



ORDINARY MEETING

AGENDA

19 NOVEMBER 2024

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 19 November 2024 commencing at 9:00 AM for transaction of the enclosed business.

Alastair Dawson
INTERIM CHIEF EXECUTIVE OFFICER
14 November 2024

Next Meeting Date: 17.12.24

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."

Opening Prayer

Pastor Eddy Schravemade of the Presbyterian Church is scheduled to deliver an opening prayer.

2 ATTENDANCE

Members Present:

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

Officers in Attendance:

Alastair Dawson – Interim Chief Executive Officer
Sonia Tomkinson – Acting General Manager Communities
Michael Kriedemann – General Manager Infrastructure
Andrea Ellis – Chief Financial Officer
Matthew Willcocks - Chief Technology Officer
Kristy Mansfield - Chief Human Resources Officer

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the Ordinary Meeting held 15 October 2024.

Minutes of the Special Meeting held 18 October 2024.

Minutes of the Special Meeting held 18 October 2024.

5 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

6 DEPUTATIONS

Nil

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 LIFTING MATTERS LAYING ON THE TABLE

File No: GV13.04.06

Attachments: Nil

Responsible Officer: Alastair Dawson - Acting Chief Executive Officer

SUMMARY

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

OFFICER'S RECOMMENDATION

THAT Council resolves that the following reports which are currently 'laying on the table' within the Business Outstanding Table awaiting return to a Council meeting, be lifted from the table to be dealt with later in this meeting:

1. Management Plan – Cooe Bay Main Beach Access

BACKGROUND

These matters were presented at previous Council meetings at which time Council resolved to lay each matter on the table pending return to a future Council meeting.

COMMENTARY

These matters are now requested to be formally lifted from the table and brought back for discussion and consideration.

7.2 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING**File No:** GV**Attachments:** 1. Business Outstanding Table November [↓](#)**Responsible Officer:** Alastair Dawson - Acting 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.

7.2 - BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

Business Outstanding Table November

Meeting Date: 19 November 2024

Attachment No: 1

***Please note that the notes contained within the Business Outstanding Table are correct at the time of the Agenda being published.**

Item	Date	Report Title	Resolution	Comments
1	20/08/2024	Proposal for Council to initiate enquiry into acquisition of a freehold parcel for community benefit	That the CEO be authorised to make enquiries regarding cost of acquisition of land as described in this report, on the proviso no commitment to acquire the land is made without further approval by Council and identified source of funding being provided to council's satisfaction.	13 Nov 2024 Nothing further to report and discussions are currently not in progress any further.
2	17/09/2024	Questions on Notice - Cr Mather - Sewer Connections Marine Parade	THAT Council communicates with residents on Marine Parade for potential to become a declared zone outlining advantages/disadvantages and costs.	12 Nov 2024 Officers from Engineering Services need to review potential sewer reticulation options, costs and then write to property owners to understand their appetite for this area to be declared.
3	17/09/2024	Petition – Requesting dogs with handlers have access to Yeppoon Main Beach before 8am and after 4pm	THAT the petition be received and referred to a Committee Meeting in regards to the local law review.	11 Nov 2024 Report being presented to Development and Environment Committee on 3 Dec 2024.
4	15/10/2024	LIFTED - Notice of Motion - Mayor Belot - Men's Shed Yeppoon, Emu Park & The Caves - Waste Vouchers	THAT Council 1) Take such actions as required to enact a Community Service Obligation which provides a waste allowance of \$10,000 which will be shared by the Men's Shed operating in the Livingstone Shire Council area. This allowance will provide no cost deposits of waste at Livingstone Shire Waste Facilities collected from activities directly associated with the Men's Shed.	12 Nov 2024 This item will be discussed at the November Ordinary Meeting of Council.
5	15/10/2024	LIFTED - Notice of Motion - Cr Mather - Eligibility for Tip Vouchers	THAT the recommendation above for item 9.2 be withdrawn and incorporated into the resolution for item 9.1.	12 Nov 2024 This item will be discussed at the November Ordinary Meeting of Council.

***Please note that the notes contained within the Business Outstanding Table are correct at the time of the Agenda being published.**

6	18/10/2024	Request for Trustee Lease over Part of Reserve for Park and Recreation - Lot 132 SP132348 at Cobraball Road, Bondoola	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> 1. that the exception mentioned in section 236(1)(b)(i) of the Local Government Regulation 2012 may apply in its dealing with the State of Queensland (represented by Queensland Fire Department) over part of Reserve for Park and Recreation – Lot 132 SP132348 at Cobraball Road, Bondoola; 2. pursuant to section 236(2) of the Local Government Regulation 2012 to apply section 236(1)(b)(i) of the Local Government Regulation 2012 in its dealing with The State of Queensland (represented by Queensland Fire Department) over part of Reserve for Park and Recreation – Lot 132 SP132348 at Cobraball Road, Bondoola; and 3. to provide a twenty (20) year trustee lease to The State of Queensland (represented by Queensland Fire Department) over an area of land in the north eastern corner of Reserve for Park and Recreation – Lot 132 SP132348 at Cobraball Road, Bondoola at a nominal rental of \$1 per annum plus Goods and Services Tax 4. to delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the Local Government Act 2009, to negotiate the terms and conditions of the trustee lease provided to the State of Queensland (represented by the Queensland Fire Department), and the CEO notifies Councillors of the ongoing negotiations of the lease. 5. to waive the development application fees for Development Permit for a Material Change of Use for Emergency Services and Operational Works for Clearing of native vegetation. 	<p>11 Nov 2024</p> <p>Council officers are awaiting further updates from Queensland Fire Department, on their due diligence enquiries, prior to proceeding with a trustee lease over part of the reserve</p>
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8 PRESENTATION OF PETITIONS

Nil

9 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

Nil

10 COUNCILLOR REPORTS

Nil

11 COMMITTEE REPORTS

11.1 INFRASTRUCTURE COMMITTEE MINUTES 5 NOVEMBER 2024

File No: INF

Attachments: Nil

Responsible Officer: Michael Kriedemann - General Manager Infrastructure

Author: Michael Kriedemann - General Manager Infrastructure

SUMMARY

This report is of the Infrastructure Standing Committee Meeting held on 5 November 2024. The recommendations are presented for the determination by the Council.

COMMITTEE RECOMMENDATION

THAT Council receives the report of the Infrastructure Committee meeting held on 5 November 2024 and adopts the recommendations contained therein.

- Notice Of Motion - Cr Mather - Clayton Road Footbridge
- The Caves Waste Transfer Station Operating Hours
- Monthly Progress Report - Capital Projects

COMMENTARY

COMMITTEE RECOMMENDATIONS DETAILED BELOW FOR EASE OF REFERENCE

NOTICE OF MOTION - CR MATHER - CLAYTON ROAD FOOTBRIDGE

COMMITTEE RESOLUTION

THAT the Committee recommends to Council that given the structural inspection and findings of the Clayton Road foot bridge, Council endorse officers decision to formally close it from Pedestrians based on safety grounds and:

1. Allocate \$391,000 in the 2025/2026 budget to construct a pathway along the western side of the Scenic Highway, from Williamson Creek to the bus stop, including a new footbridge;
2. Allocate \$219,000 in the 2026/2027 budget to construct a pathway along Clayton Road, from Bayview Drive to Evelyn Street, including a pedestrian refuge at Evelyn Street; and
3. Allocate \$405,000 in the 2027/2028 budget to construct a pathway along Clayton Road, from Chandler Road to Bayview Drive.

THE CAVES WASTE TRANSFER STATION OPERATING HOURS

COMMITTEE RESOLUTION

THAT the Committee recommends to Council:

1. Change the existing operating hours at The Caves waste transfer station to:

Monday	2:30 - 5:00pm
Tuesday	Closed
Wednesday	2:30 - 5:00pm
Thursday	Closed
Friday	2:30 – 5:00pm
Saturday	10:00 - 3:00pm
Sunday	2:30 - 5:00pm

2. Implement the change in hours as soon as reasonably practicable in consultation with Outlook Australia.

MONTHLY PROGRESS REPORT - CAPITAL PROJECTS**COMMITTEE RESOLUTION**

THAT the Committee recommends Council receive and note the progress of the capital works program delivered by the Infrastructure Portfolio to 30 September 2024.

11.2 RECREATION & CULTURE COMMITTEE MINUTES 5 NOVEMBER 2024

File No: GV
Attachments: Nil
Responsible Officer: Sonia Tomkinson - Acting Manager Economy and Places
Author: Sonia Tomkinson - Acting Manager Economy and Places

SUMMARY

This report is of the Recreation and Culture Standing Committee Meeting held on 5 November 2024. The recommendations are presented for the determination by the Council.

OFFICER'S RECOMMENDATION

THAT Council receives the report of the Recreation & Culture Committee meeting held on 5 November 2024 and adopts the recommendations contained therein.

- Australian South Sea Islander Movement (QLD) Incorporated - Tenure Request
- Event Sponsorship Program Round Two 24/25
- Livingstone Shire Council and Bendigo Community Bank Community Grants Scheme (round one 2024/2025) successful applicants
- Communities Portfolio Management Report
- Community group tenure application - Capricorn Coast Rugby Union Football Club Incorporated
- Monthly Progress Report - Capital Projects

COMMENTARY**COMMITTEE RECOMMENDATIONS DETAILED BELOW FOR EASE OF REFERENCE****AUSTRALIAN SOUTH SEA ISLANDER MOVEMENT (QLD) INCORPORATED – TENURE REQUEST****RESOLUTION**

THAT the committee recommends to Council that:

- 1) the exception mentioned in section 236(1)(b)(ii) of the Local Government Regulation 2012 may apply in its dealing with the Australian South Sea Islander Movement (QLD) Incorporated over Lots 7 and 11 RP603843;
- 2) pursuant to section 236(2) of Local Government Regulation 2012 to apply section 236(1)(b)(ii) of the Local Government Regulation 2012 in its dealing with the Australian South Sea Islander Movement (QLD) Incorporated over Lots 7 and 11 RP603843; and
- 3) tenure is provided, for a 10-year period, to the Australian South Sea Islander Movement (QLD) Incorporated over Lots 7 and 11 RP603843 for the purpose of continuing to conduct activities associated with the Australian South Sea Islander Movement (QLD) Incorporated.

EVENT SPONSORSHIP PROGRAM ROUND TWO 24/25**RESOLUTION**

THAT the committee recommends to Council that in accordance with the recommendation of the Livingstone Shire Council Event Sponsorship assessors, the following event sponsorship applications be funded from the Livingstone Shire Council Event Sponsorship

Program Round Two 2024/2025:		
Applicant	Event	Amount (exGST)
Community Hall or Market (in-kind only)		
Emu Park Singing Ship Indoor Bowls	Weekly indoor bowls Jan to June 2025	\$1,736.28
Keppel Coast Arts	Fig Tree Creek Markets x 6	\$1,927.28
	Keppel Coast Flix x 6	\$1,201.81
Lions Club of Emu Park	Bell Park Markets x 6	\$1,927.28
The Country Music Group	Monthly music at Yeppoon Town Hall	\$1,844.61
	TOTAL	\$8,637.26
Community Event (cash and in-kind) – up to \$5,000		
Keppel Bay Sailing Club	KBSC Woman and Girls Regatta 2025	\$3,500.00
Mt Chalmers Community History Centre	ANZAC Day Service 2025	\$350.00
Yeppoon Hack and Pony Club	YHPC Official Showjumping and Jumping Equitation	\$1,000.00
Yeppoon Hack and Pony Club	One Day Cross Country Event	\$4,000.00
Emu Park Historical Museum Society	40 th Year Anniversary Celebration	\$2,500.00
Allegra Studios	Dance for Brain Health (22-week program).	\$1,000.00
Yeppoon Bridge Club	29 th Barrier Reef Congress 2025	\$3,000.00
The Caves Progress and Agricultural Society	The Caves Show 2025	\$5,000.00
Marlborough and District Campdraft Association	Marlborough and District Campdraft 2025	\$5,000.00
	TOTAL	\$25,350.00
Regional Event (cash and in-kind) – up to \$15,000		
Keppel Coast Arts	Capricorn Film Festival 2025	\$6,078.17
Lions Club of Emu Park	Festival of the Wind 2025	\$5,833.63
Marlborough Agricultural Show Association	39 th Annual Marlborough Show 2025	\$10,000.00
All Classic Motor Club of Central Queensland	Classics by the Coast 2025	\$8,180.00
	TOTAL	\$30,091.80
Economic Event (cash and in-kind) – up to \$30,000		
Capricorn Coast Community Events Association	Great Australia Day Beach Party 2025	\$15,000.00
	TOTAL	\$15,000.00
	GRAND TOTAL	\$79,079.06

LIVINGSTONE SHIRE COUNCIL AND BENDIGO COMMUNITY BANK COMMUNITY GRANTS SCHEME (ROUND ONE 2024/2025) SUCCESSFUL APPLICANTS
RESOLUTION

THAT the Committee recommends Council approve the allocation of the Livingstone Shire Council and Bendigo Community Bank Community Grants Scheme funding, as determined by the assessment panel evaluation process, to the below successful applicants:

Successful applicant	Initiative	Grant amount
Konomi Island Environmental Education Centre P&C association	Purchase of stretcher and carrier	\$5,000
Yeppoon Choral Society Inc.	Purchase of laptops	\$2,854
Cap Coast Netball Club	Purchase of cooking and food ordering equipment	\$2,554
Cockscomb Veterans Retreat Inc.	Purchase of equipment (chainsaw, tree lopper, pressure cleaner)	\$3,300
Yeppoon Junior Rugby League Club	Purchase of training equipment (footballs, tackling and agility equipment)	\$5,000
Yeppoon Surf Life Saving Club	Purchase of televisions and projector screen	\$3,469
The Caves Progress & Agricultural Society Inc.	Replace / upgrade fencing, gate, pedestrian access, and signage	\$3,638.82
Cawarral Cricket Club Inc	Concrete extension to patio and footpath	\$3,000
Yeppoon Hack and Pony Club	Purchase of storage container	\$5,000
Yeppoon Gymnastics & Movement Centre Inc.	Purchase of iPads	\$3,396
Beach Potters Association Inc.	Purchase of defibrillator and replacement roller door	\$4,755
Emu Park Surf Life Saving Club	Purchase and installation of replacement roller door	\$5,000
QCWA Emu Park Branch	Painting and purchase of fans	\$5,000
Guides Queensland - Kooyalee Camp Site	Upgrade to on-site water supply (purchase and installation of pumps)	\$4,568
Capricorn Coast Touch Association	Improvements to public address system	\$1,935
Emu Park Swim Club	Plumbing works at club house	\$5,000

COMMUNITIES PORTFOLIO MANAGEMENT REPORT
RESOLUTION

THAT the Communities portfolio management report for Economy and Places, Community and Cultural Services and Open Spaces and Facilities Business Units for the period 1 July 2024 to 30 September 2024 be received.

COMMUNITY GROUP TENURE APPLICATION - CAPRICORN COAST RUGBY UNION FOOTBALL CLUB INCORPORATED**RESOLUTION**

THAT the committee recommend to Council that Council resolves:

- 1) that the exception mentioned in section 236(1)(b)(ii) of the Local Government Regulation 2012 may apply in its dealing with the Capricorn Coast Rugby Union Football Club Incorporated; and
- 2) pursuant to section 236(2) of Local Government Regulation 2012 to apply section 236(1)(b)(ii) of the Local Government Regulation 2012 in its dealing with the Capricorn Coast Rugby Union Football Club Incorporated; and
- 3) to provide a freehold licence agreement for a five-year period to the Capricorn Coast Rugby Union Football Club Incorporated.

MONTHLY PROGRESS REPORT - CAPITAL PROJECTS**RESOLUTION**

THAT the Committee recommends Council receive and note the progress of the capital works program delivered by the *Recreation and Culture* Portfolio to 30 September 2024.

11.3 DEVELOPMENT & ENVIRONMENT COMMITTEE MINUTES 5 NOVEMBER 2024

File No: GV
Attachments: Nil
Responsible Officer: Sonia Tomkinson - Acting Manager Economy and Places
Author: Sonia Tomkinson - Acting Manager Economy and Places

SUMMARY

This report is of the Development and Environment Standing Committee Meeting held on 5 November 2024. The recommendations are presented for the determination by the Council.

OFFICER'S RECOMMENDATION

THAT Council receives the report of the Development & Environment Committee meeting held on 5 November 2024 and adopts the recommendations contained therein.

- Deputation – Mildura Rise Development – D-207-2022
- D-207-2022 – Reconfiguring a lot and an application for a Material Changes of Use for Mildura Rise Estate
- Proposal to develop a Temporary Local Planning Instrument to suspend or otherwise affect the operation of the Livingstone Shire Planning Scheme 2018
- D-546-2022 for a permit for Reconfiguring a Lot at Vaughans Road Adelaide Park
- D-194-2024 for a Permit for a Material Change of Use for multiple dwellings at Fountain Street Emu Park
- Communities Management Portfolio Report
- Parking Arrangements
- Shoreline Erosion Management Plan – Muskera Beach
- Request for Renewal of Lease to Amplitel Pty Ltd over part of Lot 24 RP612563 and Lot 1 RP612715 – Taranganba Reservoir
- Request for Council's Views – Renewal of Term Lease over Lot 84 CP LI1314

COMMENTARY**COMMITTEE RECOMMENDATIONS DETAILED BELOW FOR EASE OF REFERENCE****DEPUTATION – MILDURA RISE DEVELOPMENT – D-207-2022**

THAT the deputation be received

D-207-2022 – RECONFIGURING A LOT AND AN APPLICATION FOR A MATERIAL CHANGE OF USE FOR MILDURA RISE ESTATE**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Reconfiguring a lot (3 lots into 409 lots, balance lot, park and new road) and Preliminary approval (variation request) to vary the effect of the local planning Instrument (*Livingstone Planning Scheme 2018*, Version 3) from Rural zone to Low density residential zone – Mildura Rise Estate, pursuant to Section 50(3) of the *Planning Act 2016*, made by Procon Development Pty Ltd, the Committee recommends to Council to resolve to Approve the application pursuant to Section 60 and 61 of the *Planning Act 2016*, as the assessment manager is

satisfied that:

- (a) The development, has been suitably justified to not compromise the Strategic Framework in that:
 - (i) The strategic framework provides guidance about when urban development should occur outside of urban areas, and that is when it is *'demonstrated that there is an overriding community need as a result of unforeseen rapid population growth, land ownership constraints, market forces, site characteristics or other factors, and the development can be efficiently serviced with infrastructure and facilities in the timeframe proposed'*.
 - (ii) There is a demonstrated need within the Livingstone Shire for additional housing to accommodate the forecast population growth consistent with the findings of the Community and Economic Needs Assessment commissioned in support of the development.
 - (iii) The land has the ability to be serviced with urban water, sewerage and road infrastructure.
 - (iv) The land is not productive agricultural land and generally unconstrained. The Livingstone Shire planning scheme's strategic framework includes the land in 'Rural Residential' indicating a longer term intention that the land be part of a broader area of rural residential development. In addition the subject land adjoins Rural residential development to the north and south, limiting the extent of intensive rural use of the land.
 - (v) The development is considered within a broader context as to whether the encroachment of urban activity offends the orderly and sequential development of the urban footprint within the Region. The proposal has a small section included in the Regional Plan's Priority Living Area and based on its context, is considered compatible with the longer term intention for the growth of the northern corridor to support urban development in the future.
 - (vi) The Rural Zone Code supports non-residential development where it is compatible with the characteristics of the surrounding area.
- (b) There are other relevant matters considered in support of the proposed development, being:
 - (i) There is an identified undersupply of housing and need for housing choices in the Livingstone Shire.
 - (ii) There are limitations for site location and selection for development of this scale and nature within the existing urban zoned land, and future zoned land. Existing Rural residential land to the north and south is already developed.
 - (iii) A high number of submissions have been made that are supportive of or were neutral about the proposed application;
 - (iv) The servicing of the development can be undertaken without compromising the infrastructure networks that exist.

RECOMMENDATION B

THAT in relation to the application for a Preliminary approval (variation request) to vary the effect of the local planning Instrument (*Livingstone Planning Scheme 2018*, Version 3) from Rural zone to Low density residential zone – Mildura Rise Estate and Development Permit for Reconfiguring a lot (3 lots into 409 lots, balance lot, park and new road), pursuant to Section 50(3) of the *Planning Act 2016*, made by Procon Development Pty Ltd, the Committee recommends to Council to resolve to Approve the application subject to the following conditions:

1.0 DEFINITIONS AND INTERPRETATIONS

1.1 In this approval:

- 1.1.1 **Applicant** means Procon Development Pty Ltd being the applicant for a preliminary approval affecting the Council's Planning Scheme with respect to the Subject Land.
- 1.1.2 **Approval** means the approval of the Application by the Council.
- 1.1.3 **Capricorn Municipal Development Guidelines** means a document adopted by Council containing guidelines and standards for development, as amended from time to time.
- 1.1.4 **Conditions** mean the conditions of this approval including any attachment referred to in these conditions.
- 1.1.5 **Council** means the local government authority having jurisdiction over land use and development on the subject land.
- 1.1.6 **Developer** means the registered proprietor and any occupier of the Subject Land.
- 1.1.7 **Infrastructure** means infrastructure reasonably required to service the proposed development including roads (internal, external and access), water services, sewer services and stormwater drainage.
- 1.1.8 **Schedule of Plans for Trunk Infrastructure** means the infrastructure schedules mentioned in Council's *Local Government Infrastructure Plan* or any other plan which replaces it.
- 1.1.9 **Subject land** means Lot 4 on RP886589 and Lot 1 on RP608026 (or subsequent lot and plan number).
- 1.1.10 **Planning Act 2016** means the *Planning Act 2016* as amended from time to time.
- 1.1.11 **Planning Scheme** means Council's *Livingstone Planning Scheme 2018*, version 3, in effect 15 February 2021.

2.0 ADMINISTRATION

- 2.1 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.
- 2.2 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.
- 2.3 All conditions, works, or requirements of this approval must be undertaken and completed to Council's satisfaction, at no cost to Council.
- 2.4 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council.

3.0 APPROVED PLANS AND DOCUMENTS

- 3.1 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:

Plan/Document Name	Reference	Dated
Proposed Site Layout	LP01, Revision DA-5	June 2024
Proposed Staging Plan	SP01, Revision DA-4	June 2024

Road Hierarchy Plan	RH01, Revision DA-2	June 2024
Proposed Road Layout Bruce Highway Entry – Sheet 1 of 2	R01, Revision A	June 2024
Proposed Road Layout Bruce Highway Entry – Sheet 2 of 2	R02, Revision A	June 2024
Traffic Impact Assessment – Addendum	Revision A	6 September 2024
Site Based Stormwater Management Plan	J21165 Revision B	19 February 2024
Conceptual Stormwater Drainage Plan	J21165/C-7.10 Revision F	19 February 2024
Site Classification & Geotechnical Recommendations	CQ20411	9 February 2022
Bulk Earthworks Concept Plan	J21165/C-1.10 Revision G	19 February 2024
Bulk Earthworks Sections Sheet No. 2 of 2	J21165/C-1.12 Revision B	19 February 2024
Conceptual Water Reticulation Service Plan	J21165/C-6.10 Revision E	19 February 2024
Bushfire Hazard Assessment and Management Plan	RP21210_BAMP_62676 Bruce Highway, Rockyview, Version A	28 April 2022
Ecological Assessment Report	Version B2	16 September 2023
Waterway Corridor Layout Plan	J21165/C-7.20 Revision C	19 February 2024
Vegetated Swale Layout Plan (Waterway Corridor)	J21165/C-7.25 Revision B	19 February 2024
Vegetated Swale Notes and Details Sheet	J21165/C-7.26 Revision B	19 February 2024
Pre-development Catchment Plan	J21165/C-7.30 Revision C	19 February 2024
Post-development Catchment Plan	J21165/C-7.31 Revision C	19 February 2024
Stormwater Detention Basin Layout Plan	J21165/C-7.51 Revision A	19 February 2024
Bioretention Basin Notes and	J21165/C-7.62 Revision A	19 February 2024

	Details Sheet No. 2		
	Bioretention Basin – B	J21165/C-7.65 Revision A	19 February 2024
	Bioretention Basin – D	J21165/C-7.66 Revision A	19 February 2024
	Bioretention Basin – E	J21165/C-7.67 Revision A	19 February 2024
	Bioretention Basin – H	J21165/C-7.68 Revision A	19 February 2024
	Bioretention Basin – J	J21165/C-7.69 Revision A	19 February 2024
3.2	Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.		
3.3	The development must be generally in accordance with the plans listed in condition 3.1 in terms of the reconfiguration of a lot layout, road layout, conceptual engineering design and conceptual master plan.		
3.4	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 the first application for a Development Permit over the subject land.		
4.0	<u>REQUIRED DEVELOPMENT PERMIT(S)</u>		
4.1	Other development permits which are necessary to allow the development to be undertaken are listed below and these Conditions do not affect the need to obtain such permits, namely:		
	4.0.1. Development permit(s) for carrying out Operational Work (where required) for;		
	(i) Road Works;		
	(ii) Sewerage Works;		
	(iii) Water Works;		
	(iv) Stormwater Works;		
	(v) Earth Works; and		
	(vi) Landscape Works.		
4.2	A Development Permit for Operational Works, Plumbing and Drainage Works or Building Works for development associated with this Approval must not be issued prior to the receipt of the relevant Material Change of Use or Reconfiguring a Lot development permit(s).		
4.3	Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.		
4.4	All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant <i>Australian Standards</i> , <i>Capricorn Municipal Development Guidelines</i> , <i>Queensland Urban Drainage Manual</i> and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.		
5.0	<u>PLANNING FRAMEWORK</u>		
	<i>Preamble - This is a preliminary approval (variation request) for a Material Change of Use, to vary the effect of The Livingstone Shire Planning Scheme 2018, version 3 (from Rural zone to Low density residential zone) and development permit for</i>		

reconfiguring a lot (3 lots into 409 lots, balance lot, park and new road) in accordance with the Mildura Rise Estate masterplan.

- 5.1 The process for determining the category of development and category of assessment is for any subsequent development on the subject land (excluding the balance parcels) is Part 5, Table 5.4.6.1 – Low density residential zone for the purpose of development involving a material change of use, Part 5 – Tables of Assessment – Table 5.5.1 – Low density residential zone for the purpose of development involving reconfiguring a lot and Tables of Assessment – Table 5.5.1 – Low density residential zone for the purpose of development involving building work.

- 5.2 The Applicant must submit a copy of this Variation Approval with any Material Change of Use and/or Reconfiguring a Lot and/or Building Development application relating to or arising from this development approval.

6.0 CURRENCY PERIOD

- 6.1 The currency period for this Preliminary Approval is ten (10) years from the date the approval takes effect.

7.0 STAGED DEVELOPMENT

- 7.1 This approval is for a development to be undertaken in twelve (11) discrete stages described in the application, namely:

Stage	Proposed
Stage 1	39 residential lots, new road and stormwater detention
Stage 2	36 residential lots, new road, stormwater detention and waterway corridor works
Stage 3	48 residential lots, new road, stormwater detention and waterway corridor works
Stage 4	33 residential lots, new road, stormwater detention and waterway corridor works
Stage 5	33 residential lots, new road, open space
Stage 6	35 residential lots, new road and stormwater infrastructure
Stage 7	40 residential lots and new road
Stage 8	38 residential lots, new road and stormwater detention
Stage 9	18 residential lots, new road and park
Stage 10	26 residential lots, new road and stormwater detention
Stage 11	51 residential lots and new road and stormwater infrastructure

- 7.2 The stages are required to be undertaken in chronological order unless otherwise approved by Council.
- 7.3 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 7.4 Multiple development stages can be undertaken concurrently, provided development can be connected to the urban infrastructure outlined in this development permit.

- 7.5 Development Infrastructure must be provided by the developer in a coordinated 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 and integration of infrastructure during future stages.
- 7.6 Infrastructure (for example: road, property accesses, water, sewer, services) must be provided (if necessary) to the development or stage boundaries (including connection of services to external road connections) for connectivity and to facilitate ease of extension of these Infrastructure during future stages.
- 8.0 INFRASTRUCTURE
- Preamble – In order for development to proceed, infrastructure must be available (or be capable of being made available) to service the development proposed on the Subject Land.*
- 8.1 Infrastructure must be provided by the Developer in a co-ordinated and a planned manner having regard to the staging of the development in a logical and orderly sequence to ensure each residential lot is provided with urban services including water, sewer, electricity and telecommunications.
- 9.0 ROAD WORKS
- 9.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works associated with the development.
- 9.2 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).
- 9.3 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.
- 9.4 All new roads must be designed as the approved *Road Hierarchy Plan, RH01 Revision DA-2, dated June 2024* with details in accordance with the requirements of the latest version of *Capricorn Municipal Development Guidelines* by the time when the application of Operational Works (roads works) permit is lodged.
- 9.5 The proposed carriageway width of Road 1, being identified as Urban Major Collector, is not approved. Under any application of Operational Works (road works), the design of Road 1 must be updated to cater for direct accesses from the lots along Road 1.
- 9.6 A turning area must be provided at any road end at the boundaries of different stages, at completion of the earlier stage and prior to completion of the next stage sharing the boundary. Details of the turning areas, including practical vehicular and pedestrian access to lots, parking for adjacent lots and manoeuvring for a refuse collection vehicle must be demonstrated in any application for a Development Permit for Operational Works (road works).
- 9.7 Traffic calming devices must be provided to control vehicle speeds within Road 4, Road 5, Road 6 and Road 8. Details of traffic calming devices and practical access to adjacent allotments must be demonstrated in any application for a Development Permit for Operational Works (road works).
- 9.8 Concrete pathways must be constructed along all proposed new roads, with details in accordance with the requirements of the latest version of *Capricorn Municipal Development Guidelines* by the time when the application of Operational Works (roads works) permit is lodged.
- 9.9 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*. All pathways

located within a road reserve or public use land must be provided with public space lighting in accordance with *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.

- 9.10 All pathways must incorporate kerb ramps at all road crossing points.
- 9.11 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.
- 9.12 Any application for a Development Permit for Operational Works (road works) must include details of the Council approved road names for all new roads.
- 9.13 Retaining structures must not be constructed within road reserves. Generally, retaining walls must be wholly contained within the proposed private allotments and not be constructed as Council-owned infrastructure.

10.0 SEWERAGE WORKS

- 10.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 10.2 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).
- 10.3 The development must be connected to Council's reticulated sewerage network.
- 10.4 New sewerage connection points must be provided to each of the new lots.
- 10.5 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*.
- 10.6 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty trafficable lid must be provided in the trafficable area.
- 10.7 The proposed pump station must be located in freehold land dedicated to Council, in accordance with *Capricorn Municipal Development Guidelines*. Access to the pump station must be provided.
- 10.8 Under any application for Operational Works (sewerage works), the following information must be provided:
 - A Sewer Network Analysis with sewer models, demonstrating that the proposed sewer network complies with the standards of *Capricorn Municipal Development Guidelines*. The analysis must include all proposed gravity mains within the parent lot, the proposed sewer pump station, and the proposed rising main from the sewer pump station to the existing sewer network which is within the jurisdiction of Rockhampton Regional Council.
 - Detailed assessments of the proposed rising main against the issue with septicity due to the length of the pipe, detention times, pump starts for the pump station and how this will be addressed in all stages.
 - Detailed design of the sewer main, including but not limited to layout plans and elevations.
 - Details of the access and the site arrangement of the pump station.
- 10.9 The pump station must be completed with desirable service standard, provided with power supply, and certified by the Registered Professional Engineer of Queensland who is responsible to the design and supervision of the construction of the pump station, prior to endorsement of the survey plan of the first new lot.

- 10.10 The proposed sewer network must be designed with capacity to be able to service the proposed development only.

Advisory Note: Livingstone Shire Council does not have any foreseeable planning to provide reticulated sewerage service to the suburbs of Rockview, Glenlee and Glendale. Livingstone Shire Council is not expecting any other property along and/or near this proposed sewerage network to connect to this proposed sewerage network.

- 10.11 The Operational Works (sewerage works) must be approved by both Livingstone Shire Council which will include an assessment and requirements from Rockhampton Regional Council on the requirements for their sewer network, trunk sewer(s) and sewer treatment plant.
- 10.12 A Commercial Agreement for sewerage service between Rockhampton Regional Council and Livingstone Shire Council must be prepared by the applicant, at no cost to Livingstone Shire Council. The agreement must be agreed by both councils before commencement of the sewerage works.

11.0 WATER WORKS

- 11.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 11.2 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*, the *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 11.3 The development must be connected to Council's reticulated water network, except the lots with elevation at and higher than 85m Australian Height Datum.
- 11.4 Fire hydrants must not be located higher than 84m Australian Height Datum.
- 11.5 New water connection points must be provided to each of the new lots, except the lots with elevation at and higher than 85m Australian Height Datum.
- 11.6 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 11.7 On-site water storage system within a minimum capacity of 50,000 litres for domestic purposes must be provided to the lots with elevation at and higher than 85m Australian Height Datum.

