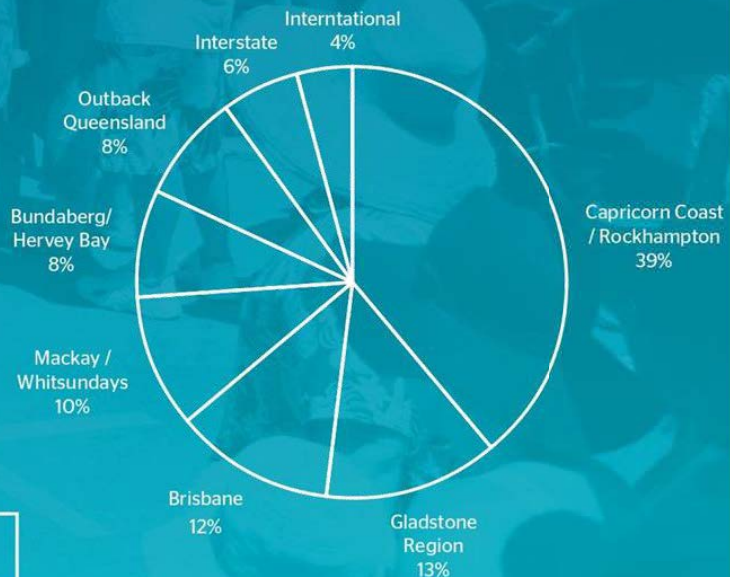


Where They're From

Events in the Capricorn Coast Region attract over 125,235 attendees, with approximately 72% originating from the local and Rockhampton regions, followed by 26% intrastate visitors. Rockhampton is a key non LGA target market, followed by Gladstone Region, Brisbane, Mackay/Whitsundays and wide bay (Bundaberg/Hervey Bay)



Source: Capricorn Coast Region Event Strategy Survey



TARGET MARKETS

Geographic Profile

The Capricorn Coast is within 40 minutes' drive of Rockhampton and just over a 1 hour flight from Brisbane. Within the 400km radius of Gladstone, Mackay, Emerald, Bundaberg and Hervey Bay.



Market Segmentation

Primary Markets



Self-Drive/Short-Break
- 400km radius



Fly/Drive - Brisbane.



Special Interest e.g. music, arts, health and well-being, eco, car enthusiasts, yachting.



Sporting Events - triathlons, ocean swims, dirt bikes, regional and state sporting club tournaments.



Business + Conferences - smaller group meetings + conferences.

High Value Travellers (HVT)

To increase the economic impact from events and the ROI for council and the region, it is recommended to further attract events and develop event experiences to appeal to domestic travellers who will generate a greater overnight visitor expenditure (OVE).

Tourism and Events Queensland has identified such visitors as High Value Travellers (HVT's) who engage in domestic leisure travel, spend more than the average traveller on leisure trips, and are aligned to experiences offered in Queensland.

These intrastate and interstate markets could offer good potential for Capricorn Coast events which develop experiences aligned with their holiday needs. Of note are those markets 18-49 travelling with children (for family friendly events e.g. Village Festival, Australia Day, Pinefest), 18-49 travelling without children (e.g. Octoberfest, Sunset Sessions, Yeppoon Races) and 50+ market travelling without children (Classics by the Coast).

Travelling with children	1.4 million interstate	288,000 intrastate
18-49 travelling without children	1.3 million interstate	408,000 intrastate
50+ travelling without children	1.5 million interstate	440,000 intrastate

SEASONALITY

Events in the Capricorn Region are generally staged during the autumn and winter months when the weather conditions are more consistent and stable. The weather during summer is typically the high tropical wet season and associated with commercial risk.

The chart below illustrates the number of events staged monthly in the Capricorn Coast Region with over 1,000 attendees. The months of April, August, October and December have the highest event attendance estimates with January being high due to Australia Day celebrations.

ESTIMATED MONTHLY EVENT ATTENDANCE



CAPRICORN COAST NUMBER OF EVENTS BY MONTH



Greater Capricorn Coast Region

In contrast to the Capricorn Coast Region, May is the busiest month for events, followed by April and August in the Greater Capricorn Region, including Rockhampton and the Central Highlands.

Source: Event Audit Database

GREATER CAPRICORN COAST NUMBER OF EVENTS BY MONTH

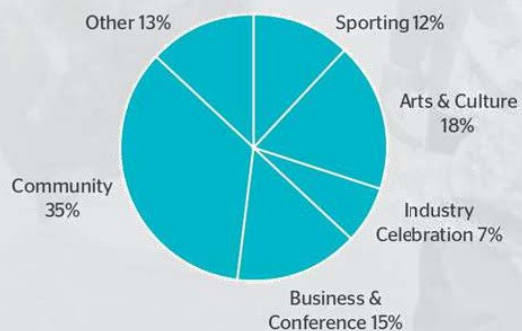


Event Type

There are over 80 events and festivals staged in the Capricorn Coast Region ranging from civic, community, arts and culture, leisure and sporting events.

Approximately 35% of the events staged in Capricorn Coast are community events, followed by 18% arts and culture, business and conference events, 12% sports and 7% industry celebration events.

EVENT TYPE



BENCHMARKING

Benchmarking with similar local government areas was undertaken to further develop the Capricorn Coast Region's competitive advantage. The local government areas included Byron Shire Council, Shire of Noosa and Redland City Council.

Objective of Events

Noting the importance of events in regional areas, the key objectives of council investment in events included:

- Increase visitation in the region.
- Increase the length of stay.
- Increase economic benefit for the region.
- Community health and wellbeing benefits.
- Supporting local event organisers.
- Attracting events to the region.

Event Friendly Destination Profiling

To be known as an event friendly destination, local government areas are:

- Implementing a one-stop-shop with exceptional customer service to streamline the approval process for event organisers to assist in growing the event destination brand.
- Streamlining procedures to minimise red tape.
- Encourage reinvigoration of events to stimulate growth and increase destination profiling and visitation.

KEY LEARNINGS

- **Event Attraction** - be **competitive** in Event Attraction, a budget needs to be established.
- **Infrastructure** - existing infrastructure should enable and support event and visitation growth - right fit event + infrastructure.
- **Sponsorship** - is assessed against criteria aligned to the council objectives.
- **Event acquittals** - councils, are moving towards making events **accountable** for funding by enforcing **mandatory event acquittal** post event to receive ongoing future funding.
- **Industry training and networking opportunities** assist in growing the event capacity and uniting the tourism and events industries within the region. Know the importance of working as a team - events + tourism + council.
- **Training** - assists in event **sustainability, reinvigoration** and networking providing opportunities for operators to **collaborate** and **package** products and experiences to ultimately **enhance** visitor experiences.
- **Economic benefit** - demonstrated economic benefits are often the **catalyst** to **attract funding** to build and invest in infrastructure.

RECOMMENDATIONS

- **Sponsorship** assessment should be aligned to Council objectives identified through **selection criteria** and potential economic benefit.
- **Event Acquittals** should be mandatory to receive ongoing funding and to provide data for future planning, marketing and budgeting.
- **Event Attraction** - bid for events that will provide significant **reputational** and **economic impact** to increase the **destination profile** and overnight visitor expenditure.
- Provide **training** and networking opportunities for the event and tourism industries to unite, collaborate and develop product and experience packages and build capacity.

CHALLENGES + OPPORTUNITIES

Event attendees have high expectations of experiencing something new at events they attend and what experiences events in the Capricorn Coast Region should deliver.

