



# **ORDINARY MEETING**

## **AGENDA**

**16 JUNE 2020**

*Your attendance is required at an Ordinary meeting of Council to be held in the Yeppoon Town Hall, 25 Normanby Street, Yeppoon on 16 June 2020 commencing at 9.00am for transaction of the enclosed business.*

*Brett Bacon*  
**ACTING CHIEF EXECUTIVE OFFICER**  
11 June 2020

Next Meeting Date: 21.07.20

**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 Andrew King of the 360 Church is scheduled to deliver an opening prayer.*

## 2 ATTENDANCE

### Members Present:

Mayor, Councillor Andrew Ireland (Chairperson)  
Councillor Nigel Hutton  
Councillor Adam Belot  
Councillor Pat Eastwood  
Councillor Glenda Mather  
Councillor Tanya Lynch  
Councillor Andrea Friend

### Officers in Attendance:

Mr Brett Bacon – Acting Chief Executive Officer  
Mr Dave Mazzaferri – Acting Executive Director Liveability and Wellbeing  
Mr Scott Casey – Acting Executive Director Infrastructure  
Mrs Andrea Ellis – Chief Financial Officer  
Mr Matthew Willcocks - Chief Technology Officer  
Mrs Belinda Housman – Acting Chief Human Resources Officer

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

Nil

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

Minutes of the Ordinary Meeting held 19 May 2020

Minutes of the Special Meeting held 29 May 2020

## **5      DECLARATION OF INTEREST IN MATTERS ON THE AGENDA**

**6 PUBLIC FORUMS/DEPUTATIONS**

Nil

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

### **7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING**

**File No:** GV13.4.1

**Attachments:** 1. **Business Outstanding Table as at June 2020**[↓](#)

**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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#### **SUMMARY**

*The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council Meetings. The current Business Outstanding table for the Ordinary Council Meetings as at 10 June 2020 is presented for Councillors' information.*

#### **OFFICER'S RECOMMENDATION**

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

## **7.1 - BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING**

### **Business Outstanding Table as at June 2020**

**Meeting Date: 16 June 2020**

**Attachment No: 1**

Item	Date	Report Title	Resolution	Responsible Officer	Comments
1.	17 July 2018	Draft Fig Tree Creek Masterplan	THAT Council endorse the Fig Tree Creek Master Plan for further public consultation and integration into the Council's Strategic Planning Framework	Coordinator Natural Resource Management	09 Jun 2020 4:24pm McLennan, Jo  Scheduled training sessions for the relevant stakeholders have been completed. Officer completing strategy to present report to the next Briefing Session on 7 July 2020.
2.	16 October 2018	Potential Sale of Lots 2 and 3 - The Gateway Business and Industry Park (C)	THAT Council:  1. reconfirms its previous decision on 1 May 2018, to sell Lots 2 and 3, known as 3 and 5 Pineapple Drive, Hidden Valley, within Stage One of The Gateway Business and Industry Park, at the nominated offer and acknowledges the new entity (purchaser) listed in this report;  2. confirms its preparedness to accept the option two payment terms and conditions for Lots 2 and 3, outlined in this report, and if deemed acceptable to the purchaser through further negotiation;  3. confirms in lieu of discounting infrastructure charges, it would favourably consider entering into an infrastructure agreement for the deferred payment of infrastructure charges, in accordance with the general terms prescribed by Council's <i>Development Incentive Policy for Reconfiguring a Lot</i> , based on the terms outlined in this report; and if deemed acceptable to the purchaser through further negotiations;  4. authorises the Chief Executive Officer to finalise negotiations with the purchaser, taking into consideration the terms and conditions outlined in this report, and execute a contract of sale for Lots 2 and 3, having due regard to the provisions for the disposal of non-current assets contained in the <i>Queensland Local Government Regulation 2012</i> and Livingstone Shire Council's Procurement Policy;	Executive Director Liveability and Wellbeing	10 Jun 2020 10:58am Schofield, Justine  Settlement date currently scheduled for 26 June 2020.



Item	Date	Report Title	Resolution	Responsible Officer	Comments
3.	01 April 2019	Recyclables Processing Service Contract (C)	That Council authorise the Chief Executive Officer to proceed in the manner as outlined within the report.	Manager Water and Waste Operations	9 June 2020 Feedback from all Councils in relation to draft tender documents to be submitted by 26 June 2020 with the intention to execute the document in July 2020.
4.	06/08/19	Livingstone Planning Scheme 2018 - Proposed Second Amendment	<p>THAT Council resolve to:</p> <ol style="list-style-type: none"> <li>1. make amendments to the <i>Livingstone Planning Scheme 2018</i> in accordance with the changes identified in Attachment One; and</li> <li>2. advance the amendments to the <i>Livingstone Planning Scheme 2018</i> in accordance with the <i>Planning Act 2016</i> and the <i>Minister's Guidelines and Rules July 2017</i>.</li> </ol>	Strategic Planning Officer	10 Jun 2020 9:43am McLennan, Jo State Government has stopped the time period and requested Council provide further information to justify compliance of State interests. Growth Management will further investigate avenues for providing information requested.
5.	17/09/19	Former Catholic Church Building – Marlborough (C)	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> <li>1) to authorise Council officers to proceed to written tender for the sale of Lot 14 on Registered Plan 602167 and the building thereon on an 'as is where is' basis; and</li> <li>2) further, if the written tender process for the sale of Lot 14 on Registered Plan 602167 and the building thereon is unsuccessful, authorise Council officers to proceed to written tender for the lease of this property on an 'as is where is' basis.</li> </ol>	Principal Property Officer	5 June 2020 Council is aware of two parties who may still have an interest in purchasing the property. Council has asked the agent to contact these parties and request that they provide their best and final offer in writing for Council's consideration by no later than midday 19 June 2020.
6.	19/11/19	Acquisition of Land for Road Purposes - Trunk Infrastructure T-100 Tanby / Chandler Roads Intersection and T-37 Chandler Road (C)	THAT Council authorise the Chief Executive Officer to commence negotiations with the owner of Lot 9 RP613833 to open new road as shown on Drawing No 14-133-C-01.	Policy and Planning Officer	8 May 2020 Signed survey plan received.

Item	Date	Report Title	Resolution	Responsible Officer	Comments
7.	19/11/19	Enquiry of The Gateway Business and Industry Park Proposed Lot 24 (C)	THAT Council resolve to provide a twelve-month non-exclusive Licence Agreement to the proponent, at a rental amount as prescribed under the non-exclusive Licence Agreement to, over part of Lot 5001 on Survey Plan 296924 at The Gateway Business and Industry Park.	Project Support Officer	09 Jun 2020 4:54pm McLennan, Jo  The license is being reviewed by the company and they are undertaking due diligence on lease to buy options. They are also working with State Government on grant and banks on finance options
8.	03/12/19	LIVINGSTONE PLANNING SCHEME 2018 - PROPOSED PLANNING SCHEME AMENDMENTS	THAT Council resolve to: 1) Make amendments to the Livingstone Planning Scheme 2018 in accordance with the changes identified in Attachment 1; and 2) Advance the amendments to the Livingstone Planning Scheme 2018 in accordance with the Planning Act 2016 and the Minister's Guidelines and Rules July 2017.	Principal Strategic Planner	10 Jun 2020 9:44am McLennan, Jo  Internal review of document changes being undertaken and endeavouring to send amendment information to State by Mid June 2020 for State interest review.
9.	03/12/19	PROPOSED TRUSTEE LEASE TO NBN CO LIMITED OVER PART OF LOT 50 ON SURVEY PLAN 207050 - KEPPEL SANDS (C)	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 NBN Co Limited over part of Lot 50 on Survey Plan 207050 described as Lease N on Survey Plan 311429; 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 NBN Co Limited over part of Lot 50 on Survey Plan 207050 described as Lease N on Survey Plan 311429; and 3. to provide a twenty (20) year lease to NBN Co Limited, at an initial rent which is yet to be determined but in accordance with Section 236	Principal Property Officer	5 June 2020  Negotiations are continuing with NBN Co on this matter. Council officers met with NBN Co and representatives from the Coast Guard on 5 June 2020 in relation to the location of infrastructure on the trust land.

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			Subsection (3) of Local Government Regulation 2012 will be equal to, or more than, the market value of the interest in land, over Lease N on Survey Plan 311429.		
10	19/12/19	Capricorn Coast Memorial Parkland Management (C)	<p>THAT Council resolve to authorise Council officers to invite expressions of interest from parties interested in the provision and management of the following components of the Capricorn Coast Memorial Parkland:</p> <p>(1) provision of burials and inurnment of ashes in accordance with the Capricorn Coast Memorial Parkland Landscape Key Plan 2: Burial Plot Layout, including:</p> <ul style="list-style-type: none"> <li>a. using the modern burial system (crypt burial system) for formal lawn and informal lawn burials;</li> <li>b. provision of ashes garden(s);</li> <li>c. provision of columbarium(s); and</li> <li>d. the establishment of a pet cemetery;</li> </ul> <p>(2) horticultural and general maintenance of the site;</p> <p>(3) general operation (including opening hours) of the site;</p> <p>(4) development of a chapel; and</p> <p>(5) development of a crematorium.</p>	Manager Infrastructure Projects	<p>10 Jun 2020 8:48am Groves, Kat</p> <p><i>Draft cost estimates have been prepared and have been discussed with the A/CEO and A/ED Liveability &amp; Wellbeing. A draft report is currently being prepared for the ELT.</i></p> <p>10 Jun 2020 8:49am Groves, Kat - Target Date Revision</p> <p><i>Target date changed by Groves, Kat from 01 June 2020 to 01 July 2020</i></p>
11	04/02/2020	Notice of Motion - Councillor Adam Belot - Bangalee Beach Access Consultation.	THAT Livingstone Shire Council undertake meaningful community consultation with the Bangalee community and (any other key stakeholders) to determine their level of support for	Executive Director Infrastructure	<p>9 June 2020</p> <p><i>Report drafted for briefing of Councillors on 2 June 2020. Deferred to 16 June 2020.</i></p>



Item	Date	Report Title	Resolution	Responsible Officer	Comments
			the following in relation to vehicle access onto Farnborough Beach  1/ Do you support Council investigating a viable additional and/or alternate northern vehicle beach access point accessing onto Farnborough Beach.		
12	04/02/2020	Questions on Notice - Councillor Glenda Mather - Great Keppel Island Revitalisation Project	THAT the 'Questions on Notice' be received and a report providing a response to the questions be brought to a future Council meeting.	Acting Executive Director Infrastructure	9 June 2020  Queensland Government Project Officer continues to advise that a response to questions will be provided shortly. Acting Executive Director Infrastructure is to make contact to establish a definite timeframe for response.
13	04/02/2020	Properties Eligible for Sale of Land for Rate Arrears (C)	THAT  (a) pursuant to section 140(2) of the Local Government Regulation 2012 Council proceed with action to sell the land listed below, and also detailed in attachment 1 to the report for overdue rates and charges, and  (b) that Council delegate to the Chief Executive Officer the power to take all further steps under Chapter 4, Part 12, Division 3 of the Local Government Regulation 2012 to effect sale of the land (including, for avoidance of doubt, the power to end sale procedures).  127032 – L5 RP 601484 135251 – L1 RP 605760 131221 – L3 RP 617035 139480 – L 5 SP 269992 131847 – L29 MPH 14441 140000 – L2 RP 616623	Coordinator Revenue	5 June 2020  5 Properties Remaining. Auction Notices not due to issue until after 19th July but prior to the end of August.  15 Apr 2020  Notices of Intention to Sell issued. No further action for a minimum of three months.

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			132462 – L11 SP 226589 143633 – L142 SP 203612 132798 – L7 SP 112046 302419 – L52 SP 237553 134330 – L178 RP 610896 127596 – L71 RP 604123		
14	04/02/2020	ACQUISITION OF LAND (C)	THAT Council resolves to proceed in accordance with Option One, as detailed within the body of this report.	Manager Infrastructure Projects	10 Jun 2020 8:49am Groves, Kat A draft Contamination Due Diligence Report has been received from the specialist contamination consultant and has been reviewed by Council staff. The report is currently being finalised by the consultant and is expected to be submitted by mid June 2020.
15	18/02/2020	Notice of Motion - Councillor Mather - Overgrown Vegetation	THAT pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending an officers report to return to a Council Meeting.	Executive Director Liveability and Wellbeing	9 June 2020 Open Spaces Supervisor inspected 9 June 2020 to see if there was any way to get machinery on the subject land. Following recent rains the water is back up to the fence again and there is no way any machinery can be used. Supervisor spoke to customer to give an update.  7 May 2020 Officers still investigating on a regular basis and keeping in contact with Customer and to date the vegetation is still too wet to clear. Customer has also been advised to contact Open Spaces Officer if they feel the area is dry enough to clear - to engage in onsite inspection.

Item	Date	Report Title	Resolution	Responsible Officer	Comments
16	18/02/2020	Proposed Trustee Lease to Capricorn Tourism and Economic Development Limited (C)	<p>THAT Council resolve:</p> <p>1) to rescind Resolution 12.3 of its Ordinary Meeting on 16 October 2018, which resolved to:</p> <p>1) apply the exception mentioned in Section 236(1)(b)(ii) of the Local Government Regulation 2012 to its dealings with Capricorn Tourism and Economic Development Limited and Keppel Coast Arts Council Incorporated for issue of Trustee Leases over land currently described as Lot 2 on Survey Plan 104438, Merv Anderson Park Yeppoon; and</p> <p>2) provide Trustee Leases over land currently described reserve for Recreation, Public Boat Ramp, Jetties and Landing Place over Lot 2 on Survey Plan 104438 to:</p> <p>(a) Capricorn Tourism and Economic Development Limited for a term of 20 years for operation of the Capricorn Coast Visitor Information Centre and Shell World; and</p> <p>(b) Keppel Coast Arts Council Incorporated for a term of 5 years for operation of the Artship;</p> <p>2) that the exception mentioned in section 236(1)(b)(ii) of the Local Government Regulation 2012 may apply in its dealing</p>	Property Officer	<p>5 June 2020</p> <p>Capricorn Tourism and Economic Development Ltd - Trustee Lease has been lodged for registration at the Department of Natural Resources, Mines and Energy. Confirmation of registration is awaited.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p>with Capricorn Tourism and Economic Development Limited over part of Lot 12 on Survey Plan 143269;</p> <p>3) pursuant to section 236(2) of the <i>Local Government Regulation 2012</i> to apply section 236(1)(b)(ii) of the <i>Local Government Regulation 2012</i> in its dealing with Capricorn Tourism and Economic Development Limited over part of Lot 12 on Survey Plan 143269; and</p> <p>4) to provide a twenty (20) year Trustee Lease to Capricorn Tourism and Economic Development Limited over part of Lot 12 on Survey Plan 143269 on the terms contained in this report.</p>		
17	18/02/2020	PROPOSED TRUSTEE LEASE TO THE YEPPOON INLET ASSOCIATION INCORPORATED (C)	<p>THAT Council resolve:</p> <p>1. that the exception mentioned in section 236(1)(b)(ii) of the <i>Local Government Regulation 2012</i> may apply in its dealing with the Yeppoon Inlet Association Incorporated over part of Lot 12 on Survey Plan 143269 described as Leases B and C on Survey Plan 295928;</p> <p>2. pursuant to section 236(2) of the <i>Local Government Regulation 2012</i> to apply section 236(1)(b)(ii) of the <i>Local Government Regulation 2012</i> in its dealing with the Yeppoon Inlet Association Incorporated over part of Lot 12 on Survey Plan 143269 described as Leases B and C on Survey Plan 295928; and</p>	Principal Property Officer	<p>5 June 2020</p> <p>Negotiations are ongoing with the Yeppoon Inlet Association on this matter.</p>



Item	Date	Report Title	Resolution	Responsible Officer	Comments
			3. to provide a thirty (30) year Trustee Lease to the Yeppoon Inlet Association Incorporated over part of Lot 12 on Survey Plan 143269 described as Leases B and C on Survey Plan 295928, at an initial rental of \$350 per annum excluding Goods and Services Tax for each jetty located with the trustee lease area.		
18	03/03/2020	Request for Renewal of Lease - Marlborough Rural Fire Brigade	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> <li>1. that the exception mentioned in Section 236(1)(b)(i) of the <i>Local Government Regulation 2012</i> may apply in its dealing with the State of Queensland (represented by Public Safety Business Agency) on behalf of the Marlborough Rural Fire Brigade over part of Lot 12 on Survey Plan 270260;</li> <li>2. pursuant to section 236(2) of the <i>Local Government Regulation 2012</i> to apply section 236(1)(b)(i) of the <i>Local Government Regulation 2012</i> in its dealing with the State of Queensland (represented by Public Safety Business Agency) on behalf of the Marlborough Rural Fire Brigade over part of Lot 12 on Survey Plan 270260; and</li> <li>3. to provide a ten (10) year lease to the State of Queensland (represented by Public Safety Business Agency) on behalf of the Marlborough Rural Fire Brigade, at a nominal rent amount of \$1 per annum, over part of Lot 12 on Survey Plan 270260.</li> </ol>	Principal Property Officer	<p>5 June 2020</p> <p>Negotiations on the lease to the Public Safety Business Agency are continuing.</p>
19	16/04/2020	Determination of Standing Committees or Portfolios	THAT Council resolves to proceed with a Councillor Portfolio framework and in due course consider and	Coordinator Governance	25 May 2020



Item	Date	Report Title	Resolution	Responsible Officer	Comments
			adopt an appropriate Councillor Portfolio Policy and suitable designation of Portfolio responsibilities to respective Councillors.		Report was presented to Council meeting on 19 May 2020 for adoption.
20	19/05/2020	Mayoral Minute - Pacific Heights Road	<p>THAT Council:</p> <p>1) Resolves for Council Officers to prepare a report to Council outlining options and costs for reducing the speed and volume of traffic along Pacific Heights Road, and</p> <p>a) that these options consider the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reducing the speed limit to 40kph;</li> <li><input type="checkbox"/> Increasing the number of speed signs along Pacific Heights Road to remind motorists of the speed limit</li> <li><input type="checkbox"/> The construction of a suitably positioned roundabout along Pacific Heights Road;</li> <li><input type="checkbox"/> In conjunction with the Queensland Police Service, the installation of speed cameras along Pacific Heights Road;</li> <li><input type="checkbox"/> Installing painted traffic markers/lines for traffic calming; and</li> </ul> <p>b) that the report from officers be presented to Council no later than July 2020.</p>	Executive Director Infrastructure Services	<p>4 June 2020</p> <p>Report being prepared by Council officer for briefing of Councillors on 7 July 2020.</p>
21	19/05/2020	Councillor Remuneration 2020-21	<p>That Council:</p> <p>1) receive the annual review of Councillor remuneration conducted by the Local Government Remuneration Commission; and</p> <p>2) resolves that the maximum amount of remuneration payable as provided by the</p>	Chief Financial Officer	<p>20.05.2020</p> <p>Completed</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			Local Government and Remuneration Tribunal for the 2020/21 period of 2.0 percent will not be payable with the amount of remuneration to increase by a lesser amount, namely 0 percent.		
22	19/05/2020	Corporate Plan 2030	<p>THAT Council adopts the draft <i>Corporate Plan 2030</i> pursuant to section 104(5) of the <i>Local Government Act 2009</i> and sections 165 and 166 of the <i>Local Government Regulation 2012</i> with the following amended wording to Section 3.3.3 :-</p> <p><i>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.</i></p>	Principal Business Improvement Officer	20.05.2020 Completed
23	19/05/2020	Notice of Motion - Councillor Mather - Lamberton Street	<p>THAT Council receives the verbal update on the actions being undertaken as follows:</p> <ol style="list-style-type: none"> <li>1) Work with landowners in regards to removal of overgrown foliage.</li> <li>2) Development of an adequate fire break on Council land on the northern side of 31 Lamberton Street.</li> <li>3) Community education and engagement activities for residents on the eastern side of Lamberton Street.</li> </ol>	Acting Executive Director Liveability and Wellbeing	20.05.2020 Verbal update provided to Councillors at Ordinary Council Meeting 20.05.2020.
24	19/05/2020	Notice of Motion - Councillor Hutton - Sustaining Animal Welfare Organisations COVID-19	THAT Council request a brief report by officers to investigate the ongoing costs and needs of animal welfare organisations servicing the Livingstone Shire, with potential funding sources, advocacy opportunities and funding methodologies to inform a decision around council's capacity to provide additional support to these organisations.	Acting Executive Director Liveability and Wellbeing	10 Jun 2020 10:21am McLennan, Jo Council officers request Cr Hutton provide further information about the organisations referred to in the Notice of Motion and the

Item	Date	Report Title	Resolution	Responsible Officer	Comments
					<i>anticipated scope of animal welfare id est Domestic, Rural/agricultural, Wildlife etc.</i>
25	19/05/2020	Acquisition of Easements for Drainage Purposes - Sypher Drive Inverness (C)	THAT Council Officers commence negotiations with the owners of Lot 3 SP268397, Lot 16 SP268397 and Lot 2 SP110008 to obtain drainage easements over their properties generally in accordance with Drawing No 20-054-01.	Policy and Planning Officer	5 June 2020  Contact made with land owners. Waiting for permission to enter land.
26	19/05/2020	Request for Special Consideration (C)	That Council resolve to grant discount (after the due date for payment) under the provisions of the Rates Payment Policy, and consideration of the exceptional circumstances (directly related to the Cobraball Fire 2019) that prevented payment by the due date. The discount will be granted upon assessments outlined below:  129324-8      \$186.25 129330-5      \$179.95 129332-1      \$179.95	Coordinator Revenue	5 June 2020  Customer contacted by phone after resolution of Council. Very Grateful requested the forwarding of a very sincere Thank You to Councillors.
27	19/05/2020	Bushfire Rates Relief	THAT Council resolve:  1. To rescind Resolution 9.2 – 2 of its Ordinary Meeting on 17 March 2020, which resolved to:  <i>THAT, in the event that the request to the State Government is denied, Council grant a hardship concession to the owners of the fifteen (15) properties identified below, who lost their homes during the Cobraball fire, by way of rebate for all of the rates and charges payable to Council for the rating period from 1 January 2020 to 30 June 2020.</i>	Coordinator Revenue	5 June 2020  Customers contacted by Mayor's office. Revenue Department processing adjustments to Assessments and will issue correspondence advising new balance. Expected completion Monday 8 June 2020.