Advisory Note: According to the Site-based Stormwater Management Plan, on-site water tanks within the lots without reticulated water supply are a part of the stormwater quality treatment trains. Thus, they shall be provided prior to endorsement of the survey plans of the new lots without reticulated water supply.

- 11.8 The construction of the proposed water main across Bruce Highway must be approved by Department of Transport and Main Roads.
- 11.9 Covenants must be provided over the area with ground elevation higher than 85.0 m Australian Height Datum, indicating that desirable water service standard could not be met at these areas.

12.0 STORMWATER WORKS

- 12.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 12.2 All stormwater drainage 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*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater

works).

- 12.3 All stormwater must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land or damage infrastructure when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance.
- 12.4 A detention system must be designed and constructed within the development site. The volume of detention provided 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 (AEP) events up to Defined Flood Event (inclusive) for a range of storm durations including critical storm duration.
- 12.5 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.
- 12.6 Drainage easement(s) must be dedicated in favour of Council over all major overland flow paths (land inundated by 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.
- 12.7 Any drainage easements dedicated over the major overland flow paths or major drainage system must be able to contain all earthworks, batters and include freeboard and access and maintenance provisions consistent with the Queensland Urban Drainage Manual.
- 12.8 Adequate Land area must be dedicated in freehold title over the proposed waterway through the middle of the site, from east to the west, including the proposed bio-retention basins, and proposed stormwater detention basins, in general in accordance with the approved plans (condition 2.1).
- 12.9 All major drainage systems must be designed and constructed to cater for peak flow characteristics of the one percent (1%) Annual Exceedance Probability event consistent with the provisions of the Queensland Urban Drainage Manual.
- 12.10 Each allotment must be designed so as to be free from flooding for one percent (1%) Annual Exceedance Probability (AEP) events for a range of storm durations including critical storm duration.
- 12.11 All roads which were shown to be subject to flood hazards under one percent (1%) Annual Exceedance Probability (AEP) events, as shown on the Site Based Stormwater Management Plan prepared by MRC Consulting Engineers (condition 2.1), are not approved. Instead, any application for a Development Permit for Operational Works (stormwater works) must be accompanied by an updated Site Specified Stormwater Management Plan, with all proposed stormwater networks, with reasonable blockage factors, to be included and assessed. Stormwater characteristics, such as flood depth and velocity, on all new roads, must be assessed against the roadway flow limits and capacity criteria, for the recommended design storm events, under *Queensland Urban Drainage Manual*. Any road whose stormwater characteristic under the design storm event is unable to meet the criteria on *Queensland Urban Drainage Manual*, must be removed and the area must be converted as drainage easements. Any proposed lots being impacted by this change must be reviewed, and amended if necessary, to gain access from other road which could meet the above stormwater standards and any other relevant standards.

This must be addressed prior to commencement of any construction works associated to this development on site.

- 12.12 Besides the above, any application for a Development Permit for Operational Works (stormwater works) must be accompanied by an updated Site Based

Stormwater Management Plan, prepared and certified by a Registered Professional Engineer of Queensland, which as a minimum includes:

- identification of drainage catchment and drainage sub-catchment areas for the pre-development and post-development scenarios including a suitably scaled stormwater master plan showing the above mentioned catchment details and lawful point(s) of discharge that comply with the requirements of the Queensland Urban Drainage Manual;
- an assessment of the peak discharges for a range of design rainfall events up to and including the one in one hundred year rainfall event (100 year Average Recurrence Interval) for a range of storm durations including critical storm duration, for the pre-development and post-development scenarios;
- details of any proposed on-site detention / retention systems and associated outlet systems required to mitigate the impacts of the proposed development on downstream lands and existing upstream and downstream drainage systems;
- identification and conceptual design of all new drainage systems, and modifications to existing drainage systems required to adequately manage stormwater collection and discharge from the proposed development;
- demonstration of how major design storm flows are conveyed through the subject development to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual and the Capricorn Municipal Development Guidelines;
- identification of the area of land inundated as a consequence of the minor and major design storm events in the catchment for both the pre-development and post-development scenarios;
- identification of all areas of the proposed development, and all other land (which may include land not under the control of the developer), which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to provide a lawful point of discharge for the proposed development. The areas identified must satisfy the requirements of the Queensland Urban Drainage Manual. All land proposed as major overland flow paths must include appropriate freeboard, access and maintenance provisions consistent with the Queensland Urban Drainage Manual; and
- details of all calculations, assumptions and data files (where applicable).
- detailed designs for the inlet and outlet systems for the proposed detention systems and swale drain(s);
- detail design calculations for all proposed energy dissipaters (i.e. rock protection areas) by taking into account permissible velocity and frequency/duration details in accordance with the provisions of Queensland Urban Drainage Manual.
- details to demonstrate vehicular, pedestrian amenity and safety criteria are met in accordance with Queensland Urban Drainage Manual; and
- ongoing maintenance and management actions required with regard to proposed detention and retention systems.

This must be addressed prior to commencement of any construction works associated to this development on site.

- 12.13 The detailed design of the detention basins must include all required safety measures and facilities (for example child proof fences) to ensure the safety of the public and/or tenants (in particular young children). A management plan for the proposed detention basin system must be submitted as part of any application for

a Development Permit for Operational Works (stormwater works).

This must be addressed prior to commencement of any construction works associated to this development on site.

13.0 ELECTRICITY AND TELECOMMUNICATIONS

13.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

14.0 ASSET MANAGEMENT

14.1 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.

14.2 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.

14.3 '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. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

15.0 VEGETATION CLEARING

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

15.2 A plan indicating the staged clearing of the site must be provided with any application for a Development Permit for Operational Works.

15.3 A suitably qualified fauna spotter / catcher must be engaged to conduct a pre-assessment of wildlife habitats and breeding places and be onsite during vegetation felling activities to ensure fauna and habitat management actions are taken as required. All clearing works must be halted if fauna is likely to be injured.

15.4 A Local Wildlife Management Plan must be submitted to Council prior to the commencement of works. The Plan must include, but not be limited to, the following information:

15.4.1 The potential direct and indirect impacts of both the construction and operation phase of the proposed development to the wildlife wellbeing / colony / roost / breeding places;

(i) How this is to be monitored, evaluated and reported; and

(ii) The mitigation options which will be utilized to minimize the potential impacts on the wildlife and their habitat.

16.0 ENVIRONMENTAL

16.1 The recommendations of the approved Ecological Assessment Report, Version B2 dated 16 September 2023 must be implemented during the construction phase and then maintained for the life of the development. This includes:

16.2 Protecting and retaining all existing canopy trees and riparian vegetation in and adjacent to the watercourse in the south

16.3 Protecting and retaining the mapped regulated vegetation (Category C regrowth regional ecosystem 11.12.1), towards the north-west corner of Lot 4. This vegetation must be retained in a reserve for environmental purposes.

16.4 Any application for a Development Permit for Operational Works must be

accompanied by a detailed Environmental Management Plan certified by a suitably qualified person which addresses, but is not limited to, the following matters:

- (i) building envelope plans over proposed Lots 4 to 13;
- (ii) tree protection fencing during construction;
- (iii) pre-clearing fauna survey erosion and silt/sedimentation management plan;
- (iv) weed control
- (v) acid sulphate soils;
- (vi) vegetation management and clearing;
- (vii) top soil management;
- (viii) interim drainage plan during construction;
- (ix) construction programme including instruction times;
- (x) noise and dust suppression; and
- (xi) waste management.

16.5 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan certified by a Certified Professional in Erosion and Sediment Control or suitably qualified Registered Professional Engineer of Queensland.

16.6 The plan must demonstrate how the Construction-Phase stormwater management design objectives of the State Planning Policy (Appendix 2 Table A) will be achieved.

16.7 The plan must address the following, but is not limited to;

- (i) top soil management;
- (ii) dust suppression;
- (iii) erosion susceptibility and risk;
- (iv) vegetation;
- (v) interim drainage control during construction;
- (vi) acid sulphate soils (if applicable); and
- (vii) Implementation and maintenance procedures during construction and post construction phases of work.

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

17.0 REHABILITATION

17.1 Areas degraded as a result of development are rehabilitated by the proponent as near as is practicable to the naturally occurring local native plant species and ecological communities.

17.2 A 50m wide waterway corridor must be rehabilitated to provide flora and fauna connectivity and a buffer to the natural waterway with representative species of the pre-clear regional ecosystem.

17.3 A rehabilitation plan for the waterway area and the Category C regrowth regional

ecosystem must be prepared and submitted to Council as part of an Operational Works permit application.

- 17.4 A "Planting Plan" and supporting documentation must be prepared and is to include, but not limited to:
- (i) trees, shrubs and groundcovers to all areas;
 - (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (inclusive but not limited to pathways, paving, fences and edging);
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting. Endemic species must be incorporated in the landscaping;
 - (v) a maintenance schedule including a weed management and replanting program.

18.0 LANDSCAPING WORKS

- 18.1 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.
- 18.2 All landscaping must be constructed and or established, in accordance with the requirements of the Development Permit for Operational Works (landscaping works), prior to the issue of the Compliance Certificate for the Survey Plan.
- 18.3 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

19.0 WASTE COLLECTION

- 19.1 Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Part 9.3.1 General development code of the Livingstone Shire Planning Scheme, and in particular:
- 19.1.1 A waste storage area must be provided of sufficient size to accommodate the waste storage needs of each dwelling or non-residential component of the development;
 - 19.1.2 Waste storage areas must be imperviously sealed, with a hose cock fitted in close proximity to the enclosure.
 - 19.1.3 All waste storage areas are screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.5 metres.
 - 19.1.4 The minimum overhead clearance required for refuse collection is 6.5 metres. Access for the collection of bulk bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance must be maintained at all times.
 - 19.1.5 Where Council is the relevant service provider for waste collection, provide easements over all vehicle manoeuvring areas to facilitate lawful access to waste receptacles.
 - 19.1.6 All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the Environmental

Protection (Waste Management) Regulation 2000.

ADVISORY NOTES

- NOTE 1. Contaminated Land: Pursuant to the *Environmental Protection Act 1994* in relation to Contaminated Land, if the owner or occupier of land becomes aware a notifiable activity is being carried out on the land, the owner or occupier must, within 22 business days after becoming aware the activity is being carried out, give notice to the relevant State administering authority in the approved form.
- NOTE 2. Water and Sewerage Services: In accordance with the *Water Supply (Safety & Reliability) Act 2008*, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water and sewerage services. Alterations to existing services consequential to necessary connections to existing sewerage and / or water infrastructure must be at the responsibility and cost of the Developer. Please contact Infrastructure for further information. Negotiation with other service authorities such as Telstra and Ergon may also be required to adequately affect these connections.
- NOTE 3. 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 Seniors, Disability Services and Aboriginal and Torres Strait Islander and Multicultural Affairs website <https://www.dsdsatsip.qld.gov.au/>
- NOTE 4. 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 5. Environmental: The land subject to the above development application must be free of declared pest plants; as declared at the date of development application in *Local Law No. 3 (Community & Environmental Management) 2011* and Schedule 1 of *Subordinate Local Law 3 (Community & Environmental Management) 2011*; and restricted invasive species in the *Biosecurity Act 2014* or as amended; to the satisfaction of Council's Pest Management Officer, prior to the commencement of any site works. Council will supply a free inspection and advice service on the request of the land owner.
- NOTE 6. Vegetation: It is advised that part of the subject site is mapped by the Department of Resources as containing Least Concern Regrowth Vegetation. The *Vegetation Management Act 1999* has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at: <https://www.qld.gov.au/environment/land/vegetation/management/>
- NOTE 7. 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 8. Infrastructure Charges: The land uses proposed in the Local Plan Document are subject to infrastructure charges in accordance with Council policies. The charges will be presented on an Infrastructure Charges Notice at the time of a

future development approval for a Material Change of Use, Reconfiguring a Lot, Operational Works or Building Works.

- NOTE 9. Licensable Activities: Should an activity licensable by Livingstone Shire Council be proposed for the premises, Council's Environmental Health Unit must be consulted to determine whether any approvals are required. Such activities may include food business licensing or devolved Environmental Relevant Activity. Approval for such activities is required before 'fit out' and

RECOMMENDATION C

THAT in relation to the application for a Development Permit for Reconfiguring a lot (3 lots into 409 lots, balance lot, park and new road) and Preliminary approval (variation request) to vary the effect of the local planning Instrument (*Livingstone Planning Scheme 2018*, Version 3) from Rural zone to Low density residential zone – Mildura Rise Estate, the Committee recommends to Council to resolve to issue an Infrastructure Charges Notice for the amount of \$12,711,720.00.

PROPOSAL TO DEVELOP A TEMPORARY LOCAL PLANNING INSTRUMENT TO SUSPEND OR OTHERWISE AFFECT THE OPERATION OF THE LIVINGSTONE SHIRE PLANNING SCHEME 2018

THAT the Committee recommends to Council to:

- (1) Resolve to make a Temporary Local Planning Instrument (TLPI) to assist with the supply of residential, commercial and industrial opportunities by reducing the level of assessment for suitable applications and providing greater certainty regarding approval, cost and timing; and
- (2) Advise (in writing) the Appropriate State Minister of Council's decision to make a TLPI; and
- (3) Delegate to the CEO to finalise the draft TLPI for submission to the Appropriate State Minister; and
- (4) Write to the Appropriate State Minister requesting consideration of the TLPI (and associated justifications) in accordance with the Planning Act 2016; and
- (5) Adopt the TLPI following consideration by the Appropriate State Minister.

D-546-2022 FOR A PERMIT FOR RECONFIGURING A LOT AT VAUGHANS ROAD ADELAIDE PARK

THAT the Committee recommends to Council, that in relation to the application for a Development Permit for a Reconfiguring a Lot (one lot into fifteen lots, access and services easement and drainage basin), made by James St Pty Ltd, on Lot 1 on SP234708 and located at Lot 1A Vaughans Road, Adelaide Park, Council resolves to Approve the application given pursuant to Section 60(2)(b) of the *Planning Act 2016*, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

- (a) The design of the development is out of character for the intended role for the Capricorn Coast Rural Precinct – which allows for lots with a minimum size of 10ha. However, this area of Adelaide Park is closely adjacent to the Park Residential Precinct, and adjoining lots to the east have been developed for Park Residential Estates.
- (b) Whilst the site is zoned Rural and supports Rural activities, the viability of the site is already reduced due to site characteristics, specifically being that environmental covenants cover 75% of the site, and separation for Rural activities is challenging due to the narrow width of the site and proximity to park residential estates to the east.
- (c) The settlement pattern should promote a diverse range of housing options and

- opportunities for living close to services and facilities – the subject site is approximately 3km from the Yeppoon Centre.
- (d) The site protects both scenic amenity and biodiversity characteristics through existing and proposed Environmental Covenants.
 - (e) The development mitigates bushfire hazard and landslide hazard, ensuring the the proposed new lots are generally clear of hazard.
 - (f) The development results in a constructed road frontage and reticulated water supply to all proposed lots.

RECOMMENDATION B

That the Committee recommends to Council, that in relation to the application for a Development Permit for a Reconfiguring a Lot (one lot into fifteen lots, access and services easement and drainage basin), made by James St Pty Ltd, on Lot 1 on SP234708 and located at Lot 1A Vaughans Road, Adelaide Park, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the 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) Water Works;
 - (iii) Stormwater Works;
 - (iv) Earthworks; and
 - (v) Clearing Works.
- 1.7 All Development Permits for Operational Works must be obtained prior to the approval of a plan of subdivision (survey plan endorsement).
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards*, *Capricorn Municipal Development Guidelines*, *Queensland Urban Drainage Manual* 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>Revision</u>	<u>Dated</u>
Reconfiguration Plan - 1 Lot into 15 Lots (Stages 1 – 5)	8089-01-ROL	C	7 November 2023
Conceptual Stormwater Management Plan	OSK6449-0002	A	11 October 2023
Yeppoon Water Supply – Network Analysis Report for Lot 1A Vaughans Road, Inverness	-	-	2 July 2024
Removed/ Replaced Vegetation Plan	23-004/SK2	A	November 2023

- 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 five (5) discrete stages, namely:

- 3.1.1 Lot 6 to Lot 7 (Stage One);
- 3.1.2 Lot 1 to Lot 5 (Stage Two);
- 3.1.3 Lot 8 to Lot 10 (Stage Three);
- 3.1.4 Lot 11 to Lot 13 (Stage Four);
- 3.1.5 Lot 14 to Lot 15 (Stage Five)

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

- 3.2 Stage One must be completed prior to any other Stage. Except Stage One, multiple development stages may be undertaken concurrently, provided all proposed lots and can be connected to the full range of urban infrastructure outlined in this development permit.

- 3.3 Infrastructure must be provided by the developer in a coordinated 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 and /or future developments.

- 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 associated with the development.

- 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 All new roads shown on the approved plans (refer to condition 2.1), must comply with all requirements for road classification of “*Urban Residential Access Place*” in accordance with *Capricorn Municipal Development Guidelines*.
- 4.5 The design and construction of all terminating roads must include a permanent turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.
- 4.6 Vaughans Road, starting from the western end of the chevron marking of the splitting island adjacent to the intersection with Adelaide Park Road, marked as Chainage 0, ending at the existing entrance point of the subject lot, marked as Chainage 1231, must be upgraded, as the following standards:
- 4.6.1 Chainage 200 to Chainage 292 (approximately from the boundary between 11RP801333 and 1SP234712, to the boundary between 1SP148958 and 2RP616637): widen the seal width to be 9m in total, being consistent to the condition at Chainage 0 to 200. The widening must be on the side without kerb channel. Existing access crossovers must be maintained, or properly upgraded, if necessary. This upgrading must be completed before completion of Stage Two (2).
- 4.6.2 Chainage 292 to Chainage 321: widen the seal width to be 8m in total, as per the standard of “*Rural Minor Collector*” in accordance with *Capricorn Municipal Development Guidelines*. This upgrading must be completed before completion of Stage One (1).
- 4.6.3 Chainage 449 to Chainage 531 (approximately from the boundary between 1RP865999 and 3RP615831, to the eastern end of the existing bridge): widen the seal width to be 8m in total, as per the standard of “*Rural Minor Collector*” in accordance with *Capricorn Municipal Development Guidelines*. This upgrading must be completed before completion of Stage One (1).
- 4.6.4 Chainage 616 to Chainage 1043 (approximately from the western end of the existing bridge to the existing kerb channel near the intersection of Vaughans Road & Miller Place): widen the seal width to be 8m in total, as per the standard of “*Rural Minor Collector*” in accordance with *Capricorn Municipal Development Guidelines*. The existing slow point treatment device within this segment must be maintained, and provided with retroreflective paint along the edge. Existing access crossovers must be maintained, or properly upgraded, if necessary. This upgrading must be completed before completion of Stage One (1).
- 4.6.5 Chainage 1088 to Chainage 1231 (approximately from the western end of the existing kerb channel associated with the intersection of Vaughans Road & Miller Place, to the existing boundary of the subject lot): upgraded as per the standard of “*Urban Residential Access Place*” in accordance with *Capricorn Municipal Development Guidelines*. This upgrading must be completed before completion of Stage One (1).
- 4.6.6 A centreline from the existing centreline just to the west of Catherine Avenue to the intersection with Millers Place must be provided in accordance with *Manual of Uniform Traffic Control Devices*. This upgrading must be completed before completion of Stage One (1).
- 4.6.7 Guide posts must be provided at all bridges, floodways and culverts in

accordance with *Manual of Uniform Traffic Control Devices*. This upgrading must be completed before completion of Stage One (1).

Details of the upgrading must be provided as a part of the Operational Works Permit application.

- 4.7 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.

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

5.0 ACCESS WORKS

- 5.1 All vehicular access to and from proposed Lots 1 to 15 (inclusive) must be via the proposed new roads and Vaughans Road only. Direct vehicular access to Limestone Creek Road is prohibited.

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*, the *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).

- 6.3 The development must be connected to Council's reticulated water network.

- 6.4 A new water connection point must be provided at all proposed new lots.

- 6.5 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.

- 6.6 The existing water network must be upgraded as per the approved preliminary design (refer to condition 2.1).

Advisory Note: Council to provide detailed design of the water network upgrading.

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

- 7.4 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.

- 7.5 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by a updated Stormwater Management Plan, prepared and certified by a Registered Professional Engineer of Queensland, which as a minimum includes:

- 7.5.1 identification of drainage catchment and drainage sub-catchment areas for

- the pre-development and post-development scenarios including a suitably scaled stormwater master plan showing the above mentioned catchment details and lawful point(s) of discharge that comply with the requirements of the Queensland Urban Drainage Manual;
- 7.5.2 an assessment of the peak discharges for a range of design rainfall events up to and including the one in one hundred year rainfall event (100 year Average Recurrence Interval) for a range of storm durations including critical storm duration, for the pre-development and post-development scenarios;
- 7.5.3 details of any proposed on-site detention / retention systems and associated outlet systems required to mitigate the impacts of the proposed development on downstream lands and existing upstream and downstream drainage systems;
- 7.5.4 identification and conceptual design of all new drainage systems, and modifications to existing drainage systems required to adequately manage stormwater collection and discharge from the proposed development;
- 7.5.5 demonstration of how major design storm flows are conveyed through the subject development to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual and the Capricorn Municipal Development Guidelines;
- 7.5.6 identification of the area of land inundated as a consequence of the minor and major design storm events in the catchment for both the pre-development and post-development scenarios;
- 7.5.7 identification of all areas of the proposed development, and all other land (which may include land not under the control of the developer), which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to provide a lawful point of discharge for the proposed development. The areas identified must satisfy the requirements of the Queensland Urban Drainage Manual. All land proposed as major overland flow paths must include appropriate freeboard, access and maintenance provisions consistent with the Queensland Urban Drainage Manual; and
- 7.5.8 details of all calculations, assumptions and data files (where applicable).
- 8.0 **EARTHWORKS**
- 8.1 A Development Permit for Operational Works (earthworks) must be obtained prior to the commencement of any site works.
- 8.2 Any application for a Development Permit for Operational Works (earthworks) 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 Earthworks must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.

9.0 ELECTRICITY AND TELECOMMUNICATIONS

- 9.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 9.2 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 prior to the approval of a plan of subdivision (survey plan endorsement).

10.0 ASSET MANAGEMENT

- 10.1 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.
- 10.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 10.3 '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 Compliance Certificate for the Survey Plan. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

11.0 ENVIRONMENTAL

- 11.1 Submit, as part of a Development Application for Operational Works, a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:
- (i) water quality and drainage;
 - (ii) erosion and silt/sedimentation management;
 - (iii) acid sulphate soils;
 - (iv) fauna management;
 - (v) vegetation management and clearing;
 - (vi) top soil management;
 - (vii) interim drainage plan during construction;
 - (viii) construction programme including operating times;
 - (ix) weed control;
 - (x) emergency vehicle access;
 - (xi) noise and dust suppression; and
 - (xii) waste management.
- 11.2 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 11.3 Submit, as part of a Development Application for Operational Works, a site-specific Erosion and Sediment Control Plan, which is certified by Certified Professional in Erosion and Sediment Control (CPESC) or suitably qualified Registered Professional Engineer of Queensland (RPEQ).
- 11.4 The Erosion and Sediment Control Plan must:
- 11.4.1 Be prepared in accordance with the local best practice engineering

reference standards and guidelines identified in SC7.13.3.1. of the *Livingstone Planning Scheme 2018*.

- 11.4.2 Demonstrate how the design objectives identified in Table 9.3.2.4.7. of the Development Works Code of the *Livingstone Planning Scheme 2018* in effect at the time of making a Development Application for Operational Work will be achieved.

Advice Note: *High efficiency sediment basins are the most effective way to achieve this outcome. Regular sampling must be undertaken in accordance with a sampling program specified in the site specific EMP and evidence of water quality leaving the site must be provided to an authorised officer upon request.*

- 11.4.3 Identify sampling locations and sampling frequency. The water quality of discharge flows must be measured at each concentrated discharge point from the site and achieve < 50mg/L total suspended solids (or 60ntu) and maintain pH in the range 6.5 to 8.5 at the point of discharge from the site.
- 11.4.4 Identify suitable stages of works in order to minimise the area of soil exposed at any one time. Soil disturbances must be staged into manageable sized areas to ensure adequate erosion and sediment control management and progressive stabilisation of disturbed surfaces.
- 11.4.5 Set suitable hold points throughout the construction phase.
- 11.4.6 Identify short (temporary) and long-term (permanent) stabilisation measures for all exposed soils.
- 11.4.7 For peak flow for the 1-year and 100-year ARI event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site
- 11.5 An environmental covenant must be registered over Lots 1 and 2. The covenant area must be shown on the Survey Plan and the respective documentation submitted to Council, prior to the approval of a plan of subdivision (survey plan endorsement).
- 11.6 Covenant H on SP326269 must be amended and registered in accordance with the "Removed/Replaced Vegetation Plan" (refer to condition 2.1). The covenant area must be shown on the Survey Plan and the respective documentation submitted to Council, prior to the approval of a plan of subdivision (survey plan endorsement).
- 12.0 **OPERATING PROCEDURES**
- 12.1 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.
- 12.2 Appropriate fencing must be provided along the western boundary of the proposed new road, along the western side of the site.

ADVISORY NOTES

NOTE 1. Water and Sewerage Services

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

NOTE 2. Private Works

Council can provide cost estimates for any water and sewerage connection

works as requested.

NOTE 3. Upgrading of Water Network near Inverness Booster Pump Station by Council

As stated under the approved Water Network Analysis (refer to Condition 2.1), the proposed upgrading of water network near Inverness Booster Pump Station has been scheduled for 2024/25 and 2025/26 financial years. Thus, these works would be completed by or before June 2026.

NOTE 4. Access

After the survey plans are endorsed, for each of the new lot, a compliant vehicle access shall be designed and constructed to the development in accordance with the *Capricorn Municipal Development Guidelines*, and shall be:

In accordance with the standard drawing *CMDG-R-041 revision D*, “*Residential Driveway Slab and Tracks*”; and

Located a minimum of one (1) metre from any sewer connections, access chambers, valves, fire hydrant, water meter boxes, and any other utility services. Any non-compliant vehicle access driveway will require a Development Permit for Operational Works (access works) prior to the commencement of any vehicle access works associated with that lot.

NOTE 5. On-site sewer treatment plant

After the survey plans are endorsed, for each of the new lot:

On-site sewerage treatment and disposal must be in accordance with the Queensland Plumbing and Wastewater Code and Council’s Plumbing and Drainage Policies.

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

NOTE 6. Limitation of Future Development to the west

Due to the limited capacity of urban residential place, it must be noted that any future development to the west of the site, shall not gain access via the proposed new road to be delivered under this development permit.

NOTE 7. 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 8. 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 9. 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 10. Property Notes

All vehicular access to and from proposed Lots 1 to 15 (inclusive) must be via the proposed new roads and Vaughans Road only. Direct vehicular access to

Limestone Creek Road is prohibited.

All future buildings on the proposed lots must be constructed in compliance with *Australian Standard AS3959 "Construction in Bushfire Prone Areas"*.

NOTE 11. Application to Undertake Alterations or Improvements to Council Controlled Areas and Roads

An Application to Undertake Alterations or Improvements to Council Controlled Areas and Roads (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guideline* Drawings) may be accepted in place of the Development Permit for Operational Works (access works).

NOTE 12. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

RECOMMENDATION C

That the Committee recommends to Council that in relation to the application for a Development Permit for a Reconfiguring a Lot (one lot into fifteen lots, access and services easement and drainage basin), made by James St Pty Ltd, on Lot 1 on SP234708 and located at Lot 1A Vaughans Road, Adelaide Park, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$290,500.00**.

D-194-2024 FOR A PERMIT FOR A MATERIAL CHANGE OF USE FOR MULTIPLE DWELLINGS AT FOUNTAIN STREET EMU PARK

RECOMMENDATION A

THAT the Committee recommends to Council that in relation to the application for a Development Permit for a Material Change of Use for Multiple dwelling (twenty-six dwellings), made by Anglicare Central Qld Ltd, on Lot 9 on CP894231 at 99-115 Fountain Street, Emu Park, Council resolves to Approve the application given pursuant to Section 60(2)(b) of the *Planning Act 2016*, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

- (i) The development is a consistent and preferred use within the Low Density Residential Zone and generally achieves the Overall Outcomes of the code, given the development is a use within the accommodation activities group which provides for the long-term stay of residents, is designed at an appropriate dwelling density, and is designed to be consistent with the character of a residential neighbourhood, the character of the zone and other uses in the immediate area.
- (ii) The development does not achieve the required Low dwelling density and has a net density of approximately 16.5 dwellings per hectare which equates to Low-medium density. Whilst the development slightly exceeds the Low density category of development (up to 15 dwellings per hectare), the development is not considered to be an overdevelopment of the site due to siting and design practices. The development will connect to reticulated infrastructure and is centrally located close to schools, childcare, shops and services. The development presents as a gated community, providing community housing specifically catered to contribute to community housing needs, managed through Anglicare Central Qld Ltd.

RECOMMENDATION B

THAT the Committee recommends to Council that in relation to the application for a Development Permit for a Material Change of Use for Multiple dwelling (twenty-six dwellings), made by Anglicare Central Qld Ltd, on Lot 9 on CP894231 at 99-115 Fountain

Street, Emu Park, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to commencement of use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to commencement of use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Road Works;
 - (ii) Access Works;
 - (iii) Stormwater Works;
 - (iv) Earthworks; and
 - (v) Landscaping Works.
- 1.7 All Development Permits for Operational Works must be obtained prior to the issue of a Development Permit for Plumbing and Drainage Works and Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.10 All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under *section 145* of the *Planning Act 2016*, unless otherwise stated.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Revision</u>	<u>Dated</u>
Proposed Site Plan and External Elevations	A02	B	7 March 2024
Communal Space Detail Plan and 3D View	A03	-	-

	Cottage Plans – Proposed Floor Plan	A02	B	8 March 2024
	Cottage Plans – Elevations and Section	A06	-	8 March 2024
	Traffic Impact Assessment	DTK-0008/R01	B	26 July 2024
	Stormwater Management Plan	DTK-0008/R03	B	2 April 2024
	Engineering Infrastructure Report	DTK-0008/R01	A	8 March 2024
2.2	Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.			
2.3	Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.			
3.0	<u>ROAD WORKS</u>			
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), <i>Capricorn Municipal Development Guidelines</i> , relevant <i>Australian Standards</i> , the provisions of a Development Permit for Operational Works (road works) and the recommended mitigation measures identified within the Traffic Impact Assessment Report Revision B, item 6.1 (refer to condition 2.1).			
3.3	The Morris Street Road frontage (development side), must be upgraded and constructed, including kerb and channel, concrete footpath, pavement widening, asphalt wearing surface, and associated drainage systems. Specifically:			
	3.3.1 Upon pavement widening, the subject part of the Morris Street road frontage (development side) must be comprised of a minimum 3.75 metre wide carriageway measured from the existing road crown alignment (centreline) to invert of kerb and channel, generally in accordance with an Urban Access Street standard; and			
	3.3.2 Detailed design of the upgrading works must be certified by a suitably qualified Registered Professional Engineer of Queensland and must be provided under the application of Development Permit for Operational Works (road works).			
3.4	A concrete footpath must be constructed in accordance with <i>Capricorn Municipal Development Guidelines</i> , connecting the internal footpath at the southern boundary of the development to Councils existing footpath network on Fountain Street.			
4.0	<u>ACCESS WORKS</u>			
4.1	A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.			
4.2	All access works, including the access crossover to Morris Street and all internal access road, must be designed and constructed in accordance with the approved plans (refer to condition 2.1), and the <i>Capricorn Municipal Development Guidelines</i> .			
4.3	All vehicular access to and from the site must be via the proposed access to Morris			

Street only.