Consultation for the strategy was undertaken with Capricorn Coast Region events and tourism representatives, council and key stakeholders through workshops, face-to-face meetings and an online industry survey during the development of this strategy.

The key consultation findings were:

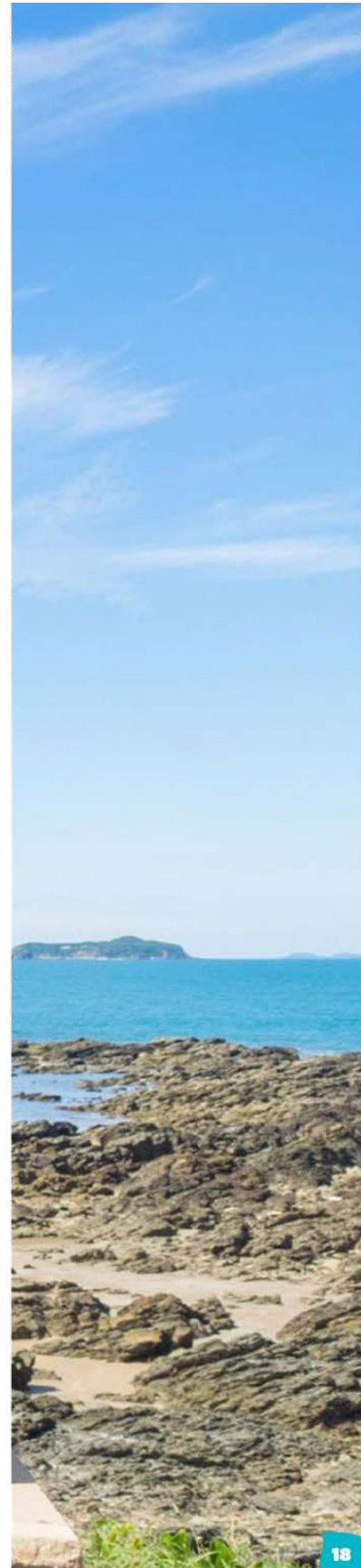
Challenges	Opportunities
• Lack of brand or identity – who are we? Need a point of difference. • Reinvigoration of events, becoming generic, losing the soul. • Sponsorship – naming rights, multi-year funding. • Sponsorship from local business – requests are increasing, events are not offering a value proposition to make sponsorship attractive. • Increasing support from Council and other government agencies. • No seed funding for new events. • Destination profiling – not promoting what we have got. • Capacity buildings – volunteer retention, attraction and upskilling. • Aging volunteers, limited youth volunteers. • Lack of succession planning. • Limited knowledge in governance, risk management, safety. • Operation checklist – timeline, leaving the programming to the last minute. • Limited packaging with tourism, accommodation & restaurants. • Events donating all profits to charity. • Cost of travel • Limited accommodation/infrastructure. • Cost of infrastructure and hire equipment. • Marketing – limited use of technology and digital presence. • Linking with the greater region and cross promote. • Penetrating market with larger events. • Local support for ticketed events. • Education for locals – diversification, same retail.	• Destination Profile – development of a Brand and brand toolkit. • Development of Hallmark Event. • Potential event opportunities – bird and bat watching in the wetlands – Promoting what we have – natural beauty, climate, islands. • Health and wellness events. • Potential to host sporting events in the sports complex – regional sporting events. • Activation of indigenous events. • Profiling local arts and artists. • Encourage visitors to stay one more day – use the location to offer people holiday, outside event during planning stages. • Development of sponsorship assessment criteria aligned to Tourism and Events Queensland criteria. • Facilitation of workshops – capacity building, governance, succession planning, public liability, police cost, traffic management • Upskilling – sending volunteers to other events • Mentoring by industry to upskill • Inviting outside events like Woodford to come and talk to the committee • Connectivity with Rockhampton – partnering with neighbours to cross-promote • Packaging with industry • Collaboration – All events could contribute to engaging a digital marketing specialist to do marketing • Purchase community events temporary infrastructure – marquees, chairs, toilets, fencing etc. to save hiring costs • Equestrian and relocation of showgrounds – potential use • Smart region strategy – use of technology driving digital community

AUDIT FINDINGS

The audit of events and venues in the Capricorn Coast

Region identified:

- Although there is a diverse range of events in the Calendar of Events, they are not evenly distributed throughout the year, and in some instances, smaller events clash with other events locally and in the wider Capricorn Region.
- The Calendar of Events is not comprehensive, and multiple sources are required to find events.
- Events do not have a pathway to growth to elevate to the next level. Event organisers have limited capacity to grow sustainable and viable events, leading to lack of planning/ short lead time and unprofessional delivery of events with limited a long-term partnerships with sponsors and tourism industry.
- Events such as Pinefest have the potential to elevate to a unique destination event through reinvigoration and celebrating the essence of the event.
- Event organisers have limited industry collaboration and packaging.
- Limited accommodation in some locations, highlighting the need to package with accommodation in neighbouring villages and the wider region.
- Events are not profiling the destination with branding due to limited awareness of the resources they can access.
- Adding pre and post programming to events has the potential to increase the OVE, economic benefit and visitor experience.
- To be competitive with regions such as the Sunshine Coast, Mackay, Townsville and Whitsundays, an event attraction budget needs to be bolstered. Collaboration with neighbouring regions to develop regional bids for sporting events will increase opportunities to host events.
- The lack of a dedicated conference and convention centre inhibits the potential to being known as a business event destination.
- Positioning the region as a business event destination to compete with Gladstone, Mackay, Townsville, Cairns, the Whitsunday's and Sunshine Coast is limited without a dedicated conference and convention facility with seating capacity of 1,000+
- The development of the proposed Keppel Bay Convention and Sporting Hub will position the region as a business events destination and provide opportunities to attract major national exhibitions and conferences with a breakout or plenary rooms, concerts and performances.
- In some instances, event growth is limited to existing space and infrastructure.
- Many major events are staged at the Yeppoon Foreshore, Merv Anderson Park and Emu Park's Bell Park which all offer ideal atmospheric and destination backdrop profiling opportunities.



WHAT FANS LOVE

(consumer + event trends)

Consumer and event trends that offer the Capricorn Coast Region opportunities to further harness their competitive advantage include:



Live like a local. With the explosion of Airbnb, tourism blogs and publications relating to eating like a local, hang out where the locals go, speak like a local.

Opportunities for Capricorn Coast Region Events

Highlight the coastal lifestyle of the region and create regional dispersal, encourage event attendees to develop a deeper connection with the region, including local hangouts, "a day in the life", ancient cycads in Byfield National Park or the Todd's Road natural wetland areas - Kakadu of Yeppoon and local community's desire for sustainability e.g. Lure Café encouraging customers to borrow a bucket to collect rubbish for a free cup of coffee.



Superfoods + Wholesome Foods are major recent Australian trends, with food and coffee culture, paddock to plate experiences and health and well-being relating to food high on consumer agendas.

Opportunities for Capricorn Coast Region Events

Provide signature Capricorn Coast Region food experiences at all events, e.g. seafood, reef & beef and tropical flavours, particularly incorporating the "pineapple" heritage of the region.



Health + Wellness is high on food and corporate culture and according to the Deloittes Health & Wellness Progress Report a record number of two million employees engaged in health and wellness initiatives in 2018.

Opportunities for Capricorn Coast Region Events

Health and wellness experiences, such as beach yoga, alternative health and locally sourced/organic foods could be incorporated into existing events and pre and post corporate events.