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p><i>Lot and Plan                      Assessment Number</i></p> <p><i>Lot 5 on RP615216                      139321</i></p> <p><i>Lot 1 on RP608134                      139446</i></p> <p><i>Lot 2 on RP614862                      139457</i></p> <p><i>Lot 2 on RP614695                      137379</i></p> <p><i>Lot 1 on RP614695                      137378</i></p> <p><i>Lot 1 on RP602818                      137377</i></p> <p><i>Lot 3 on RP602798                      137374</i></p> <p><i>Lot 2 on RP616174                      137372</i></p> <p><i>Lot 2 on SP286143                      143077</i></p> <p><i>Lot 2 on RP602413                      137410</i></p> <p><i>Lot 40 on RP843061                      137275</i></p> <p><i>Lot 39 on RP843061                      137274</i></p> <p><i>Lot 1 on SP201920                      143738</i></p> <p><i>Lot 2 on RP812798                      137325</i></p> <p><i>Lot 2027 on LIV40670                      139281</i></p>		
			<p>2. Council grant a concession under the provisions contained within Part 10 of the Local Government Regulation 2012, on the basis that the payment of rates or charges will cause hardship to the landowner.</p> <p>The hardship concession directly relates to those Ratepayers (15) identified below. all properties listed have been assessed and identified by Queensland Fire and Emergency Services as having lost homes due to the 'declared event' Cobraball Fire 2019.</p> <p>The concession provided under Section 121(a) will be a rebate for all of the rates and</p>		



Item	Date	Report Title	Resolution	Responsible Officer	Comments																																
			charges payable to Council for the rating period from 1 January 2020 to 30 June 2020 utilising Category D Bushfire Recovery Exceptional Assistance Immediate Support Package.																																		
			<table><thead><tr><th>Lot and Plan</th><th>Assessment Number</th></tr></thead><tbody><tr><td>Lot 5 on RP615216</td><td>139321</td></tr><tr><td>Lot 1 on RP608134</td><td>139446</td></tr><tr><td>Lot 2 on RP614862</td><td>139457</td></tr><tr><td>Lot 2 on RP614695</td><td>137379</td></tr><tr><td>Lot 1 on RP614695</td><td>137378</td></tr><tr><td>Lot 1 on RP602818</td><td>137377</td></tr><tr><td>Lot 3 on RP602798</td><td>137374</td></tr><tr><td>Lot 2 on RP616174</td><td>137372</td></tr><tr><td>Lot 2 on SP286143</td><td>143077</td></tr><tr><td>Lot 2 on RP602413</td><td>137410</td></tr><tr><td>Lot 40 on RP843061</td><td>137275</td></tr><tr><td>Lot 39 on RP843061</td><td>137274</td></tr><tr><td>Lot 1 on SP201920</td><td>143738</td></tr><tr><td>Lot 2 on RP812798</td><td>137325</td></tr><tr><td>Lot 2027 on LIV40670</td><td>139281</td></tr></tbody></table>	Lot and Plan	Assessment Number	Lot 5 on RP615216	139321	Lot 1 on RP608134	139446	Lot 2 on RP614862	139457	Lot 2 on RP614695	137379	Lot 1 on RP614695	137378	Lot 1 on RP602818	137377	Lot 3 on RP602798	137374	Lot 2 on RP616174	137372	Lot 2 on SP286143	143077	Lot 2 on RP602413	137410	Lot 40 on RP843061	137275	Lot 39 on RP843061	137274	Lot 1 on SP201920	143738	Lot 2 on RP812798	137325	Lot 2027 on LIV40670	139281		
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Lot 2 on RP812798	137325																																				
Lot 2027 on LIV40670	139281																																				

## 8 PRESENTATION OF PETITIONS

### 8.1 PETITION REQUESTING ACCESS TO LONG BEACH

**File No:** GV13.4.7

**Attachments:** 1. Petition - Doris Leo - Access to Long Beach [↓](#)

**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

---

#### SUMMARY

*Council has received the following petition from petitioners requesting Access to Long Beach.*

#### RECOMMENDATION

THAT the petition requesting Access to Long Beach be received and referred to a Council Briefing Session for consideration.

## **8.1 - PETITION REQUESTING ACCESS TO LONG BEACH**

### **Petition - Doris Leo - Access to Long Beach**

**Meeting Date: 16 June 2020**

**Attachment No: 1**

## Petition to Livingstone Shire Council Form

Office of the Mayor &amp; CEO

Enquiries: 07 4913 5000 / 1300 790 919 Email: [enquiries@livingstone.qld.gov.au](mailto:enquiries@livingstone.qld.gov.au)

Address: PO Box 2292 YEPPOON QLD 4703

**PRIVACY NOTICE:** Requesting or signing a petition is not anonymous. Livingstone Shire Council is collecting the personal information you supply on this form for the purpose of processing petitions. Your name, address, email address and signature may be published on Council Meeting agendas, Council's website or other publications. By submitting this information you acknowledge and accept that your personal information will be used by Council, agents and contractors acting on behalf of Council for the purpose of petitions. You agree that Council, agents and contractors are entitled to publish the information provided including your personal information for the purpose of petitions.

All fields marked \* are mandatory and must be filled appropriately in order for the petition to be considered a properly completed

## Principal Petitioner Details

Name\*

Doris Leo

Address\*

586 Joskeleigh Rd &amp; 4702

Daytime Phone Number\*

0488 527 967

Email

Signature\*

Doris Leo

## Petition Request

We the undersigned request that Council give consideration to\*:

Access to Long Beach.

## Petitioner Details and Signatures

(If space for further signatures is required, a copy of this page must be used each time. Photocopies of signatures will not be accepted.)

Date\*

Name\*

Address\*

Signature\*

Signature pages attached.

Please include number of pages

Page 1 / 22

Version 1, approved 10 February 2017



079233950

## Petition to Livingstone Shire Council

Date 14/03/2020  
 Petition Organiser Doris Leo - signed *Doris Leo*  
 Address 586 Joskeleigh Road, QLD, 4702  
 Telephone number 0488 527 967

We, the undersigned, petition Council to address our application regarding access to Long Beach

Name	Address	Signature
IAO BUTLER	549 JOSKELEIGH RD	<i>[Signature]</i>
CIANNA BUTLER	549 JOSKELEIGH RD	<i>[Signature]</i>
Vulma Porter	503 JOSKELEIGH RD	<i>[Signature]</i>
Joy Williams	388 RICHMOND RD	<i>[Signature]</i>
JOHN WILSON	206 LONGCREEK RD	<i>[Signature]</i>
W. HARBLOW	505 JOSKELEIGH RD	<i>[Signature]</i>
A. LEO	61 Pine Park, Lakes Creek	<i>[Signature]</i>
Number of signatures on page		

2/22

CFF9Z33955

## Petition to Livingstone Shire Council

Date 14/03/2020  
 Petition Organiser Doris Leo - signed D Leo.  
 Address 586 Joskeleigh Road, QLD, 4702  
 Telephone number 0488 527 967

We, the undersigned, petition Council to address our application regarding access to Long Beach

Name	Address	Signature
Doris Leo	586 Joskeleigh Road	D Leo
Tom O'Farrell	608 Joskeleigh Rd.	Tom O'Farrell
Doris Warren	450 Joskeleigh Rd.	Doris Warren
Leanne Warren	450 Joskeleigh Rd.	Leanne Warren
Michael Brown	450 Joskeleigh Rd.	Michael Brown
Margaret Hill	450 Joskeleigh Rd.	Margaret Hill
Ken Brown	500 Joskeleigh Rd.	Ken Brown
Sally Lander	2565 R. on Hill 16. Hillview, N/1	Sally Lander
Lee Porter	2549 EMU PARK ROAD, CARRUMANN	Lee Porter
<del>Michael Brown</del>	<del>450 Joskeleigh Rd.</del>	<del>Michael Brown</del>
Tony Budo	586 Joskeleigh Road	T. Budo
Number of signatures on page		

3/22

00000000

## Petition to Livingstone Shire Council

Date 14/03/2020  
 Petition Organiser Doris Leo - signed d a leo  
 Address 586 Joskeleigh Road, QLD, 4702  
 Telephone number 0488 527 967

We, the undersigned, petition Council to address our application regarding access to Long Beach

Name	Address	Signature
Nicole Lee	567 Joskeleigh Road Joskeleigh Q 4702	Nicole
William Douglas	583 Joskeleigh Road Livingstone, QLD 4702	William Douglas
Crusher Barwood	195 Dudley St The Range Q 4700	Crusher Barwood
Deborah Paul	5 Irwin St Grahamville 2422	Deborah Paul
Stef Hurley	374 Lilley Ave Grahamville	Stef Hurley
Scott Corry	7 Kilmuir St Livingstone 4702	Scott Corry
Robert Eastman	115 Docks Road Livingstone QLD 4702	Robert Eastman
John Lee	Livingstone	John Lee
Bethan Lee	Nth Range	Bethan Lee
TITANS TREXBYNE	GRACE NEAR	T. Titans
Number of signatures on page		

4/22

Name: Doris Leo Phone: 0488 527967  
Address: 586 Joskeleigh Rd @ 4702

[illegible]

## Access to Long Beach

Signed: K. K. K.

5/22

079233900

Name: Doris Leo Phone: 0488 527 967

Address: 586 Joskeleigh Rd Q 4702  
change.org

Livingstone Shire Council

Livingstone Shire Council

Greetings,

Greetings,

Access to long beach

signed: D Leo.

6/22

0089576K

Name: Doris Leo Phone: 0488 527967  
signed: D. Leo.

## Signatures

Name	Location	Date
Tyshaya Martens	Australia	2020-03-18
Daijah Martens	Joskeleigh, Australia	2020-03-18
Shaun Parter	Emerald, Australia	2020-03-18
Maria Martens	Mackay, Australia	2020-03-18
Sandy Parter	Brisbane, Australia	2020-03-18
Neal Warcon	Brisbane, Australia	2020-03-18
Eve Goodman	Australia	2020-03-18
Keara White	Cairns, Australia	2020-03-18
Doug McQuire	Brisbane, Australia	2020-03-18
Stacey Malamoo	Rockhampton, Australia	2020-03-18
Jenteale Backo	Brisbane, Australia	2020-03-18
Anita Brown	North Rockhampton, Australia	2020-03-18
Tricia Brown	Joskeleigh, Australia	2020-03-18
Sheldon Edmund	Hendra, Australia	2020-03-18
Karissa Pinkerton	Rockhampton, Australia	2020-03-18
Emily Yearsley	Belconnen, Australia	2020-03-18
Raelee Newton	Australia	2020-03-18
Simon Guest	Mundubbera, Australia	2020-03-18
Essington Warcon	Joskeleigh, Australia	2020-03-18
Marilyn Brown	Geelong, Australia	2020-03-18

## Access to Long Beach

7/22

JH9203900

Name: Doris Leo Phone: 0488 527967  
 signed: *Doris Leo*

Name	Location	Date
Laena Nevett	Brisbane, Australia	2020-03-18
Mark Pierce	Rockhampton, Australia	2020-03-18
saraya warcon	Rockhampton, Australia	2020-03-18
Wayne Kime	Emu Park, Australia	2020-03-18
Erin Duffy	Mount waverly, Australia	2020-03-18
Benita Ah-Kau	Brisbane, Australia	2020-03-18
Karla Pinkerton	Wattlebank, Australia	2020-03-18
Yvonne Chelepy	MACKAY, Australia	2020-03-18
Renee Parter	Brisbane, Australia	2020-03-18
Kevin Baguley	Calliope, Australia	2020-03-18
Helen Carter	Cairns, Australia	2020-03-18
Jared Hutchison	Brisbane, Australia	2020-03-18
Krystle Body	Brisbane, Australia	2020-03-18
Gayle Wotherspoon	Gladstone, Australia	2020-03-18
Rebecca Harvey	Brisbane, Australia	2020-03-18
Ashleigh Williams	Rockhampton, Australia	2020-03-18
Barbara Turner	Toowoomba, Australia	2020-03-18
Ross Sirris	Australia	2020-03-18
Josie Hare	Shepparton, Australia	2020-03-18
Darrien Patten	Cairns, Australia	2020-03-18
Jacob Ryan	Australia	2020-03-18
Ngairé McLoughlin	Brisbane, Australia	2020-03-18

Access to Long Beach

8/22



09/27/2020

Name: Doris Leo  
signed: D Leo.

Phone: 0488527967

Name	Location	Date
Duane Warcon	Rockhampton, Australia	2020-03-19
Jodi Newton	Rockhampton, Australia	2020-03-19
Elloise Przybylo	Brisbane, Australia	2020-03-19
Rachel Nano	Australia	2020-03-19
Sheridan Brown	Brisbane, Australia	2020-03-19
Carol Hunter	Gladstone, Australia	2020-03-19
Tahlia Parter	Lakes creek, Australia	2020-03-19
Damien Matson	Gracemere, Australia	2020-03-19
Mark Parter	Australia	2020-03-19
Laurence Thomson	Australia	2020-03-19
michele mackie	Yeppoon, Australia	2020-03-19
Rita Fiu	Rockhampton, Australia	2020-03-19
Isaiah Wass	Rockhampton, Australia	2020-03-19
Jessica Holder	Ironpot, Australia	2020-03-19
Levi Malamoo	Joskeleigh, Australia	2020-03-19
Andrew Morris	Brisbane, Australia	2020-03-19
Janelle Kreis	Rockhampton, Australia	2020-03-19
Kia Warkill	Brisbane, Australia	2020-03-19
Keisha Brown	Rockhampton, Australia	2020-03-19
Greg Newman	Australia	2020-03-19
daniel mosca	Melbourne, Australia	2020-03-19
Daren White	Gracemere, Australia	2020-03-19

Access to Long Beach

9/22



CPR235900

Name: Doris Leo Phone: 0488 527967  
 Signed: [Signature]

Name	Location	Date
Latoya Malamoo	Brisbane, Australia	2020-03-19
Tanisha Bickey	Brisbane, Australia	2020-03-19
Chantal Titmarsh	Australia	2020-03-19
Heather Atherton	Australia	2020-03-19
Kathy Brogan	Sydney, Australia	2020-03-19
Leanne Clayton	Emu Park, Australia	2020-03-19
Sandra Lawn	Brisbane, Australia	2020-03-19
Karneesha Warkill	Brisbane, Australia	2020-03-19
Clinton Brownie	Darwin, Australia	2020-03-19
Stephen Parter	Rockhampton, Australia	2020-03-19
Nick French	Kepple sands, Australia	2020-03-19
Stefan Taylor	Cairns, Australia	2020-03-19
Jack Mackenzie	Sydney, Australia	2020-03-19
Jessica Engel	Australia	2020-03-19
Samantha Kingston	Gracemere, Australia	2020-03-19
Tyneisha Fraser	Australia	2020-03-19
Brenton Pinkerton	Rockhampton, Australia	2020-03-19
Stephen Sell	Australia	2020-03-19
Jodie Sell	Brisbane, Australia	2020-03-19
Amelia Sell	Brisbane, Australia	2020-03-19
Lavina Murphy	Rockhampton, Australia	2020-03-19
Julie Petith	Brisbane, Australia	2020-03-19

Access to Long Beach

10/22

009233900

Name: Doris Leo Phone: 0488527967  
Signed: [Signature]

Name	Location	Date
Deldre White	Cairns, Australia	2020-03-19
Katrina Oner	Brisbane, Australia	2020-03-19
Matilda Mills	Yeppoon, Australia	2020-03-19
Robert Sell	Yeppoon, Australia	2020-03-19
Zelda Quakawoot	Darwin, Australia	2020-03-19
Jacque Efimenko	Park Avenue, Australia	2020-03-19
Larissa Anderson	South Brisbane, Australia	2020-03-19
Danessa Willie-White	Rockhampton, Australia	2020-03-19
Ikaika Fa'Aoso	Joskeleigh, Australia	2020-03-19
Teresa Brown	Rockhampton, Australia	2020-03-19
Melissa Parter	Mackay, Australia	2020-03-19
Jessica Radel	Taroom, Australia	2020-03-19
Anita Green	Norman Gardens, Australia	2020-03-19
Leone Malamoo	Townsville, Australia	2020-03-19
Tori Warkill	Brisbane, Australia	2020-03-19
Wayne Mathers	Rockhampton, Australia	2020-03-19
Noti Mafico	Sydney, Australia	2020-03-19
Russell Witt	Sydney, Australia	2020-03-19
Sharon Vea Vea	Rockhampton, Australia	2020-03-19
Keleasha Menk	Brisbane, Australia	2020-03-19
Katrina Wass	Rockhampton, Australia	2020-03-19
Kurt Hilse	Rockhampton, Australia	2020-03-19

Access to Long Beach

11/22

[illegible]

Name: Doris Leo Phone: 0488527967  
signed: *[Signature]*

Name	Location	Date
Shanda Mann	Coorparoo, Australia	2020-03-19
Cathy Pope	Brisbane, Australia	2020-03-19
Cathy Toyer	Australia	2020-03-19
Matt Hare	Rockhampton, Australia	2020-03-19
Keith Burke	Rockhampton, Australia	2020-03-19
Chamay Brown	Australia	2020-03-19
Madison Kurtz	Walkerston, Australia	2020-03-19
Lyle Titmarsh	Rockhampton, Australia	2020-03-19
Nicholas Cahill	Rockhampton, Australia	2020-03-19
Tracy Leo-Warcon	Rockhampton/Joskeleigh, Australia	2020-03-19
Megan Holy	Rockhampton, Australia	2020-03-19
Chris Johnson	Kawana, Australia	2020-03-19
Noah Johnston	Cairns, Australia	2020-03-19
Nikita Titmarsh	Bucasia, Australia	2020-03-19
Wade Trathen	Bowen Hills, Australia	2020-03-19
Nathan Bunt	Hendra, Australia	2020-03-19
Nathan Westerland	Yeppoon, Australia	2020-03-19
Jesse Sapien	Yeppoon, Australia	2020-03-19
Rob Clayton	Rockhampton, Australia	2020-03-19
Malcolm Frah	Gracemere, Australia	2020-03-19
Ryan Efimenko	Rockhampton, Australia	2020-03-19
Amelia Kemp	Brisbane, Australia	2020-03-19

## Access to Long Beach

12/22

2020/03/19

Name: Doris Leo  
Signed: Doris Leo

Phone: 0488 527967

Name	Location	Date
Joshua Brady	Gracemere, Australia	2020-03-19
Gavin Brown	Rockhampton, Australia	2020-03-19
Karen Williams	Yeppoon, Australia	2020-03-19
Jon Robinson	Brisbane, Australia	2020-03-19
Ellora McPherson	Australia	2020-03-19
Earl Harbin	Rockhampton, Australia	2020-03-19
Donna Laycock	Australia	2020-03-19
Mark Ingham	Rockhampton, Australia	2020-03-19
Kerri Dorman	Parkhurst, Australia	2020-03-19
Nathan Ingham	Australia	2020-03-19
Jaylan Welsh	Rockhampton, Australia	2020-03-19
Ebony Jackson	Inverell, Australia	2020-03-19
Ashley Clews	Rockhampton, Australia	2020-03-19
Shane Titmarsh	Brisbane, Australia	2020-03-19
Trudy Irwin	Australia	2020-03-19
Brian Nothdurft	Rockhampton, Australia	2020-03-19
Darryl Porteous	Rockhampton, Australia	2020-03-19
Trinda Ruhle	Rockhampton, Australia	2020-03-19
Amanda Green	Tannum Sands, Australia	2020-03-19
Trudy Aston	Marrara, Australia	2020-03-19
Stacey Schwindt	Australia	2020-03-19
Toni Hooper	Rockhampton, Australia	2020-03-19