- 4.4 Access, parking and associated vehicle manoeuvring areas must be sealed.
- 4.5 All ingress and egress movements to and from the development must be in a forward direction.
- 4.6 Universal access spaces must be provided in accordance with *Australian Standard AS 2890.6. 2009 "Off-Street parking for people with disabilities"*.
- 4.7 Stormwater runoff from parking and vehicular manoeuvring areas must be collected on the site and drained to a lawful point of discharge in accordance with *Queensland Urban Drainage Manual*.
- 4.8 All vehicle operations associated with the proposed use must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standards AS1742.1 "Manual of Uniform Traffic Control Devices"*.
- 5.0 **PLUMBING AND DRAINAGE WORKS**
- 5.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 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 Plumbing and Drainage Works.
- 5.3 New sewerage and water connection point(s) must be provided to service the development.
- 5.4 The development must be connected to Council's reticulated water and sewer network.
- 5.5 The development must be connected to suitably designed system for domestic and firefighting purposes at the issue of building approvals.
- 5.6 Fire hydrants must be installed internal to the site and must be:
 - 5.6.1 maintained by the owner of the property; and
 - 5.6.2 suitably identified.
- 5.7 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 6.0 **STORMWATER WORKS**
- 6.1 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* and sound engineering practice.
- 6.3 All stormwater must drain so as to demonstrate lawful discharge and must not adversely affect adjoining land or infrastructure when compared to pre-development condition by way of blocking, altering, diverting existing stormwater runoff patterns, or flood storage areas or have the potential to cause damage to other infrastructures.
- 6.4 Any application for Operational works (stormwater works) must identify all areas of the proposed development, and all other land (which may include land not under the control of the developer), which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge or provide a lawful point of discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.
- 6.5 All land proposed and dedicated as major overland flow paths (Q100) must be able

- to contain all earthworks and batters and include a freeboard to the adjacent lots and access and maintenance provisions consistent with the *Queensland Urban Drainage Manual*.
- 6.6 Any application for Operational works (stormwater works) must accompany an updated detailed stormwater quantity and quality reports prepared by a suitably qualified RPEQ Engineer. In particular, the reports must demonstrate the following and address all other relevant stormwater issues;
- 6.6.1 All content of the stormwater management plan is in accordance with the *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Urban Stormwater Quality Planning Guidelines*, *State Planning Policy*, and sound engineering practice;
- 6.6.2 The Stormwater Management Plan to include an assessment of the upstream catchment to 1% AEP in accordance with QUDM, for controlled management of stormwater including variations in flowpaths, identification of overland flowpath, any impact and mitigation for the development site and adjacent and downstream land.
- 6.6.3 All post development runoff including roof water is managed so as to demonstrate lawful discharge in accordance with the *Queensland Urban Drainage Manual*;
- 6.6.4 The stormwater management plan is accompanied by a suitably scaled plan showing the stormwater catchment and sub-catchments for pre-development and post-development scenarios;
- 6.6.5 An assessment of the major and minor rainfall event peak discharges for the pre-development and post-development scenarios and clearly identifies the lawful discharge point(s);
- 6.6.6 If necessary, the volume of detention provided is sufficient to attenuate the peak discharge from the site; to ensure non-worsening for a range of design rainfall events up to 1% AEP for a range of storm durations including critical storm duration, in accordance with the provisions of the *Queensland Urban Drainage Manual*;
- 6.6.7 The potential pollutants in stormwater runoff, discharged from the site are managed in accordance with *Urban Stormwater Quality Planning Guidelines and State Planning Policy*.
- 6.6.8 The stormwater management plan is accompanied by full calculations; including where necessary, electronic modelling files from industry standard modelling software, (including both electronic model files and results files) and all details of the modelling assumptions to support both the proposed water quantity and quality management strategy.
- 6.6.9 It includes detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of existing drainage systems.
- 7.0 **EARTHWORKS**
- 7.1 A Development Permit for Operational Works (bulk earthworks) must be obtained prior to the commencement of any site works.
- 7.2 Any application for a Development Permit for Operational Works (bulk earthworks) must be accompanied by an earthworks plan which clearly identifies the following:
- 7.2.1 the location of cut and/or fill;
- 7.2.2 the type of fill to be used and the manner in which it is to be compacted;
- 7.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;

- 7.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
- 7.2.5 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.
- 7.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 8.0 LANDSCAPING WORKS
- 8.1 A Planting Plan and supporting documentation must be submitted for approval by Council prior to establishment of the landscaping or commencement of use. The landscaping works must be generally in accordance with the approved plans (refer condition 2.1) and must document the "Extent of Works" which includes, but is not limited to:
- (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlayed or be easily compared with the proposed development design);
 - (ii) the extent of soft and hard landscape proposed;
 - (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
 - (iv) for vehicle parking areas, the planting of vegetation involves species that have clear trunks up to a height of two (2) metres or that have low ground covers less than one (1) metre in height; underground and overhead services;
 - (v) typical details of critical design elements (retaining walls, trees in car park areas, fences);
 - (vi) details of landscape structures including areas of deep planting; and
 - (vii) specification notes on mulching and soil preparation.
 - (viii) trees, shrubs and groundcovers to all areas to be landscaped;
 - (ix) position and canopy spread of all trees and shrubs;
 - (x) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging). All plants shall be located within an edged garden; and
 - (xi) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.
- 8.2 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 8.3 Root barriers must be provided between proposed trees and relevant infrastructure.
- 8.4 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.
- 8.5 Landscaping must be constructed and or established in line with staging, prior to the commencement of the use for that stage.
- 8.6 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).
- 9.0 ELECTRICITY AND TELECOMMUNICATIONS
- 9.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 10.0 ASSET MANAGEMENT

- 10.1 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.
- 10.2 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.
- 11.0 ENVIRONMENTAL
- 11.1 Submit, as part of a Development Application for Operational Works, a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:
- (i) water quality and drainage;
 - (ii) erosion and silt/sedimentation management;
 - (iii) acid sulphate soils;
 - (iv) fauna management;
 - (v) vegetation management and clearing;
 - (vi) top soil management;
 - (vii) interim drainage plan during construction;
 - (viii) construction programme including operating times;
 - (ix) weed control;
 - (x) emergency vehicle access;
 - (xi) noise and dust suppression; and
 - (xii) waste management.
- 11.2 Submit, as part of a Development Application for Operational Works, a site-specific Erosion and Sediment Control Plan, which is certified by Certified Professional in Erosion and Sediment Control (CPESC) or suitably qualified Registered Professional Engineer of Queensland (RPEQ).
- 11.3 The Erosion and Sediment Control Plan must:
- 11.3.1 Be prepared in accordance with the local best practice engineering reference standards and guidelines identified in SC7.13.3.1. of the *Livingstone Planning Scheme 2018*.
 - 11.3.2 Demonstrate how the design objectives identified in Table 9.3.2.4.7. of the Development Works Code of the *Livingstone Planning Scheme 2018* in effect at the time of making a Development Application for Operational Work will be achieved.
- Advice Note:** *High efficiency sediment basins are the most effective way to achieve this outcome. Regular sampling must be undertaken in accordance with a sampling program specified in the site specific EMP and evidence of water quality leaving the site must be provided to an authorised officer upon request.*
- 11.3.3 Identify sampling locations and sampling frequency. The water quality of discharge flows must be measured at each concentrated discharge point from the site and achieve < 50mg/L total suspended solids (or 60ntu) and maintain pH in the range 6.5 to 8.5 at the point of discharge from the site.
 - 11.3.4 Identify suitable stages of works in order to minimise the area of soil exposed at any one time. Soil disturbances must be staged into manageable sized areas to ensure adequate erosion and sediment control management and progressive stabilisation of disturbed surfaces.
 - 11.3.5 Set suitable hold points throughout the construction phase.

- 11.3.6 Identify short (temporary) and long-term (permanent) stabilisation measures for all exposed soils.
- 11.3.7 For peak flow for the 1-year and 100-year ARI event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site
- 11.4 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 11.5 The Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 12.0 OPERATING PROCEDURES
- 12.1 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.
- 12.2 Each dwelling and any communal area(s) must be provided with a refuse container and container storage area that:
- 12.2.1 is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.5 metres;
- 12.2.2 is large enough to accommodate at least one (1) standard issue sized rubbish bin per dwelling.
- 12.3 Dwellings must be clearly numbered and appropriate way finding signage must be provided.
- 12.4 Outdoor lighting must be designed, installed and maintained in accordance with the parameters and requirements of the current version of the *Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting*.

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. Plumbing and Drainage Works

All internal plumbing works must be in accordance with regulated work under the Plumbing and Drainage Act.

NOTE 5. In accordance with the Water Supply (Safety & Reliability) Act 2008, it is an offence to interfere with a service provider's infrastructure. Livingstone Shire Council is the service provider and Infrastructure is the department responsible for water and sewerage services. Alterations to existing services consequential to necessary connections to existing sewerage and / or water infrastructure must be at the responsibility and cost of the Developer. Please contact Infrastructure for further information.

NOTE 6. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

RECOMMENDATION C

THAT the Committee recommends to Council that in relation to the application for a Development Permit for a Material Change of Use for Multiple dwelling (twenty-six dwellings), made by Anglicare Central Qld Ltd, on Lot 9 on CP894231 at 99-115 Fountain Street, Emu Park, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$546,120.00**.

COMMUNITIES MANAGEMENT PORTFOLIO REPORT

THAT the Communities portfolio management report for Development and Environment, Disaster Management and Community Resilience business units for the period 1 July 2024 to 30 September 2024 be received.

PARKING ARRANGEMENTS

THAT the report be received, and its contents noted for the matter to be dealt with operationally.

SHORELINE EROSION MANAGEMENT PLAN – MUSKERS BEACH

THAT the committee recommends to Council the following operational plan outcome be considered for the 2025/2026 year along with an associated budget:

- Develop a Shoreline Erosion Management Plan specific to Musker's Beach, incorporating a beach profile monitoring program and a vegetation plan for the foreshore with extensive community consultation as part of the process.

REQUEST FOR RENEWAL OF LEASE TO AMPLITEL PTY LTD OVER PART OF LOT 24 RP612563 AND LOT 1 RP612715 – TARANGANBA RESERVOIR

THAT Council resolve:

1. that the exception mentioned in Section 236(1)(c)(vi) of the *Local Government Regulation 2012* may apply in its dealing with Amplitel Pty Ltd over part of Lot 24 RP612563 and part of Lot 1 RP612715;
2. pursuant to section 236(2) of the *Local Government Regulation 2012* to apply section 236(1)(c)(vi) of the *Local Government Regulation 2012* in its dealing with Amplitel Pty Ltd over part of Lot 24 RP612563 and part of Lot 1 RP612715;
3. to provide a ten (10) year lease to Amplitel Pty Ltd in accordance with section 236(3) of the *Local Government Regulation 2012* being equal to the market value of the interest in the land, part of Lot 24 RP612563 and part of Lot 1 RP612715; and
4. to delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the *Local*

Government Act 2009, to negotiate the remaining terms and conditions of the lease provided to Amplitel Pty Ltd.

REQUEST FOR COUNCIL'S VIEWS – RENEWAL OF TERM LEASE OVER LOT 84 CP LI1314

THAT Council resolve to advise the Department of Resources that Council:

- (1) in accordance with Section 227 of *Local Government Regulation 2012* (Valuable non-current asset contract – tenders or auction needed first) is not in a position to offer the current lessee a trustee lease or trustee permit over the subject land described as Lot 84 CP LI1314, located at Lot 84 Glenprairie Road, Marlborough; and
- (2) offers no objection to the Department of Resources renewing the term lease for grazing purposes over the land, described as Lot 84 CP LI1314, located at Lot 84 Glenprairie Road, Marlborough.

COMMITTEE RESOLUTIONS ALREADY PASSED IN COMMITTEE ON 5 November 2024 DETAILED BELOW FOR YOUR INFORMATION ONLY

AUKUS FORUM – CR FRIEND ATTENDANCE

THAT the committee exercises its delegation under s257c of *Local Government Act 2009* and resolves to endorse Councillor Friend to attend the AUKUS Forum 13 and 14 November 2024 held in Biloela.

COMMITTEE RECOMMENDATIONS LAID ON THE TABLE

D-395-2020 APPLICATION FOR PERMIT FOR MATERIAL CHANGE OF USE FOR AN EXTRACTIVE INDUSTRY AT ROSSMOYA ROAD, MILMAN ROAD AND YAAMBA ROAD

RECOMMENDATION A

THAT in relation to the application for a Development Permit for Material Change Of Use For An Extractive Industry (Quarry) And Environmental Relevant Activity 16 At 232 Rossmoya Road, The Caves, Lot 6 Milman Road, Milman And Lot 4 Yaamba Road, Milman, Council resolves to Approve the application given pursuant to Section 60(2)(b) of the *Planning Act 2016*, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

- (a) The proposed development is located in the south-west corridor of the subject lots not within significant vegetation or habitats overlays and only in a portion of the Medium Bushfire Hazard Area and Buffer Zone. No clearing in this area is proposed as per the quarry management plan and no additional structures/buildings are proposed.
- (b) The development complies with the Performance Outcomes and Overall Outcomes of the Rural Zone Code, Development Works Code, General Development Works Code, Bushfire Hazard Area Overlay Code and Landslide Hazard Area Overlay Code.
- (c) The development complies with the Strategic Framework - Natural Environment and Hazards Theme. The proposed development is an extension to the existing quarry onsite and no additional buildings or structures are proposed onsite and therefore reduces the severity of natural hazard through clearing and siting of the proposed expansion of the existing development. The development results in maintaining existing site access and the proposed development will have access to existing

onsite water supply.

- (d) The development does not compromise the achievement of regional outcomes outlined in the Central Queensland Regional Plan.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for Material Change Of Use For An Extractive Industry (Quarry) And Environmental Relevant Activity 16 At 232 Rossmoya Road, The Caves, Lot 6 Milman Road, Milman And Lot 4 Yaamba Road, Milman, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the 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) Erosion and Sediment Control Plan;
 - (ii) Road Works; and
 - (iii) Stormwater Works;
- 1.7 All Development Permits for Operational Works must be obtained prior to the approval of a plan of subdivision (survey plan endorsement).
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards, Capricorn Municipal Development Guidelines, Queensland Urban Drainage Manual* 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>Revision</u>	<u>Dated</u>
Short Term Site Layout Plan	2421.DRG.010	-	3 May 2023
Long Term Site	2421.DRG.011	-	25 October 2023

	Layout Plan			
	The Quarry Development Plan by Groundwork Plus	2421_230_001	-	January 2023
	The Noise Impact Assessment V23-080 - The Caves Quarry Expansion by – Steer Environmental	V22-182.RT2.01	2	28 August 2023
	Traffic Impact Assessment Report	0791819	B	November 2020
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	<u>STAGED DEVELOPMENT</u>			
3.1	This approval is for a development to be undertaken in three (3) discrete stages, namely:			
	3.1.1 1,260,000 Volume (Stage One);			
	3.1.2 2,680,000 Volume (Stage Two);			
	3.1.3 1,280,000 Volume (Stage Three);			
	in accordance with the approved Quarry Management Plan (refer to condition 2.1).			
3.2	Stage One must be completed prior to any other Stage. Except Stage One, multiple development stages may be undertaken concurrently.			
3.3	Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.			
4.0	<u>ROAD WORKS</u>			
4.1	A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road upgrade works on Mount Charlton Road and Rossmoya Road and Mount Charlton Road intersection.			
4.2	All works must be designed and constructed in accordance with the approved Traffic Impact Assessment Report and approved plans (refer to condition 2.1), <i>Capricorn Municipal Development Guidelines</i> , relevant <i>Australian Standards</i>			
4.3	The Developer must enter into a Road Maintenance Agreement with Council for the impacts to the external Council road network as a result of the use, generally in accordance with the Traffic Assessment Impact Assessment Report dated November 2020 (refer condition 2.1). The agreement must be prepared and finalised by Council's solicitors at no cost to Council (including the payment of any State tax) and must be executed by the Developer.			
	4.3.1 Not exclusive but including Traffic Impact Assessment mitigation recommendation 5.1 Mount Charlton Road seal widening to a minimum 7.5 metre from prior Transfer Station to Rossmoya Road; and			
	4.3.2 Traffic Impact Assessment mitigation recommendation 5.2 intersection widening of Mount Charlton Road and Rossmoya Road intersection.			
5.0	<u>ACCESS WORKS</u>			

- 5.1 The site must accommodate access suitable for the largest service vehicle in accordance with the Capricorn municipal Development Guidelines (CMDG) and maintained during the operational life of the quarry.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Off Street Car Parking"*.
- 5.3 All ingress and egress movements to and from the development must be in a forward direction.
- 5.4 Stormwater runoff from parking and vehicular manoeuvring areas must be discharged lawfully.
- 5.5 All vehicle operations associated with the proposed use must be directed by suitable directional, informative, regulatory or warning signs in accordance with *"Manual of Uniform Traffic Control Devices"*.
- 6.0 PLUMBING AND DRAINAGE WORKS
- 6.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage work associated with the development.
- 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* Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 6.3 Development must be connected to a suitably sized on-site sewage treatment and disposal system at the issue of building approvals.
- 6.4 On-site water storage for domestic water supply purpose and firefighting purpose must be provided for the proposed cabins. The storage of the water tanks must comply with Development Works Code and Bushfire Hazard Overlay of *Livingstone Planning Scheme 2018*, Version 3.
- 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 drainage 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 runoff must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land or damage infrastructure when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance.
- 7.4 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by a Stormwater Management Plan, prepared and certified by a Registered Professional Engineer of Queensland, which as a minimum includes:
- 7.4.1 Details addressing stormwater quantity impacts and any required measures to mitigate. The volume of detention must be sufficient to attenuate the peak discharge from the site to ensure pre-development 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;
- 7.4.2 Drainage catchment layout plans for pre and post-development scenarios

	and discharge points;
7.4.3	Details addressing the stormwater quality impacts and any required measures to mitigate. The potential pollutants in stormwater runoff, discharged from the site must be managed in accordance with <i>State Planning Policy 2017</i> ;
7.4.4	Detailed engineering plans including any new drainage systems, or the amendment and upgrading of any existing drainage systems; and
7.4.5	Design of outlet systems must consider critical scour velocity, discharge frequency, duration at the discharge location(s) and relevant management measures.
8.0	<u>SITE WORKS</u>
8.1	Cut and fill in areas of Landslide Hazard Overlay must only be undertaken where site-specific slope stability assessments have been carried out by a Registered Professional Engineer of Queensland experienced in geotechnical investigations. In this regard, any works must comply with the recommendations of the site-specific assessments.
8.2	Slope stability must be managed as follows:
8.2.1	all engineering drawings/specifications and designs must comply with the requirements of the relevant Australian Standard and must be approved by a Registered Professional Engineer of Queensland;
8.2.2	site inspections and full engineering certification must be undertaken by a Registered Professional Engineer of Queensland; and
8.2.3	All earth works must be undertaken to ensure that no nuisance results from an increase in:
	8.2.3.1 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
	8.2.3.2 downstream or upstream flood inundation levels; or velocity profiles.
9.0	<u>ENVIRONMENTAL</u>
9.1	Air blast overpressure and vibration Monitoring must be undertaken for every blast event as per Section 4.3 of the Noise Impact Assessment V23-080 – prepared by Steer Environmental - The Caves Quarry Expansion, for stages 2 and 3. <i><u>Advice Note:</u> Monitoring must be carried out in accordance with the Noise Impact Assessment by a suitably qualified person or organisation to conduct the monitoring and reporting in line with the Department of Environmental Science (DES) guidelines Noise and vibration from blasting (ESR/2016/2169) and requirements of the Nature Conservation Act 1992 to ensure there is no adverse impact on effects of blasting on the ghost bat colony.</i>
9.2	Submit, as part of a Development Application for Operational Works, a site-specific Erosion and Sediment Control Plan, which is certified by Certified Professional in Erosion and Sediment Control (CPESC) or suitably qualified Registered Professional Engineer of Queensland (RPEQ).
9.3	The Erosion and Sediment Control Plan must:
9.3.1	Be prepared in accordance with the local best practice engineering reference standards and guidelines identified in SC7.13.3.1. of the <i>Livingstone Planning Scheme 2018, Version 3</i> .
9.3.2	Demonstrate how the design objectives identified in Table 9.3.2.4.7. of the Development Works Code of the <i>Livingstone Planning Scheme 2018</i> ,

Version 3 in effect at the time of making a Development Application for Operational Work will be achieved.

Advice Note: High efficiency sediment basins are the most effective way to achieve this outcome. Regular sampling must be undertaken in accordance with a sampling program specified in the site specific EMP and evidence of water quality leaving the site must be provided to an authorised officer upon request.

- 9.4 Identify sampling locations and sampling frequency. The water quality of discharge flows must be measured at each concentrated discharge point from the site and achieve < 50mg/L total suspended solids (or 60ntu) and maintain pH in the range 6.5 to 8.5 at the point of discharge from the site.
- 9.5 Identify suitable stages of works in order to minimise the area of soil exposed at any one time. Soil disturbances must be staged into manageable sized areas to ensure adequate erosion and sediment control management and progressive stabilisation of disturbed surfaces.
- 9.6 Set suitable hold points throughout the construction phase.
- 9.7 Identify short (temporary) and long-term (permanent) stabilisation measures for all exposed soils.
- 9.8 For peak flow for the 1-year and 100-year ARI event, use constructed sediment

10.0 ELECTRICITY AND TELECOMMUNICATIONS

- 10.1 The development must be provided with an on-site energy supply installed in accordance with all laws and regulations and current best practice.

Advice Note: if the development is provided with a reticulated grid electricity supply, the reticulated supply must be provided in accordance with the requirements of the relevant energy supply authority.)

- 10.2 The development must be provided with on-site telecommunications infrastructure for the use sufficient to enable contact in normal circumstances with the each of the nearest emergency services.

Advice Note: if the development is provided with reticulated telecommunications infrastructure, the reticulated infrastructure must be provided in accordance with the requirements of the relevant telecommunications supply authority.

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 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.

12.0 OPERATING PROCEDURES

- 12.1 The operating hours of the Extractive industry are restricted to;
 - i) 0600 hours to 1800 hours, Monday to Saturday; and
 - ii) no operations are permitted Sundays or public holidays.
- 12.2 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Mount Charlton Road.

- 12.3 All waste storage areas must be kept in a clean, tidy condition in accordance with Environmental Protection (Waste Management) Regulations.
- 12.4 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 12.5 When requested by Livingstone Shire Council, noise monitoring must be undertaken and recorded to investigate any complaint of noise nuisance. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided Livingstone Shire Council within fourteen days of the completion of the investigation.

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. Environmental Authority

The applicant is to comply with all conditions under the Environmental Authority Permit Number: P-EA-100499343.

RECOMMENDATION C

THAT in relation to the application for a Development Permit for Material Change of Use for an Extractive Industry (Quarry) and Environmental Relevant Activity at 232 Rossmoya Road, The Caves, Lot 6 Millman Road, Milman and Lot 4 Yaamba Road, Milman. Council resolves That an Infrastructure Charges Notice is not required.

D-253-2023 – RECONFIGURING A LOT AND PRELIMINARY APPROVAL TO INCLUDE A SUPPLEMENTARY TABLE OF ASSESSMENT – CONDON DRIVE YEPPON

RECOMMENDATION A

THAT in relation to the application for a Preliminary Approval (variation request) to vary the effect of Zoning to Low Density Residential Zone (*Livingstone Planning Scheme 2018*) and Development Permit for Reconfiguring A Lot (1 Lot Into 128 Lots Plus 4 Drainage/Environment Lots), made by Teangue Pty Ltd (TTE) c/ - Pivotal Perspective Pty Ltd, located at Lot 2 Condon Drive, Yeppoon Qld 4703, the Committee recommends to Council to resolve to Approve the application given pursuant to Section 60(2)(b) of the

Planning Act 2016, the assessment manager may decide to approve the application even if the development does not comply with some of the assessment benchmarks and circumstances/relevant matters have been established in support of the development as follows:

- (i) The subject site is identified as Urban within the Strategic Framework mapping. The proposal includes a variation request to vary the effect of the zoning to Low Density Residential Zone to support smaller lots and to be more consistent with the established residential area adjoining to the east of the site.
- (ii) The subject development will be connected to all reticulated infrastructure.
- (iii) The subject site has a local biodiversity corridor (habitats and vegetation) mapped within the south-eastern portion of the subject site. An ecological assessment report has been provided in support of addressing the Biodiversity Overlay Code. An updated rehabilitation and planting plan is required and conditioned to be provided at Operational Works Stage to minimise impacts of the development on Matters of Local Environment Significance within the riparian corridor. Furthermore, the proposal will include a construction management plan and local wildlife management plan as part of the Operational Works Stage to ensure there is no over clearing or impact to existing biodiversity over the site.
- (iv) A bushfire management plan has been provided to address the Bushfire Hazard Overlay Code. The subject site is affected by the medium potential bushfire intensity. The site will be connected to the reticulated water supply and has access to a formed road, and higher order road network. All buildings will be assessed for a Bushfire Attack Level by the building certifier at the time of building works. Therefore, the risk to life, property, community, economic activity and the environment is considered to be a tolerable level of risk to not require further assessment against the bushfire hazard overlay code.
- (v) The development either complies with, or has been conditioned to comply with, the relevant Performance Outcomes and Acceptable Outcomes of the Emerging Community Zone, Low Density Residential Zone Code, Bushfire Hazard Overlay Code, Biodiversity Overlay Code, Flood Hazard Overlay Code, Reconfiguring a Lot Code, General development code and Development works code.
- (vi) The development does not compromise the achievement of the *State Planning Policy 2017*.
- (vii) On balance, the application should be approved because the development has been justified against the strategic framework and can be conditioned to comply with the assessment benchmarks.

RECOMMENDATION B

THAT in relation to the application for a Preliminary Approval (variation request) to vary the effect of Zoning to Low Density Residential Zone (*Livingstone Planning Scheme 2018*) and Development Permit for Reconfiguring A Lot (1 Lot Into 128 Lots Plus 4 Drainage and Environment Lots) made by Teangue Pty Ltd (TTE) c/ - Pivotal Perspective Pty Ltd, located at Lot 2 Condon Drive, Yeppoon Qld 4703, the Committee recommends to Council to resolve to Approve the application subject to the following conditions:

PART A – PRELIMINARY APPROVAL (VARIATION REQUEST)

1.0 DEFINITIONS AND INTERPRETATIONS

1.1 In this approval:

1.1.1. **Applicant** means Teangue Pty Ltd (TTE) c/ - Pivotal Perspective Pty Ltd being the applicant for a preliminary approval affecting the Council's Planning Scheme with respect to the subject land.

1.1.2. **Approval** means the approval of the Application by the Council.

- 1.1.3. **Capricorn Municipal Development Guidelines** means a document adopted by Council containing guidelines and standards for development, as amended from time to time.
- 1.1.4. **Conditions** mean the conditions of this approval including any attachment referred to in these conditions.
- 1.1.5. **Council** means the local government authority having jurisdiction over land use and development on the subject land.
- 1.1.6. **Developer** means the registered proprietor and any occupier of the Subject Land.
- 1.1.7. **Infrastructure** means infrastructure reasonably required to service the proposed development including roads (internal, external and access), water services, sewer services and stormwater drainage.
- 1.1.8. **Schedule of Plans for Trunk Infrastructure** means the infrastructure schedules mentioned in Council's *Local Government Infrastructure Plan* or any other plan which replaces it.
- 1.1.9. **Subject land** means Lot 2 Condon Drive, Yeppoon (or subsequent lot and plan number).
- 1.1.10. **Planning Act 2016** means the *Planning Act 2016* as amended from time to time.
- 1.1.11. **Planning Scheme** means Council's *Livingstone Planning Scheme 2018*, version 3, in effect 15 February 2021.

2.0 ADMINISTRATION

- 2.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 2.2 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.
- 2.3 All conditions, works, or requirements of this approval must be undertaken and completed to Council's satisfaction, at no cost to Council.
- 2.4 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council.

3.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Rev</u>	<u>Dated</u>
Concept Plan prepared by Saunders Havill Group	11908 P 01 – Con 01	D	18 July 2024

- 3.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 3.3 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 the first application for a Development Permit over the subject land.

4.0 REQUIRED DEVELOPMENT PERMIT(S)

4.1 Other development permits which are necessary to allow the development to be undertaken are listed below and these Conditions do not affect the need to obtain such permits, namely:

4.1.1. Development permits(s) for Reconfiguring a Lot (where required/proposed);

4.1.2. Development permit(s) for Material Change of Use (where required);

4.1.3. Development permit(s) for carrying out Operational Work (where required);

4.1.4. Development permit(s) for Building work regulated under the Planning Scheme (where required);

4.1.5. Development permit(s) for all necessary Plumbing and Drainage Works; and

4.1.6. Development permit(s) for carrying out Building Work.

4.2 A Development Permit for Operational Works, Plumbing and Drainage Works or Building Works for development associated with this Approval must not be issued prior to the receipt of the relevant Material Change of Use development permit(s).

5.0 PLANNING FRAMEWORK

Preamble - This is a preliminary approval (variation request) for a Material Change of Use, Reconfiguring a Lot, Building Work and Operational Works, to vary the effect of Council's Planning Scheme under Section 50(3) of the Planning Act 2016 for development in accordance with the Low density residential zone of the Planning Scheme and generally in accordance with the proposal plans (refer to condition 3.1).

5.1 To remove any doubt the process for determining a category of development and category of assessment is for any development on the subject land is section 1.4 and Part 5 of the Planning Scheme relevant to the Low density residential zone for the purpose of this approval.

5.2 The Planning Scheme overlays apply to the subject land.

5.3 The Applicant must submit a copy of this Variation Approval with any Material Change of Use and/or Reconfiguring a Lot and/or Operational Works and/or Building Development application relating to or arising from this development approval.

5.4 Any application submitted to the Council under this Variation Approval must be consistent with this Variation Approval and where inconsistent, must be submitted to the Council instead under the Planning Scheme in effect at the date of application.

6.0 CURRENCY PERIOD

6.1 The currency period for this Preliminary Approval is ten (10) years from the date the approval takes effect.

7.0 STAGED DEVELOPMENT

7.1 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.

7.2 Infrastructure (for example: road, property accesses, water, sewer, services) must be provided (if necessary) to the development or stage boundaries for connectivity and to facilitate ease of extension of these Infrastructure during future stages.

8.0 INFRASTRUCTURE

Preamble – In order for development to proceed, infrastructure must be available (or be capable of being made available) to service the development proposed on the subject land.

8.1 Infrastructure must be provided by the Developer in a co-ordinated and a planned

manner having regard to the staging of the development in a logical and orderly sequence.

PART B – RECONFIGURING A LOT (1 LOT INTO 128 LOTS PLUS 4 DRAINAGE/ENVIRONMENT LOTS)

1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the 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.
- 1.6 The following further Development Permits for Carrying Out Operational Works must be obtained prior to the commencement of any works associated with the approved development:
- (i) Road Works;
 - (ii) Sewerage Works;
 - (iii) Water Works;
 - (iv) Stormwater Works;
 - (v) Earthworks;
 - (vi) Landscaping Plan; and
 - (vii) Vegetation Clearing.
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards, Capricorn Municipal Development Guidelines, Queensland Urban Drainage Manual* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under *section 145* of the *Planning Act 2016*, unless otherwise stated.

2.0 APPROVED PLANS AND DOCUMENTS

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

Plan/Document Name	Plan/Document Reference	Rev	Dated
Bushfire Management Plan	002.08.23	0	9 August 2023
Traffic Impact Assessment	P6068 Version 002		13 February 2024

	Condon Drive Yeppoon by Bitzios Consulting			
	Hydraulic Impact Assessment Condon Drive, Yeppoon by Water Technology (Updated report required)	23020308-R01-V02	V02	20 February 2024
	Stormwater Quality Management Plan by Hurley Consulting Engineers	B23078AR001	C	22 July 2024
	Concept Roadworks Layout Plan – Condon Drive – Sheet 1 of 2	C23078A-SK-120	B	17 July 2024
	Concept Roadworks Layout Plan – Condon Drive – Sheet 2 of 2	C23078A-SK-121	B	17 July 2024
	Pineapple Rail Trail Longitudinal and Cross Section	C23078A-SK-122	B	17 July 2024
	Pineapple Rail Trail Overpass 3D Concept	C23078A-SK-123	B	17 July 2024
	Pineapple Rail Trail Overpass 3D Concept Images	C23078A-SK-124	B	17 July 2024
	Concept Bulk Earthwork Layout Plan Sheet 1 of 3	C23078A-SK-C100	B	23 January 2024
	Concept Bulk Earthwork Layout Plan Sheet 2 of 3	C23078A-SK-C101	B	23 January 2024
	Concept Bulk Earthwork Layout Plan Sheet 3 of 3	C23078A-SK-C102	B	23 January 2024
	Concept Service Layout Plan – Master	C23078A-SK-C110	B	23 January 2024
	Concept Service Layout Plan – Sheet 1 of 3	C23078A-SK-C111	B	23 January 2024
	Concept Service Layout Plan – Sheet 2 of 3	C23078A-SK-C112	B	23 January 2024
	Concept Service Layout Plan – Sheet 3 of 3	C23078A-SK-C113	B	23 January 2024
2.2	Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.			
2.3	Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council 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 two (2) discrete stages, namely:

3.1.1 Lot 1 to Lot 72 (Stage One) as land dedication as per Condition 4.1;

3.1.2 Lot 73 to Lot 128 (Stage Two);

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

3.2 Stage One (1) must be completed prior to the approval of a plan of subdivision (survey plan endorsement) and prior to Stage two (2). Except for Stage One (1), multiple development stages may be undertaken concurrently, and all proposed lots can be connected to the full range of urban infrastructure outlined in this development permit.

3.3 Infrastructure must be provided by the developer in a coordinated 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 and /or future developments.