The Green Consumer, being environmentally aware, wanting to consume environmentally sustainable products and experiences and wish to contribute and give back are major consumer trends affecting all events, particularly in meetings and events and events targeting Millennials and Gen Z.

Opportunities for Capricorn Coast Region Events

Develop the Region as a "green" event stage for all events, from sporting, arts, music to conferencing.



WHAT FANS LOVE

(consumer + event trends)

Consumer and event trends that offer the Capricorn Coast Region opportunities to further harness their competitive advantage include:



BUSINESS TOURISM - Queensland experienced a 24.6% growth in the high-yielding business traveller during 2017, with research revealing people who come for a conference, often return with family.

Opportunities for Capricorn Coast Region Events

As the home of Australia's leading Natural Disaster Hub, opportunities exist to develop conferences and training in natural disaster technology. Wellness themed conferences would also align well with the Capricorn coastal lifestyle and attracting the Green Consumer.



Innovative Arts + Live Performances are two trends creating enormous followings and media profiling e.g. Dark Mofo.

Opportunities for Capricorn Coast Region Events

Embracing Keppel Coast Arts environmental art installations at events will profile and support local artists and the commitment to environmental sustainability in the Capricorn Coast Region.



Social Media uptake across all demographics, interaction and sharing, with many events actively using social media advertising and e-mail marketing as primary marketing tools, with increasing livestreaming.

Opportunities for Capricorn Coast Region Events

Quality and creative content creation incorporating stunning destination footage, actively incorporating social media advertising and developing e-mail data bases.



Smartphone responsive and Digital Retail, with 2/3rd of Australians using mobile internet for 90 minutes per day. APPs are increasing in use to convey event information and programming updates.

Opportunities for Capricorn Coast Region Events

Events must be easily sourced and booked online, via a smart phone. Online ticketing services could be provided as part of the in-kind package for eligible events.



Measuring + Monitoring in a competitive environment, understanding the event visitor, attendee satisfaction ratings to improve event delivery, understanding where they're from, spending and how they purchase the event is increasingly important to remain competitive

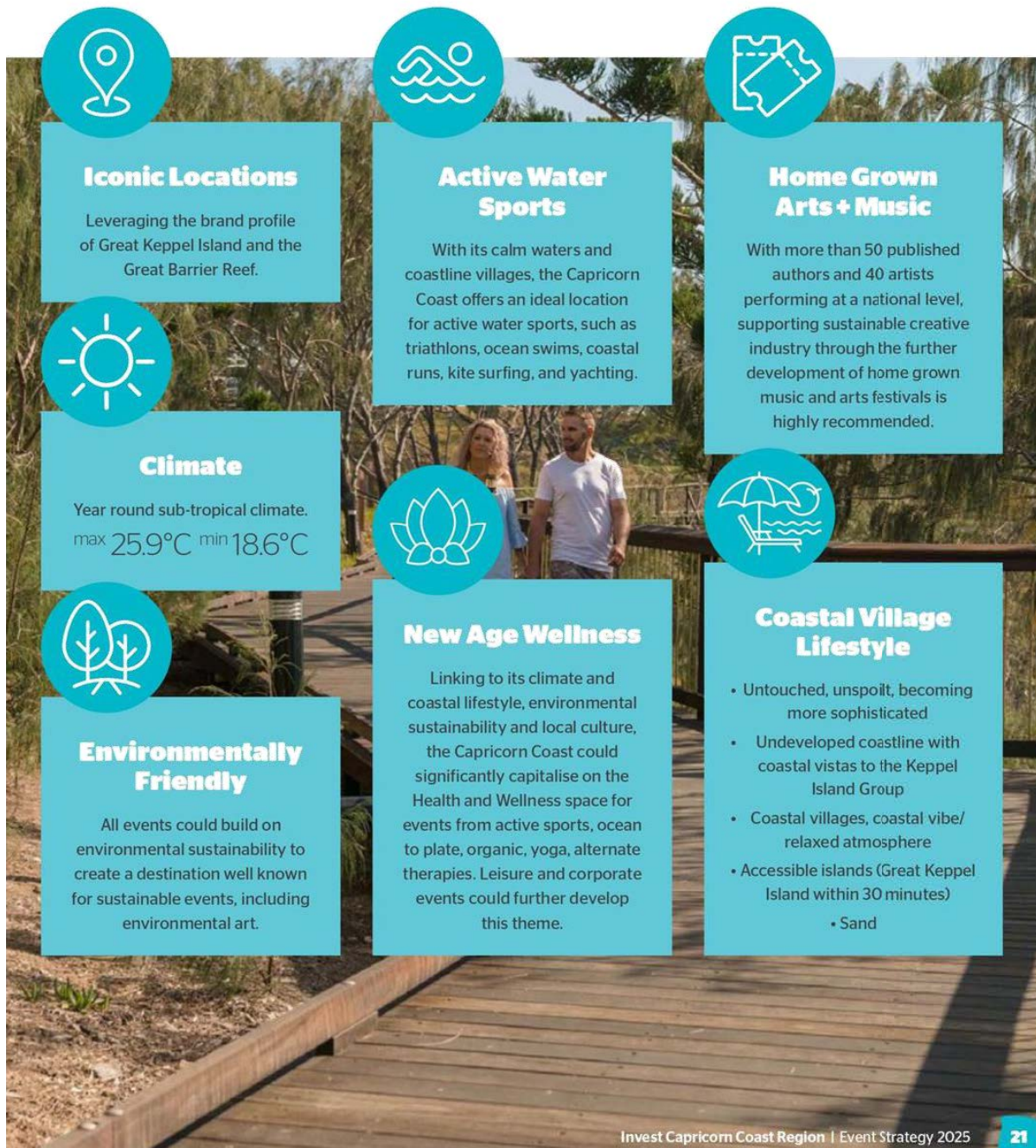
Opportunities for Capricorn Coast Region Events

The surveying and monitoring of event patrons will need to be given higher priority to meet changing consumer needs, increase visitor satisfaction and be more targeted for future marketing.

THE HEADLINE ACTS

(our competitive advantages)

With its stunning coastline, unique coastal villages and backdrop of the Keppel Group on the shores of the Southern Great Barrier Reef, the Capricorn Coast has a distinct competitive advantage in the areas of iconic locations, coastal lifestyle, wellness, creative arts, environmental sustainability and water related sports.





Iconic Locations

Leveraging the brand profile of Great Keppel Island and the Great Barrier Reef.



Active Water Sports

With its calm waters and coastline villages, the Capricorn Coast offers an ideal location for active water sports, such as triathlons, ocean swims, coastal runs, kite surfing, and yachting.



Home Grown Arts + Music

With more than 50 published authors and 40 artists performing at a national level, supporting sustainable creative industry through the further development of home grown music and arts festivals is highly recommended.



Climate

Year round sub-tropical climate.
max 25.9°C min 18.6°C



New Age Wellness

Linking to its climate and coastal lifestyle, environmental sustainability and local culture, the Capricorn Coast could significantly capitalise on the Health and Wellness space for events from active sports, ocean to plate, organic, yoga, alternate therapies. Leisure and corporate events could further develop this theme.



Coastal Village Lifestyle

- Untouched, unspoilt, becoming more sophisticated
- Undeveloped coastline with coastal vistas to the Keppel Island Group
- Coastal villages, coastal vibe/ relaxed atmosphere
- Accessible islands (Great Keppel Island within 30 minutes)
 - Sand



Environmentally Friendly

All events could build on environmental sustainability to create a destination well known for sustainable events, including environmental art.