Access to Long Beach

13/22

0000000000

Name: Doris Leo  
signed: *Doris Leo*

Phone: 0488 527967

Name	Location	Date
Toni Malamoo	Brisbane, Australia	2020-03-19
Bek Rideout	Australia	2020-03-19
Merle O'donnell	Keppel sands, Australia	2020-03-19
Damien O'Donnell	Lakes Creek, Australia	2020-03-19
Ken Backo	Emu Park, Australia	2020-03-19
Craig McKenzie	Yeppoon, Australia	2020-03-19
ron inslay	Rockhampton, Australia	2020-03-19
Donna Ives	Brisbane, Australia	2020-03-19
Rob Hage	Australia	2020-03-19
Greg Black	Frenchville, Australia	2020-03-19
garry dougherty	Brisbane, Australia	2020-03-19
John Harth	yeppoon, Australia	2020-03-19
Noel O'Donnell	Rockhampton, Australia	2020-03-19
Shavinah Mann	Rockhampton, Australia	2020-03-19
Johnny Jackson	Brisbane, Australia	2020-03-19
Sheree Oliver	Australia	2020-03-19
Brock Reid	Rockhampton, Australia	2020-03-19
Paula Clark	Sunshine coast, Australia	2020-03-19
Robert Lorraway	Frenchville, Australia	2020-03-19
Tony Martens	Mackay, Australia	2020-03-19
Melissa Hopkins	Lakes Creek, Australia	2020-03-19
Emma-lee Finnegan	QLD, Australia	2020-03-19

Access to Long Beach

14/22



779233950

Name: Doris Leo  
Signed: Doris Leo

Phone: 0488 527961

Name	Location	Date
mark svensen	Australia	2020-03-19
David Ingham	Brisbane, Australia	2020-03-19
Glynis Comyn	Brisbane, Australia	2020-03-19
Brendan Hodda	Bouldercombe, Australia	2020-03-19
M. Lyn Nichols	Bundaberg, Australia	2020-03-19
Dean Pearce	Australia	2020-03-19
Debra Lennane	Wiley Park, Australia	2020-03-19
Jason youse	Australia	2020-03-19
Chris Bourke	Australia	2020-03-19
Chris Rodger	Strathpine, Australia	2020-03-19
Adam Reynolds	Rockhampton, Australia	2020-03-19
wendy munns	Australia	2020-03-19
Eileen Maloney	Rockhampton, Australia	2020-03-19
Jayden Fleetwood	Calliope, Australia	2020-03-19
Rob Broom	Brisbane, Australia	2020-03-19
Tas Taylor	Brisbane, Australia	2020-03-19
Jason Franklin	Norman gardens, Australia	2020-03-19
Mitchell Hutchinson	Australia	2020-03-19
Warwick Rees	Brisbane, Australia	2020-03-19
Judy Holzheimer	Joskeleigh, Australia	2020-03-19
Jeremy Parker	Brisbane, Australia	2020-03-19
Graeme Hatch	The caves, Australia	2020-03-19

Access to Long Beach

15/22

20230320

Name: Doris Leo  
Signed: Doris Leo.

Phone: 0488 527967

Name	Location	Date
Cheryl Moloney	Dakabin, Australia	2020-03-19
Brandon Perkins	Rockhampton, Australia	2020-03-19
Navvie Sharma	Brisbane, Australia	2020-03-19
Veerpal kaur Dhaliwal	Sydney, Australia	2020-03-19
Navdeep singh	Calwell, Australia	2020-03-19
Ravneetkaur Kaur	Seven Hills, Australia	2020-03-20
Ameel Patel	Melbourne, Australia	2020-03-20
Suraj Kumar	Brisbane, Australia	2020-03-20
Brendan Voois	Rockhampton, Australia	2020-03-20
kylie Boyd	Australia	2020-03-20
James Nichols	Emu Park, Australia	2020-03-20
Joshua Carroll-Walden	Australia	2020-03-20
Lyndel Nichols	Dysart, Australia	2020-03-20
Ayla Anderson	Brisbane, Australia	2020-03-20
Debi Long	Australia	2020-03-20
Lyle Nichols	Emu park, Australia	2020-03-20
Christell Comyn	Taroomball, Australia	2020-03-20
Michael Fwuguson	Kedron, Australia	2020-03-20
Tianna Ellis	Yeppoon, Australia	2020-03-20
Rhianna Parter	Rockhampton, Australia	2020-03-20
Shania Evans	Australia	2020-03-20
Shahazad Warcon	Joskeleigh, Australia	2020-03-20

Access to Long Beach

16/22

JH3C39500

Name: Doris Leo  
signed: Leo

Phone: 0488 527967

Name	Location	Date
Sevene Nichols	Carseldine, Australia	2020-03-20
Linda Atherton	Atherton, Australia	2020-03-20
Louise Faulkner	Australia	2020-03-20
Lleyton Baguley	Brisbane, Australia	2020-03-20
Donna Shultz	Keppelsands, Australia	2020-03-20
Natalie MacLean	Mount Louisa, Australia	2020-03-20
Jenifer Roser	Brookwater, Australia	2020-03-20
Natalie Cornyn	Bajool, Australia	2020-03-20
Melissa Elliott	Bajool, Australia	2020-03-20
Amie Shultz	Keppel sands, Australia	2020-03-20
bevan williams	Australia	2020-03-20
Jason Ives	Capalaba, Australia	2020-03-20
Judy Smith	Rockhampton, Australia	2020-03-20
Russell Patten	Rockhampton, Australia	2020-03-20
Joel Brown	Rockhampton, Australia	2020-03-20
Jennifer Bickey	Rockhampton, Australia	2020-03-20
Elise Wason	Rockhampton, Australia	2020-03-20
Bianca Orchard	Perth, Australia	2020-03-20
Manjushekhar Devraj	Sydney, Australia	2020-03-20
carolyn yu	Australia	2020-03-20
Raymond Harth	Australia	2020-03-20
Rhett Bembridge	Rockhampton, Australia	2020-03-20

Access to Long Beach

17/22



7#9Z33950

Name: Doris Leo  
 signed: *[Signature]*

Phone: 0488 327961

Name	Location	Date
Kayla Doak	Zilzie, Australia	2020-03-20
Amanda Willie	Rockhampton, Australia	2020-03-20
Thomas Bartlem	Brisbane, Australia	2020-03-20
Cody Abell	Rockhampton, Australia	2020-03-20
Nadine Youse	Emu Park, Australia	2020-03-21
Jordan Fletcher	Australia	2020-03-21
Jameeka Yowveh	Emu Park, Australia	2020-03-21
Cindy Wu	Australia	2020-03-21
Jeevan Jot	Melbourne, Australia	2020-03-21
feina chintia	Wiley Park, Australia	2020-03-21
angel pollard	Brisbane, Australia	2020-03-21
Karl Porteous	Rockhampton, Australia	2020-03-21
Pamela Obodin	Aspley, Australia	2020-03-21
Jodi Anderson	Gladstone, Australia	2020-03-21
Mel Dyball	Gladstone, Australia	2020-03-21
Marilyn Henaway	Australia	2020-03-21
Gayle Vea Vea	Koongal, Australia	2020-03-21
Hayley Granzien	Gladstone, Australia	2020-03-21
Natasha Gibson	Ipswich, Australia	2020-03-21
Naomi Anderson	Rockhampton, Australia	2020-03-21
terri ann	Australia	2020-03-21
Adam Nichols	Eton, Australia	2020-03-21

Access to Long Beach

18/22

20200321

Name: Doris Leo  
Signed: Doris Leo.

Phone: 0488521761

Name	Location	Date
Robyn Chilly	Australia	2020-03-21
Louisina Chilly	Gladstone, Australia	2020-03-21
Bobby-Lee McQuire	Mackay, Australia	2020-03-21
Melinda Gibson	Brisbane, Australia	2020-03-21
Jason Titmus	Moranbah, Australia	2020-03-21
Ros Underdown	Gladstone, Australia	2020-03-21
Zhang Lina	Carlingford, Australia	2020-03-21
Gavin Dunn	Brisbane, Australia	2020-03-21
Edgar Keecha	Australia	2020-03-21
SuZesha GuRung	Australia	2020-03-21
Sarah Watson	Melbourne, Australia	2020-03-21
Manup Gurung	Sydney, Australia	2020-03-21
Anshu Malhotra	Melbourne, Australia	2020-03-21
Barrie Wotherspoon	Cairns, Australia	2020-03-21
Christina Anderson	Southport, Australia	2020-03-21
Christina Tambo (née Brown )	Brisbane, Australia	2020-03-21
Ilike Fifa	Brisbane, Australia	2020-03-21
Denise Gibson	Forestdale, Australia	2020-03-21
Bethan trew	Westport, Australia	2020-03-21
Tianca Stanley	Fortitude Valley, Australia	2020-03-21
Isla Rose	Brisbane, Australia	2020-03-21

Access to Long Beach

19/22

009233930

Name: Doris Leo  
 signed: [Signature]

Phone: 0488 381761

Name	Location	Date
Lyndall Hill	Toowoomba, Australia	2020-03-22
Oriana Cardozo	Australia	2020-03-22
Catherine Wotherspoon	Cairns, Australia	2020-03-22
Maya Vanderkley	Moranbah, Australia	2020-03-22
Keysha Manager	Brisbane, Australia	2020-03-22
isaac rumble	Rockhampton, Australia	2020-03-22
Ben Blain	Australia	2020-03-22
Kylie Shearman	Moranbah, Australia	2020-03-22
Kris Hurley	Rockhampton, Australia	2020-03-22
Debbie Charman	Gladstone, Australia	2020-03-22
Belinda Whitehead	Brisbane, Australia	2020-03-22
Laura Romer	Brisbane, Australia	2020-03-22
Greg Jackson	Adelaide, Australia	2020-03-22
Katrina George	Rockhampton, Australia	2020-03-22
Kirsty Crook	Gladstone, Australia	2020-03-22
Tracy Marshall	Gladstone, Australia	2020-03-22
Imelda Miller	Brisbane, Australia	2020-03-22
Gene Ewings	Brisbane, Australia	2020-03-22
Lyle O'Donnell	Rockhampton, Australia	2020-03-22
Shaun Hellmuth	Rockhampton, Australia	2020-03-23
Lyle Smith	Gracemere qld, Australia	2020-03-23
Maree Titmarsh	Lakes Creek, Australia	2020-03-24

Access to Long Beach

20/22

JFZL33950

Name: Doris Leo  
Signed: *le Leo.*

Phone 0488 527967.

Name	Location	Date
Sharee Willie	North Rockhampton, Australia	2020-03-24
Nicole Lee	Australia	2020-03-24
RAEHEL WARD-SUMMERS	Australia	2020-03-25
Andrew French	Rockhampton, Australia	2020-03-25
Rhett Yow-yeh	Brisbane, Australia	2020-03-25
Stacy Corneal	Australia	2020-03-25
Graham Mann	Sunnybank, Australia	2020-03-25
Johnny Johnson	Emu park, Australia	2020-03-25
Lee-Anne Leach	Brisbane, Australia	2020-03-25
Bryce Rawsthorne	Australia	2020-03-25
Ross Wellings	Brisbane, Australia	2020-03-25
Chris Ferguson	Brisbane, Australia	2020-03-25
Stella Lee	Sydney, Australia	2020-03-25
bella hartley	Brisbane, Australia	2020-03-25
Vilaphong Xayyasith	Sydney, Australia	2020-03-25
Emma Young	Adelaide, Australia	2020-03-25
Dayle Perrin	Longreach, Australia	2020-03-27
Alisha McIwod	Brisbane, Australia	2020-03-28
khanglun lai	Sydney, Australia	2020-03-28
Trudy Allen	Australia	2020-03-30
Krystin Wurzbacher	korumburra, Australia	2020-04-01
Jodie Martin	Australia	2020-04-06

Access to Long Beach

21/22

00000000

Name: Doris Leo

Phone: 0488 507761

Signed: *D Leo*

Name	Location	Date
Kam Petersen	Australia	2020-04-06
Russ Arnold	Rockhampton, Australia	2020-04-06
Ruth Marendy	Rockhampton, Australia	2020-04-07
Elizabeth Ottaway	Bundaberg, Australia	2020-04-07
Janine Keating	Australia	2020-04-10

Access to Long Beach

22/22

#9233930

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File No: <u>CR 2.13.37</u>
Doc No: _____
5 MAY 2020
Section: <u>COUNCIL</u>

Doris Leo  
586 Joskeleigh Road  
Joskeleigh QLD 4702  
Ph. 0488527967 or 07 49344854

30 April 2020

Attn: Mayor Andy Ireland  
Livingstone Shire Council  
Yeppoon QLD 4703

**RE: ROAD ACCESS TO LONG BEACH, JOSKELEIGH**

Dear Sir,

Prior to the Council elections we had two community meetings with Bill Ludwig concerning the possibility of gaining accessible vehicle access to Long Beach, Joskeleigh. The Joskeleigh community had community meetings with the Council in 2007 to discuss this matter but no further action was taken. Over the years the current access has become impassable due to boggy conditions.

Long Beach is well loved by the local community who for years have used it for fishing and recreational activities. Prior to 2007 access to the beach was through private property which was eventually fenced off.

After the initial discussions we were advised by the former Council to take up a petition to gain further support for an all-weather access road. On behalf of the concerned citizens I organised a petition and have received calls from people afar wishing to sign. In response, an online petition was set up. Please see the attached petition.

We are now seeking Council's response to this issue. Should the Council wish to have further discussions on this matter I would be happy to organise a community meeting at Joskeleigh at a mutually suitable time.

Yours sincerely



Doris Leo  
Joskeleigh Community

## 9 MAYORAL MINUTE

### 9.1 MAYORAL MINUTE - BIKE RACKS IN SHIRE LOCALITIES

**File No:** GV13.4.4  
**Attachments:** Nil  
**Responsible Officer:** Andrew Ireland - Mayor

---

#### SUMMARY

*This Mayoral Minute is presented to Council for consideration in relation to Bike Racks in Livingstone Shire Localities.*

#### RECOMMENDATION

THAT Council:

1. Allocates funding in the 2020/2021 Budget to install push bike racks in and around the main business precincts within the shire's various localities;
2. Engages with the community in order to determine the optimal location of the push bike racks within their respective locality.

#### COMMENTARY

Livingstone's residents are becoming more active, and cycling has increased in popularity as a means of exercise and convenient transportation. More of our senior citizens are using push bikes as a means of getting around.

Local bike shops are reporting significant increases in sales, which is an exciting reality from a public health and environmental perspective.

Unfortunately, the number of bike racks within the shire's various business districts is very low. If Council is to encourage cycling, then it is necessary to increase the number of bike racks so as to allow tidy and safe storage of bikes.

The appropriate location of these bike racks needs to be determined in consultation with the relevant sections of the community. This should include but not be limited to: CBD traders; bike shop proprietors; senior citizens groups, and cycle clubs/groups.



**9.2 MAYORAL MINUTE - CARAVAN AND RV PARKING - YEPPOON****File No:** GV13.4.4**Attachments:** Nil**Responsible Officer:** Andrew Ireland - Mayor

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**SUMMARY**

*This Mayoral Minute is presented to Council for consideration in relation to parking within Yeppoon for Caravans and Recreational Vehicles.*

**RECOMMENDATION**

THAT Council Officers:

1. Investigate and identify potential parking sites for RV's and caravans close to or within the Yeppoon CBD;
2. Provide a report on the investigation to Council for the August 2020 Council meeting;
3. Allocate funding in the 2020/2021 Budget for the creation of a dedicated parking site for RV's and caravans in the Yeppoon CBD.

**9.3 MAYORAL MINUTE - OFF LEASH DOG AREAS****File No:** GV13.4.4**Attachments:** Nil**Responsible Officer:** Andrew Ireland - Mayor

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**SUMMARY**

*This Mayoral Minutes is presented to Council for consideration in relation to Off Leash Dog Areas on the Capricorn Coast.*

**RECOMMENDATION**

THAT Council Officers:

1. Investigate and identify potential sites for off-leash dog areas in Livingstone Shire. This investigation is to include consultation with the Livingstone community as to preferred locations.
2. Provide a report on the investigation to Council for the August 2020 Council meeting;
3. Allocate funding in the 2020/2021 Budget for the creation of off-leash dog areas within the shire.

**9.4 MAYORAL MINUTE - REPAIRS TO KRACKEN****File No:** GV13.4.4**Attachments:** Nil**Responsible Officer:** Andrew Ireland - Mayor

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**SUMMARY**

*This Mayoral Minute is presented to Council for consideration of repairs to the Kracken.*

**RECOMMENDATION**

THAT Council:

1. Allocates funding in the 2020/2021 Budget to install cushioning or soft fall material on all concrete surfaces of the Kracken that have sharp edges in wet areas.

## **10 COUNCILLOR/DELEGATE REPORTS**

Nil

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

### **11.1 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING 18 MAY 2020**

**File No:** GV13.4.2

**Attachments:** Nil

**Responsible Officer:** Andrea Ellis - Chief Financial Officer

**Author:** Michelle Broadfoot - Support Services Officer

---

#### **SUMMARY**

The Audit, Risk and Business Improvement Committee met on 18 May 2020 and this report provides the recommendations from the Committee for consideration and adoption by Council. The reports from the meeting are available for viewing by Councillors on the Audit, Risk and Business Improvement Committee and Councillor Portals

#### **OFFICER'S RECOMMENDATION**

THAT the unconfirmed minutes of the Audit, Risk and Business Improvement Committee held on 18 May 2020 be received and the following recommendations contained within those minutes be adopted.

#### **BACKGROUND**

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

### **3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

THAT the minutes of the Audit, Risk and Business Improvement Committee held on 2 March 2020 be taken as read and adopted as a correct record.

### **7.1 COMMITTEE WORK PROGRAM STATUS**

THAT the Committee receives the status of the Annual Work Program.

### **7.2 CHIEF FINANCIAL OFFICER'S UPDATE**

THAT the Committee receive the Chief Financial Officer's update

### **7.3 GENERAL PURPOSE FINANCIAL STATEMENTS TIMETABLE**

THAT the Committee receive the report.

### **7.4 SHELL GENERAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDING 30 JUNE 2020**

THAT the Audit, Risk and Business Improvement Committee;

1. Receive the Shell General Purpose Financial Statements for 2019-20; and
2. Note that any recommended changes to the Shell General Purpose Financial Statements be reflected in the draft 2019-20 General Purpose Financial Statements that will be submitted to the Audit, Risk and Business Improvement Committee in August 2020.

### **7.5 2019-20 NON CURRENT ASSET REVALUATIONS**

THAT Audit, Risk and Business Improvement Committee receive this report on the outcome of the Buildings and Water and Sewer Infrastructure revaluations.

### **7.6 EXTERNAL AUDIT UPDATE**

THAT the Committee receive the update from the External Auditors.

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**7.7 SUMMARY OF QUEENSLAND AUDIT OFFICE REPORT ON AUDITS OF LOCAL GOVERNMENT ENTITIES 2018-19**

THAT the Committee note this summary of the Queensland Audit Office Report *Local Government Entities: 2018-19 Results of Financial Audits*.

**7.8 DRAFT INTERNAL AUDIT PLAN - 2020-21 TO 2023-24**

THAT the Committee receive the Draft Internal Audit Plan.

**7.9 INTERNAL AUDIT UPDATE**

THAT the Committee receive the report on Internal Audit.

**7.10 STATUS OF OPEN AGREED AUDIT ACTIONS**

THAT the Committee receive this update on the status of open agreed audit actions.

**7.11 OPERATIONAL RISK UPDATE - PEOPLE AND CULTURE**

THAT the Committee receive the update of the Operational Risk Register – People and Culture

**7.12 FRAUD RISK MANAGEMENT OVERVIEW**

THAT the Audit, Risk and Business Improvement Committee receive this report on Fraud Risk Management Overview.

**7.13 COVID-19 UPDATE - BUSINESS CONTINUITY**

THAT the Audit, Risk and Business Improvement Committee receive the report providing a COVID-19 update for organisational business continuity planning.

**7.14 BUSINESS TRANSFORMATION AND PROJECT MANAGEMENT OFFICE UPDATE**

THAT the Audit, Risk and Business Improvement Committee receive this update report on the Business Transformation and Project Management Office.

**7.15 CEO UPDATE ON EMERGING ISSUES**

No CEO update provided due to the absence of the Acting CEO

**7.16 EXECUTIVE LEADERSHIP TEAM UPDATE TO THE COMMITTEE**

THAT the Committee receives the verbal updates provided by the Leadership Team on key activities or issues.