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

4.0 LAND DEDICATION

4.1 Dedicate land as part of Stage one (1) shown on the approved plan of development as follows:

4.1.1 land identified as Environmental Open Space (Proposed Lot 900, Lot 903 and Lot 964) must be transferred to Council in fee simple on trust for the purpose of Park land;

4.1.2 land identified as Stormwater Detention and Drainage (Proposed Lot 800, Lot 801 and Lot 802); and

4.1.3 All major overland flow paths or major drainage systems as per conditions 10.3 and 10.4.

4.2 The land is to be dedicated at no cost to Council.

This condition is imposed under section 145 of the Planning Act 2016.

Further Advice: Documentation in relation to any land required to be registered to the benefit of Council is required to be prepared and carried out by Council's solicitors at the owner's expense.

5.0 ROAD WORKS

5.1 A Development Permit for carrying out Operational Works (road works) must be obtained prior to the commencement of any road works associated with the development.

5.2 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 carrying out Operational Works (road works).

5.3 Any application for a Development Permit for carrying out Operational Work (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.

5.4 If the applicant elects to provide part or all of the transport trunk infrastructure in Condition 10.3, as part of an application for a Development Permit for carrying out

Operational Works (road works) the following information must be provided to support the detailed design:

5.4.1 Detailed design of Condon Drive, from the existing roundabout with Rockhampton Road to the access point of the proposed 128 new lots, at the southwest of the parent lot and the intersection of Condon Drive and the Rail Trail must be provided.

5.4.2 The design of this segment of Condon Drive must be consistent with the design criteria of "Major Urban Collector" in accordance with *Capricorn Municipal Development Guidelines*.

5.4.3 An appropriate intersection designed in accordance with Austroads and *Capricorn Municipal Development Guidelines* standards providing access to the development from the Condon Drive extension. The intersection must be capable of supporting the movements of all vehicles up to and including the design vehicle nominated by *Capricorn Municipal Development Guidelines D01 Annexure D01E*.

5.4.4 The proposed stormwater drainage culvert crossing at the waterway, approximately at Chainage 340 on *Drawing C23078A-SK-121 Revision B - Concept Roadworks Layout Plan – Condon Drive – Sheet 2 of 2 date 17 July 2024*, and all filling works at this location, is not approved. Instead, a bridge structure must be provided at this waterway crossing. The bottom level of the deck must be higher than the estimated water level along the waterway under the Defined Flood Event with appropriate freeboard in accordance with Queensland Urban Drainage Manual. The level of the deck of the bridge must be assessed and designed under the updated Hydraulic Impact Assessment as required under relevant conditions of this Decision Notice. The structure of the bridge must be designed by a Registered Professional Engineer of Queensland with sufficient experiences in structural engineering to ensure structural adequacy.

5.4.5 Updated Stormwater Management Report with 2-D hydraulic models and appropriate hydrological inflow / outflow conditions and appropriate ground surface parameters demonstrating that:

5.4.5.1 The road is safe for traffic at the defined rainstorm event in accordance with Queensland Urban Drainage Manual.

5.4.5.2 All crossroad drainage and road surface drainage are designed to the defined rainstorm event in accordance with Queensland Urban Drainage Manual.

5.4.5.3 Stormwater is discharged into a lawful point of discharge and it is not causing actionable nuisances to other properties and the public in accordance with Queensland Urban Drainage Manual.

5.4.5.4 Detailed Geotechnical Investigation and Assessment Report, with reasonable geotechnical investigation works, demonstrating that:

5.4.5.5 The existing ground condition is suitable to support the proposed road, the intersection with the Rail Trail, and the associated loadings.

5.4.5.6 Necessary ground treatment or improvement works are provided to ensure sufficient bearing capacity of the ground to support the proposed road and intersection with the Rail Trail.

5.4.5.7 The estimated settlement of the ground, and any proposed fill material underneath the road and the intersection with the Rail Trail, are within an acceptable range. Reasonable assumptions of loading from the traffic and the structures above must be considered.

	<p>5.4.5.8 Differential settlement of the ground must be considered and reviewed to ensure that it is within an acceptable range which will not affect the structural stability of the structures supporting the road and the pavements of the road.</p>
	<p>5.4.5.9 Stability assessment of all new slopes to be formed associated with the road.</p>
5.5	<p>The proposed stormwater drainage culvert crossing at the waterway connecting the southwest part and northeast part of the development, along Road 01, between the intersections with Road 03 and Road 04, on <i>Drawing C23078A-SK-C112 Revision B - Concept Service Layout Plan – Sheet 2 of 3 date 23 January 2024</i>, and all filling works at this location, is not approved. Instead, a bridge structure must be provided at this waterway crossing. The bottom level of the deck must be higher than the estimated water level along the waterway under the Defined Flood Event with appropriate freeboard in accordance with the Queensland Urban Drainage Manual. The level of the deck of the bridge must be assessed and designed under the updated Hydraulic Impact Assessment as required under relevant conditions of this Decision Notice. The structure of the bridge must be designed by a Registered Professional Engineer of Queensland with sufficient experiences in structural engineering to ensure structural adequacy.</p>
5.6	<p>As part of an application for a Development Permit for carrying out Operational Work (road works), details of all new road infrastructure to the relevant hierarchy, with cross sections, in accordance with <i>Capricorn Municipal Development Guidelines D1 Annexure D01E</i> must be provided.</p>
5.7	<p>Provide on-road bicycle lanes in accordance with <i>Capricorn Municipal Development Guidelines D1 Annexure D01E</i> to all minor and major urban collector roads.</p>
5.8	<p>As part of an application for a Development Permit for carrying out Operational Work (road works), consultation with Translink must be conducted to determine the necessity of providing bus stop(s) to support the proposed development. Locations and details of the bus stop(s) must be provided if it is deemed necessary as per advices from Translink.</p>
5.9	<p>Street and public space lighting must be provided in accordance with <i>Australian Standard AS1158 "Lighting for Roads and Public Spaces"</i>, and road, street and public space lighting policy and procedures.</p>
5.10	<p>Traffic signs and pavement markings including any alterations must be provided in accordance with the <i>Manual of Uniform Traffic Control Devices (Queensland)</i>.</p>
5.11	<p>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.</p>
5.12	<p>Traffic calming devices must be provided to control vehicle speeds. Details of traffic calming devices and practical access to adjacent allotments must be demonstrated in any application for a Development Permit for carrying out Operational Works (road works).</p>
5.13	<p>Provide pathways in accordance with <i>Capricorn Municipal Development Guidelines D1 Annexure D01E</i> to all new roads.</p>
5.14	<p>All pathways and access ramps must be designed and constructed in accordance with <i>Australian Standard AS1428 "Design for Access and Mobility"</i>. All pathways located within a road reserve or public use land must be provided with public space lighting in accordance with <i>Australian Standard AS1158 "Lighting for Roads and Public Spaces"</i>.</p>
5.15	<p>All pathways must incorporate kerb ramps at all road crossing points.</p>
5.16	<p>Any application for a Development Permit for carrying out Operational Work (road</p>

- works) must include details of the Council approved road names for all new roads.
- 5.17 Retaining structures must not be constructed within road reserves.
- 6.0 FOOTPATHS
- 6.1 Construct a concrete footpath, with a minimum width of 1.5 metres wide on at least one (1) side of all the new internal roads within the site.
- 7.0 SEWERAGE WORKS
- 7.1 A Development Permit for carrying out Operational Work (sewerage works) must be obtained prior to the commencement of any sewerage 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 carrying out Operational Works (sewerage works).
- 7.3 A Sewer Network Analysis covering the external sewer network catchment, from the development site to the pump station at Charles Street, or any new pump station at nearby location within the catchment by the time of lodging an application for Development Permit for carrying out Operational Work (sewerage works). The capacity of the external catchment must be reviewed to ensure that the catchment has the capacity to support the development. If any necessary upgrading works along the network external to the development site are required as found under the Sewer Network Analysis, they must be proposed, designed in detail, and constructed by the applicant.
- 7.4 The proposed development must be connected to Councils reticulated sewerage service.
- 7.5 New sewerage connection points must be provided to each new lot.
- 7.6 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*.
- 7.7 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty trafficable lid must be provided in the trafficable area.
- 8.0 WATER WORKS
- 8.1 A Development Permit for carrying out Operational Work (water works) must be obtained prior to the commencement of any water works on the site.
- 8.2 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*, the *Plumbing and Drainage Act* and the provisions of a Development Permit for carrying out Operational Work (water works).
- 8.3 A Water Network Analysis covering the external sewer network catchment, from St. Faith Reservoir to the development site, must be provided under the application for a Development Permit for carrying out Operational Work (water works). The capacity of the external catchment must be reviewed to ensure that the catchment has the capacity to support the development. If any necessary upgrading works along the network external to the development site is required as found under the Water Network Analysis, they must be proposed, design in detailed, and constructed by the applicant.
- 8.4 If the applicant elects to provide part or all of the trunk infrastructure in Condition 10.3, the Water Network Analysis must include details of the trunk infrastructure, as part of an application for carrying out Operational Work (Water works).
- 8.5 Easements must be provided over all water infrastructure located within private

- property. The easement location(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 8.6 The proposed development must be connected to Councils reticulated water supply.
- 8.7 New water connection points must be provided to each of the new lot.
- 8.8 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 9.0 **BUILDING WORKS**
- 9.1 A Development Permit for carrying out Building Works regulated under the Building Act 1975 must be obtained prior to the commencement of construction of any retaining structure on the site.
- 10.0 **STORMWATER WORKS**
- 10.1 A Development Permit for carrying out Operational Work (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 10.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 19.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Urban Stormwater Quality Planning Guidelines*, *State Planning Policy*, any Council flood study reports, and sound engineering practice and the provisions of a Development Permit for carrying out Operational Work (stormwater works).
- 10.3 Adequate land area must be dedicated to Council in freehold title over all major overland flow paths (land inundated by 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 in accordance with the *Queensland Urban Drainage Manual*.
- 10.4 Any land dedicated over the major overland flow paths or major drainage system must be able to contain all earthworks, batters and include access, maintenance and freeboard provisions in accordance with the *Queensland Urban Drainage Manual*.
- 10.5 Any application for a Development Permit carrying out for Operational Work (stormwater works) must be accompanied by an updated Hydraulic Impact Assessment, prepared and certified by a Registered Professional Engineer of Queensland, which as a minimum includes:
- 10.5.1 A bridge structure must be provided at the road crossing (along Road 1 and between Road 3 and Road 5) over the existing waterway. The bottom level of the deck must be higher than the estimated water level along the waterway under the Defined Flood Event with appropriate freeboard in accordance with the *Queensland Urban Drainage Manual*. The level of the deck of the bridge must be assessed and designed.
- Advice Note: The proposed five (5) x 1800mm RCPs beneath the new road crossing the waterway under Section 5.3 of the Hydraulic Impact Assessment prepared by Water Technology date 20 February 2024 are not approved.*
- 10.5.2 identification of drainage catchment and drainage sub-catchment areas for the pre-development and post-development scenarios including a suitably scaled stormwater master plan showing the above mentioned catchment details and lawful point(s) of discharge that comply with the requirements of the *Queensland Urban Drainage Manual*;
- 10.5.3 an assessment of the peak discharges for a range of design rainfall events up to and including the one in one hundred year rainfall event (100 year Average Recurrence Interval) for a range of storm durations including critical storm duration, for the pre-development and post-development scenarios;

- 10.5.4 details of any proposed on-site detention / retention systems and associated outlet systems required to mitigate the impacts of the proposed development on downstream lands and existing upstream and downstream drainage systems;
- 10.5.5 identification and conceptual design of all new drainage systems, and modifications to existing drainage systems required to adequately manage stormwater collection and discharge from the proposed development;
- 10.5.6 demonstration of how major design storm flows are conveyed through the subject development to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual and the Capricorn Municipal Development Guidelines;
- 10.5.7 identification of the area of land inundated as a consequence of the minor and major design storm events in the catchment for both the pre-development and post-development scenarios;
- 10.5.8 identification of all areas of the approved development, and all other land (which may include land not under the control of the developer), which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to provide a lawful point of discharge for the approved development. The areas identified must satisfy the requirements of the Queensland Urban Drainage Manual. All land proposed as major overland flow paths must include appropriate freeboard, access and maintenance provisions consistent with the Queensland Urban Drainage Manual; and
- 10.5.9 details of all calculations, assumptions and data files (where applicable).
- 10.5.10 any required updates under other conditions of this Decision Notice.
- 10.6 If the applicant elects to provide part or all of the transport trunk infrastructure (Condon Drive) in Condition 12.3, the Hydraulic Impact Assessment must be updated, which as a minimum includes:
 - 10.6.1 review the external catchment of the waterway crossing Condon Drive at about 50 metres to the south of the intersection of Condon Drive and the Rail Trail, which is the catchment further upstream of sub-catchment C010 as per Figure 4-1 of the Hydraulic Impact Assessment prepared by Water Technology date 20 February 2024, and update the hydrologic model accordingly;
 - 10.6.2 as minimum, the hydrologic study must cover the catchment south of Barmaryee Road, before it splits to two different components to the west and east; and
 - 10.6.3 Provide a bridge structure across the waterway, at about 50 metres to the south of the intersection of Condon Drive and the Rail Trail. Minimum level of the deck structure must be higher than the estimated water level under the Defined Flood Event with appropriate freeboard in accordance the Queensland Urban Drainage Manual.
- 11.0 EARTHWORKS
- 11.1 A Development Permit for carrying out Operational Work (earthworks) must be obtained prior to the commencement of any site works.
- 11.2 All earthworks must be designed and constructed / undertaken generally in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 11.3 Earthworks, must be undertaken such that stormwater runoff is managed and discharged lawfully and must not adversely affect the adjoining properties compared to pre-development conditions or damage infrastructure.

- 11.4 A Geotechnical Report prepared by a Registered Professional Engineer of Queensland must be provided with any Development Permit for carrying out Operational Work (earthworks) for the subject site. No works can commence on the site until this report has been approved by Council.
- 11.5 Any application for a Development Permit for carrying out Operational Works (Earth works) must be accompanied by an earthworks plan and certified on completion of construction for compliance with the design by a registered (RPEQ) Engineer which clearly identifies the following:
- 11.5.1 the location and quantum of cut and/or fill;
 - 11.5.2 the type of fill and finished cut and/or fill levels;
 - 11.5.3 Retaining Structures (if any); and
 - 11.5.4 Surface and sub-surface drainage controls.
- 11.6 Lot and embankment filling must be carried out to comply with Level 1 certification requirements in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*, to confirm as "controlled fill" upon completion.
- 11.7 Any batter slope steeper than 1 to 4 and any retaining structures above one (1) metre in height must:
- (i) be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at Operational Works stage, and certified on completion of construction for compliance with the design;
 - (ii) have a detailed inspection and 'as constructed' record 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; and
 - (iii) not be modified or altered without Council's prior written approval.
- 11.8 If preliminary testing indicates that acid sulphate soils are present in the areas to be excavated / proposed fill area, a more detailed acid sulphate soil investigation must be completed, and an appropriate management plan certified by a suitably qualified person in accordance with *State Planning Policy, Planning Scheme, Queensland Acid Sulphate Soil Technical Manual, and best industry practices with regards to Planning and Managing Development Involving Acid Sulphate Soils must be submitted to Council*, as part of any application for a Development Permit for Operational Works (earthworks).
- 12.0 TRANSPORT AND WATER NETWORK INFRASTRUCTURE (EXTRA PAYMENT CONDITION)
- 12.1 This is an extra payment condition, which is imposed under sections 130 and 133 of the *Planning Act 2016*, and in accordance with section 131 of the *Planning Act 2016* states the following:
- 12.2 This extra payment condition for the extra trunk infrastructure costs stated in Condition 10.3 is imposed on the basis of the following:
- 12.2.1 The development is for premises completely outside the Priority Infrastructure Area;
 - 12.2.2 The development will require new trunk infrastructure earlier than when identified in the Local Government Infrastructure Plan; and
 - 12.2.3 The development would impose extra trunk infrastructure costs on Council after taking into account the levied charges for the development and the trunk infrastructure provided, or to be provided, by the applicant under this

part for the following:

12.2.4 The establishment cost of trunk infrastructure that is:

12.2.4.1 Made necessary by the development; and

12.2.4.2 Necessary to service an area intended for future development for purposes other than rural or rural residential purposes - necessary to service the rest of the area.

12.3 The applicant must pay to Council the amount of trunk infrastructure costs stated in *Table 1 (Extra Trunk Infrastructure Costs)* for the establishment cost of the infrastructure:

Table 1. Extra Trunk Infrastructure Costs

Column 1 Item	Column 2 Infrastructure	Column 3 Establishment Cost	Column 4 Amount of Payment
Transport Network			
1	T-12 (part) - Condon Drive 550 - 0	\$8,663,550 including consultant (10%) and approvals	\$8,663,550 including consultant (10%) and approvals
2	T-121 - Intersection Condon Drive - Rail Trail		
Water Network			
3	Adelaide Park Road water main upgrade	\$732,600 plus Operational works approval costs	\$732,600

12.4 The amount of the payment to be made under this extra payment condition which is stated in Condition 10.3 is to be increased in accordance with the increase for the PPI index for the period starting the day the decision notice is given and ending on the day the relevant amount is paid, adjusted by reference to the 3-yearly PPI index average;

12.5 The details of the trunk infrastructure for which the payment is required is stated in Condition 10.8 and Appendix 1;

12.6 The payment is to be made for the trunk infrastructure stated in Condition 10.3 before the day of development, or the work associated with the development starts, unless otherwise agreed in an infrastructure agreement;

12.7 The applicant may instead of making the payment for the establishment cost for the trunk infrastructure stated in Condition 12.3, elect to provide all or part of the infrastructure stated in Condition 12.3; and

12.8 If the applicant elects to provide part or all of the trunk infrastructure stated in Condition 12.3, the applicant must provide the trunk infrastructure:

12.8.1 In accordance with the requirements for providing the trunk infrastructure stated in Appendix 1;

12.8.2 For infrastructure identified as Items 1, 2 and 3 in Table 1, before the approval of the Plan of Subdivision for PART A - Reconfiguring a Lot.

Appendix 1: Details and Construction Requirements of Trunk Infrastructure Items

Infrastructure Item	Details
1. T-12 (part) - Condon Drive 550 - 0	<u>The design and construction works requirements accord with the following:</u> <ol style="list-style-type: none"> 1. All relevant conditions under PART A – ROL; 2. Capricorn Municipal Development Guidelines; 3. Relevant Australian Standards; and 4. Manual of Uniform Traffic Control Devices (Queensland).
2. T-121 - Intersectio	

n Condon Drive - Rail Trail	
3. Adelaide Park Road (Water Main Upgrade)	<p><u>The design and construction works requirements accord with the following:</u></p> <ol style="list-style-type: none"> 1. All relevant conditions under PART A – ROL; 2. Capricorn Municipal Development Guidelines; 3. Water Supply (Safety and Reliability) Act; and 4. Plumbing and Drainage Act.
<p>13.0 ENVIRONMENTAL</p>	
<p>13.1 Submit, as part of a Development Application for a Development Permit for carrying out Operational Work (Vegetation Clearing), a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:</p> <ol style="list-style-type: none"> (i) water quality and drainage; (ii) erosion and silt/sedimentation management; (iii) acid sulphate soils; (iv) fauna management; (v) vegetation management and clearing; (vi) top soil management; (vii) interim drainage plan during construction; (viii) construction programme including operating times; (ix) weed control; (x) emergency vehicle access; (xi) noise and dust suppression; and (xii) waste management. 	
<p>13.2 Submit, as part of a Development Application for a Development Permit for carrying out Operational Work (Earthworks/Road Works), a site-specific Erosion and Sediment Control Plan, which is certified by Certified Professional in Erosion and Sediment Control (CPESC) or suitably qualified Registered Professional Engineer of Queensland (RPEQ).</p>	
<p>13.3 The Erosion and Sediment Control Plan must:</p>	
<p>13.3.1 Be prepared in accordance with the local best practice engineering reference standards and guidelines identified in SC7.13.3.1. of the <i>Livingstone Planning Scheme 2018</i>.</p>	
<p>13.3.2 Demonstrate how the design objectives identified in Table 9.3.2.4.7. of the Development Works Code of the <i>Livingstone Planning Scheme 2018</i> in effect at the time of making a Development Application for Operational Work will be achieved.</p> <p>Advice Note: <i>High efficiency sediment basins are the most effective way to achieve this outcome. Regular sampling must be undertaken in accordance with a sampling program specified in the site specific EMP and evidence of water quality leaving the site must be provided to an authorised officer upon request.</i></p>	
<p>13.3.3 Identify sampling locations and sampling frequency. The water quality of discharge flows must be measured at each concentrated discharge point from the site and achieve < 50mg/L total suspended solids (or 60ntu) and maintain pH in the range 6.5 to 8.5 at the point of discharge from the site.</p>	
<p>13.3.4 Identify suitable stages of works in order to minimise the area of soil exposed at any one time. Soil disturbances must be staged into manageable</p>	

sized areas to ensure adequate erosion and sediment control management and progressive stabilisation of disturbed surfaces.

13.3.5 Set suitable hold points throughout the construction phase.

13.3.6 Identify short (temporary) and long-term (permanent) stabilisation measures for all exposed soils.

13.3.7 For peak flow for the 1-year and 100-year ARI event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.

13.3.8 All entry/exit points must have a suitable and approved rumble strip to minimum 15m in length and to fit the width of the entry which prevents vehicle tracked sediment leaving the site.

13.4 BUSHFIRE HAZARD

13.4.1 The development must be undertaken in accordance with the recommendations in the approved Bushfire Management Plan.

14.0 VEGETATION CLEARING, RETENTION AND REVEGETATION PLANS

14.1 As part of a development application for carrying out Operational Works (vegetation clearing), the Rehabilitation and Planting Plan by Urban Forest Concepts must be updated with further details to minimise impacts of the development on Matters of Local Environment Significance within the riparian corridor; specifically;

14.1.1 Identify the location of established trees that occur in the riparian corridor with a diameter at breast height of more than 400 millimetres, determine the trees which can be retained within the future open space lot.

14.1.2 Identify Pandanus, grass trees and macrozamia that can be salvaged.

14.1.3 Identify the plants that will be salvaged and replanted in the future open space lots, where they cannot be reused on-site Council may accept donated plants that can be replanted in nearby Council land.

14.1.4 Identify measures to maintain riparian habitat and wildlife passage through the site during construction.

14.1.5 Refine the species list for planting to reflect the vegetation community associated with the waterway, being a humid micro-environment more closely resembling regional ecosystem 8.3.3a.

14.2 As part of a development application for carrying out Operational Works (vegetation clearing) provide the following:

14.2.1 A plan identifying the direction and staging of clearing works must be submitted showing boundaries of areas proposed to be cleared with clearing confined area required for each stage in order to minimise impacts on adjacent habitats prior to and during vegetation clearing.

14.2.2 Provide a Construction Environmental Management Plan for the whole site that includes Controls on clearing and earthworks, erosion and sediment controls, noise and dust controls and waterway protection and stabilisation to ensure the water quality and integrity of flow through the site during construction.

14.3 Development does not cause land degradation near a waterway, including:

14.3.1 Mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and

14.3.2 Loss or modification of chemical, physical or biological properties or

functions of soil.

15.0 STREET TREE PLANTING

- 15.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works on the site.
- 15.2 Street planting must be established on each side of any new road at a minimum of one (1) tree species, endorsed by Council, planted every fifteen (15) metres. Street trees must be in minimum 40 litre bags and structurally supported, where necessary.
- 15.3 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure.
- 15.4 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.

16.0 REHABILITATION PLANTINGS DEFECTS PERIOD

- 16.1 A site rehabilitation defects period of two (2) years is required to ensure the sustainability of the vegetation restoration of the riparian area prior to Council accepting ownership of the Open Space area.

17.0 ELECTRICITY AND TELECOMMUNICATIONS

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

18.0 ASSET MANAGEMENT

- 18.1 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.
- 18.2 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.

19.0 OPERATING PROCEDURES

- 19.1 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 Seniors, Disability Services and Aboriginal and Torres Strait Islander and Multicultural Affairs website <https://www.dsdsatsip.qld.gov.au/>

NOTE 2. General Environmental Duty

Undertake the activity in a manner that does not allow environmental nuisance or water contamination caused by construction material, noise, aerosols, particles dust, ash, fumes, light, odour and smoke, which must not go beyond the boundaries of the property during all stages of the development including earthworks, construction and operation as stated in the *Environmental Protection Act 1994* and subordinate legislation.

NOTE 3. General Safety of Public During Construction

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

NOTE 4. Water Services

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

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

RECOMMENDATION C

THAT in relation to the application for a Preliminary Approval (variation request) to vary the effect of Zoning to Low Density Residential Zone (*Livingstone Planning Scheme 2018*) and Development Permit for Reconfiguring a Lot (1 Lot Into 128 Lots plus 4 drainage and environment lots) made by Teangue Pty Ltd (TTE) c/ - Pivotal Perspective Pty Ltd, located at Lot 2 Condon Drive, Yeppoon Qld 4703, the Committee recommends to Council to resolve to issue an Infrastructure Charges Notice for the amount of Stage 1 total: **\$2,331,000** and Stage 2 total: **\$1,740,480**

MANAGEMENT PLAN – COOEE BAY MAIN BEACH ACCESS

THAT the committee recommends to Council the following operational plan outcome be considered for the 2025/2026 year along with an associated budget:

Develop a management plan for sustainable access to Cooee Bay Main Beach that accommodates increased population and use of the beach as the area is activated with walking tracks and to accommodate stormwater issues, in line with the outcomes proposed in the Shoreline Management plan adopted in 2022.

12 REPORTS

12.1 MANAGEMENT PLAN - COOEE BAY MAIN BEACH ACCESS

File No: 11.12.04

Attachments: 1. Extract Shoreline Management Plan pages 48
- 60 [↓](#)

Responsible Officer: Greg Abbotts - Manager Development and Environment
Sonia Tomkinson - Acting Manager Economy and Places

Author: Leise Childs - Coordinator Natural Resource Management
Maryanne Smith - Sustainability and NRM Officer

SUMMARY

This report discusses an opportunity to include outcomes from the Shoreline Management Plan to develop a Strategic Management Plan for a section of the Cooee Bay Foreshore.

OFFICER'S RECOMMENDATION

THAT the committee recommends to Council the following operational plan outcome be considered for the 2025/2026 year along with an associated budget:

Develop a management plan for sustainable access to Cooee Bay Main Beach that accommodates increased population and use of the beach as the area is activated with walking tracks and to accommodate stormwater issues, in line with the outcomes proposed in the Shoreline Management plan adopted in 2022.

BACKGROUND

The Shoreline Management Plan 2022 (see Attachment 1 extract pages 48 – 60) identified several issues for management of Cooee Bay Beach, including erosion, stormwater management and public use. At Cooee Bay the erosion prone area extends 130 metres from the toe of the dune and incorporates properties on Livingstone Lane and the northern section of Cathne Street. A comparison of satellite imagery between 2012 and 2021 shows that the beach has exhibited some erosion over that period and Cooee Bay has experienced Pandanus dieback because of Pandanus leafhopper (*Jamella australiae*) infestations.

Introduced plants compete with native vegetation cover where weeds are introduced by people, animals, and vehicles, and from the dumping of garden waste in the dunal and headland areas. Several undesignated access tracks exist along Cooee Bay beach and a storm drain outlet had notable channelling and undermining at the toe of the drain. The section of the Esplanade at the junction of Cliff Lane is another location in Cooee Bay where stormwater outflow from the road impacts the beach access.

COMMENTARY

The Shoreline Management Plan recommendations for Cooee Bay beach to develop a management plan for sustainable access to Cooee Bay Main Beach that accommodates increased population, along with use of the beach as the area is activated with walking tracks and to accommodate stormwater issues. The Plan also recommends that traditional custodians are consulted before any future recommended works occur.

PREVIOUS DECISIONS

The Coastal Hazard Adaption Strategy "Our Living Coast", adopted on 16 March 2021 and the Shoreline Management Plan 2022-2032 was adopted on 19 July 2022.

ACCESS AND INCLUSION

There are no access and inclusion matter to be considered as part of this report.

ENGAGEMENT AND CONSULTATION

If the operational plan outcome is adopted, community engagement will be undertaken to develop the strategic plan.

HUMAN RIGHTS IMPLICATIONS

There are no human right implications to be considered as part of this report.

BUDGET IMPLICATIONS

Any implementation of a strategic plan will have a budget implication. If the operational plan outcome is adopted – Officers will allocate a budget of \$65,000 to progress the matter.

LEGISLATIVE CONTEXT

There are no legislative contexts associated with this report.

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

STAFFING IMPLICATIONS

The management of the strategic plan project can be undertaken using existing staff resources. An external consultant will be engaged to facilitate the process.

RISK ASSESSMENT

The preparation of a management plan for the Cooee Bay Main Beach foreshore is an action to help mitigate coastal hazard risks to community assets and sensitive environmental areas.

CORPORATE PLAN REFERENCE***Future Livingstone***

Community Plan Goal 5.1 - Balanced environmental and development outcomes

5.1.3 Develop a programme of master planning, place making and improvement strategies to enhance local identity and lifestyle.

CONCLUSION

The development of a strategic plan for the Cooee Bay Main Beach foreshore addresses coastal hazard risks to community assets and impacts on sensitive environmental areas. It provides an opportunity for genuine community input to future management through a fair and facilitated process.

12.1 - MANAGEMENT PLAN - COOEE BAY MAIN BEACH ACCESS

**Extract Shoreline Management Plan
pages 48 - 60**

Meeting Date: 19 November 2024

Attachment No: 1

Yeppoon and Cooee Bay

Current condition

Erosion/accretion

Yeppoon Main Beach is affected by both easterly and north-easterly wind and wave action as the gap between North and Great Keppel Islands is directly east of Yeppoon. In the past (1931 and 1949), large amounts of sand eroded leading to the loss of buildings and land. A seawall along the length of Yeppoon Main Beach was originally built in the 1930s to protect coastal infrastructure, however it failed after cyclonic wave damage in 1976 and was rebuilt. In the 1990s erosion again undermined the stability of the seawall, and it was rebuilt and strengthened in the early 2000s.

Erosion prone area mapping along Yeppoon Main Beach from the toe of the rock wall is 100 metres wide. Anzac Parade and businesses along the beachfront are all within the mapped erosion prone area. Given the height of the seawall and how heavily modified Main Beach is, it is unlikely significant erosion would occur unless the seawall fails.

At Fisherman's Beach, the erosion prone area extends forty to fifty metres from the toe of the dune, and houses along Wattle Grove are within the area. At Cooee Bay the erosion prone area extends 130 metres from the toe of the dune and incorporates properties on Livingstone Lane and the northern section of Cathne Street.

A comparison of satellite imagery of Fisherman's Beach between 2012 and 2021 shows that the beach has been eroding over that period with an approximate loss of five metres, despite having vegetation regrowth on the dune after Tropical Cyclone Marcia. Cooee Bay Beach has a similar recent history; however, the overall loss appears to be less. Yeppoon Main Beach has shown little to no change in the same period.



Figure 25: Erosion prone areas in Yeppoon and Cooee Bay

Recommendations

- Future development should not extend further seaward than the existing building alignment, or where no alignment exists, but rather it should be located as far landward as practicable to ensure that wherever possible, future property protection works (if necessary) are located within the boundaries of private property.
- Regular monitoring of the Main Beach seawall for erosion undermining.
- Conduct beach nourishment on Yeppoon Main Beach to improve beach amenity and avoid undermining of the rock wall. A potential source of sand is construction sites behind the sea wall.
- Sand filling of voids in the rock wall to allow native beach vines to grow, improve amenity and reduce habitat for vermin such as rats.

Vegetation

Yeppoon Main Beach is highly modified and the only vegetation that occurs is along the top of the rock wall which includes marine couch (*Sporobolus virginicus*), goat's foot (*Ipomea pes-caprae*), beach spinifex (*Spinifex sericeus*), and pigface (*Carpobrotus glaucescens*). Sand replenishment of the rock wall allows for this limited vegetation to spread down the wall, but the sand gets washed out over time and now needs replenishing again. Fisherman's Beach and Cooee Beach both have narrow vegetated strips with some native ground covers, but limited tree cover. Along Ross Creek there are remnant mangrove forests which are fringed by *Eucalyptus* woodlands. Wreck Point also contains a small, isolated patch of remnant native grassland which is listed as 'of concern'. Beaches in Yeppoon and Cooee Bay have experienced *Pandanus* dieback because of *Pandanus* leafhopper (*Jamella australiae*) infestations in the area.

Introduced plants compete with native vegetation cover along the top of Yeppoon Main Beach. For Fisherman's Beach and Cooee Bay weeds are introduced by people, animals, and vehicles, and from the dumping of garden waste in the dunal and headland areas. Introduced plants include cultivated lawn grasses, Guinea grass (*Megathyrsus maximus*), siratro (*Macroptilium atropurpureum*), and Mossman River grass (*Cenchrus echinatus*).