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VISION

Positioning the Capricorn Coast as a leading event destination, famous for iconic event experiences that reflect an enviable coastal village lifestyle, which brings focus to our simply stunning locations on the shores of the Southern Great Barrier Reef.



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THE MAIN EVENT

(vision + goals)

In 5 Years Time.....

The Capricorn Coast is recognised as a leading event destination, with iconic event experiences that reflect her unique coastal village lifestyle and simply stunning locations on the shores of the Southern Great Barrier Reef.

Capricorn Coast is a leader in environmentally friendly leisure, sporting and business events, famous for active water sports, wellness and home grown creative arts and music.

Capricorn Coast Events is original, imaginative and high quality, showcasing the region's iconic locations and attracting increased overnight visitor expenditure, creating a strong economic impact and return on investment for the region.

Event attraction will be aligned with the region's competitive advantage and bolster visitation during shoulder and low seasons.

Strategic Approach

Grow capacity of home grown events.

Attract brand aligned events in shoulder and low seasons.

All events to better reflect the Capricorn Coast's competitive advantages.



Goals

1

ECONOMIC GROWTH

Long-term positive economic growth, including job creation and investment attraction.

2

DESTINATION PROFILE

Build destination brand through events that attract external visitation and significant media profile.

3

SUSTAINABILITY

Facilitate financially and environmentally sustainable events.

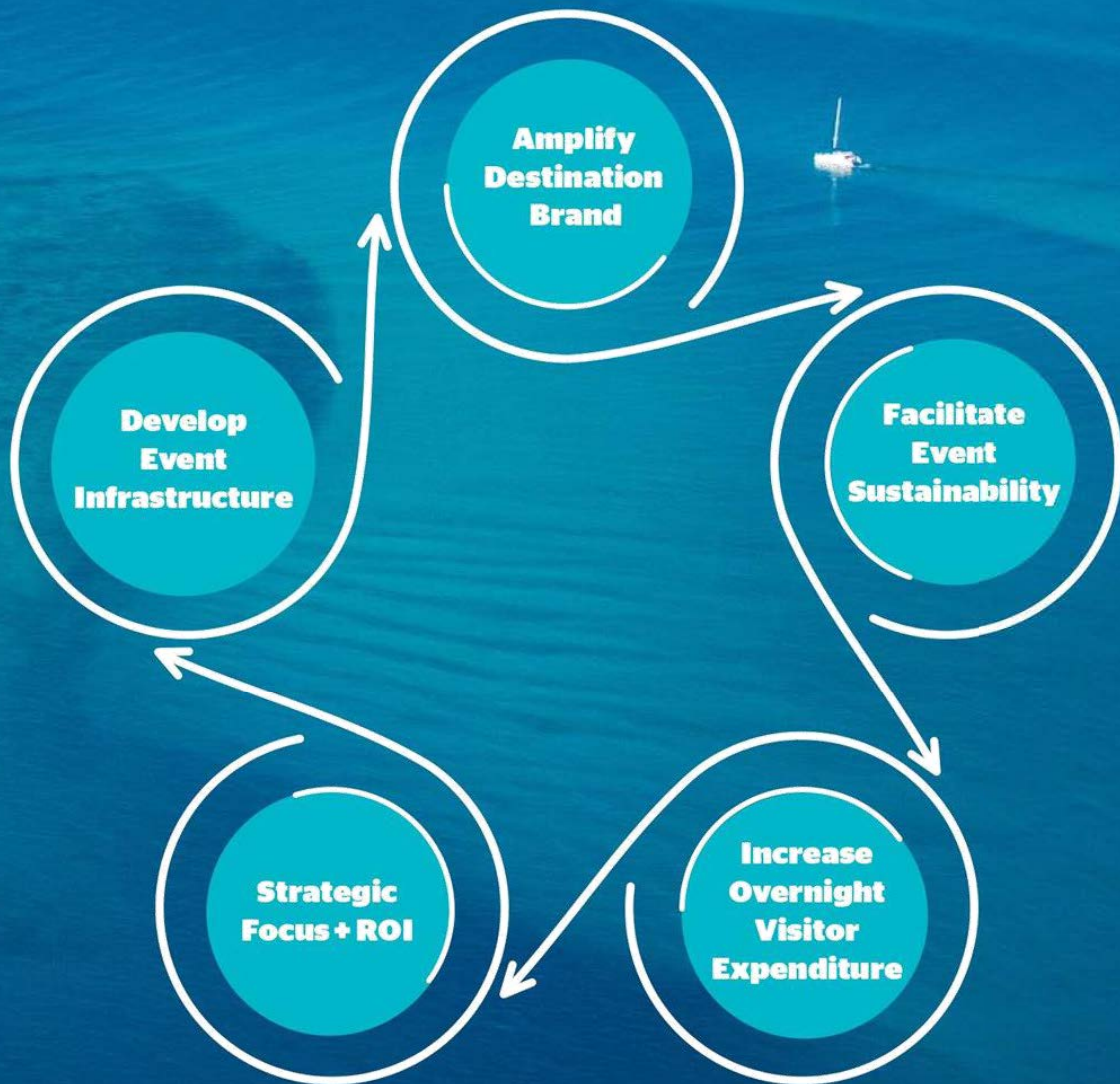
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COMMUNITY

Strengthen community connectedness of Capricorn Coast villages, civic pride and home grown creative talent.

HITTING THE HIGH NOTES

(critical success strategies)



AMPLIFY DESTINATION BRAND

Creating significant and competitive destination event experiences that are distinctly Capricorn Coast will be crucial for the long-term success of the Capricorn Coast event economy.

Elevate Competitive Advantages

In a highly competitive event market place to position itself as an event destination and to attract increased external visitation, Capricorn Coast needs to further differentiate its events.

Existing events in the region need to elevate their unique selling points, building on the region's competitive advantages. This includes leveraging its iconic locations of Great Keppel Island, the Great Barrier Reef and stunning coastal vistas. Further elevation of event experiences relating to active water sports, new age wellness, home grown creative arts and music and encouraging environmental best practice in the delivery of events will be essential components to achieving competitive advantage.

Major Event Attraction

Securing major events for the Capricorn Coast that are aligned to the region's competitive advantages with national and/or international distribution channels, could contribute greatly to amplifying the brand profile of the Capricorn Coast.

Attracting major events in low and shoulder seasons will help to stimulate the economy for the Capricorn Coast.

Bolstering the event attraction budget will allow the region to be competitive in bidding for business events, leisure and sporting events. Develop an in-depth database to monitor bids, clearly articulating the outcome of the bid - why it was accepted or rejected.

Develop a partnerships with surrounding regions to collaborate in the attraction of major sporting events that could be dispersed across the greater Capricorn Region is highly recommended (e.g. joint bidding for the. International Triathlon Union (ITU) World Triathlon Multisport Championships, World Kiteboarding Championships, ICF Stand Up Paddling World Championships etc.)

Reinvigorate Home Grown Events

Some existing events may have hallmark event potential through significant reinvigoration, innovation of the event experience, and increased corporate professionalism to grow media profile and external visitation.

The USQ Village Festival and Pinefest are just two homegrown events which could be transformed to meet changing consumer trends and amplify the region's competitive advantage, particularly in relation to coastal lifestyle, home grown arts and music and wellness.

Branding, Media PR + Digital

Home grown and existing events need to amplify their content, messaging and digital distribution to create cut-through in a competitive market place and gain greater media profile.