**7.17 CONFIRM WHETHER MEMBERS' BRIEFING SESSION IS REQUIRED**

THAT it is confirmed that there will be a requirement for a Members' Briefing, or a Members' Briefing will be held following the meeting

**12. CONFIDENTIAL REPORTS****12.1 RISK MANAGEMENT UPDATE**

THAT the Committee receive the Risk Management Report for information.

**COMMENTARY**

Not applicable

**PREVIOUS DECISIONS**

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

**ACCESS AND INCLUSION**

There are no 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**

There are no human rights implications as a result of the Committee meeting

**BUDGET IMPLICATIONS**

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

**LEGISLATIVE CONTEXT**

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

**LEGAL IMPLICATIONS**

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

**STAFFING IMPLICATIONS**

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

**RISK ASSESSMENT**

The Audit, Risk and Business Improvement Committee is a key part of the governance structures established by Council that help ensure there is effective ongoing risk management

**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**

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



## 12 REPORTS

### 12.1 2020-21 INVESTMENT POLICY

**File No:** CM4.7.33  
**Attachments:** 1. 2020-21 Investment Policy [↓](#)  
**Responsible Officer:** Andrea Ellis - Chief Financial Officer  
**Author:** Damien Cross - Coordinator - Accounting Services

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#### SUMMARY

*Council's 2020-21 Investment Policy is presented to Council for adoption in accordance with Section 191 of the Local Government Regulation 2012.*

#### OFFICER'S RECOMMENDATION

THAT pursuant to Section 191 of the *Local Government Regulation 2012*, Council adopts the attached Investment Policy for the 2020-21 financial year.

#### BACKGROUND

Adoption of an Investment Policy is required in accordance with Section 191 of the *Local Government Regulation 2012*. Whilst Council needs to adopt an Investment Policy on an annual basis, there is no legislative requirement to have the Investment Policy adopted as part of the same Council meeting when the annual budget is adopted.

#### COMMENTARY

Council's current Investment Policy was adopted on 20 June 2019. There are no major changes to the scope or wording of this Policy when compared to the immediate previous Investment Policy adopted by Council on 20 June 2019.

#### PREVIOUS DECISIONS

The policy was previously adopted by Council on 20 June 2019.

#### ACCESS AND INCLUSION

The 2020-21 Investment Policy will be made publicly available on Council's website.

#### ENGAGEMENT AND CONSULTATION

Council finance officers in consultation with Council's Chief Financial Officer have reviewed the attached Policy. The investment policies of a number of other Queensland local governments were reviewed by Council Finance Officers in finalising this Policy.

#### 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 Policy.

#### BUDGET IMPLICATIONS

The adoption of this Policy by Council is not foreseen to have any impact upon Council's budget position.

#### LEGISLATIVE CONTEXT

Section 191 of the *Local Government Regulation 2012* requires Council to adopt an Investment Policy on an annual basis.

#### LEGAL IMPLICATIONS

There are no foreseen legal implications associated with the adoption of this Policy.

**STAFFING IMPLICATIONS**

There are no staffing implications associated with the adoption of this Policy. Authority for the day to day management of Council's Investment Policy is delegated by the Chief Executive Officer to the Chief Financial Officer pursuant to Section 259 (1) of the *Local Government Act 2009*.

**RISK ASSESSMENT**

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

**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.*

The adoption of an annual Investment Policy promotes accountability and the implementation of good governance and risk management pertaining to the investment of public funds.

**CONCLUSION**

In accordance with Section 191 of the *Local Government Regulation 2012*, Council is required to adopt an Investment Policy on an annual basis. The attached Policy has been reviewed by Council finance officers in consultation with the Chief Financial Officer. The attached Investment Policy is now presented for Council adoption.

## **12.1 - 2020-21 INVESTMENT POLICY**

### **2020-21 Investment Policy**

**Meeting Date: 16 June 2020**

**Attachment No: 1**



## INVESTMENT POLICY (STATUTORY POLICY)

### 1. Scope

The Investment Policy (this 'Policy') applies to the investment of investable funds in accordance with Category One (1) investment power under Part 6 of the *Statutory Bodies Financial Arrangement Act 1982* (SBFAA) and the *Statutory Bodies Financial Arrangement Regulations 2007* (SBFAR).

### 2. Purpose

As per Section 191 of the *Local Government Regulation 2012*, Council is required to prepare and adopt an Investment Policy on an annual basis.

To provide Council with a contemporary investment policy based on an assessment of risk within the legislative framework of the SBFAA and SBFAR. This includes:

- ensuring the preservation of Council's capital;
- investing Council funds not immediately required for financial commitments;
- maximising earnings from authorised investments of investable funds in accordance with s 47(1) of the SBFAA;
- consideration and actively managing Council's net debt position when determining the use of investable funds; and
- ensuring that appropriate procedures and adequate internal controls are established to safeguard public funds and ensure documentary evidence is kept of all investment decisions made by officers within their delegated authority.

### 3. Reference (e.g. legislation, related documents)

*Local Government Act 2009*  
*Local Government Regulation 2012*  
*Statutory Bodies Financial Arrangements Act 1982*  
*Statutory Bodies Financial Arrangement Regulation 2007*  
*Public Sector Ethics Act 1994*

### 4. Definitions

To assist in interpretation, the following definitions shall apply:

At-call	For an investment by a statutory body, means the body may, without penalty, obtain all amounts under the investment – (a) Immediately it gives written or oral notice to the person with whom the investment is made; or (b) Within 30 days after written or oral notice is given to the person with whom the investment is made.
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Investment Policy

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 Version: 7.1

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 Business Unit: Finance and Business Excellence

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Authorised investments	Investments allowed by the SBFAA & SBFAR and authorised for investment purposes by Council and/or Council's Chief Executive Officer.
Financial Institution	Those organisations listed on the Register of Approved Deposit Institutions (ADIs) on the Australian Prudential Regulation Authority website.
Investable funds	Funds not required in the short term (30 days) to meet the cash flow requirements of Council and available for investment.
Investment portfolio	The term portfolio refers to any combination of financial risk such as stocks, bonds or cash. It is a generally accepted principle that a portfolio is designed according to the investor's risk tolerance, time frame and investment objectives. The monetary value of each asset may influence the risk/reward ratio of the portfolio and is referred to as the asset allocation of the portfolio.
Investment arrangement	Means securities, investments and other similar arrangements, including, for example, bills of exchange, bonds, certificates of deposit and promissory notes.
Liquidity	A measure of the extent to which a person or organisation has cash to meet immediate and short-term obligations, or assets that can be quickly converted to do this.
Market average rate of return	An index of money market cash investment rates available to Council as per the SBFAA and SBFAR that is averaged over the same investment period as Council's investment portfolio to provide a comparison to Council's investment portfolio performance.
Net debt position	Council's net debt position is the difference between Council's Debt and Cash holdings.
Prohibited investments	Investments not allowed by the SBFAA & SBFAR and not authorised for investment purposes by Council and/or Council's Chief Executive Officer.
Prudent investment principles	<p>Generally, any use of financial assets that is suitable for the risk and return profile and the time horizon of a given investor (Council). Investment officers who are entrusted with making prudent investments should also ensure that an investment is one that makes sense within the investor's overall portfolio and whose fees will not detract significantly from the investment's returns.</p> <p>The prudent investor rule only holds that persons must make sound money management decisions for their clients based on the information available. The outcome of their investment decision, whether good or bad, is not a factor in whether the investment is considered prudent.</p>
Recognised local financial institutions	Those financial institutions identified by Council that have a local branch, provide retail banking services to the public, show evidence of supporting the community through donations or event support and provide a range of term deposits suitable for Council's investment requirements.
SBFAA	<i>Statutory Bodies Financial Arrangements Act 1982.</i>
SBFAR	<i>Statutory Bodies Financial Regulation 2007.</i>

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Segregation of duties	Segregation of duties are specific internal controls implemented to ensure no one officer has so much control over an activity that mistakes could go undetected or that the officer could be placed in a situation where they could be tempted by an inappropriate activity. The emphasis is the segregation of functional responsibilities and to create a system of checks and balances, so that a duty performed by one officer would be checked by another officer in the ordinary course of work.
Speculation	Speculation is the practice of engaging in risky financial transactions in an attempt to profit from fluctuations in the market value of a tradable good such as a financial instrument, rather than attempting to profit from the underlying financial attributes embodied in the instrument such as capital gains, interest, or dividends.
The Act	<i>Local Government Act 2009.</i>
The Regulation	<i>Local Government Regulation 2012.</i>

## 5. Policy statement

### 5.1 Investment approach

Council has adopted a passive investment approach. The objective of a passive investment approach is to ensure the return of capital and at the same time generate a return commensurate with the risk taken. This will be achieved primarily through investing in fixed interest rate term deposits that will be held to maturity and at-call investments.

### 5.2 Authority for investment

The investment of Council's investable funds is to be in accordance with the relevant power of investment under the SBFAA and SBFAR and their subsequent amendments and regulations.

### 5.3 Ethics and conflict of interest

- A standard of prudence is to be used by investment officers when managing the overall portfolio. Investments will be managed with the care, diligence and skill that a prudent person would exercise in managing their own financial affairs.
- Investment officers are to manage Council's investment portfolio not for speculation, but for investment in accordance with the spirit of this policy.
- This policy requires that employees in their role as an investment officer to disclose to the Chief Executive Officer any conflict of interest or any investment position/s that could be perceived as affecting their judgement in recommending appropriate investment options of Council's investable funds. Council officers are also to avoid any investment which might harm confidence in Council.

### 5.4 Risk management

Council's risk management approach to managing its investable funds includes:

- embedding risk management in the requirements of this policy;
- meeting the legislative requirements of the SBFAA and SBFAR;
- reviewing available credit ratings of financial institutions and investment arrangements;

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- d) investing only in authorised investments in accordance with Section 44(1) of the SBFAA; and

## 5.5 Investment objectives

Council's primary objectives in order of investment activities are to:

- a) preserve capital;
- b) maintain an appropriate level of liquidity; and
- c) maximise interest returns at the most advantageous rate of interest available at the time, rate while investing in accordance with Section 47(1) of the SBFAA.

### 5.5.1 Preservation of capital

Preservation of capital is the principle objective of the investment portfolio. Investments are to be made in a manner that seeks to ensure security of the principle invested.

### 5.5.2 Maintenance of liquidity

The investment portfolio will be maintained in such a way that sufficient liquidity is available to meet all reasonably anticipated cash flow requirements of Council, as and when they fall due, without incurring significant transaction costs due to making an early withdrawal request on any of Council's invested funds.

### 5.5.3 Return on investments

The portfolio is expected to achieve a market average rate of return and take into account Council's risk tolerance, current interest rates obtainable in the marketplace and budget considerations. Any additional return target set by Council will also consider the risk limitations, prudent investment principles and cash flow characteristics identified within this policy.

## 5.6 Authorised investments

- a) Council will only invest investable funds within the constraints of Section 44(1) of the SBFAA.
- b) The maturity structure of the portfolio will be in accordance with Section 44(2) of the SBFAA.

## 5.7 Prohibited investments

This policy prohibits any investment carried out for speculative purposes. Prohibited investments include:

- a) derivative type investments;
- b) principal only investments or securities that provide potentially nil or negative cash flow;
- c) stand alone securities issued that have underlying futures, options, forward contracts and swaps of any kind; and
- d) securities issued in denominations other than Australian dollars.

## 5.8 Limitation of investment power

As per Section 43 of the SBFAA Council is limited to investments that are:

- a) in Australian dollars; and
- b) undertaken in Australia.

## 5.9 Procedures and internal controls

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Business Unit: Finance and Business Excellence

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The Chief Financial Officer shall establish processes and internal controls that will ensure investment objectives are met and that Council's investment portfolio is protected from loss, theft or inappropriate use. The established processes will include:

- a) a list or reference to authorised and prohibited investments;
- b) requirement to obtain at least three (3) quotes prior to authorising any investment;
- c) compliance and oversight of investment parameters;
- d) maintenance of an investment register and associated documents which outline investment decisions as authorised;
- e) reconciliation of an investment register on a monthly basis;
- f) segregation of duties and delegations.

#### 5.10 Breaches

Any breach of this policy is to be reported to the Chief Financial Officer and rectified within seven (7) days of the breach occurring. Breaches that result in a material or reportable loss as defined in the regulation must be reported and actioned as per Section 307A of the regulation.

#### 5.11 Delegation of authority

- a) Authority for implementation of this policy is delegated by Council to the Chief Executive Officer in accordance with Section 257(1) of the Act.
- b) Authority for the day to day management of Council's investment portfolio is delegated by the Chief Executive Officer to the Chief Financial Officer, as per Section 259(1) of the Act.

#### 5.12 Availability of investment policy

- a) This investment policy will be available for public access and inspection at any of Council's public offices and on Council's website as required of Section 199 of the regulation.
- b) Council will provide the ability for the public to purchase a copy of this policy as per Section 199 of the regulation.

### 6. Changes to this policy

This Policy is reviewed when any of the following occur:

- 1) The related information is amended or replaced; or
- 2) Other circumstances as determined from time to time by the Council.

Notwithstanding the above, this Policy is to be regularly reviewed as required by s 104(6) of the Act. These reviews will be at intervals of no more than one year.

### 7. Repeals/amendments

This policy repeals the former Livingstone Shire Council policy titled 'Investment Policy (v7)'.

Version	Date	Action
1	14/02/2014	Adopted

Investment Policy

Adopted/Approved: Adopted, 20 June 2019  
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Portfolio: Office of the CEO  
Business Unit: Finance and Business Excellence

2	22/07/2015	Amended Policy Adopted
3	24/07/2015	Amended Policy Adopted
4	12/07/2016	Amended Policy Adopted
5	27/06/2017	Amended Policy Adopted
6	17/07/2018	Amended Policy Adopted
7	20/06/2019	Amended Policy Adopted – minor updates to wording, removal of s 5.7(b)
8	To be adopted at Council Meeting.	

**BRETT BACON**  
**ACTING CHIEF EXECUTIVE OFFICER**

Investment Policy

Adopted/Approved: Adopted, 20 June 2019  
Version: 7.1

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Business Unit: Finance and Business Excellence

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**12.2 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 MAY 2020**

**File No:** FM12.14.1  
**Attachments:** 1. **Monthly Finance Report - May 2020**[↓](#)  
**Responsible Officer:** Andrea Ellis - Chief Financial Officer  
**Author:** Damien Cross - Coordinator - Accounting Services

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**SUMMARY**

*Presentation of the Livingstone Shire Council Monthly Financial Report for the Period Ending 31 May 2020 by the Chief Financial Officer.*

**OFFICER'S RECOMMENDATION**

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 31 May 2020 be received.

**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. Key Performance Indicators
3. Key Strategic Financial Indicators
4. Detailed Statements and Appendices

The attached financial information presents the year-to-date position of Council's financial performance to the 31 May 2020. Commitments are excluded from the reported operating & capital expenditures.

All variances are reported against the 2019-20 Quarter 2 (20Q2) Revised Budget as adopted by Council on the 4 February 2020. Budgets have been developed on a monthly basis. The attached report shows the business activities (water, sewerage & waste) segregated revenue and expenditure statements and balance sheets.

The 20Q3 Budget review is to be presented to Council for adoption under a separate covering report to the 16 June 2020 Council meeting. It is envisaged that the June monthly financial report will compare Council's financial performance and position relative to the 20Q3 revised budget.

**COMMENTARY**

The financial report compares actual performance to date with Council's 20Q2 revised 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.

**Financial Performance**

Key financial highlights and associated commentary in relation to Council's year to date financial performance are outlined in Part 1 of the Executive Summary in Attachment 1 to this report. Council's Key Performance Indicators are outlined in Part 2 of the Executive Summary in Attachment 1 to this report.

**Operating Revenue**

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

Year to date operating revenue is in close proximity to the year to date 20Q2 budget position. A number of operational budget line items have small year to date absolute dollar variances. However when all operational revenue budget line items are viewed collectively

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together, there is a small unfavourable operational budget variance of less than 1%. Of particular note is the prepaid portion of the 2020-21 Financial Assistance Grant has been paid by the Queensland Local Government Grants Commission and received by Council in late May. This represents a \$2.1 million prepayment of the first two quarterly instalments of the 2020-21 Financial Assistance Grant allocated to Council. The final quarter of the 2019-2020 Financial Assistance Grants totalling approximately \$494,000 also received by Council during May.

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

### Operating Expenditure

Year to date operating expenditure is below the year to date 20Q2 revised budget by approximately 5%, which excludes approximately \$6.95 million in committed expenditure. This variance is due in part to the non-accrual of all materials and services expenditure on a monthly basis. Employee wages and salaries have been accrued up to and including the fortnight ending 31 May 2020. Depreciation expenditure and finance costs are in close proximity to budget.

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

Below is a snapshot of the expenditure on the rural and urban roads maintenance programs in comparison to the 20Q2 Revised Budget.

	YTD Actuals (\$000's)	20Q2 YTD Budget (\$000's)	Full Year 20Q2 Revised Budget (\$000's)	% Full Year 20Q2 Revised Budget Spent (\$000's)
Rural Maintenance	\$3,877	\$3,515	\$3,832	101%
Urban Maintenance	\$2,147	\$2,097	\$2,271	94.5%

Note: Actual results exclude purchase order commitments.

Council's Infrastructure Portfolio are anticipating that the total annual rural maintenance 20Q2 budget of \$3.83 million will likely be exceeded by up to 5% due to wet weather earlier this financial year directly resulting in the need to complete further maintenance works on the rural road network. A small portion of the rural maintenance expenditure incurred year to date is anticipated to be recoverable from the Queensland Reconstruction Authority as it related to works completed in response to the November 2019 bushfires.

### Capital Revenue

Total capital grants and contributions are below the year to date budget. The 20Q2 revised capital revenue budget for developer contributions is \$2 million. Total year to date developer's contributions are approximately \$1.96 million. The monthly budget phasing of developer's contributions is difficult to predict given a number of factors determine the timing of the receipt of the contributions. Developer contributions are a factor in determining the funding mix of Council's capital works programme requiring Council officers to monitor the total funding received as the financial year progresses.

### Capital Expenditure

Capital expenditure incurred is summarised in Table D.1 and D.2 in Attachment 1. The 2019-20 full year 20Q2 budgeted capital expenditure is approximately \$41.9 million with actuals of approximately \$18.2 million. There is approximately \$7 million of capital expenditure commitments at month end.

Table D.4 highlights the significant capital works projects with 20Q2 revised budget expenditure budget greater than \$800,000 and includes the year to date actuals and project life-to-date costs in comparison to budget.

**Statement of Financial Position**

A detailed balance sheet as provided in Table B in Attachment 1.

**Statement of Cash Flows**

The statement of cash flows provided in Table C in Attachment 1 shows Council's cash flows year to date in comparison to the year to date budget. The cash position remains sound with cash totalling approximately \$51.58 million.

**Investments and Borrowings**

Information in relation to year to date interest revenue earnings and borrowings are outlined in Table E.3 of Attachment 1. The next quarterly repayment on Council's loan portfolio is scheduled to occur in June 2020. Council has not accessed the approved \$20 million working capital facility.

**Outstanding Rates and Trade Debtors**

Information in relation to outstanding rates and trade debtors are outlined in Table E.4 of Attachment 1. Table E.4 also outlines aged rates and trade debtor's balances.

**Debt Management Statistics**

The KPI target for outstanding rates is to reduce rates receivables to less than 5% of total rates outstanding prior to the next six monthly billing cycle. Whilst the collection process of overdue rates receivables is proceeding, total rates receivables eligible for collection (excluding the current levy) are \$7.1 million, which is 6.8% of rates levied. (May 2019: 6.1% of rates levied).

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

- 20% of overdue balances are under management; this reflects 710 assessments out of all 17,603 rateable assessments (4%).
- There are 364 current proposals to pay totalling \$382,022 (April: \$470,601).
- There are 96 assessments (April: 101) under long-term arrangements (agreements to pay) with a total of \$422,669 (April: \$504,929) with varying settlement periods.
- Council's debt collection agency is currently managing 250 assessments (April: 274), representing \$1,000,835 (April \$1,361,217). Compared to April 2019, there are 581 less assessments under a debt management arrangement; and there is a decrease in the total value under management by \$833,157. Following the Cobraball Bush Fire event in November 2019 and the more recent evolving circumstances of COVID-19, referrals and legal action are currently on hold and will be delicately monitored by Council officers.
- Twelve (12) notices of intention to sell were issued in March 2020 to properties identified as eligible for 'sale of land' due to substantial arrears (> 3 years). There are five (5) properties remaining with a total of \$161,284 outstanding representing 3.2% of total rates and utility charges in arrears.
- Under the provisions of Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012*, Auction Notices may be issued as early as 19 July 2020 and prior to the end of August 2020

**Procurement****Local Content**

Council strongly supports locally owned and operated businesses, including those with an office or branch in our region. Table E.4 of Attachment 1 outlines the total year to date spend (inclusive of both operational and capital expenditure) with businesses located both

within and outside of Council's boundaries. A second graph is included outlining the historical spend since 1 January 2014.