Further information on the regional ecosystems corresponding to those broad vegetation groups can be found in Appendix 1.



Figure 26: Dominant broad vegetation groups (regulated vegetation) in Yeppoon and Cooee Bay

Recommendations

- Communicate with the property owners adjacent to the shoreline and implement a community education program to encourage community custodianship over coastal areas and discourage the removal and replacement of native vegetation.
- Revegetation with plantings of endemic species on beaches and dunes.
- Replenish sand on seawall to encourage native recruitment of ground covers.
- Pest management program to continue and be worked in conjunction with a coastal ecological restoration plan.
- Education and empowerment of residents about the importance of dune areas.
- Create a strategy to address dune vandalism and implement educational signage. Increased monitoring will be required to assess if the educational program is effective or if other measures need to be considered.
- Conduct and support community planting activities focusing on reinstating Pandanus trees and continue working with specialists to develop biocontrols for the Pandanus leafhopper (*Jamella australiae*).

Public access and facilities

Between Spring Head and Wreck Point there are eleven public beach access points. Public facilities provided at the Yeppoon Main Beach include public amenity blocks, disability access ramps, beach showers, car parking, tables, chairs, pathways, a covered amphitheatre, and the Yeppoon Lagoon public pool and playground. Formalised carparking is available at Cooe Bay Beach. Several undesigned access tracks exist along Cooe Bay Beach.

Recommendations

- Develop a management plan for sustainable access to Cooe Bay Main Beach that accommodates increased population and use of the beach as the area is activated with walking tracks and to accommodate stormwater issues.

Land tenure

The land adjacent to Yeppoon Main Beach is zoned Open Space which provides the community with a recreational area that has equitable accessibility and helps link open space along the coastline. The open space areas have the land tenure of Reserve with The Strand gazetted in 1983 as a reserve for recreation while the Reserve surrounding Fig Tree and Ross Creeks is zoned with areas of Open Space as well as Environmental Management and Conservation areas, which were gazetted as such in 1936. Other properties within 500 metres of the beach are zoned Medium Density Residential or Major Centre. The residential properties in this area are classed as Medium and High-Density Development with the greater density close to the central business district of Yeppoon.

Both Fisherman's and Cooee Bay beaches are bordered by Low-Medium Density Residential zoned properties which all have Freehold land tenure. At the southern end of Cooee Bay there are several properties classed as Business. There is also a reserve for park and recreation which was gazetted in 1982 at Wreck Point. The beaches (low to high water mark) and dunal areas within these coastal units are currently not gazetted



Figure 27: Land tenure in Yeppoon and Cooee Bay

Recommendation

- Designate and assign a lot number to the beaches and adjacent areas (including road reserves where roads will not be constructed) and zone as Environmental Management and Conservation areas.

Urban pressures

Main Beach has its own primary multi-purpose function arena. It is a day visitor centre for residents and visitors from further afield. The potential pressures on this immediate area include increased demand for car parking and traffic areas.

The area from Fisherman's Beach to Wreck Point is an older part of the urban footprint of Yeppoon. Pressures to Fisherman's Beach include construction of unapproved access points and a call for formed car parking adjacent to Ocean Parade.

Current and potential pressures at Cooee Bay Beach include:

- Construction of unapproved access points.
- Importance of ocean views for properties fronting and adjacent to the beach could threaten mature endemic species.
- Management of dunes contained in private freehold land.

Recommendations

- Testing and stockpiling (if appropriate) of sand removed from building sites for beach nourishment.
- Education of residents on removal of vegetation and green waste dumping.
- Educational signage for day visitors/locals on the importance of beaches and dunes, as well as the local flora, fauna, and heritage areas for the area.

Stormwater outflows

From Spring Head to Wreck Point any stormwater produced enters the sea via the natural drainage points of Ross and Fig Tree Creeks as well as through a pipe network that has eleven discharge points along the coastline. These pipes discharge directly to the beaches and carry a large amount of fresh water which falls in the area. One such pipe that flows onto the Yeppoon Main Beach has a Gross Pollutant Trap installed to help reduce the amount of foreign material entering the beach unit. On Cooee Bay Beach a storm drain outlet had notable channelling and undermining at the toe of the drain. The section of the Esplanade at the junction of Cliff Lane is another location in Cooee Bay where stormwater outflow from the road impacts the beach access.



Figure 28: Channelling at drain located at Cooee Bay

Recommendations

- Schedule for the monitoring and maintenance of Gross Pollutant traps.
- Ensure channelling from the stormwater outlet repairs before undermining becomes worse.

Storm tide

Main Beach beachfront properties are built on higher ground and are outside of mapped storm tide areas, except for 6 metre events which will potentially inundate the bottom of the Esplanade and the southern end of Anzac Parade, cutting off the Council office and inundating Appleton Park. Figtree Creek and surrounds are vulnerable to storm tides and Appleton Drive/Whitman Street could be cut off from a three-metre event or above. During a six-metre event, streets and several properties behind Anzac Parade are all mapped as being within the inundation area.

With storm tide events above four metres the intersection of Wattle Grove, Ocean Parade, and the Scenic Highway will be cut off, leaving residences along Wattle Grove stranded. Properties along Fisherman's Beach will likely not be inundated unless the storm tide is five metres or higher.

Matthew Flinders Drive will become inundated on the southern end of Cooe Bay with storm tide events above four metres. Properties along Cooe Bay Beach will become inundated in events above 5.5 metres. The largest threat of inundation is from Ross Creek and the mangroves southwest of Cooe Bay which will see the Scenic Highway and many properties inundated in events from 3.5 metres.

Recommendation

- Public are made aware of inundation risks and emergency procedures.

Areas of high conservation value

The Fig Tree and Ross Creek system has a high environmental conservation value that contains a flying fox community, mangroves, and fish habitat. Wreck Point is also mapped as containing a small patch of 'of concern' coastal grassland community.

These coastal units have a high cultural heritage conservation value which has occurred through the extended use of this area as a recreational site for many generations. Below is an indication of the cultural history of Yeppoon Main Beach:

- 1860s-1890s: Tourism, including walking, horse riding and buggy riding along the beach, was very popular. Yeppoon Main Beach was used for male swimming area while women swam in a small shady area near rocks at the base of the Bluff.
 - 1894: Road constructed around Bluff so women's bathing area was no longer used; women began bathing at northern end of Main Beach.
 - 1918: Private one roomed bathing huts for changing on the beach constructed.
 - 1920s: Donkey, camel, pony, and elephant rides along the beach.
 - 1926: Strand Hotel hosted entertainment to raise money for beach beautification.
 - 1926: Yeppoon First Aid and Lifesaving club formed; Lifesavers operated from Beach Pavilion (including café, toilets, restrooms) built by Council.
 - 1930: Lifesaving clubhouse built.
 - 1931: Cyclone destroyed 42 of 49 private bathing huts, 60 metre section of rubble wall and 20 metre section of walkway at Bluff, and recently completed Lifesaving clubhouse. Public meeting held after cyclone, materials from private huts destroyed were donated to Council for building public sheds. Council not able to do construction and the Beach Improvement scheme and "Yeppoon Beach Improvement Company" was launched.
-

- 1937: At the opening of the “Yeppoon Foreshore Improvement Scheme” Livingstone Shire Council chairman William Todd stated *“When this wall is completed the unsightly sand dunes that continue from the main street to Ross Creek will be done away with and in their stead there will be green lawns, seats, shade trees and plenty of parking spaces for cars”*. The Yeppoon Foreshore Improvement Scheme built a long sea wall with bathers’ amenities including sun shelter, beach café and bathing shelter.
- 1936: A bitumen road built from Strand Hotel to what is now Anzac Parade.
- 1949: A cyclone caused significant sand loss and resulted in beachfront buildings constructed during 1930s washing away.
- 1976 and early 1990s: Cyclonic waves and storms damaged the Yeppoon Main Beach seawall leading to its reconstruction to its current state in the early 2000s.
- Early 2000s: Yeppoon Main Beach Esplanade revitalisation project.
- 2018: Grand opening of the Yeppoon Lagoon and upgrade to the amphitheatre on the esplanade.

The Main Beach front of Anzac Parade has been classed as a culturally significant as well as the site of the Ross Creek seawall. Areas of Indigenous cultural significance may be located within this beach unit in the natural areas which remain. Prior to commencement of any recommended works, it is recommended that consultation with the local Indigenous community be conducted. This will ensure areas of cultural significance are protected and maintained.

Recommendation

- The local Indigenous community be consulted before any future recommended works occur.

Management practices

Because of the continual erosion of the beach and its popularity as a recreational area, Yeppoon Main Beach has seen the implementation of multiple erosion control methods, the first being a timber fence in the 1920s. Between 1935 and 1937 a rubble wall was built along the beach front, which was followed by the levelling of the sand dunes in 1955 and extension of the existing rubble wall following cyclone damage. The breakwater at the entrance to Ross Creek was built in the 1960s and large amounts of sand removed from the area between 1965 and 1972. Another extension to the rubble sea wall occurred in 1976 after further damage to the dune and wall. The construction of the sea wall has been a “hard” erosion control measure which has led to the destruction of the natural beach building processes for Yeppoon Main Beach.

Between 2000-2003 The Strand area was renovated, and a new seawall was constructed. This sea wall was built with a buried toe to discourage undermining and the slope of the wall has been built at an angle which encourages sand accretion.

Issues

- Maintenance and monitoring of beach access and facilities.
- Weeds growing in dunal areas and main beach seawall.
- Sand has washed out from seawall which prevents native ground covers from recruiting along wall.
- Unauthorised access points to beaches.
- Dumping of garden waste into dunal areas.
- Council enforcement of local laws due to beaches not being gazetted and designated as Environmental Management and Conservation areas.

Recommendations

- Communicate with the property owners adjacent to the shoreline and implement a community education program to encourage community custodianship over coastal areas and discourage the removal and replacement of native vegetation.
 - Future development should not extend further seaward than the existing building alignment, or where no alignment exists, but rather it should be located as far landward as practicable to ensure that wherever possible, future property protection works (if necessary) are located within the boundaries of private property.
 - Regular monitoring of the Main Beach seawall for erosion undermining.
 - Conduct beach nourishment on Yeppoon Main Beach to improve beach amenity and avoid undermining of the rock wall. A potential source of sand is construction sites behind the sea wall.
 - Revegetation with plantings of endemic species on beaches and dunes.
 - Replenish sand on seawall to encourage native recruitment of ground covers.
 - Pest management program to continue and be worked in conjunction with a coastal ecological restoration plan.
 - Education and empowerment of residents about the importance of dune areas.
 - Create a strategy to address dune vegetation vandalism and implement educational signage. Increased monitoring will be required to assess if the educational program is effective or if other measures need to be considered.
 - Conduct and support community planting activities focusing on reinstating Pandanus trees and continue working with specialists to develop biocontrols for the Pandanus leafhopper (*Jamella australiae*).
 - Develop a management plan for sustainable access to Cooee Bay Main Beach that accommodates increased population and use of the beach as the area is activated with walking tracks and to accommodate stormwater issues.
 - Designate and assign a lot number to the beaches and adjacent areas (including road reserves where roads will not be constructed) and zone as Environmental Management and Conservation areas.
 - Testing and stockpiling (if appropriate) of sand removed from building sites for beach nourishment.
 - Education of residents on removal of vegetation and green waste dumping.
-

- Educational signage for day visitors/locals on the importance of beaches and dunes, as well as the local flora, fauna, and heritage areas for the area.
- Schedule for the monitoring and maintenance of Gross Pollutant traps.
- Rectify channelling from the stormwater outlet (including through use of gross pollutant traps) before undermining becomes worse.
- Public are made aware of inundation risks and emergency procedures.
- The local Indigenous community be consulted before any future recommended works occur.

12.2 DISPOSAL OF WASTE COMMUNITY SERVICE OBLIGATION (CSO)**File No:** qA24221**Attachments:** Nil**Responsible Officer:** Michael Kriedemann - General Manager Infrastructure**Author:** Chris Hocking - Manager Water and Waste Operations**SUMMARY**

This report provides information relating to an alternate Community Service Obligation support for waste disposal in order to assist the Emu Park Mens Shed and other incorporations currently unable to receive domestic waste vouchers.

This report also provides information relating to dual occupancy premises (business and residence combined) non issuing of waste vouchers.

OFFICER'S RECOMMENDATION

THAT Council resolves to:

1. Take such actions as required to enact a Community Service Obligation which provides a waste allowance of \$20,000 which will be shared by not-for-profit organisations within the Livingstone Shire Council area who have applied and gained an exemption from the State Government levy for exempt waste; and
2. This Community Service Obligation allowance, which will only be available at the Yeppoon waste facility, will provide no cost deposits of waste collected from activities directly associated with not-for-profit organisations.

BACKGROUND

There are 144 not-for-profit organisations within the Livingstone Shire Council area.

Council provides funding from general revenue to the business activity of Waste Operations to cover the costs of providing non-commercial community services or costs deemed to be community service obligations by Council (CSO).

The 2024-25 adopted budget provides \$654,117 of CSO's by Council to the Waste Operations Business Activity comprised of the following:

Activity		Value
1	Disposal of unwanted materials by approved charities at Council's waste facilities	\$ 10,000
2	Disposal of greenwaste by approved community groups at Council's waste facilities	\$ 10,000
3	Disposal of waste collected from public spaces by Capricorn Coast Landcare and equivalent groups at Council's waste facilities	\$ 10,000
4	Collection services, transport and disposal of waste collected from island residents and public bins on Great Keppel Island	\$ 75,000
5	Waste disposal vouchers provided to residential ratepayers for disposal of eligible waste material's at Council's waste facilities	\$ 549,117
Total		\$ 654,117

Activity 1 is the CSO for registered charities in the Livingstone Shire Council area these organisations include the Salvos and Vinnies. They are also exempt from the State waste levy charges where the waste received is part of charity donations that cannot practicably be re-used, recycled or sold. Both the Salvos and Vinnies have applied to the State Government for Waste levy exemption.

Activity 2 & 3 are Council enacted CSO's for greenwaste collected from approved community groups and waste collected by the Capricorn Coast Landcare group.

Activity 4 is a CSO for the collection services for Great Keppel Island which is currently being undertaken by CQ Waste Management, part of the REAL Group. The CSO value is reviewed as part of the budget process and adjusted up in line with contract yearly increases.

Activity 5 CSO is the cost for eligible ratepayers to receive 10 waste vouchers to dispose of domestic self hauled waste at a waste facility. Ten waste vouchers are made available each financial year and applied in accordance with the Waste Voucher Procedure.

Eligible Ratepayers are registered owners of:

- a) approved single unit dwellings / residences (excluding rural (primary production) and beef cattle or where the higher land use is of a commercial nature);
- b) approved multi-unit dwelling (flats), units or secondary dwellings;
- c) approved strata, group title and building units and dwellings; or
- d) all primary production (rating categories 6, 6A, 6B). All rating categories with land use identifiers other than those listed are excluded.

Whilst there is not an exact monetary value assigned to a waste voucher an internal value of \$12 per waste voucher is applied for its use as it is recorded through the gate house. The table below is the application of waste vouchers as applied at the gatehouse i.e. a 6x4 trailer of general waste if paid with cash would be \$32.50, if vouchers were used it would be 2 vouchers which equates to \$24 which leaves a shortfall of \$8.50.

General Waste - Domestic	Fee	Vouchers
Garbage bag / half full 240 Bin	\$ 9.50	1
Per car boot - sedan, SUV or station wagon / 240 Bin	\$ 17.00	1
2 x 240 Bins	\$ 32.50	2
Trailer (6x4), ute, van	\$ 32.50	2
Large trailer or 6x4 trailer/ute using hungry boards	\$ 49.00	3
Green Waste Domestic - standard utility/trailer combination	\$ 7.50	1

The table below is for the month of October 2024 where the applied value of the waste voucher of \$12 per voucher has been assigned against the type of waste being brought into the site and then captured in the iWeigh system. From the table it can be seen that the difference between the waste vouchers and actual costs to dispose of the waste is \$26,703 for one month or extrapolating this for 12 months the negative return increases to \$320,435..

Waste Facility	Voucher @ \$12.00 each	Number of Vouchers Used	Actual cost of Disposal	Negative Revenue
Cawarral WTS	\$2,064	172	\$4,736	-\$2,672
Emu Park WTS	\$10,308	859	\$15,381	-\$5,073
The Caves WTS	\$4,440	370	\$8,624	-\$4,184
Yeppoon Landfill	\$33,492	2,791	\$48,266	-\$14,774
Total (1 month)	\$50,304	4,192	\$77,007	-\$26,703
Total (12 months)	\$603,648	50,304	\$924,083	-\$320,435

To fully recover the actual cost of disposal from the waste vouchers the CSO would have to be increased from \$549,117 to approximately \$924,083 which would have the flow on effect of increasing general rates.

Waste that comes from a non-domestic source, which would be the case for not-for-profit organisations, would be charged at the commercial rates listed below. The commercial rate of \$371 per tonne comprises of the waste levy (\$94 per tonne) and the costs of operating the landfill which include the day to day contractual costs, operational costs, depreciation and future capital costs where the charges are based on the full cost price model that has been developed for the waste business.

General Waste - Commercial	Fee
Weight fee across the weighbridge (per tonne)	\$ 371.00
Minimum charge per delivery (all sites)	\$ 22.00

If a self haul resident utilises a waste voucher the only mechanism to know if the waste is domestic or commercial is the information that is provided from the resident at the entry gatehouse. There is the potential that commercial businesses are utilising residential waste vouchers to avoid paying the \$371 per tonne gate fee. Where a property is a business and a residential property, waste vouchers are not issued and there would be no way of establishing if the waste being brought in is commercial, thus attracting the waste levy or residential, which does not attract the waste levy.

The waste levy which aims to reduce the amount of waste going to landfill commenced in Queensland on 1 July 2019. The levy is payable on all waste disposed to landfill at a value of \$94 per tonne (current for FY 24-2025). The State Government provides Local Government annual pre-payments to ensure that there is no direct cost to households.

Other exemptions are available on approval by the department under section 28 of the Act—these include:

- waste received as part of charity donations that cannot practicably be re-used, recycled or sold
- litter and illegally dumped waste which is collected as part of a community activity (such as 'Clean Up Australia Day')
- waste necessary for the operation of the levyable waste disposal site, such as for building infrastructure, temporary or daily cover, progressive or final capping, batter construction, profiling and site rehabilitation
- some types of earth contaminated with a hazardous contaminant from land listed on the environmental management register or contaminated land register
- biosecurity waste
- serious local event waste.

COMMENTARY

Waste disposal comes at a cost to the community not only in terms of providing the facilities but also in the form of the waste levy. Additional waste disposal or free waste disposal will ultimately be paid for by the ratepayers of the Shire.

A review of the CSO's and actual costs will be undertaken each year as part of the budgeting process and increases or decreases of the CSO's applied at this time for approval by Council.

PREVIOUS DECISIONS

At the Ordinary Council meeting on 21 June 2022, following the tabling of a Notice of Motion from Councillor Hutton, Council resolved as follows:

'THAT Council take such as actions as required to enact a Community Service Obligation which provides for the waiving of gate fees for green waste by Land Care and equivalent groups. With a review to occur in line with budget considerations in 22/23.'

At the Ordinary Council meeting held on 17 September 2024, Mayor Belot tabled the following Notice of Motion: "THAT in order to support Councils volunteer groups with their

community service functions, Council allocate 10 waste vouchers to each of the 'Mens shed organisations within LSC."

Council resolved as follows:

That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending a workshop to discuss more in depth community service obligation expansion of incorporations and return to a future Council Meeting.

At the Ordinary Council meeting held on 17 September 2024, Councillor Mather tabled the following Notice of Motion: "That the eligibility for tip vouchers be referred to a suitable meeting for discussion, with an officer's report providing sufficient information to address matters raised in the background information to this Notice."

Council resolved as follows:

THAT pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending a workshop (refer to item 9.1) and to return to a future Council Meeting.

ACCESS AND INCLUSION

Not applicable.

ENGAGEMENT AND CONSULTATION

No external engagement has been undertaken.

HUMAN RIGHTS IMPLICATIONS

Not applicable.

BUDGET IMPLICATIONS

An increase of \$20,000 would be incurred by Council as a CSO to the Waste business.

LEGISLATIVE CONTEXT

The waste levy commenced on 1 July 2019 and is given legislative effect through the [Waste Reduction and Recycling Act 2011](#) and [Waste Reduction and Recycling Regulation 2023](#).

LEGAL IMPLICATIONS

Under the Act the correct fees and charges need to be applied to the waste stream entering the waste facility.

STAFFING IMPLICATIONS

An additional register of not-for-profit organisations will need to be kept and updated onsite to capture the waste coming into the waste facility. Managing the potential 144 additional users, depending on the usage rate, could add an additional 2 hours per week of administration. The time is required to ensure correct waste tracking and compliance with the waste levy.

RISK ASSESSMENT

No formal risk assessment has been undertaken at this stage.

CORPORATE PLAN REFERENCE

Natural Livingstone

Community Plan Goal 3.1 - Enhanced reuse and recycling of resources

3.1.1 Enable and support sustainable waste management technologies, services and facilities which provide innovative and compliant solutions to reduce the environmental impacts of Council's waste collection and resource recovery operations.

CONCLUSION

With 144 not-for-profit organisations operating within the Council area, applying a CSO to cover potential volumes of waste will provide a solution to the requests from these groups for the provision of waste disposal. This approach is consistent with previous decisions by Council where a CSO has been implemented.

The officers recommendation to not provide waste vouchers to dual occupancy (business and residential) is based on not being able to clearly identify waste which requires the waste levy to be paid (business) from waste that does not attract the waste levy (residential).

12.3 EXTERNAL AUDIT FINANCIAL MANAGEMENT REPORT 2023-24

File No: fA36979
Attachments: 1. 2024 Final Management Letter [↓](#)
Responsible Officer: Andrea Ellis - Chief Financial Officer
Author: Damien Cross - Coordinator Accounting Services

SUMMARY

Presentation of the Final Management Report (Observation Report) from the Queensland Audit Office following the completion of the 2023-24 financial audit for Livingstone Shire Council.

OFFICER'S RECOMMENDATION

THAT Council notes the observations contained within the Final Management Report (Observation Report) from the Queensland Audit Office for the 2023-24 financial year.

BACKGROUND

Each financial year Council's financial statements must be audited and for the 2023-24 financial year Council's external audit was undertaken by the Queensland Audit Office. Section 54 of the *Auditor-General Act 2009* enables the Queensland Audit Office to prepare a final management report containing observations and suggestions about any matters arising from of the audit. Where those observations or suggestions require further attention, the Queensland Audit Office is required to provide a copy of the report to the Mayor.

Under the provisions of Section 213 of the *Local Government Regulation 2012* (the Regulation) this report is known as the Auditor-General's Observation Report, and it must be presented to the next ordinary meeting of Council. It is important to note that the Observation Report is additional to the Independent Auditor's Report that is provided with Council's certified set of general-purpose financial statements (with the latter being included in Council's Annual Report and referenced in Section 182 of the Regulation in relation to the timing of the adoption of Council's Annual Report).

COMMENTARY

The 2023-24 financial statements were presented to Council as part of the 2023-24 Annual Report adopted by Council on 18 September 2024. This report is tabled separately as it contains observations and suggestions that require further attention following the finalisation of the 2023-24 financial statement process.

The attached report contains details of the component (and rating), issue, Queensland Audit Office recommendation, management response and status of the issue identified. These issues were communicated to Council's Audit, Risk and Improvement Committee on 4 October 2024 via flying minute.

PREVIOUS DECISIONS

The Audit, Risk and Improvement Committee endorsed the Mayor and Chief Executive Officer to sign the management representation letter and audited financial statements for 2023-24.

ACCESS AND INCLUSION

Council's financial management and reporting will consider access and inclusion requirements where relevant to the deliverables.

ENGAGEMENT AND CONSULTATION

In preparing the 2023-24 general purpose financial statements, Council's accounting team collaborated with key stakeholders internally and externally. Council's Chief Financial Officer provided input into the 2023-24 general purpose financial statement preparation

process, whilst the Acting Coordinator Accounting Services and substantive Coordinator Accounting Services, and our external consultant, liaised with the Queensland Audit Office and other professional accountants in the Queensland local government sector on various technical matters.

HUMAN RIGHTS IMPLICATIONS

Council's financial management and reporting will be undertaken in accordance with the commitments and principles of Council's human rights' obligations.

BUDGET IMPLICATIONS

The final total external audit fees were \$206,990 (Net of GST). This final fee includes audits of the Local Roads and Community Infrastructure Program and Roads to Recovery commonwealth certificates.

LEGISLATIVE CONTEXT

Section 213 of the *Local Government Regulation 2012* requires the Auditor-General's observation report to be tabled at the next Council meeting.

LEGAL IMPLICATIONS

There are no foreseen legal implications from this report.

STAFFING IMPLICATIONS

There are no foreseen staffing issues from this report.

RISK ASSESSMENT

The external audit of the annual general purpose financial statements focuses on key financial risks for the organisation and key internal controls around the financial operations and management of Council's operations. This report completes a legislative requirement for the final management report to be provided to Council.

CORPORATE PLAN REFERENCE

Leading Livingstone

Community Plan Goal 4.1 - Innovative and accountable leadership to achieve a shared future

4.1.2 Council produces and delivers against sustainable financial forecasts as a result of best practice Capital and Asset Management Plans which guide project planning and service delivery across the Shire.

The attached report from the Queensland Audit Office ensures full, accurate and timely disclosure of the results of the 2023-24 financial year external audit of Council.

CONCLUSION

Council has received an unmodified audit opinion for the 2023-24 general purpose financial statements. The Queensland Audit Office has issued the attached final management report on the results and findings of the 2023-24 external audit process.

12.3 - EXTERNAL AUDIT FINANCIAL MANAGEMENT REPORT 2023-24

2024 Final Management Letter

Meeting Date: 19 November 2024

Attachment No: 1



Livingstone Shire Council

14 October 2024



Councillor A Belot
Mayor
Livingstone Shire Council

Dear Councillor Belot

Final management report for Livingstone Shire Council

We have completed our 2024 financial audit for Livingstone Shire Council. QAO has issued an unmodified audit opinion on your financial statements.

The purpose of this report is to update you on any matters that have arisen since we presented our closing report to the audit committee on 2 October 2024.

Reporting on issues identified after the closing report

I can confirm that we have not identified significant issues since the presentation of our closing report to the audit committee. The issues and other matters we have formally reported to management and an update on management's actions taken to resolve these issues is included as [Appendix A](#).

Please note that under section 213 of the Local Government Regulation 2012, you must present a copy of this report at your council's next ordinary meeting.

Report to parliament

Each year, we report the results of all financial audits and significant issues to parliament.

We intend to include the results of our audit of Livingstone Shire Council in our report to parliament Local Government 2024. We will comment on the results of our audit, any significant internal control issues, and the overall results for the sector including major transactions and events. We will discuss the proposed report content with your entity contact and continue to consult as we draft it. Formally, entities have an opportunity to comment on our report, and for these comments to be included in the final version tabled in parliament.

Audit fee

The final fee (exclusive of GST) for this year's financial audit is \$197,990. This fee is lower than the \$200,000 estimated in our external audit plan. This is due to actual travel costs incurred being lower than our original estimate.

Our audit fee (exclusive of GST) for work relating to Phases 1, 3 & 4 of the Local Roads and Community Infrastructure Program for the year ended 30 June 2024 is \$9,000 (2023: \$9,250).

We would like to thank you and your staff for your engagement in the audit this year and look forward to working with your team again next year.

If you have any questions about this report or would like to discuss any matters regarding our services and engagement, please do not hesitate to contact me on 07 3149 6066.

Yours sincerely

Jacques Coetzee

Jacques Coetzee
Director

Queensland Audit Office
Level 13, 53 Albert Street, Brisbane Qld 4000
PO Box 15396, City East Qld 4002

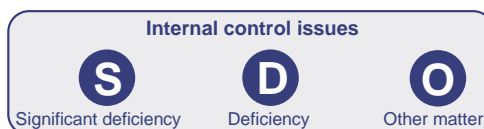
Phone 07 3149 6000
Email gao@gao.qld.gov.au
Web www.gao.qld.gov.au

Appendix A1 – Status of issues

Internal control issues

This section provides an update on the control deficiencies and other matters we have identified since our closing report. It includes a response from management.

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.



D Deficiency

CR-1 Lack of periodic reconciliation of the Geographic Information System (GIS) and the fixed asset register (FAR)

Observation

A detailed reconciliation of the GIS and the fixed asset register is performed in the years of a comprehensive revaluation of a particular asset class. Each asset class is subject to a comprehensive revaluation at least once every 5 years. This indicates that there are multiple reporting periods in which reconciliations are not being performed. When these reconciliations are performed, variances between the 2 registers are often identified.

Implication

The absence of a regular reconciliation process between the GIS and the fixed asset register can lead to discrepancies in asset tracking and valuation. Such inconsistencies may result in inaccurate financial reporting, hinder effective asset management, and increase the risk of material misstatement in the financial statements. Additionally, it may compromise the accuracy of ratio calculations and reduce Council's ability to make informed strategic decisions regarding its assets.

QAO recommendation

To mitigate these risks, we recommend that the GIS be reconciled with the fixed asset register on an annual basis.

This reconciliation process should involve:

- 1. Establishing a standard procedure:** Create a procedure for comparing entries in both registers, identifying any discrepancies in the existence of assets listed.
- 2. Assigning responsibility:** Designate an individual responsible for performing the reconciliation and ensuring it is completed annually.
- 3. Documenting findings:** Maintain a log of any discrepancies found during the reconciliation process, along with actions taken to resolve them.
- 4. Management review:** Implement a management review of the reconciliation findings to ensure accountability and facilitate timely corrections.
- 5. Training and awareness:** Provide training for relevant staff to ensure they understand the importance of maintaining accurate asset records and the procedures for reconciliation.

2024 Final management report

Management response

Council acknowledges audits observation and accepts its recommendation. Council will explore through a collaborative approach between its GIS, ICT and Asset Management Teams a fit for purpose solution that will enable an automated or semi-automated reconciliation between its GIS and Assets databases. Options that Council will explore could include:

- a semi-automated excel workbook with macro's that relies on point in time extracts from the GIS and Conquest databases
- an automated python scripted workflow within the GIS environment which uses a Conquest database extract to match and validate data in the GIS environment in real time with a report to show any variances
- a third-party database tool specifically designed for this type of activity
- an additional resource within the Asset Management Team whose responsibility would be to manual check the 2 databases through manual extraction and data verification.

Council will work to have one of the options above in place prior to end of financial year 2024–25 and include this requirement in any future functionality discussions when it replaces its Asset Management Software system.

Responsible officer: Coordinator Strategic Asset Management

Status: Work in progress

Action date: 30 June 2025

Financial reporting issues

This section provides an update on the financial reporting issues we have identified since our closing report. It includes a response from management.

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.

**M Medium****CR-2 Indexation is applied to assets in the same year in which they are comprehensively revalued****Observation**

We have identified that the comprehensive revaluation of assets is applied on 1 July of the financial year in which the revaluation occurs, rather than at the end of the financial year at 30 June, which is the standard practice across the sector. We also identified that subsequently, indexation valuation adjustments are applied to these same assets at the end of the financial year at 30 June.

Implication

This approach results in inflated asset values at the start of the financial year due to the immediate application of the comprehensive revaluation. Consequently, depreciation for the year is calculated based on these inflated values, leading to a higher depreciation expense. Additionally, when indexation is applied at the end of the financial year, it further inflates asset values by recognising market movements that have already been accounted for in the earlier comprehensive revaluation. This subsequently results in a higher depreciation expense in the following financial year.

2024 Final management report

For example, a comprehensive revaluation was performed on the buildings, water, and sewer asset classes in FY23. The revalued amounts were applied as at 1 July 2022. Council calculated that the recorded depreciation expense in FY23 was approximately \$5.1 million higher for these asset classes than it would have been, had the revalued amounts been applied at 30 June 2023. We note that the cumulative impact of applying this method could become material.

At 30 June 2023, indexation of 8.8% was applied to water and sewer assets, and 5.8% to buildings. This indexation resulted in an increase in asset values of approximately \$37 million, leading to an additional depreciation expense of approximately \$1.25 million in FY24.

QAO recommendation

We recommend that Council investigate the feasibility of applying comprehensive revaluations at 30 June of the financial year in which the revaluation occurs. If system limitations prevent this approach, we recommend that Council only apply indexation to asset classes in the years between comprehensive revaluations. This strategy will help maintain accurate asset values and ensure depreciation calculations are more aligned with the true economic value of the assets.

Management response

Council acknowledges audits observation and proposes the following. Due to system restrictions and the manual processes required to process a revaluation Council cannot commit to Audits recommendation to undertake comprehensive revaluations as at the 30th June due to the potential of it effecting the delivery of its Financial Statements on time. Council does however acknowledge audits calculations on the effect its current 1 July revaluations and follow up indexations may be having on its asset valuations and depreciation.