Strategies to amplify destination profiling include:

- Integrating Capricorn Coast and Southern Great Barrier Reef destination images into event marketing, linking the regional visitor website and social media channels to event/festival websites.
- Subject to privacy laws, developing a database of visitors from event online ticketing systems to provide targeted visitor insights.
- Encouraging event organisers to participate in tourism marketing and leverage the Southern Great Barrier Reef destination brand with strategic partners (e.g. Capricorn Enterprise, Tourism & Events Qld and Tourism Australia).
- Developing an event brand toolkit that aligns with the destination brand could improve the quality and consistent messaging projected by events.
- Maximising Capricorn Coast exposure at events, e.g. with signage placement, provision of destination images and footage to event organisers for social media and television broadcasts.



- Developing professional drone and film footage, with stills and social media correspondence at events staged in iconic locations with high visual impact, such as (but not limited to) the Keppel Brisbane to Keppel Tropical Yacht Race, Yeppoon Triathlon Festival and Festival of the Wind is essential to increase the featuring of Capricorn Coast events in media and tourism partners' social media networks.
- Encouraging established events to enter business, tourism and event awards could further profile Capricorn Coast events on a regional, state and national stage.

Centralised Event Calendar

The development of a centralised event calendar will eliminate event clashes, identify gaps, create a balance event portfolio and provide tools for future planning. Educating event organisers to list events in the calendar will provide additional marketing and the opportunity to attract outside visitors to attend the event. In addition to a centralised Capricorn Coast Region event calendar, consideration should be given to a comprehensive region event calendar for tourism related events by managed by Capricorn Enterprise.

Encouraging smaller community events to combine with complimenting events could help to grow events and increase overnight visitor expenditure.

Environmental Best Practice

To further build on the Capricorn Coast's desire to be environmentally friendly and capitalise on the green consumer demand, events should be encouraged to use environmental best practice in the delivery of their events. This may require in-kind assistance in "how to" and initial financial/in-kind incentives.



Capricorn Coast Event Survey 2019

64% of survey respondents indicated their business or event was not listed with the ATDW (Australian Tourism Data Warehouse).

FACILITATE EVENT SUSTAINABILITY

Professionalism in event delivery, financial sustainability, marketing and innovative programming requires a new approach to grow events.

Event Organiser Capacity Building

To facilitate the pathway to the growth for events and event sustainability, long-term capacity building, networking and collaboration opportunities should be provided to event organisers. Upskilling and educating event organisers in event management, budgeting, marketing, succession planning, risk management, governance and customer service will assist in supporting the growth of events, in addition to meeting consumer trends and demands.

Event organisers were surveyed as part of the Capricorn Coast Event Survey to indicate areas of training need.

Financial Sustainability

The need to further develop income diversification and profitability is required for long-term event financial sustainability.

Lack of income, sponsorship and reliance on grant funding was identified by many events as a major inhibitor to growth, as was a local audience's dependence on and expectation of "free entertainment".

Strong financial training and the need to generate surplus to innovate future event programs is required.

Human Resourcing

Human resourcing, an aging population and overstretched volunteers was cited by many event organisers as another major inhibitor to growth, identifying the urgent need for succession planning and understanding corporate culture to attract volunteers.

With events that show Hallmark potential, the contracting of professional event organisers is highly recommended to assist in the professional delivery of the event.

Sharing Resources + Skills

Greater networking between events and the wider tourism industry and community could facilitate the sharing of information and resources, including:

- Co-promotion at events e.g. Village Festival music stage or arts at a conference or sporting event.
- Volunteer exchanges.
- Skills exchanges.
- Co-marketing on websites, social media and potential data base sharing.

Facilitate Networking + Mentoring

To facilitate the process of resource sharing, it is recommended for council

to lead and work in partnership with Capricorn Enterprise and industry partners to coordinate and deliver regular facilitated and engaging networking and training opportunities for event organisers and wider tourism industry.

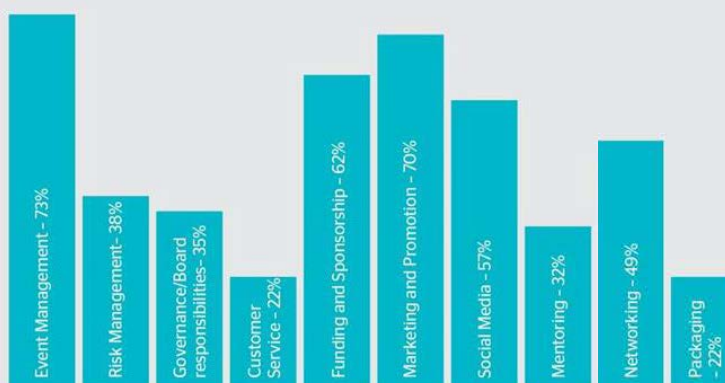
During consultation there was a strong desire to bring leading event organisers from other regions to work with local event organisers.

Event Toolkit

Develop an online event portal for event organisers and professional conference organisers that could include a 'clash calendar', event templates, brand guide and toolkit including destination images/ footage, conferencing information, such as unique locations, settings and venues, venue/accommodation capacities and, packages, event suppliers and support networks.

The portal could act as a central, "one stop shop" for event organisers, both local and external to seek government approvals with links to relevant departments.

DESIRED AREAS OF TRAINING FOR EVENT ORGANISERS



INCREASE OVERNIGHT VISITOR EXPENDITURE

Multi-Day Events

To increase overnight stays, multi-day event programming is essential to increase overnight stays. For example developing a German Feast on the Friday night before Oktoberfest and a family friendly German themed brunch and market on the Sunday morning could significantly increase the economic impact of the event and attract new visitor markets to the event.

Increase Conversion

Online ticketing and packaging can create a higher conversion rate; making it easier for visitors to purchase with one click or one phone call.

Experience Development + Value-Add Packaging

Encourage the development of Capricorn Coast Region hero experiences to meet changing consumer trends.

Developing new and tailored experiences within events, such as behind the scenes and VIP experiences could increase profit margins for events to assist with income diversification.

Encourage packaging with existing tours will help to ensure wider distribution.

Packaging should include the wider visitor economy, e.g. wellness experiences, crocodile farm, Byfield National Park, Capricorn Caves, tours, dining.

Developing and packaging dawn, dusk and evening experiences, such as yoga at sunrise, business breakfasts, sunset cocktails and island tour, could further convert regional event day-trippers into overnight stays.

Tourism And Event Packaging

Increase length-of-stay with event passes packaged with accommodation and iconic Capricorn Coast Region experiences, such as Great Keppel Island is essential.

Cross-Regional Packaging

Consideration of cross-regional packaging within the greater Capricorn and Southern Great Barrier Region could provide opportunities to appeal to the mid to long-haul drive market.

Capricorn Coast Event Survey 2019

75% of survey respondents do not package their events, festivals, and/or conferences with accommodation.



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STRATEGIC FOCUS + ROI

To grow return on investment, the following hierarchy of events has been developed for council to support and invest in events.

The strategic focus is to identify and support events that meet the strategic goals of economic growth, destination profile, sustainability and community. These criteria are also aligned with Tourism & Events Queensland event funding programs.

The following is provided as recommendations and is not confirmed council policy.

Event Hierarchy

HALLMARK + MAJOR EVENTS

Destination profile, economic impact and overnight visitor expenditure. 25% out of region visitors. Meets 5 criteria.

DESTINATION EVENT

Demonstrates regional profiling and economic stimulus. 5,000+ total attendance. Over 10% out of region visitors. Meets 4 criteria.

HOME GROWN EVENTS

Demonstrates regional profiling and economic benefit. 2,500 - 5,000 total attendance. 5-10% out-of-region visitors. Meets 3 criteria.