### Current Tenders

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

Status Legend:

Open – tender 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 has been deemed not suitable.

Contract – contract issued by letter of award.

Summary of current tenders:

Evaluation	
1040T	Invitation to Tender - Appleton Creek Bridge
1049T	Invitation to Tender - Preferred Supply Arrangement (PSA) Chemicals
Open	
1011T	Invitation to Tender - Register Pre-qualified Suppliers - Line Marking

### PREVIOUS DECISIONS

2019-20 Budget adopted on 11 July 2019.

20Q1 Revised Budget adopted on 22 October 2019.

20Q2 Revised Budget adopted on 4 February 2020.

### ACCESS AND INCLUSION

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

### ENGAGEMENT AND CONSULTATION

Whilst this report is drafted internally by the author in consultation with other Council officers as required, community consultation becomes a mandatory legislative requirement for the development of the 2021-22 annual budget.

### 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 20Q2 Revised 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.

**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.*

Regular monthly reporting of Council's finance performance and financial position promotes open and accountable financial outcomes whilst providing Council and the community with relevant and reliable information on which to base financial decision making.

**CONCLUSION**

The financial report provides information about Council's financial performance and position for the period ending 31 May 2020.

## **12.2 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 MAY 2020**

### **Monthly Finance Report - May 2020**

**Meeting Date: 16 June 2020**

**Attachment No: 1**





**Livingstone**  
SHIRE COUNCIL

**Monthly Financial Report  
for period ending  
31/05/2020**

**Contents**

**Financial Health Indicators**

- Executive Summary
- Key Performance Indicators
- Key Strategic Financial Indicators

**Attachments: Detailed financial statements**

## 1. Executive Summary

This monthly financial report illustrates the financial performance and position of Livingstone Shire Council compared to the 2019-20 Q2 Revised Budget at an organisational level for the period ended 31 May 2020. The 20Q2 Revised Budget referred to in this report reflects the revised budget as adopted by Council on 4 February 2020.

### Key Financial Highlights and Overview

Key Financial Results (\$'000's)	20Q2 Revised Budget (\$'000's)	20Q2 YTD Revised Budget (\$'000's)	YTD Actuals (\$'000's)	YTD Variance (\$'000's)	YTD Variance %	Status
Operating Surplus/(Deficit)	\$2,066	\$6,147	\$10,132	\$3,984	65%	✓
Operating Revenue	\$87,828	\$89,263	\$89,046	-\$217	-0.2%	✗
Operating Expenditure	\$89,894	\$83,116	\$78,914	\$4,202	-5%	✓
Capital Works Expenditure	\$41,887	\$35,023	\$20,613	-\$14,411	-41%	✓
Closing Cash & Cash Equivalents	\$27,250	\$23,851	\$51,584	\$27,733	116%	✓
Total Borrowings	\$75,530	\$77,558	\$77,428	-\$130	0%	✓

#### Status Legend:

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

#### Commentary

Year to date operating revenue is in close proximity to the year to date 20Q2 budget position. A number of operational budget line items have small year to date absolute dollar variances. However when all operational revenue budget line items are viewed collectively together, there is a small unfavourable operational budget variance of less than 1%. Of particular note is the prepaid portion of the 2020-21 Financial Assistance Grant has been paid by the Queensland Local Government Grants Commission and received by Council in late May. This represents a \$2.1 million prepayment of the first two quarterly instalments of the 2020-21 Financial Assistance Grant allocated to Council. The final quarter of the 2019-2020 Financial Assistance Grants totalling approximately \$494,000 also received by Council during May.

Year to date operating expenditure is below the year to date 20Q2 revised budget by approximately 5%, which excludes approximately \$6.95 million in committed expenditure. This variance is due in part to the non-accrual of all materials and services expenditure on a monthly basis. Employee wages and salaries have been accrued up to and including the fortnight ending 31 May 2020. Depreciation expenditure and finance costs are in close proximity to budget.

Capital works expenditure is currently well behind the YTD 20Q2 budget position. The 20Q3 revised budget, is presented under a separate report to Council for adoption. The changes required from the current year's capital budget reflect the capacity of the organisation to deliver, or defer, projects that were previously approved by the previous term of Council. Underspend capital expenditure is a major factor to Council's cash balance as at 31 May 2020 being well ahead of the 20Q2 YTD budget.

## 2. Key Performance Indicators

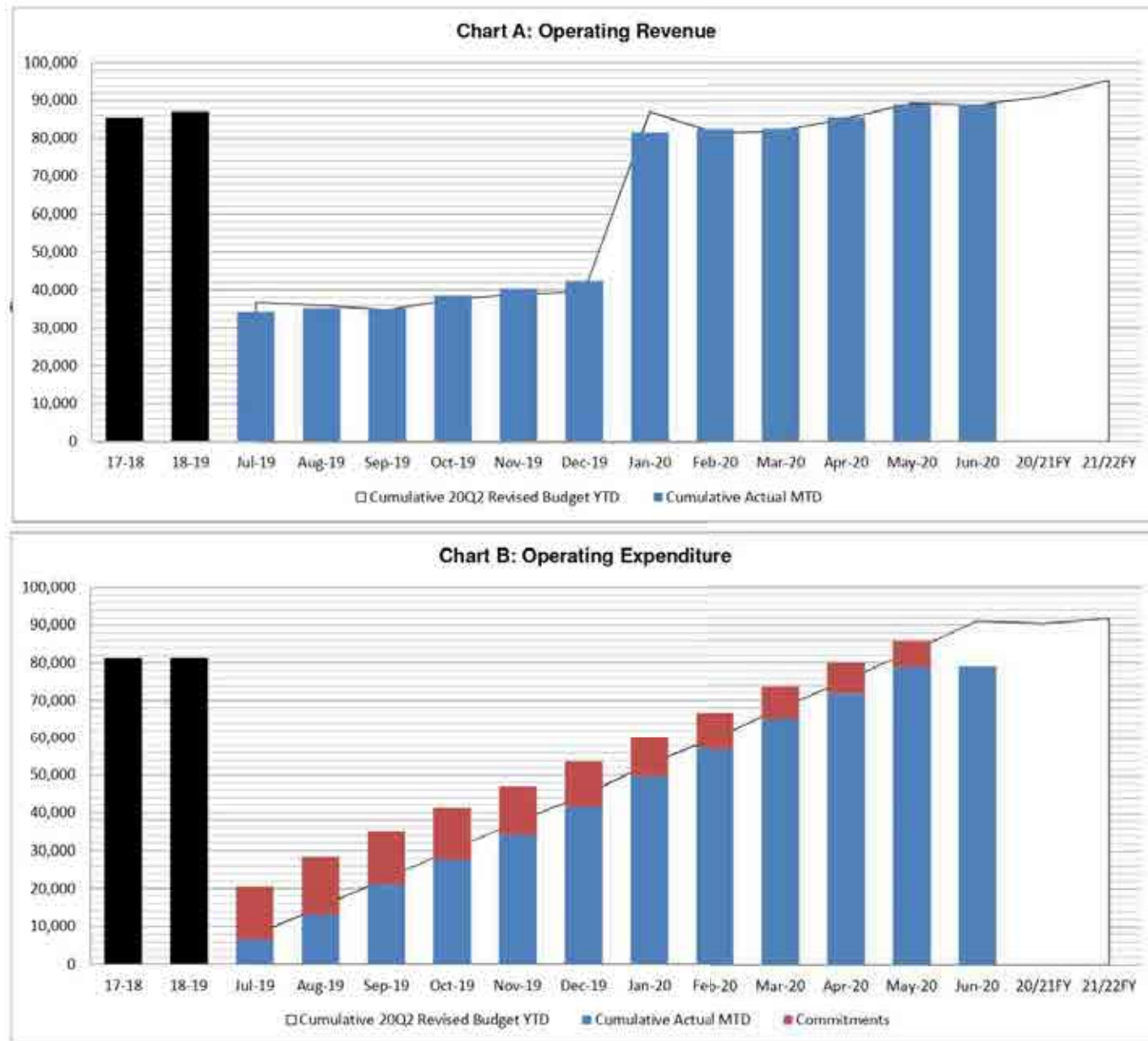
### Key Financial Highlights and Overview

Financial Sustainability Ratios & Measures of Financial Sustainability	20Q2 Revised Budget (\$'000's)	YTD Actuals (\$'000's)	Status	Target
<b>Operating Performance</b>				
Operating Surplus Ratio (%)	2.4%	11.4%	✓	Between 0 - 10% (on average over the long term)
Operating Efficiency Ratio (%)	97.7%	112.8%	✓	Between 100% - 110%
<b>Fiscal Flexibility</b>				
Net Financial Liabilities Ratio (%)	62.7%	26.5%	✓	Less than 60% (on average over the long term)
Council Controlled Revenue Ratio (%)	92.0%	89.9%	✓	Greater than 60%
Interest Cover Ratio (Times)	4.5%	4.1%	✓	Between 0 - 10%
<b>Asset Sustainability</b>				
Asset Sustainability Ratio (%)	55.6%	28.1%	✗	Greater than 50% (on average over the long term)
Longer Term Financial Sustainability - Debt to Asset Ratio (%)	7.2%	7.3%	✓	Less than or equal to 10%
<b>Liquidity</b>				
Ability to pay our Bills - Current Ratio (Times)	3.3	8.4	✓	Greater than 2 times
Cash Balance (\$M's)	\$27.3	\$51.6	✓	Greater than or equal to \$20M
Cash Balance - Cash Capacity in Months	4.7	10.4	✓	Greater than 3 months cash capacity

#### Status Legend:

KPI target (budget) achieved or exceeded	✓
KPI target (budget) not achieved	✗

### 3. Key strategic financial indicators: trend analysis



## 4. Attachments

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

	Year-to-date				Full year
	1920 Q2 Budget	Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
<b>Revenues</b>					
Rates & Utility Charges	74,564	74,827	262	0%	74,900
User Fees & Charges	4,485	4,273	(212)	-5%	4,904
Operating Grants	6,545	6,484	(61)	-1%	6,858
Interest	573	627	54	10%	772
Sales Revenue	2,167	1,892	(275)	-13%	(625)
Other	928	942	14	2%	1,020
<b>Total operating revenues</b>	<b>89,263</b>	<b>89,046</b>	<b>(217)</b>	<b>0%</b>	<b>87,828</b>
<b>Expenses</b>					
Employee Benefits	(29,348)	(28,576)	772	-3%	(32,158)
Materials & Services	(28,561)	(24,862)	3,699	-13%	(30,267)
Depreciation	(20,526)	(20,532)	(6)	0%	(22,400)
Finance Costs	(3,661)	(3,659)	2	0%	(3,995)
Other	(1,020)	(1,286)	(266)	26%	(1,072)
<b>Less: Total operating expenses</b>	<b>(83,116)</b>	<b>(78,914)</b>	<b>4,202</b>	<b>-5%</b>	<b>(89,894)</b>
<b>Net operating result</b>	<b>6,147</b>	<b>10,132</b>	<b>3,984</b>	<b>65%</b>	<b>(2,066)</b>
<b>Capital Income</b>					
Capital Grants	9,215	7,529	(1,685)	-18%	10,595
Developer Contributions	1,894	1,958	65	3%	2,000
Other Capital Income	0	895	895	0%	0
<b>Less: restoration provision capital expense</b>	<b>(134)</b>	<b>0</b>	<b>134</b>	<b>-100%</b>	<b>(146)</b>
<b>Net Capital Income</b>	<b>10,974</b>	<b>10,382</b>	<b>(592)</b>	<b>-5%</b>	<b>12,449</b>
<b>Total comprehensive income</b>	<b>17,121</b>	<b>20,514</b>	<b>3,393</b>	<b>20%</b>	<b>10,383</b>

## B: Monthly summary of assets and liabilities report

	Year-to-date				Full year
	1920 Q2 Budget	Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
<b>Assets</b>					
Cash and cash equivalents	23,851	51,584	27,733	116%	27,250
Inventory	6,318	444	(5,874)	-93%	4,419
Receivables:					
Trade & Other Receivables	8,185	8,785	599	7%	8,609
Land - for resale	6,514	17,510	10,996	169%	3,812
Infrastructure:					
PPE	998,190	930,345	(67,844)	-7%	1,002,243
Capital WIP	-	45,718	45,718	0%	-
Other assets	853	4	(848)	-100%	1,031
<b>Total Assets</b>	<b>1,043,911</b>	<b>1,054,391</b>	<b>10,480</b>	<b>1%</b>	<b>1,047,365</b>
<b>Liabilities</b>					
Employee benefits	3,755	8,913	5,158	137%	3,011
Trade creditors and accruals	1,072	1,203	131	12%	4,330
Borrowings:					
Short-term	2,188	2,058	(130)	-6%	5,270
Long-term	75,370	75,370	0	0%	70,260
Other liabilities	12,452	10,549	(1,903)	-15%	13,502
<b>Total Liabilities</b>	<b>94,837</b>	<b>98,093</b>	<b>3,256</b>	<b>3%</b>	<b>96,373</b>
<b>Current assets</b>	<b>39,207</b>	<b>74,516</b>	<b>35,309</b>	<b>90%</b>	<b>41,310</b>
<b>Current liabilities</b>	<b>7,015</b>	<b>11,723</b>	<b>4,708</b>	<b>67%</b>	<b>12,611</b>
<b>Non-current assets</b>	<b>1,004,704</b>	<b>979,875</b>	<b>(24,829)</b>	<b>-2%</b>	<b>1,006,055</b>
<b>Non-current liabilities</b>	<b>87,822</b>	<b>86,370</b>	<b>(1,452)</b>	<b>-2%</b>	<b>83,762</b>
<b>Net community assets</b>	<b>949,073</b>	<b>956,298</b>	<b>7,225</b>	<b>1%</b>	<b>950,991</b>



**C: Monthly summary cash flow report**

	Year-to-date				Full year
	1920 Q2 Budget	Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
<b>Operating Cashflows</b>					
<i>Cash inflows from operations</i>					
Rates & utility charges	75,885	74,849	(1,035)	-1%	77,302
User fees and charges	5,480	6,020	540	10%	5,571
Operating grants	5,683	6,366	684	12%	6,837
Interest	710	627	(83)	-12%	777
Proceeds from sale of land inventory	1,016	1,016	(0)	0%	7,908
<b>Total operating cash inflows</b>	<b>88,489</b>	<b>89,235</b>	<b>746</b>	<b>1%</b>	<b>98,394</b>
<i>Cash outflows from operations</i>					
Employee entitlements	(32,634)	(28,573)	4,061	-12%	(36,489)
Payments to suppliers	(31,299)	(26,529)	4,770	-15%	(33,948)
Borrowing costs & bank charges	(2,906)	(2,951)	(45)	2%	(3,845)
Other operating cash outflows	(275)	0	275	-100%	(300)
Payments for land inventory	0	(26)	(26)	0%	(88)
<b>Total operating cash outflows</b>	<b>(67,114)</b>	<b>(58,079)</b>	<b>9,034</b>	<b>-13%</b>	<b>(76,669)</b>
<b>Net cash flows from operations</b>	<b>21,375</b>	<b>31,156</b>	<b>9,780</b>	<b>46%</b>	<b>21,725</b>
<b>Investing cash flows</b>					
Proceeds on disposal of assets	0	771	771	0%	0
Capital grants & infrastructure charges	11,746	9,960	(1,786)	-15%	12,595
Acquisition of assets	(37,639)	(26,341)	11,299	-30%	(41,799)
Other investing activities	0	0	0	0%	(30)
<b>Net investing cash flows</b>	<b>(25,893)</b>	<b>(15,609)</b>	<b>10,284</b>	<b>-40%</b>	<b>(29,234)</b>
<b>Financing cash flows</b>					
Repayments on borrowings	(3,750)	(3,720)	30	-1%	(4,999)
<b>Net financing cash flows</b>	<b>(3,750)</b>	<b>(3,720)</b>	<b>30</b>	<b>-1%</b>	<b>(4,999)</b>
<b>Net combined cash flows</b>	<b>(8,268)</b>	<b>11,826</b>	<b>20,094</b>	<b>-243%</b>	<b>(12,508)</b>
<b>Add: Opening cash balance</b>	<b>27,119</b>	<b>39,758</b>	<b>12,639</b>	<b>47%</b>	<b>39,758</b>
<b>Closing cash balance</b>	<b>18,851</b>	<b>51,584</b>	<b>32,734</b>	<b>174%</b>	<b>27,250</b>

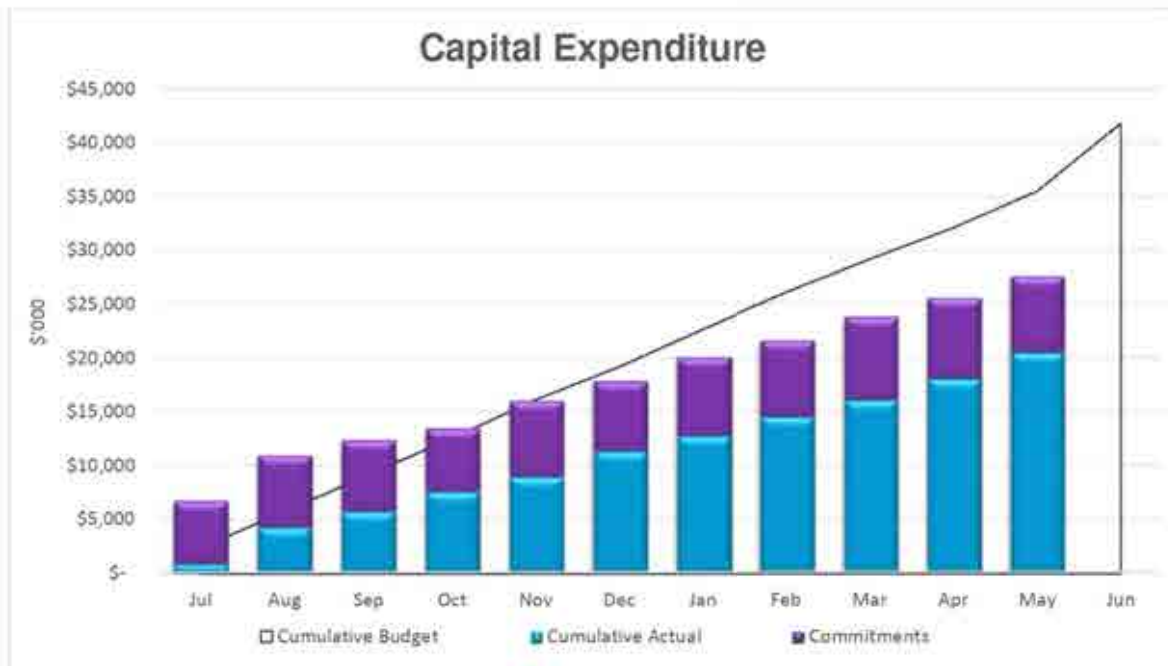
**D.1: Monthly summary capital revenue and expenditure report by category (all projects)**

	Year-to-date				Full year
	1920 Q2 Budget	Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
<b>Renewal of existing assets</b>					
Capital grants and contributions	(573)	(455)	118	-21%	(625)
Renewal expenditure	10,080	5,776	(4,304)	-43%	12,444
<b>New assets/upgrade of existing assets</b>					
Capital grants and contributions	(8,642)	(7,491)	1,151	-13%	(9,970)
New/upgrade expenditure	24,943	14,837	(10,107)	-41%	29,442
<b>Total</b>					
<b>Capital grants and contributions</b>	<b>(9,215)</b>	<b>(7,946)</b>	<b>1,268</b>	<b>-14%</b>	<b>(10,595)</b>
<b>Renewal, upgrade and acquisition</b>	<b>35,023</b>	<b>20,613</b>	<b>(14,411)</b>	<b>-41%</b>	<b>41,887</b>