As such Council proposes that instead all comprehensive revaluations be undertaken as at 28 February every year with an assessment and potential indexation revaluation undertaken as at 30 June. The below diagram seeks to explain the timeline and steps involved.

Activity	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25
WIP Capitalisations (23-24) completed after assets cutoff. Between 30 May 2024 to 30 June 2024	*Processed on 01/07/24												
Provide Schedule to Valuer (Schedule will be asset register as at 2 July 2024)													
Condition Sampling, Unit Rate Development and Useful Life Review													
Draft Schedule and Report													
Final Schedule and Report. Processing in Conquest and F1													
Depreciation Processing (pre revaluation)													
Depreciation Processing (post revaluation)													

2024 Final management report

New Processing Transactions – Capitalised and Contributed Asset Transactions (24–25 FY)												*Asset Close 30/05/2025		
Renewal and Disposal Processing Transactions – Capitalised and Contributed Asset Transactions (24–25 FY)												*Asset Close 30/05/2025		
Assessment for Indexation														
Processing Indexations														

Some key points that are worth noting include:

- As mentioned above WIP projects completed between 30 May 2024 and 30 June 2024 will be capitalised as at 1 July 2024.
- The Valuer will be provided the schedule in November as at 2 July 2024 (system limitation so as to include all assets brought on as at the 1st).
- The Valuation will be processed as at 28 February 2025.
- Council will run Depreciation from 30 June 2024 through to 28 February 2025 prior to bringing on the revaluation.
- All **New** asset transactions will continue to be processed up until 28 April using the 23/24 unit rates and be excluded from the revaluation. Any **New** asset transactions post 28 February 2025 will be processed using the revaluation unit rates.
- All **Renewal** or **Disposal** transactions will not be processed until after the revaluation – again due to system limitations. They will have a transaction date at or around 1 March 2025 and be based on the post revaluation unit rates.
- An Indexation assessment and indexation revaluation for the remaining asset classes that didn't have a comprehensive revaluation in 2024–25 will occur as at 30 June 2025 if required.

It is important for audit to note that Council acknowledges that as all renewal and disposal transactions for the asset classes undergoing a comprehensive revaluation (Bridges, Water and Sewer) will not be able to occur post 2 July 2024 there is a potential that Council may be overstating its depreciation for those assets during that period. However historically Council has found that most of the projects for these asset classes don't reach completion until the second half of the financial year, and so the risk of misstatement is low.

Responsible officer: Coordinator Strategic Asset Management

Status: Work in progress

Action date: 30 June 2025

**CR-3 Incorrect asset capitalisation inputs due to data entry errors****Observation**

During our review of asset additions, we identified the following data entry errors:

Capitalised Assets:

Two road and drainage assets had useful lives that deviated from the asset's default useful life by 33 years. After reviewing all capitalised road and drainage assets, 3 additional assets showed the same error. The error arose as a result of copying and pasting details across from similar assets.

Contributed Assets:

Five assets had commission dates in the asset register that were inconsistent with on-maintenance dates reflected in the 'On-Defects Notice' issued by Council. This was due to simple data entry errors.

Implication

Incorrect commission dates affect when assets are recognised, and incorrect useful lives can influence depreciation calculations. This can lead to misstated asset values and depreciation expenses.

QAO recommendation

We recommend that Council:

- review and correct the useful lives of the affected assets
- enhance staff training on accurately recording asset details based on supporting documents.

Management response

Council acknowledges audits observation and recommendation.

Council will (following the rollover of the Asset Management System into the 2024–25 financial year), mended the above mentioned 5 assets to correct their asset type and as such useful life.

Council will also amend the Asset Capitalisation procedure to include a step in the process to review the asset description verses asset type to ensure they are consistent. This will ensure that the correct useful life is used. Council will also amend the asset capitalisation procedure to ensure that a further review step is taken to review and ensure that the correct on-defect date is used for processing.

Asset Management staff and the Asset Accountant will be provided training in the above changes.

Responsible officer: Coordinator Strategic Asset Management

Status: Work in progress

Action date: 30 December 2024

2024 Final management report

Appendix A2 – Matters previously reported

The following table summarises all control deficiencies, financial reporting issues and other matters that have previously been raised some of which may have been reported as resolved in the closing report. The listing includes issues from our reports this year and those issues raised in prior years.

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.



Internal control issues

Ref.	Rating	Issue	Status and comment
24IR-1	D	Payroll electronic fund transfer (EFT) files are able to be edited prior to payment	Resolved pending audit clearance Responsible officer: Coordinator Human Resources and Payroll Action date: 28 April 2024
24IR-2	D	No control in place to confirm the accuracy of fees and charges uploads	Resolved Responsible officer: Revenue Coordinator Action date: 30 September 2024
24IR-3	D	IT Privileged user access activity is not monitored	Resolved pending audit clearance Responsible officer: Coordinator Information and Technology Action date: 31 May 2024
24IR-6	D	Weakness in payroll controls review documentation and timeliness	Resolved pending audit clearance Responsible officer: Coordinator HR and Payroll (Coordinator Accounting for Review of monthly reconciliation of Aurion to FinanceOne) Action date: 29 July 2024
24IR-4	O	Review of payroll masterfile changes is not wholly independent	Resolved pending audit clearance Responsible officer: Coordinator Human Resources and Payroll Action date: 1 May 2024
24IR-8	O	Lack of review of IT Change Management Plan	Work in progress Responsible officer: Chief Information Officer Action date: 31 March 2025

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Appendix A3 – Climate-related financial disclosures

Next year audit planning considerations	Potential effect on your reporting obligations	Potential effect on your audit
<p>In June 2023, the International Sustainability Standards Board (ISSB) issued its first 2 standards – IFRS S1 <i>General Requirements for Disclosure of Sustainability-related Financial Information</i> and IFRS S2 <i>Climate-related Disclosures</i>.</p> <p>In October 2023, the AASB released Exposure Draft SR1 <i>Australian Sustainability Reporting Standards (ASRS) 1 General requirements for disclosure of Climate-related Financial Information</i> for public feedback.</p> <p>The AASB's approach is to take a 'climate first' approach, and is proposing that references to sustainability in the ISSB standards be replaced with 'climate related' in the Australian equivalents.</p> <p>In-scope entities will need to prepare a new, standalone sustainability report and have it audited.</p>	<p>Treasury issued proposed legislation as to how it intends to mandate application of climate-related financial disclosures (and applicable assurance requirements) to entities reporting under the <i>Corporations Act 2001</i>. Queensland Treasury will determine the application to Queensland public sector entities that aren't reporting under the Corporations Act, such as departments and statutory bodies.</p> <p>Livingstone Shire Council is not included in the scope of the draft Commonwealth legislation. Therefore, you are not a mandatory reporting entity and will need to follow the guidance from Queensland Treasury.</p>	<p>We will work with management to assess Queensland Treasury requirements and guidance, as applicable.</p>



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12.4 OPERATIONAL PLAN 2024-2025 Q1 PROGRESS REPORT

File No: CM4.6.2

Attachments: 1. [Quarter 1 2024-2025 Operational Plan](#)↓

Responsible Officer: Poala Santini - Coordinator Governance
Andrea Ellis - Chief Financial Officer

Author: Ursula Sleeman - Governance Officer

SUMMARY

The 2024-2025 Operational Plan progress report for Quarter 1 as of 30 September 2024 is presented, pursuant to Section 174(3) of the Local Government Regulation 2012.

OFFICER'S RECOMMENDATION

THAT Council receives the 2024-2025 Operational Plan Performance Report as of 30 September 2024.

BACKGROUND

The *Local Government Act 2009* requires Council to adopt an Operational Plan each year. The Operational Plan 2024-2025 forms an important part of Council's strategic planning process and sets out the key projects and priorities that Council plans to deliver towards achievement of the Corporate Plan 2030.

The *Local Government Act 2009* also requires the Chief Executive Officer to present a written assessment of Council's progress towards implementing the annual Operational Plan at meetings of Council, at least quarterly.

The 2024-2025 Operational Plan provides the detail of the key programs and identified outcomes to be achieved against the Corporate Plan for the 2024-2025 financial year.

COMMENTARY

The Operational Plan Performance Report September 2024 reports on the progress of the significant activities that Council plans to undertake during the year. Each action item has a key performance indicator and progress is measured against budget, timing, scope and risk. Table 1 provides a summary of performance to 30 September 2024 against the progress indicators.

The attached Operational Plan Quarter Performance Report September 2024 provides a status update and comments for each action item summarising the progress for each of the activities in Quarter 1 2024-2025.

Status of Planned Activities

Status	Liveable Livingstone	Thriving Livingstone	Natural Livingstone	Leading Livingstone	Future Livingstone	Total
On Time	10	7	10	21	3	51
Item Completed			1	1	3	5
Rescheduling Expected	1	1		4		6
To be deferred			1			1
Total	11	8	12	26	6	63

Of the 63 activities, 56 (89%) are either complete or on track and 7 (11%) require monitoring. Five (5) items have been completed in Quarter 1:

- 3.2.5.a Review the Low Carbon Livingstone 2030: A Strategy to reduce the Carbon Footprint in Livingstone Shire Council
- 4.1.6.a Mitigation and risk reduction activities (are informed by risk assessments, are prioritised based on risk assessments and available resources and are included in strategic and operational plans)
- 5.2.4.a Project Merlin – Phases one and two of Council’s ERP Business systems transformation project completed
- 5.3.1.a Disaster management plans are fit for purpose and meet community’s needs
- 5.3.1.b Number of community engagement activities conducted/events attended to promote the Get Ready Queensland message

One (1) item has already been identified as needing to be deferred:

- 3.3.3.a Implement the Bushfire Management Operational Plan

PREVIOUS DECISIONS

The 2024-2025 Operational Plan was adopted by Council on 23 July 2024.

ACCESS AND INCLUSION

The activities in this report are undertaken in accordance with the commitments and principles within Council’s Inclusive Community Policy.

ENGAGEMENT AND CONSULTATION

Consultation has taken place with internal stakeholders.

HUMAN RIGHTS IMPLICATIONS

Section 4(b) of the *Human Rights Act 2019* requires public entities such as Council “*to act and make decisions in a way compatible with human rights.*” There are no foreseen human rights implications associated with the 2024-2025 Operational Plan Performance Report for Quarter 1.

BUDGET IMPLICATIONS

The activities in the Operational Plan 2024-2025 are funded from the 2024-2025 Annual Budget.

LEGISLATIVE CONTEXT

Section 104(5) of the *Local Government Act 2009* and section 174 of the *Local Government Regulation 2012* require a Local Government to prepare an Operational Plan that is consistent with the annual budget and progresses the implementation of the Corporate Plan.

Section 174 of the *Local Government Regulation 2012* states:

(3) The chief executive officer must present a written assessment of the local government’s progress towards implementing the annual operational plan at meetings of the local government held at regular intervals of not more than 3 months.

LEGAL IMPLICATIONS

There are no legal implications associated with this matter.

STAFFING IMPLICATIONS

Activities listed in the Operational Plan 2024-2025 are managed by the responsible Council areas. The status and comments for each activity in the attached report are provided by the relevant area. Although the delivery of the plan itself is dependent on staff resources and some significant activities relate to people issues, there are no direct impacts on staff resulting from this report.

RISK ASSESSMENT

The risk of not delivering against Council's Operational Plan is that Council does not achieve the commitments set out in the longer-term Corporate Plan. Each significant activity has associated risks which are managed by the relevant area and reported on through the performance reports.

Legislation requires Council to discharge its responsibilities in a way that is consistent with the annual operational plan and the operational plan sets out a specific level of detail what Council is planning to deliver and prioritise in the current financial year. The budget has been developed around the operational plan to match the required expenditure with available revenue sources.

CORPORATE PLAN REFERENCE***Leading Livingstone***

Community Plan Goal 4.1 - Innovative and accountable leadership to achieve a shared future

4.1.2 Council produces and delivers against sustainable financial forecasts as a result of best practice Capital and Asset Management Plans which guide project planning and service delivery across the Shire.

The Operational Plan 2024-2025 is a key strategic document that outlines the key objectives for Council's annual program and aligns with the budget.

CONCLUSION

Quarterly reporting against the 2024-2025 Operational Plan is a statutory requirement and informs Council and the community on the performance of Council against yearly programs and activities in line with Council's Corporate Plan 2030.

12.4 - OPERATIONAL PLAN 2024-2025 Q1 PROGRESS REPORT

Quarter 1 2024-2025 Operational Plan

Meeting Date: 19 November 2024

Attachment No: 1

Quarter 1 2024-2025 Operational Plan

Livingstone Shire Council Working together for a thriving Livingstone											
LIVEABLE LIVINGSTONE											
A "Liveable Livingstone" will support and advocate for services for the wellbeing of the people of Livingstone at any age and with any ability.											
Community Plan Goal 1.1 Access to quality housing & healthcare											
Council's role - Advocate & Facilitator											
1.1.1 Foster development to promote a range of housing options by reviewing existing planning and development policies to ensure that Council's development controls facilitate housing choice											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
1.1.1.a	Development of the Emu Park West Residential Subdivision - Stage Two	10 lots developed Stage 2	Land sales	Manager Economy & Places	Q4 (June 2025)	10	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Due to this property being sold, Council will no longer be developing the Emu Park West Residential Subdivision - Stage Two. The buyer must complete the development of 10 lots with the approvals within 2 years of settlement.
1.1.1.b	Complete structure plan for South of Chandler Road and Kinka Beach	Structure plan completed	Council business papers	Principal Strategic Planner	Q4 (June 2025)	0%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Project yet to commence due to current priorities and resources available.
1.1.1.c	Undertake a review of the current Planning Scheme and implement necessary changes to ensure long term prosperity within the region	Review of Planning Scheme completed	Council business papers	Manager Development & Environment	Q4 (June 2025)	10%	On time	Budget underspent	Benefits to be achieved	Identified risk/s within appetite	Various studies either underway or about to commence.
1.1.1.d	Progress actions identified in the Local Housing Action Plan	100% of actions identified for 2024-25 completed	Council business papers	Manager Development & Environment and Manager Economy & Places	Q4 (June 2025)	0	Rescheduling expected	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	LHAP presented for adoption in July 2024, Council resolved to lay on the table pending a workshop with Councillors.
1.1.2 Align community programs to social needs, funding opportunities and/or partnerships											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
Community Plan Goal 1.2 Supporting healthy living at any age											
Council's role - Provider & Facilitator											
1.2.1 Build capacity to improve health and wellbeing in the community by providing fair and reasonable access to services and facilities											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
1.2.2 Plan for Livingstone's ageing demographics and partner with regional health and aged care sectors											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
1.2.2.a	Progress actions identified in the Livingstone Senior Needs Analysis 2022	100% of actions identified for 2024-25 completed	Council business papers	Principal Community Development & Engagement Officer	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	As per Action Item 2.3 of the Livingstone Senior Needs Analysis 2022, multiple events were held for Seniors Week in August.
1.2.3 Plan, design and deliver community infrastructure which connects communities and encourages non-vehicular transport											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
1.2.4 Take action to enable the implementation of the Active Livingstone Strategy											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
1.2.4.a	Progress actions identified in the Active Livingstone Strategy	100% of actions identified for 2024-25 completed	Council business papers	Principal Community Development & Engagement Officer	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Sporting activities held during school holidays (including Cricket Colour Blast and mini Olympics). Barmyree Multisport Precinct Concept Plan review completed and adopted in September. Inaugural Health and Wellness Expo held in September with 400+ attendees. Engagement underway for Healthy Livingstone Strategy.

Quarter 1 2024-2025 Operational Plan

Community Plan Goal 1.3 - Places for active & passive recreation Council's role - Provider & Facilitator											
1.3.1 Undertake planning in conjunction with the review of Council's Local Government Infrastructure Plan to provide adequate open space and recreation areas to meet the future growth needs of the Shire											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
1.3.1.a	Progress actions identified in the Sporting Needs Strategy	100% of actions identified for 2024-25 completed	Council business papers	Principal Community Development & Engagement Officer	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Sporting activities held during school holidays (including Cricket Colour Blast and mini Olympics). Barmaryee Multisport Precinct Concept Plan review completed and adopted in September. Funding secured for active programming for Active Seniors Week (scheduled in October) and Active Women and Girls Program (early 2025). Inaugural Health and Wellness Expo held in September with 400+ attendees. Engagement underway for Healthy Livingstone Strategy.
1.3.2 Optimise community benefit from the use of parklands and facilities by improving the quality, access to, and shared use of, public spaces and facilities for cultural, recreational, and community activities											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
1.3.2.a	Support Keppel Coast Arts to increase patronage of Fig Tree Gallery and Workshop space	15% increase	KCAC Quarterley Report	Manager Community & Cultural Services	Q4 (June 2025)	1,766 visitors	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Averaging 672 visitors per month. Annual visitation increase to be provided in Q4.
1.3.2.b	Undertake an assessment of sporting facility support and budget implications	Increased budget efficiencies	Council business paper	Manager Parks and Facilities	Q2 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Stage 1 in progress - developing the assessment criteria.
1.3.3 Support community groups (including the arts, cultural, sport, and recreation groups) through advocacy and by helping them identify and secure funding streams and develop skills (including networking, governance, engaging volunteers, and business management)											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
1.3.3.a	Diversity in recipients of Council's grant and sponsorship programs	Increase in the number of first time recipients	Council business papers	Principal Community Development & Engagement Officer	Q4 (June 2025)	11	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	5 applicants for Round 1 of Community Grants 24/25 grants; 4 applicants for Round 1 of Event Sponsorship 24/25; 2 applicants for Round 1 of RADF 24/25 are new applicants (all currently under assessment).
1.3.3.b	Maintain external volunteer programmes and partnership projects	4 projects per year	Volunteer registrations ECM	Coordinator Natural Resource Management	Q4 (June 2025)	3	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Friends of the Beach volunteer program, Capricornia Catchments Skilling Queenslanders for Work trainee team, Partnership Fox Detection Project.

Quarter 1 2024-2025 Operational Plan

THRIVING LIVINGSTONE The "Thriving Livingstone" will prioritise the Traditional Owners and the importance of the place and country of Indigenous people; offer a diverse range of cultural activities and events; and develop and sustain a diverse economy.											
Community Plan Goal 2.1 - Recognition, respect and support for Indigenous people, history and culture Council's role - Facilitator, Regulator/Provider											
2.1.1 Implement Livingstone's Reconciliation Action Plan to increase Council's organisational and staff capacity to deliver position outcomes for Indigenous people, including the Darumbal and Woppaburra people											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
2.1.1.a	Reconciliation Action Plan adopted by Council	Plan adopted by Council	Council business papers	Principal Community Development & Engagement Officer	Q4 (June 2025)	N/A	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Draft Reconciliation Action Plan currently under review by Traditional Custodian Groups.
2.1.2 Foster partnerships to celebrate Council's and the community's respect and understanding of the Darumbal and Woppaburra People's relationship with their traditional land and waters through culturally appropriate facilities and services											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	-
Community Plan Goal 2.2 - Diverse business, industry & employment Council's role - Provider, Facilitator											
2.2.1 Growth in key sectors identified in the Invest Capricorn Coast Region Economic Development Plan is supported through the development and implementation of action plans by Capricorn Enterprise and other advisory groups											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
2.2.1.a	Growth in Gross Regional Product (%)	Above the Queensland Average	Economy ID	Manager Economy & Places	Q4 (June 2025)	N/A	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	GRP% increase published annually.
2.2.2 Foster development of high performing local business capability and diversity											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
2.2.2.a	Progress actions identified in the Livingstone Blueprint for Growth	100% of actions identified for 2024-25 completed	Council business papers	Manager Economy & Places	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Action list delivery planning has commenced.
2.2.3 Implement a Council-endorsed priority land development plan to deliver a return on the community's investment in land development to enhance economic and community outcomes											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
2.2.3.a	Council property portfolio development delivers a positive return on investment on capital development	>10% cash return	Council ledger	Manager Economy & Places	Q4 (June 2025)	N/A	Rescheduling expected	Within operational allocation	Benefits to be achieved	Identified risk/s being managed	Change request for Stage 4 Gateway from 6 to 11 lots in September 2024.
2.2.4 Support the growth of education and employment opportunities for the community											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	-
Community Plan Goal 2.3 - A welcoming & desirable place to visit Council's role - Provider, Facilitator											
2.3.1 Provide support to market Livingstone as a destination for commerce, tourism, and lifestyle											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
2.3.1.a	Activities and performance measures as described in the Capricorn Enterprise Partnership Agreement 2022-2026 are delivered	100% of performance measures reached	Council business papers	Manager Economy & Places	Q4 (June 2025)	N/A	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Report on KPI's to Council in December 2024.
2.3.2 Council provides and maintains infrastructure which encourages business and tourism growth											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
2.3.2.a	Progress actions identified in the Livingstone Open Spaces Framework	100% of actions identified for 2024-25 completed	Council business papers	Manager Economy & Places / Manager Parks and Facilities	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Tracking along well with 25% of the actions identified in the framework completed.

Quarter 1 2024-2025 Operational Plan

Community Plan Goal 2.4 - Arts & cultural activities and facilities that strengthen social connections											
Council's role - Provider, Facilitator											
2.4.1 Deliver events, activities, and performances which bring economic and social benefits to the community											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
2.4.1.a	Increased patronage at Council delivered events, activities and performances	10% increase	Council business papers	Coordinator Communications & Engagement	Q4 (June 2025)	N/A	On time	Budget on track	Benefits to be achieved	Identified risk/s within appetite	Attendance for Quarter 1 was 1,560. Q4 report will provide annual increase.
2.4.2 Implement the action plan from the Invest Capricorn Coast Region Events Strategy 2025											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
2.4.2.a	Review the Capricorn Coast Region Events Strategy 2025	New strategy completed	Council business papers	Coordinator Communications & Engagement	Q4 (June 2025)	N/A	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Scope of review being developed. Workshop with Councillors held 23rd September to determine event priorities for next ten years.
2.4.3 Foster access, collaboration, community connectedness, wellbeing and creativity by supporting arts and cultural activities within the Shire											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	

Quarter 1 2024-2025 Operational Plan

NATURAL											
A 'Natural Livingstone' will protect, sustainably manage and enhance the natural beauty, landscapes and resources of the country of the Darumbal and Woppaburra people in order to safeguard the sustainability and environmental resilience of the region into the future											
Community Plan Goal 3.1 - Enhanced reuse and recycling of resources											
Council's role - Advocate/Provider, Facilitator											
3.1.1 Enable and support sustainable waste management technologies, services and facilities which provide innovative and compliant solutions to reduce the environment impacts of Council's waste collection and resource recovery options											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
3.1.1.a	Waste Strategy actions completed	100% of actions completed for 2024-25	Council business papers	Principal Waste Officer	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Community leadership via advocacy to CQROC for regional collaboration in waste management and ensure sustainable procurement principles are embedded into Council business.
3.1.1.b	Volume of waste diverted as a percentage of total waste stream collected or received	Increase from 25% to 50%	Council business papers	Principal Waste Officer	Q4 (June 2025)	45%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Approximately 45% of waste is being diverted.
3.1.2 Partner with the community to divert and minimise waste and invest in renewable energy											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	-
3.1.3 Incentivise the community to invest in reuse, recycling, energy and water saving practices											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	-
3.1.4 Promote and develop a resource recovery centre to deliver education and behavioural change											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	-
Community Plan Goal 3.2 - Protection of coastlines & waterways											
Council's role - Provider, Advocate, Regulator, Facilitator											
3.2.1 Assess alternative options to increase water sources											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	-
3.2.2 Progress and support plans which protect coastal and marine environments											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
3.2.2.a	Actions identified in the Livingstone Reef Guardian Action Plan completed	100% of actions identified for 2024-25 completed	Council business papers	Coordinator Natural Resource Management	Q4 (June 2025)	25%	On time	Budget underspent	Benefits to be achieved	Identified risk/s being managed	Commonwealth funded projects underway: Solar Retrofit, Our Living Coast and Oxford Road Water Quality and Habitat project. Contracts to be awarded in Q2.
3.2.2.b	Actions within Shoreline Management Plan implemented	100% of actions within plan implemented within identified timeframes and budget	Council business papers	Principal Sustainability Officer	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Projects commenced under Reef Guardian funding at Bangalee and Todd Avenue and Lammermoor Beach Nature Based Resilience Project.
3.2.3 Collaborate with partners to reduce sediments and nutrients in waterways											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
3.2.3.a	Deliver events or clean-up projects that target effective waste management and pollution control e.g. sediment and erosion control, rubbish clean ups	2 events	ECM Funding Agreements	Coordinator Natural Resource Management	Q4 (June 2025)	0	On time	Budget on track	Benefits to be achieved	Identified risk/s within appetite	Erosion and Sediment Control Action Plan for Council developed by staff with Water by Design.

Quarter 1 2024-2025 Operational Plan

3.2.4 Plan Council's response to climate change by implementing the actions in the Coastal Hazard Adaptation Strategy											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
3.2.4.a	Implement recommendations from Our Living Coast Strategy (Coastal Hazard Adaptation Strategy)	100% of actions implemented within identified timeframes and budget	Council business paper	Principal Sustainability Officer	Q4 (June 2025)	25%	On time	Budget on track	Benefits to be achieved	Identified risk/s within appetite	Annual Action Plan developed and progressing.
3.2.5 Deliver and implement a Livingstone Shire Carbon Strategy											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
3.2.5.a	Review the Low Carbon Livingstone 2030: A Strategy to reduce the Carbon Footprint in Livingstone Shire Council	Review of Strategy completed	Council business paper	Coordinator Natural Resource Management	Q1 (Sept 2024)	100%	Item completed	Budget on track	Item completed - benefits achieved	Identified risk/s within appetite	Review of the Carbon Strategy Meeting Report adopted at 15 October 2024 Ordinary Council Meeting.
3.2.5.b	Implement the actions within the Low Carbon Livingstone 2030: A Strategy to Reduce the Carbon Footprint of Livingstone Shire Council	100% of actions for 2024-2025 implemented within identified timeframes and budget	Data from annual carbon audit	Principal Sustainability Officer	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Solar Street Lights retrofit project underway.
Community Plan Goal 3.3 - Conservation of natural assets Council's role - Provider, Advocate, Regulator, Facilitator											
3.3.1 Recognise, preserve and enhance the region's unique biodiversity											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
3.3.1.a	Actions identified in the Biodiversity Strategy completed	100% of actions implemented within identified timeframes and budget	Council business papers	Coordinator Natural Resource Management	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Ecotourism Destination Accreditation achieved in July 2024. Seven other projects in progress.
3.3.1.b	Rehabilitate six (6) new sites and maintain twelve (12) existing sites on Council controlled land	Six (6) new sites established and twelve (12) existing sites maintained	100% in line with annual programme	Project Officer Natural Resource Management Vegetation Rehabilitation Officer	Q4 (June 2025)	3 new	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	New sites: National Tree Day site Kemp Beach, Lammermoor Beach Outriggers area restoration, Oxford Road reserve restoration.
3.3.1.c	Cycad salvage and mitigation projects - project initiation and maintenance	2 projects completed	Finance One ECM Survey 123	Community Nursery Supervisor	Q4 (June 2025)	2	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Omaya Bajool Marble Mine Project and Clarke Creek Windfarm Project.
3.3.2 Progress and support plans which protect the Shire's natural assets, bushland and local eco-systems											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
3.3.3 Manage threats by collaborating with traditional owners, agencies, community groups and private landholders about land management, protection methods including hazard reduction strategies and conservation policies to ensure the protection of people, property and the environment											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
3.3.3.a	Implement the Bushfire Management Operational Plan	100% of actions implemented within identified timeframes and budget	Bushfire Management Operational Plan / Funding Agreement / Milestone Reports	Coordinator Disaster Management & Community Resilience	Q4 (June 2025)	0	To be deferred	Within operational allocation	Benefits in doubt	Identified risk/s not being managed	Due to staffing shortages and the lack of a dedicated officer, Bushfire mitigation works have been deferred.

Quarter 1 2024-2025 Operational Plan

LEADING LIVINGSTONE A 'Leading Livingstone' will provide transparent, accountable leadership which listens to the needs of the Livingstone community and advocates for Livingstone's interests to State and Federal Governments											
Community Plan Goal 4.1 - Innovative & accountable leadership to achieve a shared future Council's role - Provider											
4.1.1 Implementation of the Community Plan and Corporate Plan is well co-ordinated across Council and through a delivery mechanism which provides clear line of sight, accountability and performance measurement for all employees											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.1.1.a	Individual performance plans in place for eligible employees	75% of eligible employees have a performance plan	Performance Management System reports	Principal Organisational Development and Coordinator HR & Payroll	Q4 (June 2025)	13%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s being managed	As at the end of Q1, 13% of eligible employees have a performance agreement set for FY25. Steps are being taken to increase the number of performance agreements set during Q2.
4.1.1.b	Increase employee attendance (this is a 2024-2025 Organisational KPI)	>95% annualised	HR Reports	Executive Leadership Team	Q4 (June 2025)	94.6%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Council's annualised attendance rate at the end of Q1 is 94.6%.
4.1.1.c	Corporate Plan reviewed within 6 months of March 2024 election	Corporate Plan adopted	Council business papers	Chief Financial Officer	Q2 (December 2024)	80-85%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	23 responses received on the draft Community Plan 2030. Draft document to be circulated to Councillors in November, with a view to adopt at December Ordinary Council meeting.
4.1.1.d	Contribute to driving a performance culture through achievement of Operational Plan targets (this is a 2024-2025 Organisational KPI)	90% targets achieved	Operational Plan Report	Executive Leadership Team	Q4 (June 2025)	89%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Of the 63 activities, 56 are either complete or on track and 7 require monitoring.
4.1.2 Council produces and delivers against sustainable financial forecasts as a result of best practice Capital and Asset Management Plans which guide project planning and service delivery across the Shire											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.1.2.a	Strategic and Individual Asset Management Plan Improvement items to be actioned as per Improvement Plan timelines	100% of items identified for 2024-2025 completed	Asset Management Steering Committee	Coordinator Assets	Q4 (June 2025)	10%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Asset Management Steering Committee met on 5 September 2024 and discussed the reprioritisation of SAMP actions for 2024-25 as a result of changed approach to ERP implementation. All commenced AMP improvement actions are currently on track.
4.1.2.b	Increase plant / fleet utilisation rates	90%	Conquest	Coordinator Procurement	Q4 (June 2025)	113.70%	Rescheduling expected	Within operational allocation	Benefits to be achieved	Identified risk/s being managed	Results from the utilisation report (October) has identified that a review and reset of utilisation thresholds is required for some types of fleet. This will improve reporting accuracy and allow targeted actions to maintain optimal utilisation (90%-100%).
4.1.2.c	Contribute to driving a performance culture through achievement of Capital Works targets (this is a 2024-2025 Organisational KPI)	90% targets achieved	Capital Works Report	Executive Leadership Team	Q4 (June 2025)	8.30%	Rescheduling expected	Budget underspent	Benefits in doubt	Identified risk/s being managed	YTD start very slow with 8.3% of the adopted budget expended. Only 70-80% of budget expected on current progress. Flow on effect on 25/26 under discussion with a view to significant adjustment into 26/27.
4.1.2.d	Deliver cost effective services within approved budget (this is a 2024-2025 Organisational KPI)	Expenditure of Operational budgets are managed to within +/- 5%	Monthly Financial Report	Executive Leadership Team	Q4 (June 2025)	23%	On time	Budget on track	Benefits to be achieved	Identified risk/s within appetite	Overall operating expenditure is at 23% of the YTD Budget. Officers are currently preparing Budget Review 1 for consideration of Council in December.
4.1.2.e	Outstanding rates at the end of each quarter (excluding prepayments)	<5%	Monthly Financial Report	Coordinator - Revenue & Rates	Q4 (June 2025)	11.87%	On time	Budget on track	Benefits to be achieved	Identified risk/s being managed	Rates were due on 25.09.2024 which was later than usual. However still tracking well at 11.87% (was 4% in June 2024).
4.1.3 A continuous improvement focus underpins the organisation, creating a supportive environment for ideas and positive, well-managed change which enhances internal and external outcomes											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
4.1.4 Provide leadership and contemporary management systems which drive a coordinated and connected organisation											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.1.4.a	Continue to build contemporary leadership capabilities	100% of actions identified for 2024-2025 completed	Framework ELT Reports	Principal Organisational Development	Q4 (June 2025)	25%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	In Q1, 7 managers commenced the Objective Leader leadership program and 1 x Lunch and Learn session (topic: Emotional Intelligence) for Leaders was held.