EMERGING + COMMUNITY EVENTS

Events that contribute social + community benefit. Contribute to community pride and social outcomes. Up to 2,500 total attendance. Meets 2 criteria.

It is recommended the allocation of funding, in-kind support and resourcing be distributed with higher weighting on Hallmark, Major Event and Destination Events to deliver a higher return on investment.

In some regions Hallmark and Major Events represent over 50% of total support. With 30%, 10% and 10% respectively.

Criteria

CRITERIA	DESCRIPTION
1. Economic Impact	Generates economic activity in the Capricorn Coast Region.
2. Destination Profile	Enhances the profile and appeal of the Capricorn Coast Region.
3. Overnight Visitation	Attracts external visitation specifically generating overnight visitor expenditure.
4. Sustainability	Demonstrates financial and environmental sustainability.
5. Community	Drives social and community outcomes, including community connectedness.
6. Shoulder Season	Is staged in a shoulder/low season and does not conflict with other event dates.

Post Event Reporting

Destination, Hallmark and Major Events should undertake a standardised visitor survey, with substantiated attendance records to successfully acquit their funding. With funding paid upon delivery of:

- Confirmation of signed contract/ partnership agreement.
- Submission of preliminary program and marketing strategy.
- Completion of Post Event Report.

Major Event Fund

It is recommended to develop a **Major Event Fund**, where funds are used to bid for Major Events and develop Hallmark events.

As part of this potential fund, the contracting of professional event coordinators to assist in developing and delivering events with hallmark potential is recommended.

Multi-Year Funding

Where events have successfully acquitted funding for 2 or more consecutive years, eligibility to apply for a three-year partnership agreement could be considered, whereby funding is committed for up to three years to allow for longer-term, strategic planning.

Incubator Fund

To encourage new and innovative events that meet key criteria, the development of an Event Incubator Fund to offer seed funding for new events in their first and second year could be considered.

In-Kind Support

Council has current and potential resources that could be offered to event organisers as part of in-kind support including:

- Event evaluation (including online surveys, event tourism impact study).
- Event training and networking.
- Potential marketing partnerships with Capricorn Enterprise/industry/

sponsors and engagement of professional footage, photographers and content creators as part of in-kind support for Destination and Major Events.

- Development of an online event toolkit.
- Initial incentives for event organisers to stage innovative and engaging events in council venues and public spaces

Event Evaluation

To effectively measure ROI against key criteria, post event reporting needs to identify:

- **TOTAL ATTENDANCE** - aggregated total attendance (i.e. daily attendance x number of days). Including visitors, participants (competitors, performers, stall holders, volunteers).
- **ESTIMATED ATTENDANCE** - for free events, estimated attendance can be based on police/security/SES estimates of people per square meter x geographic footprint of event.
- **ESTIMATED VISITOR SPEND** - estimated spend can be calculated by daily and/or overnight visitor expenditure with total attendance. Visitor expenditure figures can be sourced from the Local Government Area Profile report Livingstone Shire published by Tourism Research Australia (TRA).
- **MEDIA MONITORING** - can be undertaken by a paid 3rd party, such as iSentia, or through Google Alerts, monitoring number of interviews undertaken.
- **SOCIAL MEDIA INSIGHTS** and website analytics can provide audience insights.

To overcome limited economic data to measure the impact and effectiveness of Hallmark and Major Events, an event tourism impact model could be undertaken by firms specialising in event analysis.

This analysis is conducted for events that receive Significant Destination Event Funding and Major Event Funding from Tourism and Event Queensland and could potentially be shared with Livingstone Shire Council to assist with event evaluation.

Event Tourism Impact Model

TOURISM METRICS

- The number of visitors to the LGA/Queensland
- The number of direct (event related) visitor nights
- Total attendances and the number of attendees (breakdown into attendee categories of participants, spectators and accompanying persons)
- The visitor profile (breakdown of visitors from intrastate, interstate and overseas)
- Day trip visitors compared to overnight stays
- The total number of visitor nights (within the host region and other parts of Queensland)

ECONOMIC IMPACT

- Event organiser income and expenditure
- Total overnight visitor expenditure
- The direct and incremental spending
- The economic impact of the event to LGA/Queensland

COMMUNITY AND CULTURAL VALUE

- The community pride generated by the event
- Social Impacts



DEVELOP EVENT INFRASTRUCTURE

To enhance the Capricorn Coast's ability to develop home grown events, business events and attract major events will require future development of key infrastructure and green spaces in the Capricorn Coast region.

Investment in event infrastructure in locations that offer destination profiling opportunities, atmosphere and easy access to Capricorn Coast villages and accommodation to maximise visitor spend is recommended.

Convention and Exhibition Centre

To position the Capricorn Coast Region as a business events destination and be competitive in attracting major national exhibitions, conferences and performances, it is recommended a dedicated venue, such as the proposed Keppel Bay Convention and Sporting Hub, is developed.

The upgrading of existing smaller conference and meeting facilities to better reflect the competitive advantages of the Capricorn Coast is also recommended. This would include venues with potential views of the coastline, rainforest and Great Keppel Island.

Bell Park

Developing Bell Park with event infrastructure, such staging, additional power and water supplies, will assist in the growth of events. Consultation for future infrastructure needs and

resources would benefit from a collaboration between Council and event organisers to identify needs to promote event growth.

The natural amphitheatre near the Singing Ship at Emu Park also provides a pop event infrastructure opportunities.

Yeppoon Showgrounds

Support the redevelopment of Yeppoon showgrounds to increase opportunities to stage more events in open spaces and equestrian events.

Aspirational Projects

Great Keppel Island and the Capricorn Resort redevelopment could provide incredible opportunities for the Capricorn Coast event industry.

Where possible, continued lobbying to ensure event infrastructure is included in their redevelopments into the future is highly recommended.

Key Infrastructure Projects

- Development of the proposed Keppel Bay Convention and Sporting Hub.
- Improved power, lighting and staging at key event locations (including Emu Park, Merv Anderson Park).
- Yeppoon Show Grounds redevelopment, including possible enhancement of site to stage large events/festivals.
- Potential event green space development to attract large events/festivals. e.g. Barmaryee Multi-Sports Precinct
- Long-term upgrading of sporting facilities to meet state, national and international standards

ACTION PLAN

The following Action Plan outlines the priority implementation of critical success strategies of the Invest Capricorn Coast Region Events Strategy 2025. It is intended as a working document that is regularly reviewed and updated.

In the Action Plan, stakeholders have been identified in a potential support role with the lead agency/organisation bolded.

The critical success strategies to “hit the high notes” are:

- 1** Amplify Destination Brand.
- 2** Facilitate Event Sustainability.
- 3** Increase Overnight Visitor Expenditure.
- 4** Strategic Focus + ROI.
- 5** Develop Event Infrastructure.

TIMEFRAMES

Short-term 2019 - 2021.

Mid-term 2021 - 2023.

Long-term 2024 - 2025.



LSC - Livingstone Shire Council.
CE - Capricorn Enterprise.
TEQ - Tourism and Events Queensland

Invest Capricorn Coast Region | Event Strategy 2025

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1. AMPLIFY DESTINATION BRAND

The lead agency/organisation is bolded. The other stakeholders are identified as providing a potential facilitation role.