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

	1920 Q2 Budget	Year-to-date			Full year
		Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
<b>Land</b>					
Renewal, new/upgrade	144	306	162	113%	155
<b>Buildings</b>					
Capital grants and contributions	(825)	(500)	325	-39%	(1,025)
Renewal, new/upgrade	2,544	558	(1,987)	-78%	2,643
<b>Plant &amp; Equipment</b>					
Capital grants and contributions	(43)	(33)	11	-25%	(43)
Renewal, new/upgrade	2,007	1,842	(165)	-8%	2,672
<b>Roads &amp; Drainage</b>					
Capital grants and contributions	(2,588)	(4,881)	(2,292)	89%	(3,237)
Renewal, new/upgrade	12,973	9,995	(2,978)	-23%	15,826
<b>Bridges</b>					
Renewal, new/upgrade	65	77	12	18%	68
<b>Water</b>					
Renewal, upgrade and acquisition	4,189	1,305	(2,884)	-69%	4,561
<b>Sewerage</b>					
Capital grants and contributions	(2,217)	(1,140)	1,077	-49%	(2,427)
Renewal, upgrade and acquisition	6,278	3,910	(2,368)	-38%	8,029
<b>Site Improvements</b>					
Capital grants and contributions	(3,541)	(1,392)	2,149	-61%	(3,863)
Renewal, upgrade and acquisition	5,811	2,567	(3,244)	-56%	6,726
<b>Land Development</b>					
Renewal, upgrade and acquisition	79	26	(52)	-66%	88
<b>Information Communication Technology</b>					
Renewal, upgrade and acquisition	933	26	(907)	-97%	1,120

Table D.3 Capital Expenditure for the Period Ending 31/05/2020



	20Q2 Budget (\$'000)	YTD 20Q2 Budget (\$'000)	YTD Actual (\$'000)	YTD Variance (\$'000)	YTD Variance %
Capitalised goods and services	38,729	32,885	17,302	(15,583)	-47%
Capitalised employee costs	3,158	2,681	3,285	604	23%
<b>Total</b>	<b>41,887</b>	<b>35,566</b>	<b>20,587</b>	<b>- 14,979</b>	

## D.4: Summary capital expenditure report by project (&gt;\$500,000)

	Project Dates				Project Costs YTD FY19/20			Project Life Costs		
	% Project Complete	Planned Start Date	Planned Completion Date	WP B/F from FY	Actual	Commitments	Total Project Costs	2019-2020 Q2 Budget	Project LTO Costs	Project Life Budget
<b>Capricorn Coast New Cemetery</b>										
889806 Capricorn Coast Cemetery - Initial Planning				10	0	0	0	0	10	
889808 Capricorn Coast Cemetery - Roadworks				3,010	0	0	0	0	3,010	
888173 Capricorn Coast Cemetery - Internal works	50%	15/09/2017	31/04/2021	502	151	116	267	839	463	
1110324 Capricorn Coast Cemetery - Internal R&D works	100%			2,146	3	10	12	12	2,149	
<b>Subtotal</b>					<b>5,698</b>	<b>194</b>	<b>126</b>	<b>852</b>	<b>5,822</b>	<b>6,859</b>
<b>Emu Park Village &amp; Foreshore Revitalisation</b>										
1097725 Emu Park Village & Foreshore - Emu Park Foreshore	100%	30/07/2017	15/02/2020	75	0	0	0	10	75	
1103767 Emu Park Village & Foreshore	100%	30/07/2017	15/02/2020	2,087	1,782	142	1,924	1,720	3,889	
1101161 Emu Park Village & Foreshore - CWA Rounds Emu Park	0%			2	0	0	0	0	2	
1105254 Emu Park Village & Foreshore - Ken Park Carpark (SLSC)	100%			805	0	0	0	0	805	
1105255 Emu Park Village & Foreshore - Tennent Memorial Dr Stage 1 Planning	100%			18	0	0	0	0	18	
1105256 Emu Park Village & Foreshore - Emu Street Stage 1 Plans B to E	100%			231	1	0	8	8	232	
1108470 Emu Park Village & Foreshore - Water Main Replacement Emu Street				141	0	0	0	0	141	
<b>Subtotal</b>					<b>3,399</b>	<b>1,784</b>	<b>148</b>	<b>1,938</b>	<b>5,143</b>	<b>5,529</b>
1115392 ICT Strategy	10%	01/06/2020	30/07/2022	4	(4)	0	(4)	1,120	0	2,120
CP440 Fleet Renewal Program		02/07/2019	30/06/2020	0	1,048	1,368	2,427	2,369	1,840	2,383
<b>Road &amp; Drainage</b>										
CP422 Gravel Resheet Annual Program	48%	02/07/2019	30/06/2020	76	621	12	633	1,500	697	1,300
1017252 Matthew Flinders Drive - Scenic Highway to Gregory Street	23%	06/01/2020	16/07/2020	7	967	541	1,108	1,500	574	1,500
1088965 Frangipani Drive Extension & Taranganba School Bus Setdown	0%	17/07/2020	05/11/2020	318	7	0	7	920	325	1,528
1114438 Adelaide Pk Road - St Brendan's Gate 1 to Gate 2	85%	09/09/2019	15/04/2020	2	1,812	137	1,750	1,300	1,815	1,300
1108378 Barnmarney Rd-Oaks Village - Neil's Road	41%	18/11/2019	18/05/2020	4	798	164	954	860	794	880
1113798 Whitman St - Morris to Arthur Streets	10%	16/03/2020	15/07/2020	18	148	238	377	625	158	635
<b>Subtotal</b>					<b>625</b>	<b>3,737</b>	<b>1,892</b>	<b>6,525</b>	<b>4,162</b>	<b>7,135</b>
<b>Major Projects</b>										
1115553 Coode Bay Pool - Works for Queensland Round 3	12%	04/09/2019	31/10/2020	0	62	12	74	1,200	62	1,200
999072 Sewer Treatment Plant Yepoon - Augmentation Design & Construction	99%	22/03/2018	30/04/2020	14,157	2,405	298	2,703	2,444	16,562	16,601
1110848 Yepoon Water Recycling Augmentation	10%	13/09/2018	30/11/2020	10	201	310	512	1,900	211	1,900
<b>Subtotal</b>					<b>14,167</b>	<b>2,665</b>	<b>821</b>	<b>5,544</b>	<b>16,935</b>	<b>19,701</b>
<b>Water and Waste Operations</b>										
1105809 Yepoon Landfill entry works - Planning and Design	5%	06/04/2020	30/06/2021	0	88	0	80	2,000	80	2,000
1114576 Reservoir West Emu Park	2%	16/08/2019	31/12/2020	0	16	5	20	2,200	16	2,200
1065688 Arthur St Yepoon Trunk Sewer	9%	04/06/2020	09/10/2020	6	91	82	153	919	97	919
<b>Subtotal</b>					<b>6</b>	<b>187</b>	<b>67</b>	<b>5,119</b>	<b>193</b>	<b>5,119</b>



**E1: Business Unit summary revenue and expenditure report (by line item)**

	Water				Sewer				Waste				Council				Consolidated			
	1920 Q2 Budget	YTD Actual	Variance	Variance %	1920 Q2 Budget	YTD Actual	Variance	Variance %	1920 Q2 Budget	YTD Actual	Variance	Variance %	1920 Q2 Budget	YTD Actual	Variance	Variance %	1920 Q2 Budget	Actual	Variance	Variance %
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%
Rates & utility charges	18,077	17,369	(708)	-4%	8,884	10,359	1,475	17%	4,180	4,284	104	2%	43,970	41,401	(2,569)	-6%	74,968	74,929	(39)	0%
User fees & charges	221	259	38	17%	120	250	130	11%	1,680	1,270	(410)	-24%	2,602	2,544	(58)	-2%	4,954	4,273	(681)	-14%
Operating grants	0	0	0	0%	0	0	0	0%	0	1	1	0%	6,558	6,485	(73)	-1%	6,558	6,484	(74)	-1%
Interest	31	0	(31)	-100%	16	0	(16)	-100%	11	0	(11)	-100%	714	627	(87)	-12%	773	627	(146)	-19%
Sales revenue	148	46	(102)	-69%	58	78	20	34%	0	0	0	0%	(962)	1,766	2,728	284%	(625)	1,832	2,457	393%
Other	(0)	49	49	0%	(0)	6	6	0%	206	125	(81)	-39%	814	777	(37)	-5%	1,029	943	(86)	-8%
<b>Total operating revenues</b>	<b>18,476</b>	<b>17,673</b>	<b>(803)</b>	<b>-4%</b>	<b>9,068</b>	<b>10,373</b>	<b>1,305</b>	<b>14%</b>	<b>4,296</b>	<b>5,559</b>	<b>1,263</b>	<b>30%</b>	<b>51,096</b>	<b>49,698</b>	<b>(1,398)</b>	<b>-3%</b>	<b>87,828</b>	<b>88,042</b>	<b>214</b>	<b>0%</b>
<b>Expenses</b>																				
Employee benefits	(2,345)	(1,866)	479	20%	(1,384)	(1,145)	239	17%	(594)	(270)	324	54%	(26,040)	(25,289)	751	3%	(32,158)	(26,576)	5,582	17%
Materials & services	(8,800)	(7,980)	820	9%	(5,170)	(2,690)	2,480	48%	(5,620)	(5,819)	1,719	31%	(12,984)	(11,276)	1,708	13%	(40,267)	(24,863)	15,404	38%
Depreciation	(4,138)	(3,782)	356	9%	(2,317)	(2,123)	194	8%	(535)	(582)	47	9%	(15,515)	(14,096)	1,419	9%	(22,400)	(20,532)	1,868	8%
Interest	(540)	(505)	35	6%	(982)	(926)	56	6%	(670)	(531)	139	21%	(2,186)	(1,896)	290	13%	(3,936)	(3,656)	280	7%
Other	(0)	60	60	0%	0	(294)	(294)	0%	(10)	(17)	7	70%	(1,002)	(1,055)	53	5%	(1,072)	(1,282)	210	20%
<b>Total operating expenses</b>	<b>(18,898)</b>	<b>(13,298)</b>	<b>5,600</b>	<b>30%</b>	<b>(7,563)</b>	<b>(6,764)</b>	<b>799</b>	<b>11%</b>	<b>(7,335)</b>	<b>(6,222)</b>	<b>1,113</b>	<b>15%</b>	<b>(38,636)</b>	<b>(32,662)</b>	<b>5,974</b>	<b>15%</b>	<b>(88,886)</b>	<b>(79,818)</b>	<b>9,068</b>	<b>10%</b>
<b>Net operating result</b>	<b>2,821</b>	<b>4,189</b>	<b>1,368</b>	<b>48%</b>	<b>2,457</b>	<b>3,549</b>	<b>1,092</b>	<b>44%</b>	<b>1,029</b>	<b>2,499</b>	<b>1,470</b>	<b>144%</b>	<b>16,460</b>	<b>(32)</b>	<b>(16,492)</b>	<b>-0%</b>	<b>(2,058)</b>	<b>10,122</b>	<b>12,180</b>	<b>592%</b>

**E2: Business Unit summary of assets and liabilities report**

	Water				Sewer				Waste				Council				Year-to-date				Full year
	1920 Q2 Budget	Actual	Variance	Variance %	1920 Q2 Budget	Actual	Variance	Variance %	1920 Q2 Budget	Actual	Variance	Variance %	1920 Q2 Budget	Actual	Variance	Variance %	1920 Q2 Budget	Actual	Variance	Variance %	1920 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
<b>Assets</b>																					
Cash and cash equivalents	11,952	2,720	(9,232)	-77%	11,486	26,325	14,839	130%	23,851	51,564	27,713	116%	27,290	27,290	0	0%	27,290	27,290	0	0%	27,290
Inventory	0	0	0	0%	444	444	0	0%	4,318	444	(3,874)	-90%	4,419	4,419	0	0%	4,419	4,419	0	0%	4,419
Trade & Other Receivables	2,767	621	(2,146)	-78%	4,760	4,760	0	0%	8,180	9,760	1,580	19%	8,609	8,609	0	0%	8,609	8,609	0	0%	8,609
Land - for sale	0	0	0	0%	17,510	17,510	0	0%	6,514	17,510	10,996	169%	2,852	2,852	0	0%	2,852	2,852	0	0%	2,852
Infrastructure	0	0	0	0%	0	0	0	0%	0	0	0	0%	0	0	0	0%	0	0	0	0%	0
PP&E	181,801	115,227	(66,574)	-37%	914,826	998,380	83,554	9%	998,380	998,380	0	0%	998,380	998,380	0	0%	998,380	998,380	0	0%	998,380
Capital WIP	1,873	18,208	16,335	873%	25,511	25,511	0	0%	45,718	45,718	0	0%	0	0	0	0%	0	0	0	0%	0
Other assets	0	0	0	0%	4	4	0	0%	830	830	0	0%	1,020	1,020	0	0%	1,020	1,020	0	0%	1,020
<b>Total Assets</b>	<b>207,572</b>	<b>136,755</b>	<b>(70,817)</b>	<b>-34%</b>	<b>956,186</b>	<b>1,043,811</b>	<b>87,625</b>	<b>9%</b>	<b>1,043,811</b>	<b>1,043,811</b>	<b>0</b>	<b>0%</b>	<b>1,043,811</b>	<b>1,043,811</b>	<b>0</b>	<b>0%</b>	<b>1,043,811</b>	<b>1,043,811</b>	<b>0</b>	<b>0%</b>	<b>1,043,811</b>
<b>Liabilities</b>																					
Employee benefits	659	646	(13)	-2%	1,520	1,520	0	0%	3,256	8,812	5,556	172%	3,011	3,011	0	0%	3,011	3,011	0	0%	3,011
Trade creditors and accruals	59	159	100	170%	670	670	0	0%	1,272	1,203	(69)	-5%	4,300	4,300	0	0%	4,300	4,300	0	0%	4,300
Borrowings:																					
Short-term	309	307	(2)	0%	1,117	1,117	0	0%	2,188	2,068	(120)	-5%	5,270	5,270	0	0%	5,270	5,270	0	0%	5,270
Long-term	8,229	15,291	7,062	86%	8,126	8,126	0	0%	75,376	75,376	0	0%	76,280	76,280	0	0%	76,280	76,280	0	0%	76,280
Other liabilities	0	0	0	0%	547	547	0	0%	12,452	10,349	(2,103)	-17%	10,502	10,502	0	0%	10,502	10,502	0	0%	10,502
<b>Total Liabilities</b>	<b>10,296</b>	<b>16,403</b>	<b>6,107</b>	<b>60%</b>	<b>11,803</b>	<b>11,803</b>	<b>0</b>	<b>0%</b>	<b>16,837</b>	<b>86,865</b>	<b>70,028</b>	<b>416%</b>	<b>86,373</b>	<b>86,373</b>	<b>0</b>	<b>0%</b>	<b>86,373</b>	<b>86,373</b>	<b>0</b>	<b>0%</b>	<b>86,373</b>
<b>Current assets</b>	<b>13,949</b>	<b>3,349</b>	<b>(10,600)</b>	<b>-76%</b>	<b>45,250</b>	<b>30,257</b>	<b>(14,993)</b>	<b>-33%</b>	<b>30,257</b>	<b>74,914</b>	<b>44,657</b>	<b>148%</b>	<b>25,319</b>	<b>25,319</b>	<b>0</b>	<b>0%</b>	<b>25,319</b>	<b>25,319</b>	<b>0</b>	<b>0%</b>	<b>25,319</b>
<b>Current liabilities</b>	<b>882</b>	<b>1,537</b>	<b>655</b>	<b>74%</b>	<b>8,800</b>	<b>8,800</b>	<b>0</b>	<b>0%</b>	<b>7,013</b>	<b>15,723</b>	<b>8,710</b>	<b>124%</b>	<b>4,759</b>	<b>4,759</b>	<b>0</b>	<b>0%</b>	<b>4,759</b>	<b>4,759</b>	<b>0</b>	<b>0%</b>	<b>4,759</b>
<b>Non-current assets</b>	<b>192,723</b>	<b>133,406</b>	<b>(59,317)</b>	<b>-31%</b>	<b>896,116</b>	<b>1,007,334</b>	<b>111,218</b>	<b>12%</b>	<b>1,007,334</b>	<b>1,007,334</b>	<b>0</b>	<b>0%</b>	<b>1,007,334</b>	<b>1,007,334</b>	<b>0</b>	<b>0%</b>	<b>1,007,334</b>	<b>1,007,334</b>	<b>0</b>	<b>0%</b>	<b>1,007,334</b>
<b>Non-current liabilities</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>	<b>0</b>
<b>Net community assets</b>	<b>197,276</b>	<b>120,348</b>	<b>(76,928)</b>	<b>-39%</b>	<b>944,383</b>	<b>1,032,011</b>	<b>87,628</b>	<b>9%</b>	<b>944,383</b>	<b>944,383</b>	<b>0</b>	<b>0%</b>	<b>944,383</b>	<b>944,383</b>	<b>0</b>	<b>0%</b>	<b>944,383</b>	<b>944,383</b>	<b>0</b>	<b>0%</b>	<b>944,383</b>

Table E.3 Investment and Borrowings

Investment Returns for the Period Ending  
31/05/2020

**Total cash held at 31 May 2020 was \$51.58m**

Council's investments are held in the Capital Guaranteed Cash Fund and short term investment market. The Capital Guaranteed Cash Fund is operated by the Queensland Treasury Corporation (QTC). Council's current interest earning rate is 0.72% p.a (net of administration fee) with the QTC and Council's five (5) term deposits earnings rates range between 1.65% and 1.85% p.a. The earning rate on funds invested with the QTC has decreased in May following on from further reductions in the underlying Reserve Bank of Australia cash rate.

The movement in interest earned is indicative of both the interest rate and the surplus cash balances held; the latter of which is affected by business cash flow requirements on a monthly basis as well as the rating cycle.

Cash surplus to day-to-day requirements is deposited with the QTC on a regular basis to earn higher interest. The interest returns are monitored regularly by Council finance officers to maximise interest earnings as much as possible.

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

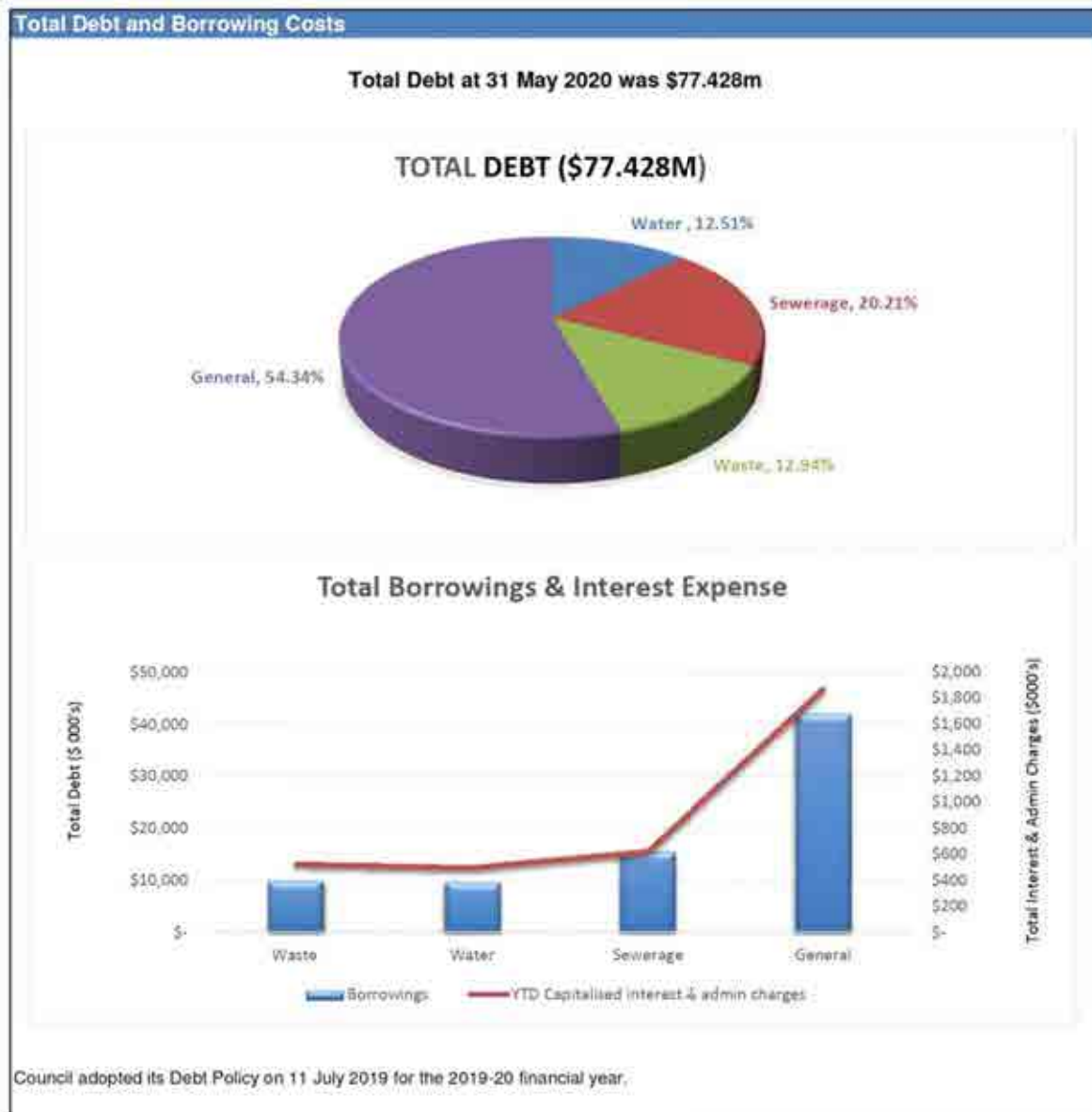
Council adopted its Investment Policy on 20 June 2019 for the 2019-20 financial year.