Quarter 1 2024-2025 Operational Plan

4.1.5 Promote a values-based culture which appreciates it and empowers its workforce											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.1.5.a	Drive employee engagement through demonstrating effective leadership, engagement and collaboration (this is a 2024-2025 Organisational KPI)	>70% Engagement >75% Manager Effectiveness (MEI)	Survey Results	Executive Leadership Team	Q4 (June 2025)	N/A	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	2024 Annual Engagement Survey closes 18.10.2024, with results available shortly afterwards.
4.1.6 Risk management practices are embedded into decision making process											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.1.6.a	Mitigation and risk reduction activities: - are informed by risk assessments - are prioritised based on risk assessments and available resources - are included in strategic and operational plans	100% of Council reporting milestones achieved	Quarterly updates to the LDMG	Local Disaster Coordinator and Coordinator Disaster Management and Community Resilience	Q4 (June 2025)	100%	Item completed	Within operational allocation	Item completed - benefits achieved	Identified risk/s being managed	LDMG meeting conducted on 28 August 2024. LDMG Operational Plan was updated and discussed with the group.
4.1.6.b	Internal Audit - complete audit actions	100% of high and medium risk actions completed within timeframes	Audit committee business papers	Coordinator Governance	Q4 (June 2025)	55%	Rescheduling expected	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	A total of nine (9) audit action closed out within reporting period (7xHigh 2xMedium). Five (5) of which were closed out within agreed timeframes.
4.1.6.c	Council statutory and community policies are current and reviewed within stated timeframes	>90%	Council business papers	Coordinator Governance	Q4 (June 2025)	74%	Rescheduling expected	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Of the outstanding policy documents, seven (7) are pending approval or scheduled for adoption at the upcoming Council meeting, and thirteen (13) are currently under review.
4.1.7 Recruit and develop a professional, capable and responsive workforce											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.1.7.a	Annualised Employee Turnover (excluding retirements & end temp engagements)	<10%	Aurion	Coordinator HR & Payroll	Q4 (June 2025)	17.27%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Annualised turnover is trending at 17.27%. Excluding retirements/fixed term contracts, turnover is trending at 14.98%.
4.1.7.b	Workforce Plan meets current and future business and community expectations	80% of scheduled strategies for 2024-25 implemented	Workforce Plan	Principal Organisational Development	Q4 (June 2025)	23%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Focus areas for the 2019-2024 Workforce Plan for FY25 have been identified and work has commenced to ensure 80% of these strategies will be achieved.
4.1.7.c	Develop updated Workforce Plan (2025-2030) to align with reviewed Corporate Plan.	Workforce Plan 2025-2030 developed & approved	Workforce Plan	Principal Organisational Development	Q4 (June 2025)	0%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Development of the Workforce Plan 2025-2030 will commence once the new Community (Corporate) Plan 2030 is finalised/adopted.
4.1.7.d	High employee satisfaction with organisational programmes and professional development opportunities	80% participant satisfaction rate achieved	Survey Results	Principal Organisational Development	Q4 (June 2025)	93%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	During Q1, 93% of participants who completed a feedback survey were either satisfied or very satisfied with the training.
4.1.8 Provide for the safety, security, health and wellbeing of Council employees and contractors											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.1.8.a	Zero improvement or prohibition notices issued by WorkSafe Qld	Zero Improvement Notices	WorkSafe Qld	Coordinator Safety	Q4 (June 2025)	1	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	One Improvement notice (I2070550) received 27th Sept 2024.
4.1.8.b	Local Government Workcare (LGW) external audit findings implemented	100% of actions identified for 2024-25 completed	Audit committee business papers	Coordinator Safety	Q4 (June 2025)	20%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	FY24-25 actions identified are in progress. Currently 20% completed.
4.1.8.c	Proactively contribute to the safety, health and wellbeing of our people (this is a 2024/2025 Organisational KPI)	Reduction in Lost Time Injury Frequency Rate <12.0	WHS Safety Committee	Executive Leadership Team	Q4 (June 2025)	21.99	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	There were three (3) lost time injuries during Q1. The annualised LTIFR for period ending 30 September 2024 reduced to 21.99. Early reporting and intervention continue to be a focus.
Community Plan Goal 4.2 - Collaboration & partnerships to advocate for the needs of the community Council's role - Facilitator, Advocate											
4.2.1 Build and maintain strong, collaborative and co-operative relationships across all levels of government, industry, business and community											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.2.1.a	Engage local business and industry in Council procurement process to optimise local spend for economic benefit	Host two (2) Local Industry Forums	Council business papers	Chief Financial Officer	Q4 (June 2025)	0%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Partnering for Progress: Procurement Breakfast Forum is to be held on 6 November 2024.

Quarter 1 2024-2025 Operational Plan

4.2.2 Identify opportunities for alignment between Council's interests and objectives with those of Federal and State Governments											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
4.2.3 Advocate Council's interests and objectives to government, industry, business, and community to promote the Livingstone region at a national and international level											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
4.2.4 Actively participate in Central Queensland Regional Organisation of Council's and other regional bodies to promote regional interests and objectives to government, industry, business, and community											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.2.4.a	Leadership (Hand over of Chair and Secretary to RRC) of the CQROC Organisation of Councils Ltd	Successful discharge and handover to RRC of company responsibilities compliant to Australian Securities and Investments Commission	Council business papers	Mayor and CEO	Q2 (December 2024)	80%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	CQROC meeting held 23 August 2024 with Board endorsing the commencement of hand over of secretariat duties to RRC.
Community Plan Goal 4.3 - Engagement with the community as advisors & partners Council's role - Provider											
4.3.1 Plan, develop and implement high-quality customer-focused services											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.3.1.a	Improve customer experiences through closing out customer service requests on time (this is a 2024-2025 Organisational KPI)	90% close out rate	Pathway	Executive Leadership Team	Q4 (June 2025)	81.18%	On time	Within operational allocation	Benefits in doubt	Identified risk/s being managed	Customer close out rate for the period is 81.18%. Work is being undertaken in all areas of Council to improve the overall customer experience.
4.3.2 Commit to open and accountable governance to ensure community confidence and trust in Council and its democratic values											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.3.2.a	Percentage of procurement spend with local business	30%	Monthly Financial Report	Coordinator Procurement	Q4 (June 2025)	23%	On time	Within operational allocation	Benefits in doubt	Identified risk/s being managed	23% (\$4.03m) of spend YTD was with businesses located within the Shire boundaries. Target is 30% for this FY, note that is was 29% in 2023-24.
4.3.3 Take actions to enable the use of meaningful tools to engage the community on diverse issues so that the community is well informed and can contribute to decision making											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
4.3.3.a	Annual increase in Total Visit measure rates for Social Pinpoint software	10%	Get Involved Software	Coordinator Communications & Engagement	Q4 (June 2025)	87%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Visitors for Quarter 1 = 6,431 (Q1 2023-24 was 3,432)

Quarter 1 2024-2025 Operational Plan

FUTURE LIVINGSTONE											
A 'Future Livingstone' will become a resilient community prepared for future economic, social, environmental, and infrastructure challenges to ensure Livingstone retains its unique character and thrives into the future											
Community Plan Goal 5.1 - Balanced environmental and development outcomes											
Council's role - Regulator, Facilitator											
5.1.1 Maintain a clear and comprehensive planning vision for the region											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
5.1.1.a	Review and update the Local Government Infrastructure Plan	Council resolution	Council business papers	Coordinator Infrastructure Planning	Q4 (June 2025)	90%	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	Final review of draft LGIP has been completed and will be presented to Council in Q2 for finalisation with the state government.
5.1.2 Balance development within Livingstone Shire in accordance with the community's desired environmental and economic outcomes											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
5.1.3 Develop a program of master planning, place making and improvement strategies to enhance local identity and lifestyle											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
5.1.4 Collaborate with partners to understand, nurture and protect Great Keppel Island's environmental values which help showcase its unique tourism potential											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
5.1.4.a	Advocating for the delivery of the Great Keppel Island master plan project priorities	Priority projects commenced	Queensland Government	Manager Economy & Places	Q4 (June 2025)	N/A	On time	Within operational allocation	Benefits to be achieved	Identified risk/s within appetite	GKI Masterplan progress top priority for State Election priority project list provided to candidates. Sewerage Treatment Plant and Welcoming Plaza projects underway.
Community Plan Goal 5.2 - Connected places, people & services											
Council's role - Regulator, Facilitator											
5.2.1 Implement an integrated transport strategy which encourages alternative transport usage to maximise economic, environmental and liveability outcomes											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
5.2.2 Reinforce sustainable building design principles											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
5.2.3 Adopt and implement a Connected Livingstone Strategy to foster investment opportunities in the region											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
5.2.4 Integrate technology and innovative solutions into Council's operations and community programs to increase efficiency, provide excellent customer service outcomes, encourage entrepreneurship and community engagement											
Reference	Performance Measurement			Responsibility	Completion Date	Progress Indicators					Comments
	Performance Indicator	Target	Data Validation Source			Result	Timing	Budget	Scope	Risk	
5.2.4.a	Project Merlin - Phases one and two of Council's ERP Business systems transformation project completed	100% of project delivered within timeframe and budget	Portfolio Governance Group Status Report	Chief Information Officer	Q4 (June 2025)	100	Item completed	Budget underspent	Benefits won't be achieved	Identified risk/s being managed	Project closed and planning underway for remaining systems.
5.2.4.b	Increased usage of online services	Increase	Council business papers	Chief Information Officer	Q4 (June 2025)	30	On time	Budget on track	Benefits to be achieved	Identified risk/s within appetite	Online customer service chat function released with great community uptake.

Quarter 1 2024-2025 Operational Plan

Community Plan Goal 5.3 - Community capacity & resilience in respect of future risk											
Council's role - Provider, Facilitator											
5.3.1 Maintain the ability to respond to disaster events under the disaster management arrangements											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
5.3.1.a	Disaster management plans are fit for purpose and meet community's needs	Local Disaster Management Plan endorsed by Local Disaster Management Group	LDMG Minutes	Coordinator Disaster Management & Community Resilience	Q4 (June 2025)	N/A	Item completed	Within operational allocation	Item completed - benefits achieved	Identified risk/s being managed	Local Disaster Management Plan (LDMP) reviewed by Local Disaster Management and endorsed at the 12 June 2024 meeting. The LDMP adopted at the Ordinary Council meeting on 16 July 2024.
5.3.1.b	Number of community engagement activities conducted / events attended to promote the Get Ready Queensland message	2	Council business papers	Coordinator Disaster Management & Community Resilience	Q4 (June 2025)	5	Item completed	Within operational allocation	Item completed - benefits achieved	Identified risk/s within appetite	Conducted/attended: - Beach Day Out; - 3 x school presentations; and - presentation at the LSC Youth Room.
5.3.2. Enhance the community's preparedness for disaster through community education, training and strong partnerships between Council and other agencies											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
5.3.3 Plan the response to changes in social, economic and climatic conditions											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	
5.3.4 Partner with agencies to develop programs for the protection of all members within the community											
Reference	Performance Measurement			Responsibility	Completion Date	Result	Progress Indicators				Comments
	Performance Indicator	Target	Data Validation Source				Timing	Budget	Scope	Risk	
-	Delivered as part of normal business activities	-	-	-	-	-	-	-	-	-	

12.5 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 OCTOBER 2024**File No:** FM12.14.1**Attachments:**

1. **Monthly Financial Report 31 October 2024**[↓](#)
2. **October 2024 Contract Award Summary**[↓](#)

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

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the Period Ending 31 October 2024 by the Chief Financial Officer.

OFFICER'S RECOMMENDATION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 31 October 2024 be received (Attachment 1).

BACKGROUND

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

1. Executive Summary
2. Financial Performance Indicators
3. Financial Reports
4. Capital Expenditure
5. Glossary

The attached financial information presents the year-to-date position of Council's financial performance to the 31 October 2024. Commitments are excluded from the reported operating & capital expenditures.

All variances are reported against the 2024-25 Budget adopted by Council on 23 July 2024.

COMMENTARY

The financial report compares actual performance against Council's 2024-25 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.

The Council monthly report (attachment one) contains the commentary and analysis and for the sake of brevity, will not be repeated in this cover report.

Additional commentary is disclosed within the report where either the month or year to date variance exceed \$100,000 or 10% of the budget.

1. Executive Summary – summary of the main financial operating results, capital, cash, and borrowings.
2. Financial Performance Indicators - a summary of financial performance indicator year-to-date results. Indicators are based on achieving benchmark results. These have been aligned to the sustainability measures in the Financial Management (Sustainability) Guideline 2024.
3. Financial Reports –
 - a. Month and year to date results for operating activities. Supplemented by commentary where either a major positive or negative variance exists and supporting graphical summaries or results, or previous information requests.

- b. Balance sheet items with movement on previous month, compared against full year budget. Supplemented by commentary where either a major positive or negative variance exists and supporting graphical summaries of results, or where details were previously provided.
4. Capital expenditure – summary of overall portfolio of program including capital revenue streams.
5. Glossary – updated to reflect the current financial performance indicators.

Procurement

Current Contracts >\$200,000 (GST exclusive)

In accordance with section 237 of the *Local Government Regulation 2012*, Council publishes the details of all contracts valued \$200,000 or more. These details are displayed on Council's website (<https://www.livingstone.qld.gov.au/doing-business/business-and-regulations/contracts-and-tenders>), and on the public notice board located at the Yeppoon town hall. In October 2024, two (2) contracts over the prescribed value were established via purchase order.

Current Tenders

At the end of October there were four (4) open tenders, one (1) selective tender, two (2) tenders evaluated, and four (4) contracts awarded. The below table is a summary of current tenders to promote oversight of the progress by Councillors.

Once all contract award documentation is completed, the contract details will be added to the published contract listing.

October 2024 - Open Tenders			
2022.022F	Register of Pre-Qualified Suppliers (RPQS) Trade Services (exc Plumbing & Electrical)		
2022.023F	Register of Pre-Qualified Suppliers (RPQS) Trade Services Plumbing & Gas Fitting		
2022.024F	Register of Pre-Qualified Suppliers (RPQS) Trade Services Electrical & Data Services		
2024.009	GKI STP Superintendency, Inspector & Owner's Engineer Services		
October 2024 - Selective Tenders			
2024.012	Taroomball Trunk Sewer Infrastructure Upgrade (Tender - Stage 2)		
October 2024 - Tenders Evaluated			
2024.011	Yeppoon Aquatic Centre		
2024.019	Great Keppel Island - Provision of Design Consultancy - Boardwalks		
October 2024 - Contracts Awarded			
		Successful Tenderer/s	Contract Value (exc GST)
2024.008	Design & Construct Great Keppel Island Sewage Treatment Plant	Pensar Construction Group Pty Ltd	\$8,657,700.00
2024.013	Preferred Supplier Arrangement (PSA) Supply & Delivery of Water Meters	Honeywell Ltd T/as Elster Metering Pty Ltd	Schedule of Rates
2024.015	Preferred Supplier Arrangement (PSA) Supply & Delivery of Office Supplies	Office National Xpress	Schedule of Rates
2024.016	Provision of Animal Husbandry Services	Capricorn Coast Kennels Pty Ltd	Schedule of Rates

Status Legend:

Open – tender has been 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.

Non-Award – a decision is made not to award the contract, as the submission/s received are deemed unsuitable.

Contract – contract issued by letter of award.

PREVIOUS DECISIONS

The 2024-25 budget was adopted on 23 July 2024.

ACCESS AND INCLUSION

This report once adopted by Council will be made publicly available on Council's website.

ENGAGEMENT AND CONSULTATION

Information has been provided by the procurement and revenue functions for this report.

HUMAN RIGHTS IMPLICATIONS

Section 4(b) of the *Human Rights Act 2019* requires public entities such as Council 'to act and make decisions in a way compatible with human rights.'

There are no foreseen human rights implications associated with the adoption of this monthly report.

BUDGET IMPLICATIONS

The Monthly Financial Report shows Council's financial position in relation to the 2024-25 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 anticipated 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.

Council continues to have a working capital facility of \$10 million which is a tool available to manage operating liquidity requirements if required.

CORPORATE PLAN REFERENCE***Leading Livingstone***

Community Plan Goal 4.3 - Engagement with the community as advisors and partners

4.3.2 Commit to open and accountable governance to ensure community confidence and trust in Council and its democratic values.

CONCLUSION

The financial report provides information about Council's financial performance and position for the period ending 31 October 2024.

12.5 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 OCTOBER 2024

Monthly Financial Report 31 October 2024

Meeting Date: 19 November 2024

Attachment No: 1

1. Executive Summary

This monthly financial report illustrates the financial performance and position of Livingstone Shire Council compared to the Adopted Budget at an organisational level for the period ended 31 October 2024.

Key Financial Highlights and Overview	Month ('\$000s)			YTD 33.3%			FY ('\$000s)
Key Financial Results (\$'000's)	Actual	Budget	Variance	Actual	Budget	% of YTD Budget	Full Financial Year Budget
Operating Surplus/(Deficit)	(4,544)	(5,188)	644	17,796	12,325	144.39%	(174)
Operating Revenue	4,694	4,536	158	55,111	51,813	106.37%	120,131
Operating Expenditure	(9,239)	(9,724)	486	(37,316)	(39,488)	94.50%	(120,305)
Capital Works Expenditure	(1,628)	(4,646)	3,018	(5,616)	(13,818)	40.64%	(48,100)
Closing Cash & Cash Equivalents	144,506						122,569
Total Borrowings	47,221						42,370

Commentary

The year-to-date actual operational surplus is \$5.5m favourable to budget. The year-to-date operating revenue is \$3.3m favourable to budget, mainly due to operating grants and subsidies (\$2.7m) and interest received (\$0.8m) greater than budget.

Year-to-date operating expenditure is \$2.2m favourable to budget, with materials & services \$2.0m below budget.

Monthly results report an operating deficit for the month of October, which was marginally above the forecasted operating result.

The October year-to-date capital expenditure is \$8.20m (59% under budget expectations).

As at 31 October 2024 Council had \$144.51m in cash and total borrowings of \$47.22m.

2. Financial Management (Sustainability) Performance Indicators

The financial performance indicators have been aligned to the financial sustainability measures that will be calculated and published as part of the annual

statutory financial reporting process for 30 June 2025. These are reported as single year-to-date results compared against the budgeted single-year result.

	YTD Actual	FY Budget	Tier 4 Target	Comment
Financial Capacity				
Council-Controlled Revenue Ratio (%) [#]	✓ 83.9%	✓ 85.2%	Contextual	The majority of Council's revenue is attributed to rates income.
Population Growth Ratio (%) [#]	Data not available	✓ 2.2%	Contextual	The population estimate for Livingstone Shire Council area as of the 30th June 2022 is 40,952. Since the previous year, the population has grown by 2.69%. Population growth in Regional QLD was 1.88%. (Source: Australian Bureau of Statistics, Regional Population Growth, Australia (3218.0). Compiled and presented in profile.id by .id (informed decisions).
Operating Performance				
Operating Surplus Ratio (%) ^{##}	✓ 32.3%	✗ -1.0%	Between 0% and 10%	The positive surplus ratio of 32.3% indicates operational expenses are coverable and remaining surplus can support capital expenditure and meet loan repayments.
Operating Cash Ratio (%) [#]	✓ 55.1%	✓ 31.0%	Greater than 0%	The positive operating cash ratio of 55.1% indicates that Council has the ability to self-fund capital expenditure from surplus funds from core operations.
Liquidity				
Unrestricted Cash Expense Cover Ratio (months) [#]	✓ 19.7	✓ 15.0	Greater than 4 months	Council has sufficient unconstrained cash to meet ongoing and emergent financial demands for 19.7 months. Council has access to a \$10m QTC working capital facility which is equivalent to 1.5 months of cover.
Net Financial Liability Ratio (%) [*]	✓ -147.2%	✓ -58.8%	Less than 60%	Favourable with benchmark. Sufficient operating revenue to service liabilities.
Asset Management				
Asset Sustainability Ratio (%) ^{##}	✗ 34%	⚠ 74%	Greater than 90%	The extent to which Council's existing infrastructure assets are being replaced as they reach the end of their useful lives is 34%.
Asset Consumption Ratio (%) [#]	✓ 68%	✓ 62%	Greater than 60%	Council's infrastructure assets have been consumed by 68% compared to what it would cost to build a new asset with the same benefit to the community.
Asset Renewal Funding Ratio (%) [#]	Commencing 2025-26	✓ 81%	Contextual	This ratio measures the ability of Council to fund projected infrastructure asset renewal/replacements into the future.
Debt Servicing				
Leverage Ratio (times cover) [#]	✓ 1.6	✓ 1.1	0 - 3 times	Adequate capacity to manage unforeseen financial shocks & meet loan repayments.

[#]Financial Management (Sustainability) 2013 legislated ratios

^{##}Financial Management (Sustainability) 2024 legislated ratios

3. Financial Reports

Operating Result for the period ending
31/10/2024

Month ('\$000s)				YTD 33.3%				FY	
Actual	Budget	Variance ¹	>\$100K & 10%	Actual	Budget	Variance ¹	>\$100K & 10%	% of Full YTD	Budget
(\$'000)	(\$'000)	(\$'000)		(\$'000)	(\$'000)	(\$'000)		%	(\$'000)
				Operating revenue					
2,328	2,651	(323)	*	Rates, levies and charges	44,297	43,907	390	⇌	46% 95,954
610	529	81		Fees and charges	1,921	2,126	(205)	⇌	30% 6,362
473	405	68		Sales revenue	1,105	1,654	(550)	*	22% 5,000
468	456	12		Operating grants and subsidies	4,825	2,166	2,659	✓	69% 6,954
637	346	291	✓	Interest received	2,256	1,402	854	✓	54% 4,158
178	149	29		Other income	707	558	150	✓	42% 1,704
4,694	4,536	158	⇌	Total operating revenue	55,111	51,813	3,299	⇌	46% 120,131
				Operating expenses					
(3,125)	(3,271)	146	⇌	Employee benefits	(12,885)	(13,074)	189	⇌	33% (39,501)
(2,957)	(3,318)	361	✓	Materials & services	(11,862)	(13,873)	2,011	✓	28% (43,056)
(227)	(206)	(21)		Finance costs	(852)	(824)	(28)		33% (2,583)
(2,929)	(2,929)	0		Depreciation & amortisation	(11,717)	(11,717)	0		33% (35,165)
(9,239)	(9,724)	486	⇌	Total operating expenses	(37,316)	(39,488)	2,172	⇌	31% (120,305)
(4,544)	(5,188)	644	✓	Net operating result	17,796	12,325	5,471	✓	-10236% (174)

- ¹
- ✓ Positive numbers represent under expenditure or additional revenue
 - Major positive variance, comment required
 - * Major negative variance, comment required
 - ⇌ Within expectations, no comment required

Areas to note

Rates, levies and charges	There was a slight difference in the monthly result for October to what was budgeted, due to timing of budget phasing. The year-to-date results are in-line with budget expectations.
Sales revenue	Year-to-date sales revenue is currently reported as behind the year-to-date budget. A timing difference between the issue of road maintenance performance claims (RMPC) invoices and the forecast budget timing of the recognition of this revenue is a contributing factor to this unfavourable variance.
Operating grants and subsidies	Operating grants and subsidies are received throughout the year and most have been budgeted to be received in equal monthly instalments. Actual figures reflect the timing of the funding being received, therefore showing most grants received to date as ahead of budget expectations. Year-to-date figures are a reflection of this timing variance. Grants received to date that materially contribute to the year-to-date actual figures being ahead of budget are: The Commonwealth Financial Assistance Grant of \$3.7m received in July & another instalment of \$168k received in August, Strengthening Family Connections Grant \$134k & Eco-certified Tourism Destination Program \$75k.
Interest received	Interest received year-to-date is favourable in comparison to budget, mostly due to Council's cash balances being higher than year-to-date budget expectations. See Cash and Cash equivalents for more information on rates.
Materials & services	Materials and services expenditure during October was lower than budget expectations. Notable variances for the year to date materials and services underspends are: Contractors & consultants (-\$1.86m), construction & maintenance materials (-\$436k), external plant & equipment hire (-\$236k), & bulk water (-\$136k). Insurance premiums are \$530k ahead of budget due to budget timing variance, with annual insurance premiums mostly paid in July and August.



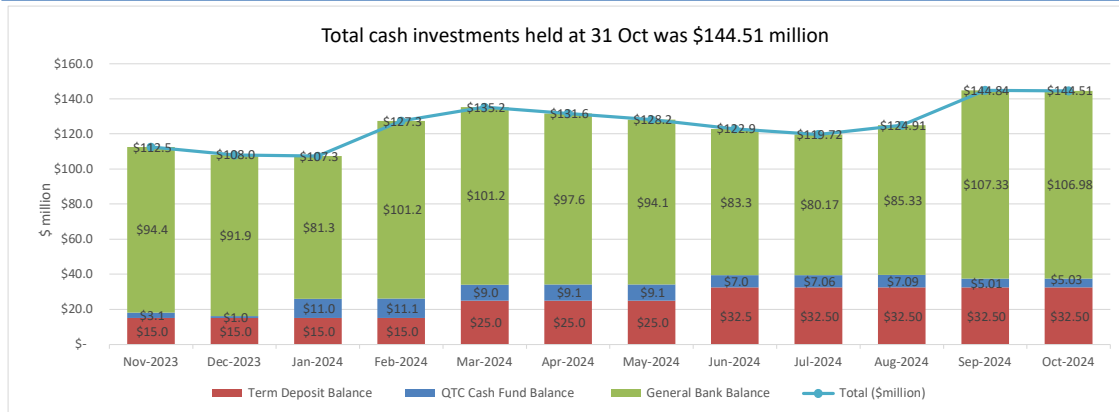
Statement of Financial Position for the period ending
31/10/2024

	Month-end Actual	Last month Actual	Movement	Full Year Adopted Budget
	(\$'000)	(\$'000)	(\$'000)	(\$'000)
Cash and cash equivalents	144,506	144,839	(333)	122,569
Receivables	13,391	13,671	(280)	9,532
Inventories	675	393	282	6,481
Land held for development or sale	2,764	2,764	-	-
Contract assets	5,549	5,549	-	-
Other assets	689	591	98	4,484
Property, plant & equipment	1,234,920	1,237,848	(2,928)	1,304,964
Intangibles	173	174	(1)	207
Capital works in progress	33,148	31,676	1,472	-
TOTAL ASSETS	1,435,815	1,437,505	(1,690)	1,448,237
Payables	6,763	9,076	(2,313)	5,717
Contract liabilities	6,577	3,602	2,975	-
Borrowings	47,221	47,025	196	42,370
Provisions	19,672	19,807	(135)	19,950
Other liabilities	3,230	3,344	(114)	2,686
TOTAL LIABILITIES	83,463	82,854	609	70,723
Asset revaluation surplus	271,503	271,503	-	297,598
Retained surplus/(deficiency)	1,080,849	1,083,148	(2,299)	1,079,916
TOTAL COMMUNITY EQUITY	1,352,352	1,354,651	(2,299)	1,377,514

Areas to note

Cash and cash equivalents	Cash balances have decreased by \$333k compared to the previous month as a result of increased operating expenditure cash during October.
Receivables	There was a slight decrease in receivables in October compared to September as rates payments continue to be received for the half-yearly levy due in September.
Property, plant and equipment	Movement relates to the estimated monthly depreciation allocation and associated increase in accumulated depreciation. The depreciation expense value is reported in the monthly operating result.
Capital works in progress	\$1.47m increase due to capital expenditure incurred during October. Refer to the capital expenditure reports for further detail on the capital works program for 2024-25.
Payables	The major contributing factor to the \$2.3m decrease in payables from the previous month is the payment of \$1.6m to the Queensland State Government for the Emergency Management Levy collected on their behalf through the rates notices.
Contract Liabilities	The increase in contract liabilities in October relates to capital projects that have received funding in advance of the associated work completed. Capital grants are held as a contract liability and as works are completed, the equivalent portion of the grant will be released and recognised as capital revenue.
Borrowings	Borrowings have increased compared to the previous month, due the monthly interest and administration charges being accrued on total borrowings.
Provisions	The decrease in provisions reflects the net movement in accrued employee leave entitlements i.e. more leave entitlements being taken for holidays in October than what was accruing.
Other Liabilities	The small decrease in other liabilities relates to the Waste Management Levy being released monthly. The annual advance payment of the Waste Management Levy was received in prior years and the upfront payments held by Council are to cover the next three financial years. Each month Council reduces the Waste Management Levy by the amount which is paid to the Queensland State Government.

Cash and Cash Equivalents



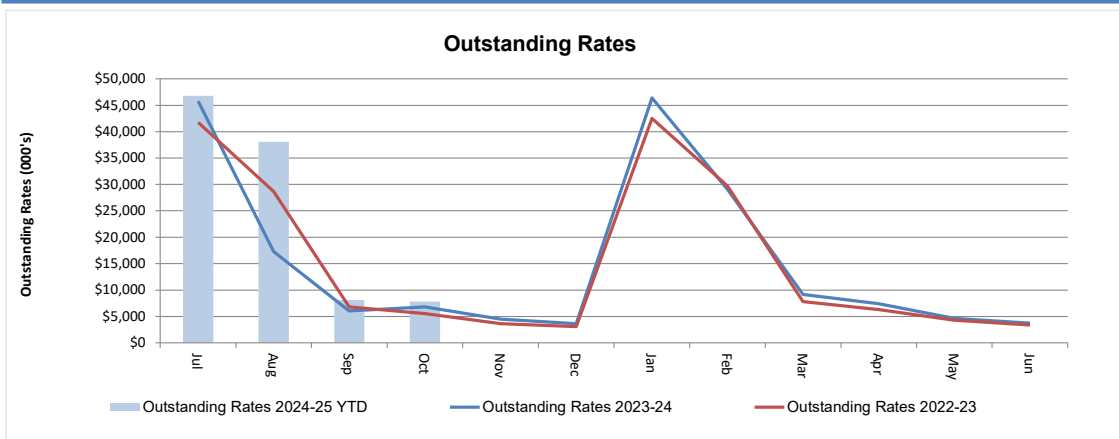
Investments are held with Council's general banker and in the Queensland Treasury Corporation (QTC) Capital Guaranteed Cash Fund. Council's interest earning rate as at 31 October 2024 is 4.96% p.a. (net of 0.12% administration fees) with the QTC and 4.85% p.a. with CBA. In October, the weighted average interest rate was 4.93% which is marginally above the target rate of 4.85%, which is 0.5%+ RBA Cash Rate (4.35%). The weighted average interest rate includes the interest rates on term deposits.

Term deposit rates are monitored regularly by Council officers to identify investment opportunities to ensure Council maximises its interest earnings balanced against the need to invest cash for a fixed term.

The amount of interest earned from month-to-month is indicative of both the interest rate and the surplus cash balances held, the latter of which is affected by Council's cash flow requirements on a monthly basis as well as the rating cycle.

Cash needed for day-to-day requirements is deposited with the QTC or Council's general banker. Interest rates from both facilities are monitored regularly by Council's finance officers to maximise interest earnings.

Receivables



Ageing of Rates Receivable at Month End		
Total Rates Outstanding	\$7,821,778	
Less Current Levy	-\$1,920,032	
Total Eligible for Collection	\$5,901,746	
Current	\$3,175,576	53.81%
1 years	\$1,717,078	29.09%
2 years	\$518,433	8.78%
3 years	\$171,837	2.91%
4 years	\$80,590	1.37%
5 years	\$238,232	4.04%
Total Eligible for Collection	\$5,901,746	100.0%

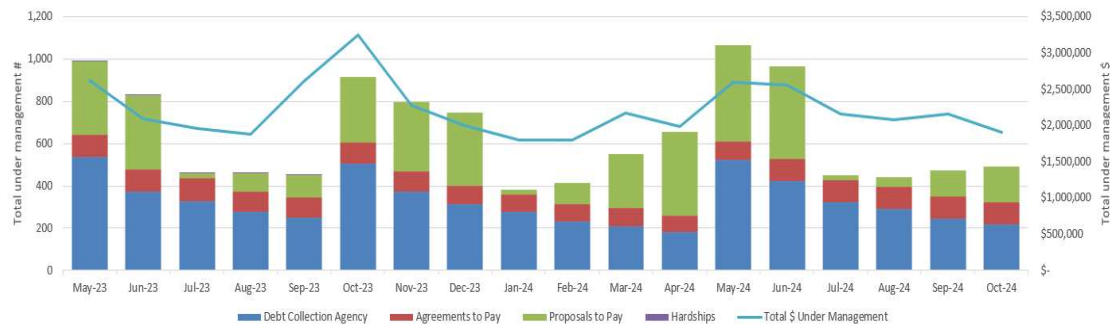
Total rates receivables of \$5.9m as at 31 October 2024 is lower in comparison to the position as of 31 October 2023.

Ratepayers have the option to enter into formal payment arrangements, preventing legal action being progressed by Council's debt collection agency. Council resolved to charge 7% per annum on overdue rates and utility charges in 2024-25, applied monthly, on all overdue balances, including those under a formal payment agreement. This percentage rate has remained the same since the 2018-19 Financial Year and Council have ensured that this has remained unaffected by recent large increases in CPI.

Of the 18,549 rateable assessments, 493 (2.7% of ratepayers) are currently under management.