STRATEGY	ACTION	STAKEHOLDERS	TIMEFRAME	KPI'S
Elevate Competitive Advantages.	Facilitate events through the development of competitive advantages and experiences within event programs.	Event organisers. LSC.	Short to long-term.	Evidence of use of iconic locations and increased number of events reflecting competitive advantages.
Major Event Attraction.	Securing major events aligned to region's competitive advantages.	LSC. CE. Major event organisers.	Mid to long-term.	Attraction of new events in low and shoulder periods.
Reinvigorate Home Grown Events.	Facilitate pathway of growth to reinvigorate home grown events with Hallmark potential.	LSC. Event organisers.	Short to long-term.	Reinvigorated events with evidence of sustainable growth.
Branding, Media PR + Digital	Integrating destination branding into event marketing and participation in tourism marketing.	Event organisers. CE. LSC.	Short to mid-term.	Increased use and integration of destination brand in event marketing.
	Develop event brand toolkit for event organisers.	LSC. CE.	Short to mid-term.	Event toolkit completed and uptake by events.
	Development of professional event drone/moving/stills footage + content.	LSC. CE.	Short-term.	Library of event footage and stills. Increased event content in tourism marketing.
Centralised Event Calendar	Develop centralised event calendar with dedicated human resourcing.	LSC. CE.	Short-term.	Increased number of events on calendar.
Increased Digital Distribution.	Facilitate and encourage event listings on ATDW, Trip Advisor. Content and image sharing with tourism partners.	LSC. C.E.	Short to mid-term.	Increased number of events on ATDW and 3rd party sites.
Environmental Best Practice.	Encourage environmental best practice in the delivery of events.	LSC. Event Organisers.	Short to mid-term.	Increased number of events with reduced carbon footprint.

2. FACILITATE EVENT SUSTAINABILITY

STRATEGY	ACTION	STAKEHOLDERS	TIMEFRAME	KPI'S
Event Organiser Capacity Building	Develop program of event organiser training.	LSC. Event Organisers.	Short-term.	Participation in training.
	Networking to facilitate sharing of resources + skills.	LSC. Event Organisers.	Short-term.	Evidence of shared resources and tourism partnerships.
	Networking with tourism industry.	LSC. Event Organisers.	Short to mid-term.	More sustainable events with evidenced outcomes.
Development of online Event Toolkit.	Develop of event toolkit, including branding, content and templates. Phase 2 with portal as "one stop shop" including venues and local event suppliers.	LSC.	Short -term.	Completion of event toolkit online.

3. INCREASE OVERNIGHT VISITOR EXPENDITURE

STRATEGY	ACTION	STAKEHOLDERS	TIMEFRAME	KPI'S
Multi-Day Events.	Extend one day events to multi-day experiences and/or pre and post packaging.	Event organisers. LSC.	Short to long-term.	Increase in multi-day events and measured economic impact.
Increase Conversion.	Promote the use of online ticketing.	Event organisers. LSC.	Short-term.	Increased number of events with on-line ticketing.
Experience Development + Value-Add Packaging.	Encourage development of hero experiences to meet changing consumer trends e.g. behind the scenes.	Event organisers. LSC.	Short to mid-term.	New event experiences.
Tourism + Event Packaging.	Engage packaging expert to develop event packages with accommodation, tours and experiences. Where possible using existing packages. Greater regional packaging with Capricorn Region and SGBR.	Event organisers. C.E. LSC.	Short to mid-term.	Number of packages in the market place.

4. STRATEGIC FOCUS + ROI

STRATEGY	ACTION	STAKEHOLDER	TIMEFRAME	KPI'S
Event Hierarchy.	Develop assessment criteria policy based on event hierarchy. Funding and resourcing to reflect focus on criteria outcomes.	LSC.	Short-term.	Development of assessment: criteria policy.
Post Event Reporting.	Develop acquittal reporting system to capture attendance, visitor origin, marketing using logo, visitor expenditure.	LSC.	Short-term.	Development of Acquittal Reporting Policy.
Event Evaluation.	Implement event evaluation for Destination, Major and Hallmark events.	LSC.	Short to mid-term.	Increased visitation. Increased external visitor expenditure.
Major Event Fund.	Develop Major Event Fund to bid for Major Events and develop Hallmark Events.	LSC.	Short to long-term.	No. of event bids. Successful bids. Hallmark event.
Incubator Fund.	Develop Event Incubator Fund for new, innovative events.	LSC.	Mid to long-term.	No. of new events.
Multi-year Funding.	Multi-year funding agreements with events who have successfully acquitted 2 or more consecutive years.	LSC.	Short to long-term.	Multi-year funding agreements with Destination + Major Events.



5. DEVELOP EVENT INFRASTRUCTURE

STRATEGY	ACTION	STAKEHOLDERS	TIMEFRAME	KPIs
Event Infrastructure Investment.	Investment in event venues, places + spaces with destination profiling opportunities.	LSC. CE.	Ongoing.	Focused investment in event locations.
Convention + Exhibition Centre.	Development of the Keppel Bay Convention and Sporting Hub.	Keppel Bay Sailing Club. CE.	Short to mid-term.	Completion of centre.
Bell Park.	Develop event infrastructure e.g. staging, lighting, and water to assist with event needs.	LSC. Event users.	Short-term.	Upgrade of infrastructure to better cater for events.
Yeppoon Showgrounds.	Undertake feasibility study for event infrastructure development.	Show society. Event users. LSC.	Mid to long-term.	Feasibility study completed.
Activate underutilised venues.	Activate underutilised spaces and places and smaller venues.	Venue owners. LSC.	Short to long-term.	Increased activation of spaces + places.
Sporting Facilities.	Long-term upgrading of sporting facilities to meet state, national and international standards.	Sporting venues. LSC.	Long-term	Sporting venues of state, national and international
Aspirational Projects.	Lobby for inclusion of event facilities in redevelopment of Great Keppel Island and the Capricorn Resort.	Resort owners. CE. LSC.	Long-term	Inclusion of event facilities in proposed plans.



ACTION PLAN TIMELINE

CRITICAL SUCCESS STRATEGIES	2019-21	2021-23	2023-25
1. AMPLIFY DESTINATION BRAND			
Elevate Competitive Advantages.			
Major Event Attraction.			
Reinvigorate Home Grown Events.			
Branding, Media PR + Digital.			
Centralised Event Calendar.			
Increased Digital Distribution.			
Environmental Best Practice.			
2. FACILITATE EVENT SUSTAINABILITY			
Event Organiser Capacity Building Program.			
Tourism Networking + Resource Sharing.			
Mentoring.			
Online Toolkit.			
3. INCREASE OVERNIGHT VISITOR EXPENDITURE			
Multi-Day Events.			
Increase Conversion.			
Experience Development + Value-Add Packaging.			
Tourism + Event Packaging.			
4. STRATEGIC FOCUS + ROI			
Event Hierarchy.			
Post Event Reporting.			
Event Evaluation.			
Major Event Fund.			
Incubator Fund.			
Multi-year Funding.			
5. DEVELOP EVENT INFRASTRUCTURE.			
Event Infrastructure Investment.			
Convention + Exhibition Centre.			
Bell Park.			
Yeppoon Showgrounds.			
Activate underutilised venues.			
Sporting Facilities.			
Aspirational Projects.			

CONSULTATION PROCESS

The development of this Event Strategy has been undertaken by listening and engaging with the Capricorn Coast community. Consultation and feedback has been provided by a diverse range of people through community workshops, cross departmental workshops and councillor meetings. Face-to-face meetings have been held with Capricorn Enterprise, Keppel Coast Arts, event organisers and other key stakeholders.

In addition to in region workshops and face-to-face meetings, the strategy development process included a desktop audit of reference materials and benchmarking Byron Shire Council, Shire of Noosa and Redland City Council.