**Total Debt and Borrowing Costs**

<b>Debt Position</b>	<b>\$'000</b>
Total Debt held as at 1 July 2019	80,530
Budgeted new borrowings in 2019-20	-
Capitalised interest & administrative charges	3,531
Total debt service payments made YTD	(6,633)
<b>Total Debt held as at 31 May 2020</b>	<b>77,428</b>

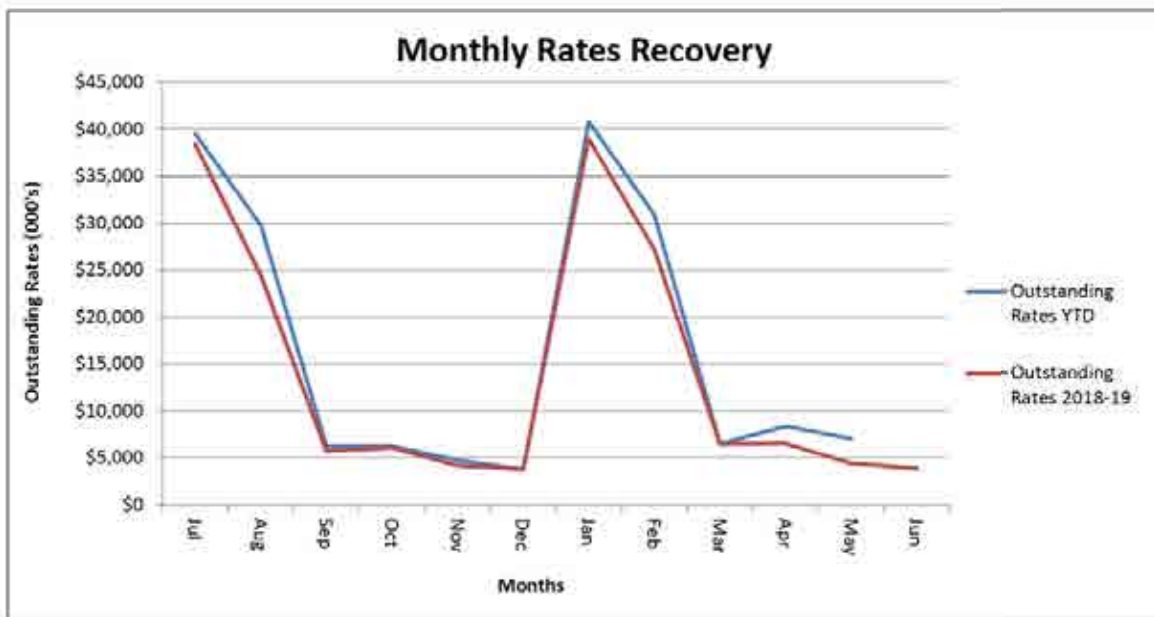
In line with Council's debt policy, a debt service payment of \$2,211,013 (being approximately \$1.23m repayment of principal and \$981k interest and administrative charges) will be paid quarterly for 2019-20. Interest accrues monthly calculated on a daily basis until the next debt service payment. No new borrowings are budgeted to be drawn down in 2019-20.

As at 31 May 2020 the weighted average interest rate of all Council debt is 4.35%.



**Table E.4: Additional Information**  
**Outstanding Rates**

Ageing of Rates Receivable at Month End		
Ageing Period	Arrears (before deducting prepaid rates)	% of total eligible for collection
Current	\$5,603,284	79.39%
1 years	\$845,599	11.98%
2 years	\$268,293	3.80%
3 years	\$167,735	2.38%
4 years	\$54,993	0.78%
5 years	\$117,621	1.67%
<b>TOTAL</b>	<b>\$7,057,525</b>	<b>100.0%</b>

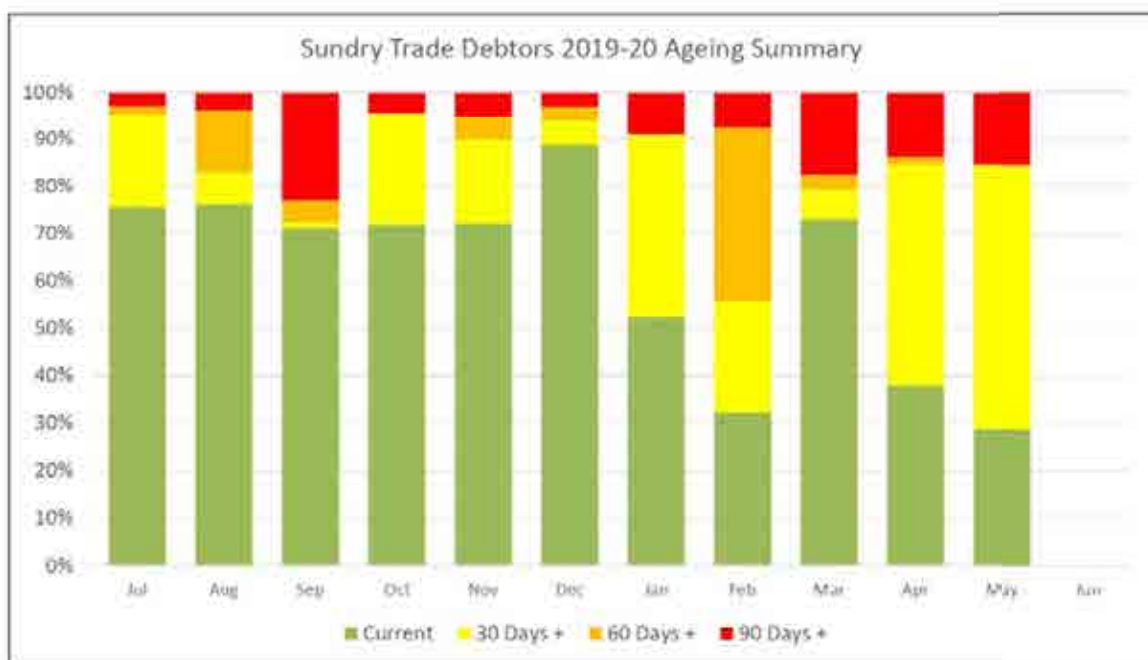




### Outstanding Sundry Trade Debtors

Total Sundry Trade Debtors Outstanding at Month End:

\$1,626,423



## 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 year to date is 25% or \$14.4 million and illustrated in the following pie chart.

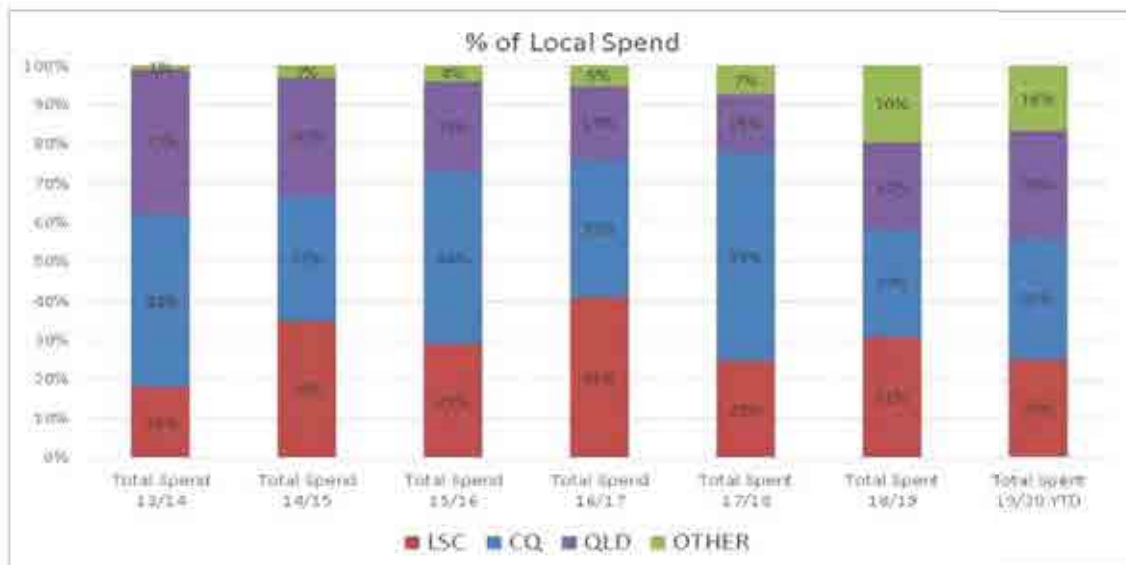
Chart legend:

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

### Percent of Spend per Locality 2019-20 Year to Date



The bar graph below summarises the allocation by local spend categories per financial year since 2013-14. Council has procured, on average, 67% of materials & services from within the greater Central Queensland area, which includes Livingstone Shire Council.





5. Glossary		
Key Term		
Operating surplus / deficit	Operating Revenues less Operating Expenses	
Definition of Ratios		
Operating Performance		
Operating surplus ratio (%)	This is an indicator of the extent to which revenues raised covers operational expenses only or are available for capital funding purposes.	$\frac{\text{Operating result}}{\text{Total operating revenue}}$
Operating efficiency ratio (%)	This is an indicator of the extent to which operating revenue covers operational expenses.	$\frac{\text{Total operating revenue}}{\text{Total operating expenses}}$
Fiscal Flexibility		
Net financial liabilities ratio (%)	This is an indicator of the extent to which the net financial liabilities of Council can be serviced by operating revenues.	$\frac{\text{Total Liabilities} - \text{Current assets}}{\text{Total operating revenue}}$
Council controlled revenue ratio (%)	This is an indicator of the extent to which total Council controlled operational revenues are as a proportion of total operating expenses. Council controlled revenue sources are specifically Rates & Utility Charges, Fees & Charges and Other Miscellaneous Operating Revenues.	$\frac{\text{Total operating revenue} - \text{Operating subsidies, grants, contributions and donations}}{\text{Total operating expenses}}$
Interest cover ratio (times)	Interest coverage ratio indicates the extent to which Council's operating revenues are committed to interest expenses.	$\frac{\text{Operating result} + \text{Depreciation \& amortisation} + \text{Gross interest expense}}{\text{Gross interest expense}}$
Asset Sustainability		
Asset Sustainability Ratio (%)	This ratio indicates whether Council is renewing or replacing existing non-financial assets at the same rate that its overall stock of assets is wearing out.	$\frac{\text{Capital expenditure on renewals}}{\text{Depreciation}}$
Longer Term Financial Sustainability Debt to Asset Ratio (%)	This is total debt as a percentage of total assets, i.e. to what extent will our long term debt be covered by total assets.	$\frac{\text{Current and non-current loans}}{\text{Total assets}}$
Liquidity		
Ability to pay our Bills Current ratio (times)	This measures the extent to which Council has liquid assets available to meet short term financial obligations.	$\frac{\text{Total current assets}}{\text{Total current liabilities}}$
Cash Balance \$M	Cash balance includes cash on hand, cash at bank and other short term investments.	Cash held at period end
Cash balances Cash capacity in months	This provides an indication as to the number of months cash held at period end would cover operating cash flows.	$\frac{\text{Cash and cash equivalents}}{\text{Total operating expenses} - \text{Depreciation \& amortisation} - \text{Gross interest expense}} \times 12 \text{ months}$

**12.3 QUARTERLY BUDGET REVIEW (20Q3)****File No:** FM12.5.2**Attachments:**  
1. 20Q3 Revised Budget [↓](#)  
2. 20Q3 Estimated Activity Statements [↓](#)**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Damien Cross - Coordinator - Accounting Services

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**SUMMARY**

*The Quarterly Budget Review (20Q3) is presented to Council for adoption recognising changes to the financial position since the 2019-20 Revised Budget (20Q2) was adopted on 4 February 2020.*

**OFFICER'S RECOMMENDATION**

THAT Council resolve to adopt, pursuant to Sections 169 and 170 of the *Local Government Regulation 2012*, the Quarter 3 Revised Budget (20Q3) for the financial year 2019-20 and the Long Term Financial Forecast for the financial years 2019-20 to 2028-29, as contained within the document entitled 2019-20 Revised Budget and Long Term Financial Forecast (Attachment One) and set out in the pages contained therein:

- 1) Statement of Financial Position (Attachment One);
- 2) Statement of Cash Flows (Attachment One);
- 3) Statement of Income and Expenditure (Attachment One);
- 4) Statement of Changes in Equity (Attachment One);
- 5) Long-Term Financial Forecast (Attachment One);
- 6) Relevant Measures of Financial Sustainability (Attachment One);
- 7) Total Value of change in the rates and charges expressed as a percentage (Attachment One); and
- 8) Revised estimated business activity costs for the period ending 30 June 2020 (Attachment Two).

**BACKGROUND**

Council from routinely reviews its adopted budget and makes appropriate adjustments to promote transparent financial management. Council has committed to maintaining rigour into its financial management and reporting process by undertaking quarterly budget reviews.

Quarterly budget reviews act as a barometer of Council's financial health during the year. The scope of each quarterly budget review will differ, depending on where the organisation is at in the overarching planning and budget cycle.

The third Quarterly Budget Review (20Q3):

- updates for the anticipated results of the 2019-20 financial year taking into account the impact to Council's financial performance and position as a result of the COVID-19 pandemic; and
- detailed review of the 2019-20 capital works program for any capital budget carryovers required for the 2020-21 budget, changes to project costs and/or timing, and changes to the timing and amount of external funding.

The intent of the 20Q3 budget review was to undertake a review of budget line items in order to anticipate the year end position for both operating and capital budgets.

It is a legislated requirement for an amended budget to include all items listed in section 169 of the *Local Government Regulation 2012*. However, whilst section 169 of the *Local Government Regulation 2012* also requires a budget to include a revenue statement and a revenue policy, section 170 of the *Local Government Regulation 2012* stipulates that a local government may only decide the rates and charges to be levied for a financial year at the budget meeting for the financial year. The Revenue Policy and Revenue Statement adopted by Council on the 11 July 2019, can therefore not be amended during a year and are not required to be adopted as part of any revised budget resolution.

## COMMENTARY

The overall outcome is that there is an improved operating result of approximately \$275,000. Cash flows remain adequate to meet the planned operational and capital expenditure for the balance of this year.

### Underlying Assumptions

No changes were made to the CPI or Council Cost Index underlying assumptions as part of the 20Q3 revised budget process. CPI in the long term financial forecast is 2.00% for the 2019-20 financial year which is consistent with the Queensland State Government budget forecast. Over the balance of the 9 forecast years, CPI ranges from 2.2% to 2.4% and there have been no changes made to these underlying assumptions as part of the 20Q3 revised budget. CPI increases were factored into the 20Q1 revised budget for all operating income streams, staff salaries & wages and materials & services.

### Financial Position

The net impact of the proposed 20Q3 budget revision is that the forecast Net Community Assets (also referred to as Total Community Equity) has reduced from \$951.0 million, in the 20Q2 Revised Budget, to \$950.3 million in the proposed 20Q3 revised budget, primarily as a result of capital carryovers. Please refer to the Statement of Financial Position (Attachment 1) for more details.

### Cash Flows

The net impact of the 20Q3 budget revision is that the estimated cash balance at 30 June 2020 has increased from \$27.3 million in the 20Q2 revised budget to \$36.0 million. The increase in cash holdings is predominately related to the movement in capital expenditure for carryovers into the 2020-21 financial year. Please refer to the Statement of Cash Flows for more details.

### Income and Expenditure

Overall, the forecast 20Q2 operating deficit of approximately \$2.1 million has marginally improved in 20Q3 to \$1.8 million. A combination of small variances has contributed to this improved operational result. Please refer to the Statement of Income and Expenditure for more details.

Over the long term, Council continues to maintain the ability to achieve the operating surplus efficiency target range of between 0% & 10%.

### Total Comprehensive Income

Total Comprehensive Income, which includes capital income and expenditure, is forecast to decrease from the 20Q2 revised budget of \$10.4 million to \$7.0 million. The decrease of \$3.4 million predominately relates to capital grants and subsidies that were expected to be recognised as revenue in the current financial year, but will be recognised as revenue in the 2020-21 financial year.

### Capital Projects

The original adopted total capital expenditure budget was \$36.0 million, with \$11.5 million in capital grants and subsidies to be received (including \$1.5 million of contributions from developers). The 20Q1 revised budget increased total budgeted capital expenditure to \$40.5 million and the 20Q2 revised budget increased this again to \$41.8 million. The 20Q3 revised

capital project budget proposes to decrease total capital expenditure to \$27.3 million with \$8.9 million expected to be recognised as capital grants & subsidies including contributions from developers.

In total, ~\$16.6million in capital carryovers (carryover \$14.4m, additional budget \$2.2 million) are proposed to be added to the capital program for 2020-21. This is offset by \$5.3 million in external funds to which \$514,994 has or will be received by 30 June 2020. This brings the capital program up to \$48.6 million for 2020-21, however Councillors will be provided the opportunity to thoroughly review the capital works programme for the next four years as part of the 2020-21 budget. Adoption of the 20Q3 revised budget does not restrict Councillors ability to influence the capital works program from 2020-21 onwards. The changes required from the current year's capital budget reflect the capacity of the organisation to deliver, or defer, projects that were previously approved by the previous term of Council.

#### Financial Sustainability

Under the *Local Government Regulation 2012*, Council must prepare an accrual based budget for each financial year which is consistent with Council's Corporate Plan and Annual Operational Plan. To comply with the *Local Government Regulation 2012*, Council must also publish results against a series of measures of financial sustainability for the budget year and the next nine (9) years. Amended (revised) budgets must also comply with these requirements.

The 20Q3 Revised Budget results against each measure of financial sustainability are compared to the 20Q2 revised budget adopted on 4 February 2020 and given in the following table:

Relevant Measure of Financial Sustainability	Revised Budget (20Q2)	Revised Budget (20Q3)	Recommended Target
<b>Asset Sustainability Ratio</b>	68.7%	57.6%	Greater than 90%
<b>Net Financial Liabilities Ratio</b>	62.7%	49.7%	Less than 60%
<b>Operating Surplus Ratio</b>	-2.4%	-2.0%	Between 0% and 10%

The Asset Sustainability Ratio is less than the recommended target, this is mainly due to the value of new infrastructure required to be constructed as existing assets have reached capacity (Yeppoon Sewerage Treatment Plant and Yeppoon Cemetery). This ratio is proposed to materially change in future years due to the Stanage Bay Road upgrade federally funded project.

The Net Financial Liabilities Ratio is within the recommended target range and is forecast to remain within the target range for the remaining nine (9) years of the Long Term Financial Forecast.

Whilst the Operating Surplus Ratio is less than the recommended range for 2019-20, it is forecast to remain within the target range for the next nine (9) years. The operating surplus ratio has marginally improved as part of the 20Q3 revised budget.

The results of the full ten years are shown in the Measures of Financial Sustainability (Attachment 2) and show that the Net Financial Liabilities Ratio and the Operating Surplus Ratio are within the target range over the long term. The Asset Sustainability Ratio improves over the short term, however is forecast to remain less than the target range from the 2022-23 financial year onwards out to the end of the long term financial forecast period to 2028-29.

### Estimated Activity Statements

Pursuant to Section 34 of the *Local Government Regulation 2012*, the estimated activity statements for the business activities of Water & Sewerage, Building Certification, Waste and Caravan Parks are presented in Attachment 4 to this report.

### Long Term Financial Forecast

The 20Q3 Budget Review has identified a reduction in cash balances below the minimum cash cover requirements (~\$20million) from in the medium term. In order to achieve the minimum levels of cash cover, Council must either increase in revenue sources beyond current forecast assumptions, or a reduce expenditure, namely capital, to less than \$25million for the forecast years. The detail of the future capital works budgets will be discussed in detail with Councillors as part of the scheduled budget workshops.

### **PREVIOUS DECISIONS**

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

Council adopted the 20Q1 Revised Budget on 22 October 2019.

Council adopted the 20Q2 Revised Budget on 4 February 2020.

### **ACCESS AND INCLUSION**

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

### **ENGAGEMENT AND CONSULTATION**

Community consultation becomes a mandatory legislative requirement for the development of the 2021-22 annual budget.

### **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 revised budget.

### **BUDGET IMPLICATIONS**

The budgeted operating deficit is largely contingent upon containing estimated costs within the budgeted amount. There is limited scope for new projects and additional funding for services in the short term whilst working towards achieving a small operational surplus budget in 2020-21. Should the need arise for additional funds during the year, offset savings and re-prioritisation of resources will be required and these will be addressed through regular budget reviews.

The use of Council's day labour on capital projects will need to be maintained and any diversion from capital projects to operational projects will impact on the operating result.