	As at October 2023		As at October 2024	
	#	\$	#	\$
Debt Collection Agency	507	\$ 2,314,463	216	\$ 1,416,032
Agreements to pay	97	\$ 512,827	107	\$ 231,423
Proposals to Pay	312	\$ 422,963	170	\$ 256,819
Council Hardship	0	\$ -	0	\$ -
Total under management	916	\$3,250,253.00	493	\$1,904,274.00

Total value and number of assessments under management



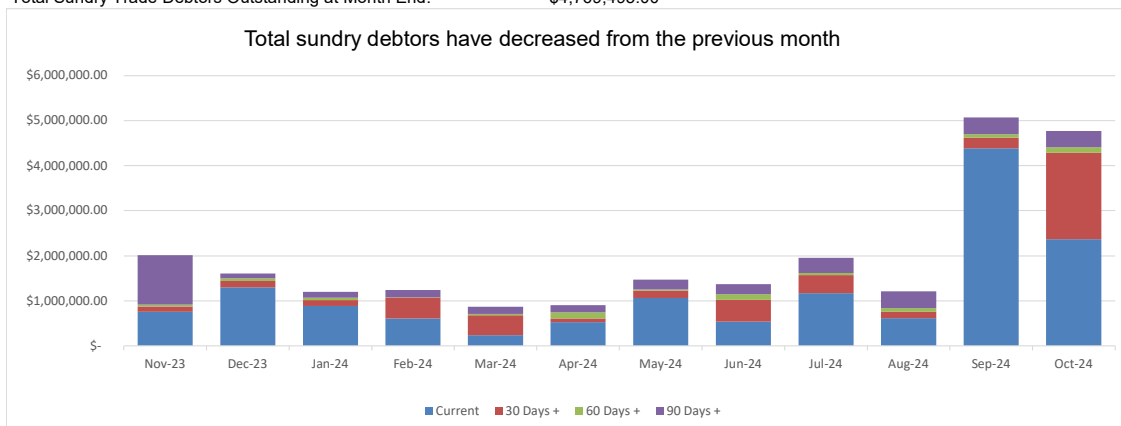
The total value of outstanding assessments with debt collection agencies are \$1.35m lower when compared to the same time last financial year & the number of assessments under management are also lower (by 423 assessments). Council officers are committed to working with any ratepayer who is experiencing difficulty in paying their rates & charges and strongly encourages anyone in this position to make early contact with Council.

Council are continuing proceedings for sale of land for rate arrears, as resolved by council on 17 September 2024.

Under the provisions of the Local Government Regulation 2012 Council has the authority to recover outstanding rates and charges via a land sale process where the amounts have been overdue for three or more years. Commercial and Vacant Land are eligible after one year of arrears.

Outstanding Sundry Trade Debtors

Total Sundry Trade Debtors Outstanding at Month End: \$4,769,495.00



The majority of the current debtors outstanding at 31 October relate to two debtor invoices for Department of Transport & Main Roads for ROSI milestone payments. One invoice is for \$1.72m (30+ days) and the other is for \$1.56m (current).

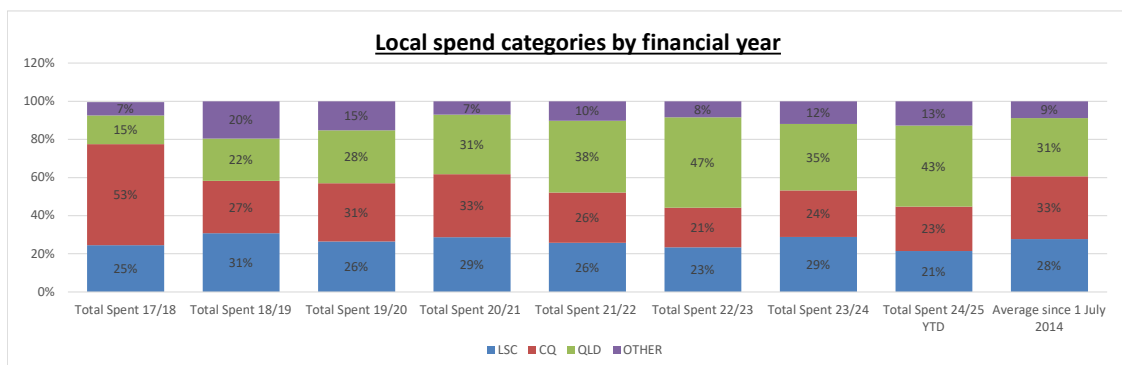
Payables Procurement

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.

Total expenditure with businesses located within the Shire boundaries, in the current financial year, is 21% or \$5.10 million.

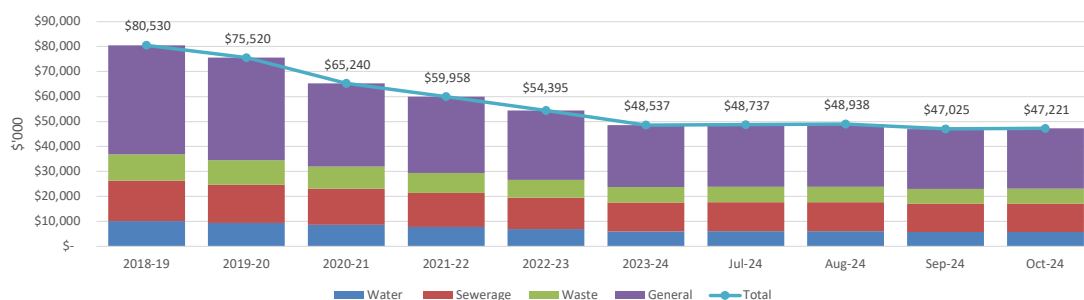
	YTD Spend (\$million)	%
LSC - Business located within the shire boundaries.	\$5.10	21%
CQ - Business completely set up and run outside of LSC boundaries but within the Central Queensland region.	\$5.51	23%
QLD - Business based outside of Central Queensland but within Queensland.	\$10.14	43%
OTHER - Business based outside of Queensland.	\$3.04	13%
	\$23.79	100%

The bar graph below summarises the allocation by local spend categories for the previous seven (7) financial years. Since 1 January 2014 Council has procured, on average, 61% of materials & services from within the greater Central Queensland area, which includes Livingstone Shire Council.



Borrowings

Total Borrowings of \$47.22 million on track to reduce with quarterly debt service repayments



Debt Position	YTD Actual (\$'000)	Budget
Total Debt held as at 1 July 2024	\$48,537	\$48,543
New borrowings drawn down in 2024-25	-	-
Interest & administrative charges	\$790	\$2,250
Total debt service payments	(\$2,105)	(\$8,422)
Total Debt held at reporting period	\$47,221	\$42,370

In-line with Council's debt policy, a debt service payment of \$2,105,500 (being approximately \$1,914,000 repayment of principal and \$191,500 interest and administrative charges) is to be paid quarterly during 2024-25. Interest accrues monthly, calculated on a daily basis, until the next debt service payment. No new borrowings are budgeted to be drawn down throughout the 2024-25 financial year.

As at 31 October 2024 the weighted average interest rate of all Council debt is approximately 4.81%.

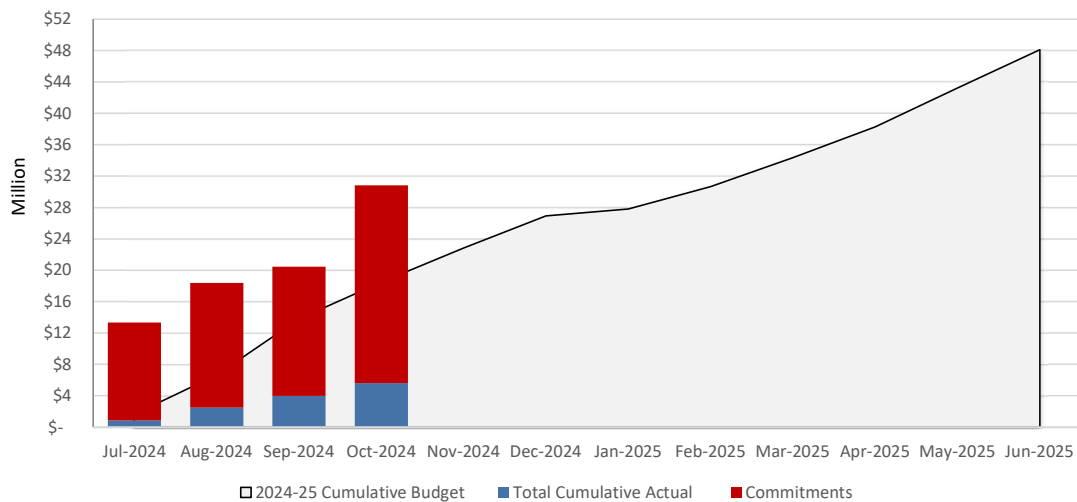
The Department of Housing, Local Government, Planning and Public Works has approved a working capital facility of \$10 million on a permanent basis subject to an annual review by the Queensland Treasury Corporation in consultation with the department. Council has not accessed the available funds in the working capital facility.

4. Capital Expenditure

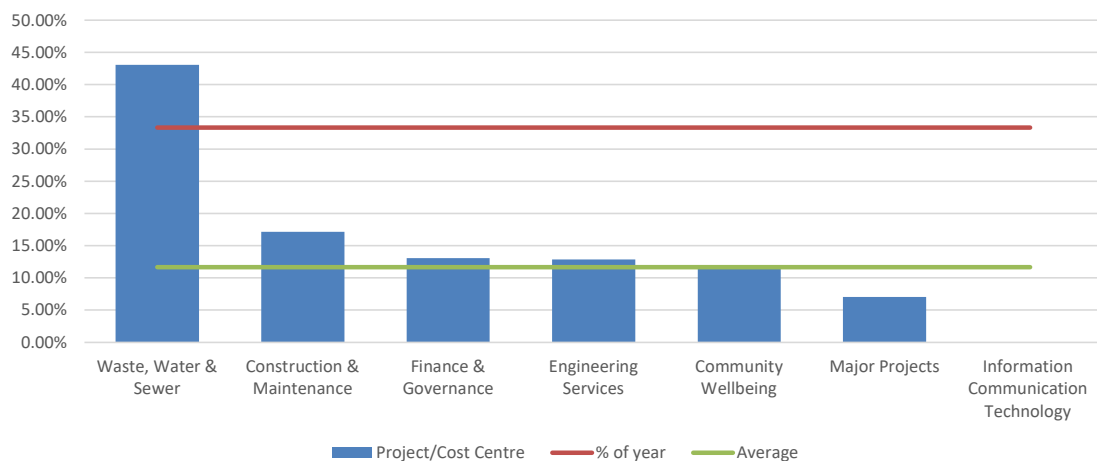
Capital revenue and expenditure report (all projects) for period ending 31/10/2024

Month ('\$000s)			YTD 33.3%		Full year (\$'000's)
Actual	Budget	Variance	Actual	% of Full year Budget	24-25 Budget
Capital expenditure					
1,360	4,328	(2,968)	4,393	10.5%	41,940
268	319	(50)	1,223	19.9%	6,159
1,628	4,646	(3,018)	5,616	11.7%	48,100
Capital Revenue					
1,605	1,287	317	6,879	44.5%	15,450
599	339	260	1,544	38.0%	4,062
0	23	(23)	54	19.9%	270
2,203	1,648	555	8,477	42.9%	19,782

Total funds committed to capital is \$25.21 million as at 31 October 2024



On average, 11.7% of capital budgets were expended by 31 Oct 2024



5. Glossary

Key Terms	
Operating Result	Total operating revenue less total operating expenses
Total Operating Expenditure	All council expenses minus capital items such as: - losses on disposal of assets, and - impairment losses - depreciation on right of use assets - interest on finance leases associated with right of use assets - other capital expenditure items as identified by Council
Total Operating Revenue	All council income minus capital items such as: - capital grants, subsidies, contributions and donations - gains on disposal of assets - other capital revenue items as identified by Council
Definition of Ratios	
Financial Capacity	
Council-Controlled Revenue Ratio (%)[#]	
Council-controlled revenue is an indicator of a council's financial flexibility, ability to influence its operating income, and capacity to respond to unexpected financial shocks.	
A higher council-controlled revenue indicates a stronger ability to generate operating revenue without relying on external sources. Councils with a high ratio generally have a healthy rate base and are better able to respond to unexpected financial obligations such as natural disaster recovery.	$\frac{\text{Net rates, levies and charges} + \text{Total Fees \& charges}}{\text{Total operating revenue}}$
A lower council-controlled revenue ratio indicates that a council has limited capacity to influence its operating revenue and that it is more reliant on external (and usually less reliable) sources of income such as operating grant funding, sales and recoverable works contracts, and rental income.	
Population Growth Ratio (%)[#]	
Population growth is a key driver of a council's operating income, service needs and infrastructure requirements into the future.	
A growing council population indicates a greater capacity to generate its own source revenue through rates as well as statutory charges. Population growth also puts additional pressure on councils to invest in new community infrastructure to support service needs.	$\frac{\text{Prior year estimated population}}{\text{Previous year estimated population}} - 1$
Operating Performance	
Operating Surplus Ratio (%)^{*,#}	
This is an indicator of the extent to which operating generated cover operational expenses. Any operating surplus would be available for capital funding or other purposes.	
An operating surplus ratio above 0% is an indication that council is managing its finances within its existing funding envelope and generating surplus funds for capital funding or other purposes.	$\frac{\text{Operating result}}{\text{Total operating revenue}}$
An operating surplus ratio below 0% is an indication that a council's operating expenses exceed its revenue. An operating deficit in any one year is not a cause for concern, if over the long term, a council achieves a balanced operating result or small surplus. Operating deficits over the long term affect a council's ability to internally fund its capital requirements and other initiatives as and when they fall due, potentially requiring external funding support.	
Operating Cash Ratio (%)[#]	
The operating cash ratio is a measure of councils ability to cover its core operational expenses and generate a cash surplus excluding depreciation, amortisation and finance costs.	
A positive operating cash ratio indicates that a council is generating surplus cash from its core operations, which suggests that council has the ability to self-fund its capital expenditure requirements.	$\frac{\text{Operating result add Depreciation and amortisation add finance costs}}{\text{Total operating revenue}}$
A negative operating cash ratio is a significant indicator of financial sustainability challenges and potential future liquidity issues, as all other things being equal, a negative result means that a council's cash position is declining and revenues are not offsetting the cost of core operational requirements.	

Liquidity	
Unrestricted Cash Expense Cover Ratio (months)[#]	
<p>The unrestricted cash expense cover ratio is an indicator of the unconstrained liquidity available to a council to meet ongoing and emergent financial demands, which is a key component to solvency. It represents the number of months a council can continue operating based on current monthly expenses.</p> <p>A higher unrestricted cash expense cover ratio indicates that a council has sufficient free cash available to contribute to the cost of future planned and unplanned expenditures such as infrastructure investment or disaster recovery. An excessively high ratio may be indicative of cash hoarding, poor cash management, or large upcoming capital investment requirements.</p> <p>A low ratio suggests limited unconstrained liquidity available to council to use for capital investment or in an emergency. For councils with efficient cash management practices and strong borrowing capacity, this is not a concern. Where a council also has a negative operating cash ratio, a very low or negative unrestricted cash expense cover ratio is an indicator of potential solvency concerns.</p>	$\frac{\text{(Total Cash and Equivalents add Current investments available ongoing QTC working capital facility limit less Externally Restricted Cash)}}{\text{(Total Operating Expenditure less Depreciation and amortisation less Finance Costs)}}$
Net Financial Liability Ratio (%)[*]	
<p>This is an indicator of the extent to which the net financial liabilities of Council can be serviced by operating revenues. A ratio greater than zero (0) implies liabilities exceed current assets.</p> <p>This ratio is no longer reported against under the new financial management sustainability guideline.</p>	$\frac{\text{Total Liabilities} - \text{Current Assets}}{\text{Total operating revenue}}$
Asset Management	
Asset Sustainability Ratio (%)[#]	
<p>The asset sustainability ratio approximates the extent to which the infrastructure assets managed by a council are being replaced as they reach the end of their useful lives.</p> <p>An asset sustainability ratio close to 100% suggests that a council is spending enough on the renewal of its assets to compensate for the deterioration in its asset base as loosely proxied by its reported</p>	$\frac{\text{Capital expenditure on replacement of Infrastructure Assets (Renewals)}}{\text{Depreciation expenditure on Infrastructure Assets}}$
Asset Consumption Ratio (%)[#]	
<p>The asset consumption ratio approximates the extent to which council's infrastructure assets have been consumed compared to what it would cost to build a new asset with the same benefit to the community.</p> <p>The minimum target of 60% indicates that a council's assets are being broadly consumed in line with their estimated useful lives.</p> <p>Councils with lower than target ratio will need to invest more in those assets (in terms of replacement or maintenance) to ensure they are maintained at a standard that will meet the needs of their communities. On the other hand, if the ratio is much higher than the target ratio, councils may need to revisit their asset management plans to asset their current service levels or whether their estimates of the assets useful lives are appropriate.</p>	$\frac{\text{Written down replacement cost of depreciable infrastructure assets}}{\text{Current replacement cost of depreciable infrastructure assets}}$
Asset Renewal Funding Ratio (%)[#]	
<p>The asset renewal funding ratio measures the ability of a council to fund its projected infrastructure asset renewal/replacements in the future.</p> <p>Ideally, the asset renewal funding ratio should be as close to 100% as possible, as this indicates that a council is appropriately funding and delivering the entirety of its required capital program as outlined by its asset management plans.</p> <p>A ratio that is too far in excess of 100% indicates capital spending above and beyond what is proposed by a council's asset management plans. A ratio that is too far below 100% may indicate an underfunded capital program and therefore a potentially increasing infrastructure backlog and asset failures. Either scenario suggests a mismatch between a council's capital requirements and forecast capital program, whether due to poor planning and/or limited resources or skills to deliver the assets required by the community.</p>	$\frac{\text{Total of Planned Capital Expenditure on Infrastructure Asset Renewals over 10 years}}{\text{Total of Required Capital Expenditure on Infrastructure Asset Renewals over 10 years}}$
Debt Servicing Capacity	
Leverage Ratio (times cover)[#]	
<p>The leverage ratio is an indicator of a council's ability to repay its existing debt. It measures the relative size of the councils debt to its operating performance.</p> <p>A higher leverage ratio indicates an increasingly limited capacity to support additional borrowings due to already high debt levels and/or decreasing operational performance, while a lower ratio indicates the opposite.</p> <p>A lower leverage ratio is not itself a guarantee that further debt will be approved for a council, while councils with higher leverage ratios are not necessarily precluded from having additional borrowings approved due to other mitigating circumstances.</p>	$\frac{\text{Book Value of Debt}}{\text{Total Operating Revenue less Total Operating Expenditure add Depreciation and Amortisation add finance costs}}$
[#] Financial Management (Sustainability) 2013 legislated ratios [*] Financial Management (Sustainability) 2023 legislated ratios	

6. Reference Material

Local government sustainability framework	https://www.statedevelopment.qld.gov.au/local-government/for-councils/finance/local-government-sustainability-framework Sustainability Framework Financial Management (Sustainability) Guideline Risk Framework Frequently Asked Questions
Budget 2023-24	https://www.livingstone.qld.gov.au/current-budget
Estimated Resident Population (ERP)	https://profile.id.com.au/livingstone/population-estimate

12.5 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 OCTOBER 2024

October 2024 Contract Award Summary

Meeting Date: 19 November 2024

Attachment No: 2



OCTOBER 2024 - CONTRACT AWARD SUMMARIES

2024.013 – PSA Supply & Delivery of Water Meters

Livingstone Shire Council's water meter network has approximately 14,000 water meters ranging in size from 20mm domestic meters to 200mm for commercial applications. The age of these meters varies from newly installed to meters with over 10 years' service.

Currently the network is expanding with new development at a rate of approximately 2% per annum and ad hoc replacements. The 2024.013 – PSA Supply & Delivery of Water Meters sought tenders from suitably qualified contractors for the supply and delivery of Water Meters for a five (5) year term for replacement needs (meters at the end of their service life), new connection requirements and reactive maintenance needs.

The tender was advertised on "02 September 2024" in the digital Morning Bulletin. It was also posted on VendorPanel Public Tenders, the Livingstone Shire Council website, Council's Facebook page and Council's LinkedIn page. The tender closed at 2:00PM on "30 September 2024."

Council received six (6) submissions, one (1) submission was conforming and provided a complete Schedule of Rates for consideration. A further five (5) submissions were conforming with the evaluation criteria, however upon review of the Schedule of Rates, partial pricing of items was offered. The panel discussed preference of a single supplier to be appointed to the PSA. Concern was raised that if a dual supplier was awarded given that one supplier had capacity to service the contract requirements there could be perceived bias in the event one supplier was to receive more purchasing over the other.

In comparing all submissions pricing across several items, it was clearly demonstrated that there were two tiers of suppliers being wholesalers and retailers. Panel discussions indicated preference of the wholesale supply prices as this was in the best interest of Council and the rate payer and supply capability across all items within the Schedule of Rates. The panel agreed to select Honeywell Ltd T/as Elster as the preferred tenderer on this basis.

2024.015 – PSA Supply & Delivery of Office Supplies

The Preferred Supplier Agreement for the Supply and Delivery of Office Supplies contract covers the supply of stationery and associated office supplies under Work Group Stores and Direct Purchasing Arrangements. The product ranges covered by this contract include but are not limited to:

- General Office Products – e.g. Pens, pencils, highlighters, calculators.
- Paper Products – e.g. Paper, Cardboard.
- Filing and Storage – e.g. Ring binders, folders, suspension files.

The objective of the 2024.015 – Preferred Supplier Agreement (PSA) – Supply and Delivery of Office Supplies will be to enable delivery of stationery and office supplies of a suitable quality to the Council end user on time, every time at the lowest possible overall cost to Council.

The tender was advertised on "09 September 2024" in the digital Morning Bulletin. It was also posted on VendorPanel Public Tenders, the Livingstone Shire Council website, Council's Facebook page and Council's LinkedIn page. The tender closed at 2:00PM on "30 September 2024."

Office National Xpress provided a comprehensive submission that demonstrated a high standard in manifest management including all aspects of ordering, processing, delivery and invoicing. Within the submission an efficiency in ordering and service delivery methodology

was outlined and references supplied. Council noted that the business is an established business within the Livingstone Shire Council employing locals. The submission outlined the commitment to local community groups, sporting clubs and donations to local events.

The Office National Xpress submission outlined that whilst an environmental innovation process has been undertaken, it was indicated that further discussion around environmentally friendly products is welcomed. Overall pricing was comparable to the current schedule of rates and the panel determined based on the Technical Specification requirements, comprehensive submission and comparable schedule of rates, that Office National Xpress provides value for money for Council and should be awarded the contract to the PSA.

2024.008 – Design & Construct GKI Sewage Treatment Plant

In 2021 the State Government commenced a community led master planning process for Great Keppel Island aiming to revitalise tourism on GKI. The final GKI (Woppa) Master Plan was released on the 23rd of April 2024 following extensive consultation and review. The Master Plan identified immediate and future priorities necessary for the continuation of current tourism operations and in this the need to construct a new Sewage Treatment Plant was highlighted due to the condition of the existing plant that is deteriorating at a concerning rate. Catastrophic failure of the existing plant would have serious consequences and impacts on current tourism operations and potential new development.

On the 25th of June 2024 Council affirmed its commitment to providing replacement sewage treatment infrastructure, network and amenities on Great Keppel Island in partnership with the Queensland Government who is fully funding the capital cost of the project. The 2024.008 – Design & Construct GKI Sewage Treatment Plant Invitation to Tender was released to the market with a site inspection and briefing session provided to potential tenderers in the hopes to attract a suitably qualified and experienced Process Engineer to comply with the Principal Project Requirements to design and construct the Great Keppel Island Sewage Treatment Plant.

The tender was advertised on “11th July 2024” in the digital Morning Bulletin It was also posted on VendorPanel Public Tenders, the Livingstone Shire Council website and Council's Facebook and LinkedIn pages. The tender closed at 2:00PM on “5th September 2024”. The tender request was open for 56 days.

Council received eight (8) submissions, five (5) were conforming with the specification and demonstrated capability of performing both separable portion one and two. Three (3) submissions were deemed non-conforming upon further review of the documentation received. One (1) non-conforming submission was a partial submission for the sewage treatment plant bioreactor itself, but without the associated infrastructure and two (2) non-conforming submissions were for partial separable portion one.

The Successful tenderers submission was the only submission received that detailed a plan to complete influent design envelope investigations as part of the design process which is critical to the tender requirements. Whilst the submission proposed separate crews completing the works on separable portion 1 (STP) and separable portion 2 (ancillary items), it was noted that these crews will work simultaneously to achieve practical completion and operation of the STP by early November 2025 and project completion by February 2026 which is desirable to Council. The proposed pricing was within Council's approved budget and outlined an estimated spend of \$1.6M - \$1.8M of works to local contractors and suppliers.

In comparing the two highest scored submissions, the panel concluded that both companies will deliver to contract specification and are relative on many points; the successful tenderer provided a higher understanding and demonstrated a stronger ability along with management plans and comparable pricing. The price difference from the 2nd highest scored tenderer could

not be justified, panel agreed to select Pensar Construction Group Pty Ltd as the preferred tenderer.

Formed on the above evaluation and tender submission reviews, and an approved project budget of \$10,100,000.00, the panel recommend that the Contract be awarded to Pensar Construction Group Pty Ltd for the 2024.008 – Design & Construct GKI Sewage Treatment Plant for \$8,657,700.00 (ex GST).

2024.016 – Provision of Animal Husbandry Services

The purpose of Provision of Animal Husbandry is for short-term holding of cats, dogs and/or poultry incorporating but not limited to the care, grooming, feeding, animal hygiene and accommodation cleaning.

The tender was advertised on “17 September 2024” in the digital Morning Bulletin It was also posted on VendorPanel Public Tenders, the Livingstone Shire Council website and Council’s Facebook and LinkedIn pages. The tender closed at 2:00PM on “16 October 2024”.

The tender process saw two (2) submissions received of which were both conforming and evaluated by the panel members.

Upon review of the submissions, the panel conducted individual evaluations with members included from Local Laws, Public Environments and the Compliance team. The panel composition was developed intentionally to be diverse to include inter department engagement and application across the organisation.

The panel agreed to award to Capricorn Coast Kennels Yeppoon Pty Ltd as per the overall Evaluation Spreadsheet outcome score. The Capricorn Coast Kennels Yeppoon Pty Ltd submission demonstrated capacity to fulfil the contract requirements and met the technical, financial, and managerial requirements outlined within the scope and provided the best value for money to Council.

Cawarral Boarding Kennels provided a high-quality submission and demonstrated that the company could fulfill the requirements of the contract however their weekly rates at \$5,250.00 were 60% more than Capricorn Coast Kennels Yeppoon Pty Ltd and could not be justified, the companies price submission did not meet Councils budget requirements.

The Capricorn Coast Kennels Yeppoon Pty Ltd offer \$2,100.00 per week (ex GST) is accepted as demonstrating best value for money to Council.

13 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS

13.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE - AUGUST TO OCTOBER 2024

File No: A176309

Attachments:

1. Audit, Risk and Improvement Committee Meeting Minutes -Unconfirmed- 22 August 2024 Via Flying Minute - (*Confidential*)
2. Audit, Risk and Improvement Committee Unconfirmed Meeting Minutes - 9 September 2024 - (*Confidential*)
3. Audit, Risk and Improvement Committee Unconfirmed Meeting Minutes - 4 October 2024 via Flying Minute - (*Confidential*)

Responsible Officer: Andrea Ellis - Chief Financial Officer

Author: Nicole Carr - Support Services Officer

SUMMARY

The Audit, Risk and Improvement Committee (ARaIC) met on 22 August 2024 via Flying Minute, 9 September 2024 virtually and 4 October 2024 via Flying Minute and this report provides the recommendations from the Committee for consideration and adoption by Council. The reports from the meetings are available for viewing by Councillors on the Audit, Risk and Improvement Committee and Councillor portals.

OFFICER'S RECOMMENDATION

THAT the unconfirmed meeting minutes of the Audit, Risk and Improvement Committee held on 22 August 2024 via Flying Minute be received.

THAT the unconfirmed meeting minutes of the Audit, Risk and Improvement Committee held on 9 September 2024 virtually be received.

THAT the unconfirmed meeting minutes of the Audit, Risk and Improvement Committee held on 4 October 2024 via Flying Minute be received.

BACKGROUND

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

COMMENTARY

Below is a summary of the Committee meeting held on 22 August 2024 via Flying Minute.

1. No apologies noted and there were no Conflicts of Interest to be declared.
2. No previous meeting minutes to be confirmed due to being held over to the next quarterly meeting.
3. The following paper was presented to the Committee:
 - a. 2023-24 Unaudited General Purpose Financial Statements

Below is a summary of the Committee meeting held virtually on 9 September 2024.

1. No apologies noted and there were no Conflicts of Interest to be declared.
2. Minutes of the Audit, Risk and Improvement Committee Meeting held on 6 June 2024 were approved.
3. Business Outstanding was reviewed and updated accordingly.

4. The Following papers were presented to the Committee:

- a) CEO Update on emerging issues
- b) CFO Update
- c) External Audit
 - The Queensland Audit Office provided an overview of the briefing paper and presented a slide pack relating to responding to and recovering from cyber-attacks.
 - Human Services Quality Framework (SFC and Youth Services) – Re-certification Audit Report was received by the Committee.
 - Fraud Risk Management Annual Report – An update on Council’s fraud risks and associated management processes – was received.
- d) Internal Audit Update

An update on the progress of the approved 2023-24 and 2024-25 Internal Audit Plans was provided. Project scopes for the reviews on Fleet & Plant Management Practices and Water Management Practices were provided to the Committee for review and feedback.
- e) Audit Response Action Plan
- f) Internal Audit Report – Data Analytics and Reporting – internal audit project now completed
- g) ICT Security & Controls
- h) Annual Workplace Health & Safety Report FY 2023/2024
- i) Annual Insurance Report 2023-24 – Summary of insurance activity over the 2024-35 financial year provided to the Committee
- j) JLT Annual Risk Report – Overview provided on JLT’s recently released annual Public Sector Report (2023)
- k) Quarter 4 2023-24 Operational Plan Performance Report – was received
- l) ARaIC Summary of Activities for LSC 2024 Annual Report – was received
- m) ARaIC Performance Assessment (July 2023 to June 2024)
- n) ARaIC Committee Membership and External Member Appointment – Mel Jacobs’ appointment extended by a further twelve (12) months
- o) ARaIC Terms of Reference – feedback provided and proposed additional amendments by the Committee

Below is a summary of the Committee meeting held on 4 October 2024 via Flying Minute.

- 1. No apologies noted and there were no Conflicts of Interest to be declared.
- 2. No previous meeting minutes to be confirmed due to being held over to the next quarterly meeting.
- 3. The following papers was presented to the committee:
 - a. 2023-24 Final Draft General Purpose Financial Statements
 - b. 2023-24 QAO Closing Report

PREVIOUS DECISIONS

Each report on a Committee meeting is considered separately from previous reports.

ACCESS AND INCLUSION

There are no foreseen access and inclusion implications associated with this report.

ENGAGEMENT AND CONSULTATION

There are no engagement and consultation implications associated with this report.

HUMAN RIGHTS IMPLICATIONS

Section 4(b) of the *Human Rights Act 2019* require public entities such as Council *‘to act and make decisions in a way compatible with human rights’*.

There are no foreseen human rights implications associated with the content of this report.

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.

Section 211(1)(c) the audit committee must, as soon as practicable after a meeting, give a written report about the matters reviewed at the meeting and the committee’s recommendations about the matters.

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 Improvement Committee is a key part of the governance structures established by Council that help ensure there is effective ongoing risk management.

CORPORATE PLAN REFERENCE***Leading Livingstone***

Community Plan Goal 4.3 - Engagement with the community as advisors and partners

4.3.2 Commit to open and accountable governance to ensure community confidence and trust in Council and its democratic values.

Council is committed to an open and accountable system of governance, such as Council resolved to adopt a Policy to establish the audit committee in accordance with *section 105* of the *Local Government Act 2009* and *section 209-211* of the *Local Government Regulation 2012*.

CONCLUSION

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

14 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

15 CLOSED SESSION

In accordance with the provisions of section 254J of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

RECOMMENDATION

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

16.1 Yeppoon Aquatic Centre - Award of Contract

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

16 CONFIDENTIAL REPORTS

16.1 YEPPOON AQUATIC CENTRE - AWARD OF CONTRACT

File No: 2024-011

Attachments: Nil

Responsible Officer: Arvind Singh - Manager Infrastructure Projects
Michael Kriedemann - General Manager Infrastructure

Author: Jeff Davey - Infrastructure Project Engineer

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

SUMMARY

This report is for the recommendation to Councillors to enter into Contract with the selected Contractor for Contract 2024.011 Yeppoon Aquatic Centre - Construction. It is also recommended that the project budget is increased and amended in Council's forward Budgets for 24/25 & 25/26.

17 CLOSURE OF MEETING