Mystery shopping was undertaken as an outside event organiser to potentially bring an event to the Capricorn Coast Region with Council, an event organiser and supplier.

Both the events and tourism industries were invited to participate in an online event survey distributed to participants by the council and Capricorn Enterprise. The survey was sent to over 300 tourism and event operators and strategic partners with 67 survey respondents.

Invest Capricorn Coast Region Events Strategy Process

- 1 **FACE-TO-FACE CONSULTATION**
10 December 2018
- 2 **DESKTOP AUDIT**
January/February 2019
- 3 **ONLINE SURVEY**
February 2019
- 4 **BENCHMARKING - DESKTOP + PHONE INTERVIEWS**
April 2019
- 5 **EVENT CAPACITY AUDIT**
May/June 2019
- 6 **EVENTS STRATEGY**
June 2019

APPLAUSE

a special thank you

To the people who gave time, input and advice into the making of this strategy

NAME	ORGANISATION	POSITION
Brett Bacon	Livingstone Shire Council	Executive Director Liveability and Wellbeing
Callan Buchholz	Stage & Audio Event Solutions	GM
Chris Murdoch	Livingstone Shire Council	CEO
Cr Belot	Livingstone Shire Council	Councillor
Cr Bill Ludwig	Livingstone Shire Council	Mayor
Cr Eastwood	Livingstone Shire Council	Councillor
Cr Jan Kelly	Livingstone Shire Council	Councillor
Cr Mather	Livingstone Shire Council	Councillor
Cr Nigel Hutton	Livingstone Shire Council	Deputy Mayor
Cr Tom Wyatt	Livingstone Shire Council	Councillor
Dennis Ratcliffe	EP Lions/October Festival	Coordinator/committee member
Ellie Wallin	Livingstone Shire Council	Project and Support Officer Economy & Places
Emily Szilveszter	Livingstone Shire Council	Coordinator Marketing & Communications
Gemma Hinchcliff	Livingstone Shire Council	Community Development and Engagement Officer
Glenn Skinner	Yeppoon Triathlon & Run	Owner
Jackie Senior	Emu Park Lions	Octoberfest and Festival of the wind events
Jared Thomsen	Livingstone Shire Council	Principal Community Development
Jenny Shillington	Livingstone Shire Council	Customer Support Supervisor
Jens Kraeft	Capricorn Coast Mirror	Advertising Manager
Julie Barrett (Arts)	CQRASN	Regional Arts Officer
Julie Bennett	Keppel Coast Arts	Committee member
Julie Robertson	Keppel Bay Sailing Club	Marketing Manager
Julie Strudwick	CEO Keppel Bay Sailing Club	General Manager
Karen Durkhavroz	Livingstone Shire Council	Support Officer
Karen Sandy	Livingstone Shire Council	Resilience & VOI Coordination Officer
Karla McPhail	The Real Group	Owner
Kelly	Hideaway	GKI
Ken Rutherford	Yeppoon Show	President

NAME	ORGANISATION	POSITION
Kerry Kerr	Capricorn Enterprise	Tourism & Marketing Manager
Kylie Smith	Keppel Bay Marina - Waterline	Director
Kylie Keech	Livingstone Shire Council	Bookings Officer
Laura Bradford	Livingstone Shire Council	Support Officer, Community Development & Disaster
Leanne Smith	Keppel Coast Arts	Committee member
Lee Sunderland	All Classic Motor Club	Coordinator - Classics by the Coast
Leise Childs	Livingstone Shire Council - NRM	Coordinator, Natural Resource Management
Lorna Rossiter	Emu Park Lions	Octoberfest and Festival of the Wind
Lou Shipway	Cap Coast Community Events	Secretary
Lyn Nichols	Emu Park Lions	Market Coordinator
Mary Carroll	Capricorn Enterprise	CEO
Matt Baldock	Livingstone Shire Council	Senior Sustainability Officer
Meegan Armstrong	Livingstone Shire Council	Coordinator Engagement Events
Michael Suthers	Harcourts Real Estate	Principle
Molly Saunders	Livingstone Shire Council	Community Development & Engagement
Narelle Housman	Livingstone Shire Council	Events Officer
Phil Henry	CQ University Village Festival	President
Phil Luzi	Bendigo Community Bank	Director
Ross O'Reilly	Roslyn Bay Wellness	Principle/owner
Russell Claus	Livingstone Shire Council	Urban Strategist
Sharon Spelling	Keppel Bay Marina - Waterline	Customer Service Supervisor
Sonia Barber	Livingstone Shire Council	Economic Development
Steve Marshall	Village Festival	Marketing
Sue Hamilton	Livingstone Shire Council	Supervisor, Comm Program & Events
Suzette Garden	Livingstone Shire Council	Events Officer
T Delalande	Livingstone Shire Council	Vegetation Rehabilitation Officer
Tam Waters	Keppel Sands Community Advancement League Inc.	Coordinator - Krabtastic
Trish Weir	Livingstone Shire Council	Manager Customer Engagement

THE FINE PRINT

(references)

Advancing Tourism 2016-20

Capricorn Business and Events Industry Development Strategy 2011

Capricorn Coast Region Event Strategy Survey

Capricorn Destination Tourism Plan 2014-2020

Deloitte Health & Wellness Progress Report, 2018

Invest Capricorn Coast Region Economic Development Plan 2018

Livingstone Shire Council Arts and Cultural Strategic Plan 2017-2022

Livingstone Shire Council Corporate Plan 2014-2019

Livingstone Shire Council Operational Plan 2018/19

Local Government Area Profiles 2017, Livingstone (R) Queensland, Tourism Research Australia

Tourism and Events Queensland's (TEQ) Events Strategy 2025

Tourism Australia - Association Conference Delegate Behaviour Snapshot, 2018.



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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 MANAGEMENT ARRANGEMENTS - KEPPEL SANDS CARAVAN PARK

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.

15.2 FORMER CATHOLIC CHURCH BUILDING - MARLBOROUGH

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 Mobile Black Spot Program – Round 5 Funding

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 MANAGEMENT ARRANGEMENTS - KEPPEL SANDS CARAVAN PARK

File No: PR21.5.2-3

Attachments: 1. Keppel Sands Caravan Park - Footprint

Responsible Officer: David Mazzaferri - Manager Community Wellbeing
Brett Bacon - Executive Director Liveability and Wellbeing

Author: Mark McLean - Principal Property 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

The report provides information in relation to the future management/tenure arrangements for the Keppel Sands Caravan Park.

15.2 FORMER CATHOLIC CHURCH BUILDING - MARLBOROUGH**File No:** CP5.9.2-227**Attachments:** Nil**Responsible Officer:** David Mazzaferri - Manager Community Wellbeing
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 a proposal to offer the former Catholic Church building at Marlborough for sale by written tender.

15.3 MOBILE BLACK SPOT PROGRAM – ROUND 5 FUNDING**File No:** IT17.3.1**Attachments:**

1. Proposed Sites for Black Spot Round 5
2. Stockyard Point MOU
3. Nerimbera MOU

Responsible Officer: Chris Murdoch - Chief Executive Officer**Author:** Matthew Willcocks - Chief Technology 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

The Mobile Black Spot Program is the Australian Government's initiative to extend and improve mobile phone coverage and competition in regional and remote areas of Australia. Round 5 of the Mobile Black Spot Program was announced in April of this year. Applicants to the grant program are Mobile Network Operators (eg. Telstra, Optus) and Council has been coordinating with Telstra for a planned submission.

16 CLOSURE OF MEETING