If Council can contain its costs and maintain revenue at the level outlined in the 20Q3 Revised Budget and forward estimates, Council is forecasted to maintain operating surpluses for the life of the long term financial forecast.

### **LEGISLATIVE CONTEXT**

*Local Government Regulation 2012* Sections 169 and 170.

In accordance with Section 34 of the *Local Government Regulation 2012* Council's Budget is required to contain an estimated activity statement of each business activity.

### **LEGAL IMPLICATIONS**

The revised budget complies with *Local Government Regulation 2012* Sections 169 and 170 and is therefore valid.

**STAFFING IMPLICATIONS**

Matters arising from this report will be dealt with in accordance with existing delegations.

**RISK ASSESSMENT**

Expenditure can only be incurred if Council has provided for it in an adopted or amended budget. From a governance perspective it would be prudent for Council to amend the budget and through that process give direction to all staff responsible for the budget.

Council manages financial risk by:

- the use of planning, project and program management and risk management methodologies;
- developing and maintaining operational plans for the delivery of projects and services;
- regular reporting on all key projects funded by the Annual Operational Plan and Budget;
- monitoring the efficiency and effectiveness of services delivered within the Annual Operational Plan and Budget both quarterly and annual reporting by the CEO to Council;
- monthly reporting on financial position and performance on operating activities and capital projects to Councillors, executives and staff.
- ensuring executives and staff within Council are both appropriately skilled and accountable for identifying and effectively managing costs within their area of responsibility; and
- providing tools, training and advice to the organisation to ensure effective management of costs and financial obligations.

**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.*

The regular review of Council's finance performance and financial position in comparison to budget promotes sound financial management, accountable financial outcomes whilst providing Council and the community with relevant and reliable information on which to base financial decision making.

**CONCLUSION**

Sections 169 and 170 of the *Local Government Regulation 2012* prescribe the requirements for the adoption of Council's amended (revised) budget. This report complies with the requirements of the regulation.

Council regularly reviews its adopted budget and makes appropriate adjustments to promote transparent financial management. Council is committed to maintaining rigour into its financial management and reporting process by undertaking quarterly budget reviews. Quarterly budget reviews act as a barometer of Council's financial health during the year. Quarterly Budget Reviews, in conjunction with regular reporting on financial position and performance on both operating activities and capital projects to Councillors, executives and staff, promotes a culture of prudent financial management.

## **12.3 - QUARTERLY BUDGET REVIEW (20Q3)**

### **20Q3 Revised Budget**

**Meeting Date: 16 June 2020**

**Attachment No: 1**



## STATEMENT OF FINANCIAL POSITION

2019-20 REVISED BUDGET (20Q3) AND LONG TERM FINANCIAL FORECAST 2020 to 2029

	Original Budget 2019-20	Approved Changes		Revised Budget (20Q2) 2019-20	Recommended Changes	Proposed Budget (20Q3) 2019-20	Variance from Original Budget			Forecast (20Q3) 2020-21	Forecast (20Q3) 2021-22	Forecast (20Q3) 2022-23	Forecast (20Q3) 2023-24	Forecast (20Q3) 2024-25	Forecast (20Q3) 2025-26	Forecast (20Q3) 2026-27	Forecast (20Q3) 2027-28	Forecast (20Q3) 2028-29
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	%	Note	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>ASSETS</b>																		
<b>Current Assets</b>																		
Cash and cash equivalents	17,680	12,021	(2,401)	27,250	8,761	36,014	18,381	104.1%	(a)	30,109	31,505	27,305	21,014	16,858	17,517	20,708	22,468	25,641
Trade and other receivables	8,535	19	255	8,606	3	8,612	277	3.3%		8,794	8,138	9,404	9,451	8,866	10,393	10,761	10,912	11,529
Inventories	3,485	799	115	4,419	2,564	6,983	3,498	100.4%	(b)	3,601	2,857	1,365	1,165	1,165	1,165	1,165	1,165	1,165
Other current assets	930	101	-	1,031	-	1,031	101	10.9%		1,031	1,031	1,031	1,031	1,031	1,031	1,031	1,031	1,031
<b>Total Current Assets</b>	<b>30,630</b>	<b>12,940</b>	<b>(2,041)</b>	<b>41,310</b>	<b>11,330</b>	<b>52,640</b>	<b>22,260</b>	<b>73.3%</b>		<b>48,755</b>	<b>45,532</b>	<b>38,995</b>	<b>32,661</b>	<b>28,921</b>	<b>30,105</b>	<b>33,665</b>	<b>35,575</b>	<b>39,168</b>
<b>Non-current assets</b>																		
Land held for development or sale	2,923	888	-	3,812	130,883	134,695	131,772	4508.1%		137,388	136,792	140,350	139,871	142,311	143,186	144,403	145,899	143,495
Property, plant & equipment	995,051	2,626	4,568	1,002,243	(1,002,243)	-	(995,051)	-100.0%	(c)	-	-	-	-	-	-	-	-	-
<b>Total non-current assets</b>	<b>998,525</b>	<b>3,515</b>	<b>4,568</b>	<b>1,006,406</b>	<b>(871,360)</b>	<b>135,046</b>	<b>(863,279)</b>	<b>-86.5%</b>		<b>137,699</b>	<b>136,669</b>	<b>140,649</b>	<b>140,090</b>	<b>142,780</b>	<b>143,495</b>	<b>144,612</b>	<b>146,118</b>	<b>143,714</b>
<b>TOTAL ASSETS</b>	<b>1,028,705</b>	<b>16,455</b>	<b>2,527</b>	<b>1,047,716</b>	<b>(860,030)</b>	<b>187,686</b>	<b>(845,026)</b>	<b>-81.8%</b>		<b>181,454</b>	<b>182,201</b>	<b>179,644</b>	<b>172,750</b>	<b>171,651</b>	<b>173,600</b>	<b>178,277</b>	<b>181,693</b>	<b>182,882</b>
<b>LIABILITIES</b>																		
<b>Current liabilities</b>																		
Trade and other payables	4,220	(15)	126	4,330	1	4,331	112	2.7%		4,404	4,469	4,612	4,681	4,874	5,021	5,175	5,319	5,497
Borrowings	5,270	-	-	5,270	0	5,270	0	0.0%		5,545	5,854	6,132	6,460	6,878	7,238	7,611	8,012	8,239
Provisions	1,011	-	-	1,011	(0)	1,011	(0)	0.0%		1,011	4,671	5,435	5,802	1,177	3,181	5,165	5,189	3,192
Other current liabilities	1,038	32	-	1,070	-	1,070	32	3.2%		1,020	869	969	12	12	12	12	12	12
<b>Total current liabilities</b>	<b>11,539</b>	<b>(3)</b>	<b>126</b>	<b>11,661</b>	<b>1</b>	<b>11,662</b>	<b>124</b>	<b>0.9%</b>		<b>11,960</b>	<b>15,173</b>	<b>17,152</b>	<b>16,955</b>	<b>14,941</b>	<b>15,450</b>	<b>15,962</b>	<b>16,532</b>	<b>14,941</b>
<b>Non-current liabilities</b>																		
Trade and other payables	132	219	-	351	-	351	219	165.9%		-	-	-	-	-	-	-	-	-
Borrowings	70,260	-	-	70,260	(0)	70,260	(0)	0.0%		64,714	56,882	52,750	46,290	41,367	34,130	26,520	18,507	12,268
Provisions	11,527	574	-	12,101	0	12,101	574	5.0%		12,104	10,454	8,044	5,277	5,141	5,008	4,878	4,750	4,625
<b>Total non-current liabilities</b>	<b>81,920</b>	<b>793</b>	<b>-</b>	<b>82,713</b>	<b>(0)</b>	<b>82,713</b>	<b>793</b>	<b>1.0%</b>		<b>76,828</b>	<b>67,336</b>	<b>60,794</b>	<b>51,567</b>	<b>46,508</b>	<b>39,138</b>	<b>31,398</b>	<b>23,257</b>	<b>16,893</b>
<b>TOTAL LIABILITIES</b>	<b>95,459</b>	<b>790</b>	<b>126</b>	<b>96,375</b>	<b>1</b>	<b>96,375</b>	<b>917</b>	<b>1.0%</b>		<b>88,788</b>	<b>82,509</b>	<b>77,946</b>	<b>68,522</b>	<b>61,449</b>	<b>54,589</b>	<b>47,360</b>	<b>39,789</b>	<b>31,834</b>
<b>NET COMMUNITY ASSETS</b>	<b>933,246</b>	<b>15,665</b>	<b>2,401</b>	<b>951,342</b>	<b>(860,031)</b>	<b>91,311</b>	<b>(841,917)</b>	<b>-90.2%</b>		<b>90,666</b>	<b>99,692</b>	<b>101,698</b>	<b>104,229</b>	<b>110,202</b>	<b>118,121</b>	<b>132,908</b>	<b>141,904</b>	<b>151,048</b>
<b>COMMUNITY EQUITY</b>																		
Retained surplus	904,840	15,831	641	921,312	(3,332)	917,980	13,140	1.5%	(d)	909,245	955,714	961,627	965,598	972,310	983,071	994,787	1,005,793	1,018,148
Asset revaluation surplus	28,057	(166)	178	28,679	2,701	32,380	4,323	15.4%	(e)	32,390	43,416	48,763	46,763	57,248	57,248	69,841	73,676	73,676
<b>TOTAL COMMUNITY EQUITY</b>	<b>932,897</b>	<b>15,665</b>	<b>2,429</b>	<b>950,991</b>	<b>(631)</b>	<b>950,360</b>	<b>17,463</b>	<b>1.9%</b>		<b>941,635</b>	<b>999,130</b>	<b>1,010,390</b>	<b>1,012,361</b>	<b>1,029,558</b>	<b>1,040,319</b>	<b>1,064,628</b>	<b>1,079,469</b>	<b>1,091,824</b>

## Notes

- (a) Increase in cash holdings due to a decrease in anticipated total capital expenditure to 30 June 2020.
- (b) Increase due to an adjustment to the timing of the anticipated settlement of two (2) of the three (3) remaining lots at the Capricorn Coast HomeMaker Centre. Two (2) lots now anticipated to settle in the 2020-21 financial year.
- (c) Net decrease due to a reduction in the 2019-20 total capital expenditure, offset by net revaluation increase in the buildings, water & sewerage asset classes upon revaluation at 1 July 2019.
- (d) Decrease mostly due to aligning revenue recognition of capital grants and subsidies with capital project milestones and the carryover of capital expenditure budgets into the 2020-21 financial year.
- (e) Increase due to the comprehensive revaluation of the buildings, water and sewerage asset classes as at 1 July 2019.

STATEMENT OF CASH FLOWS  
2019-20 REVISED BUDGET (20Q3) AND LONG TERM FINANCIAL FORECAST 2020 to 2029

	Original Budget 2019-20	Approved Changes		Revised Budget (20Q3) 2019-20	Recommended Changes	Proposed Budget (20Q3) 2019-20	Variance from Original Budget		Note	Forecast (20Q3) 2020-21	Forecast (20Q3) 2021-22	Forecast (20Q3) 2022-23	Forecast (20Q3) 2023-24	Forecast (20Q3) 2024-25	Forecast (20Q3) 2025-26	Forecast (20Q3) 2026-27	Forecast (20Q3) 2027-28	Forecast (20Q3) 2028-29
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	%		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Cash Flows from Operating Activities</b>																		
Receipts from customers	81,312	25	1,599	82,936	(297)	82,575	1,163	1.4%	(a)	85,041	88,438	91,167	92,017	95,579	100,819	104,675	106,524	110,248
Payments to suppliers and employees	(62,243)	(8,857)	(1,316)	(72,416)	361	(72,076)	(9,833)	(15.8%)	(b)	(63,820)	(65,003)	(68,601)	(67,882)	(70,220)	(72,333)	(74,493)	(76,737)	(79,008)
Payments for land held as inventory	-	(88)	-	(88)	-	(88)	(88)	0.0%		-	-	-	-	-	-	-	-	-
Proceeds from sale of land held as inventory	8,898	-	(788)	7,908	(2,576)	5,331	(3,365)	(38.3%)	(c)	8,174	1,118	2,054	-	-	-	-	-	-
Interest received	1,147	(111)	(259)	777	76	852	(255)	(25.7%)	(d)	823	844	862	802	751	754	838	939	1,040
Borrowing costs	(3,845)	-	-	(3,845)	(0)	(3,845)	(0)	0.0%		(3,574)	(3,299)	(3,010)	(2,713)	(2,413)	(2,094)	(1,733)	(1,361)	(958)
Payment of landfill provision	(100)	-	-	(100)	-	(100)	-	0.0%		(166)	(112)	(1,977)	(6,752)	(5,322)	(503)	(518)	(546)	(584)
Non-capital grants and contributions	5,766	208	839	6,813	327	7,165	1,199	24.3%	(e)	6,417	6,667	6,588	6,714	6,842	6,979	7,123	7,273	7,421
<b>Cash inflow from Operating Activities</b>	<b>30,538</b>	<b>(8,654)</b>	<b>28</b>	<b>21,725</b>	<b>(2,110)</b>	<b>19,615</b>	<b>(10,918)</b>	<b>-45.8%</b>		<b>27,772</b>	<b>28,252</b>	<b>29,063</b>	<b>28,286</b>	<b>27,437</b>	<b>33,623</b>	<b>36,895</b>	<b>38,214</b>	<b>38,214</b>
<b>Cash flows from Investing Activities</b>																		
Payments for property, plant and equipment	(36,043)	(4,441)	(1,315)	(41,799)	14,495	(27,304)	8,739	-24.2%	(f)	(48,619)	(33,949)	(30,823)	(27,295)	(29,087)	(28,228)	(27,737)	(29,250)	(29,578)
Grants and contributions received	11,472	435	480	12,387	(5,622)	6,974	(2,408)	-21.5%	(g)	20,282	13,629	2,446	1,906	2,020	2,141	2,270	2,406	2,550
Proceeds from the sale of assets	1,570	30	(1,600)	-	-	-	(1,600)	-100.0%		-	-	-	-	-	-	-	-	-
Other investing activities	-	(30)	-	(30)	-	(30)	(30)	0.0%		(70)	(91)	(52)	(57)	-	-	-	-	-
<b>Cash outflow from Investing Activities</b>	<b>(23,002)</b>	<b>(3,805)</b>	<b>(2,428)</b>	<b>(29,234)</b>	<b>10,873</b>	<b>(18,360)</b>	<b>4,641</b>	<b>-10.2%</b>		<b>(28,407)</b>	<b>(20,311)</b>	<b>(28,429)</b>	<b>(26,346)</b>	<b>(27,067)</b>	<b>(26,087)</b>	<b>(25,467)</b>	<b>(26,844)</b>	<b>(27,028)</b>
<b>Cash flows from Financing Activities</b>																		
Proceeds from borrowings	-	-	-	-	-	-	-	0.0%		-	-	-	-	2,000	-	-	-	-
Repayment of borrowings	(4,999)	-	-	(4,999)	0	(4,999)	0	0.0%		(5,270)	(5,565)	(5,834)	(6,132)	(6,566)	(6,878)	(7,236)	(7,611)	(8,012)
<b>Cash outflow from Financing Activities</b>	<b>(4,999)</b>	<b>-</b>	<b>-</b>	<b>(4,999)</b>	<b>0</b>	<b>(4,999)</b>	<b>0</b>	<b>0.0%</b>		<b>(5,270)</b>	<b>(5,565)</b>	<b>(5,834)</b>	<b>(6,132)</b>	<b>(6,566)</b>	<b>(6,878)</b>	<b>(7,236)</b>	<b>(7,611)</b>	<b>(8,012)</b>
<b>Net increase/(decrease) in Cash Held</b>	<b>2,532</b>	<b>(12,689)</b>	<b>(2,401)</b>	<b>(12,508)</b>	<b>8,763</b>	<b>(1,744)</b>	<b>(6,277)</b>	<b>-247.9%</b>		<b>(5,904)</b>	<b>2,396</b>	<b>(5,200)</b>	<b>(6,291)</b>	<b>(4,155)</b>	<b>658</b>	<b>3,191</b>	<b>1,760</b>	<b>3,173</b>
<b>Cash at the beginning of the financial year</b>	<b>15,968</b>	<b>10,460</b>	<b>-</b>	<b>39,758</b>	<b>-</b>	<b>39,758</b>	<b>34,460</b>	<b>166.1%</b>		<b>16,914</b>	<b>30,109</b>	<b>32,505</b>	<b>27,305</b>	<b>21,014</b>	<b>16,859</b>	<b>17,517</b>	<b>20,708</b>	<b>22,468</b>
<b>Cash at the end of the financial year</b>	<b>17,630</b>	<b>12,321</b>	<b>(2,401)</b>	<b>27,250</b>	<b>8,763</b>	<b>36,013</b>	<b>38,183</b>	<b>104.1%</b>		<b>30,309</b>	<b>32,505</b>	<b>27,305</b>	<b>21,014</b>	<b>16,859</b>	<b>17,517</b>	<b>20,708</b>	<b>22,468</b>	<b>25,641</b>

## Notes

- (a) Adjustments in a number of Fees and Charges budget line items, with the most material being a decrease in landfill disposal fees as a result of waste minimisation strategies. Other adjustments include, decreases in paid car parking fees and decrease in Yeppoon car wash fees.
- (b) Decrease in total annual payments to employees due to recruitment timeframes for critical positions and savings in a number of non-wages employee budget line items including training & travel as a direct result of COVID-19 restrictions.
- (c) Decrease due to an adjustment to the timing of the anticipated settlement of two (2) of the three (3) remaining lots at the Capriorn Coast Homemaker Centre. Two (2) lots now anticipated to settle in the 2020-21 financial year.
- (d) Increase due to a reduction in total capital expenditure cash outflows for 2019-20 financial year.
- (e) Increase due to a number of operational grants received for disaster mitigation activities and functions.
- (f) Decrease to adjust for expected capital expenditure carryovers into the 2020-21 financial year and for changes accommodated into the delivery of the capital program.
- (g) Decrease due to aligning revenue recognition of capital grants and subsidies with capital project milestones and the carryover of capital projects into 2020-21 financial year.



STATEMENT OF INCOME AND EXPENDITURE 2019-20 REVISED BUDGET (20Q3) AND LONG TERM FINANCIAL FORECAST 2020 to 2029																		
	Original Budget 2019-20	Approved Changes		Revised Budget (20Q2) 2019-20	Recommended Changes	Proposed Budget (20Q3) 2019-20	Variance from Original Budget			Forecast (20Q3) 2020-21	Forecast (20Q3) 2021-22	Forecast (20Q3) 2022-23	Forecast (20Q3) 2023-24	Forecast (20Q3) 2024-25	Forecast (20Q3) 2025-26	Forecast (20Q3) 2026-27	Forecast (20Q3) 2027-28	Forecast (20Q3) 2028-29
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	%	Note	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>																		
Gross rates and utility charges	80,019	-	1,363	81,382	123	81,505	1,486	1.8%	(a)	88,122	85,745	88,498	91,340	95,464	99,134	103,024	107,067	111,268
Less: discounts & remissions	(6,481)	-	(1)	(6,483)	(0)	(6,483)	(1)	0.0%		(6,544)	(7,206)	(7,509)	(8,039)	(8,538)	(9,073)	(9,643)	(10,249)	(10,894)
Net rates and utility charges	73,538	-	1,362	74,900	123	75,022	1,485	2.0%		77,574	78,539	80,989	83,301	86,940	90,061	93,381	96,818	100,374
Fees and charges	4,996	-	(92)	4,904	(121)	4,783	(413)	-8.4%	(b)	4,736	4,922	5,113	5,310	5,519	5,734	5,997	6,268	6,521
Rental income	382	-	-	382	-	382	-	0.0%		390	399	408	417	426	436	447	453	468
Interest revenue	1,147	(111)	(259)	777	-76	854	(295)	-27.5%	(c)	822	844	862	882	751	754	839	939	1,040
Sales revenue	(398)	-	(238)	(636)	(12)	(638)	(240)	-38.3%		2,382	4,586	4,821	2,479	2,529	4,529	4,619	2,619	2,672
Operational grants and subsidies	5,768	200	890	6,858	329	7,187	1,418	20.7%	(d)	6,380	6,478	6,500	6,724	6,857	6,992	7,137	7,286	7,437
Other income	559	-	79	638	(97)	540	(18)	-2.9%		554	568	582	597	611	627	642	658	675
<b>Total Operating Income</b>	<b>85,992</b>	<b>89</b>	<b>1,752</b>	<b>87,833</b>	<b>96</b>	<b>87,929</b>	<b>1,937</b>	<b>2.2%</b>		<b>82,518</b>	<b>96,315</b>	<b>99,274</b>	<b>99,630</b>	<b>103,630</b>	<b>106,134</b>	<b>113,062</b>	<b>115,946</b>	<b>119,193</b>
<b>Capital Income</b>																		
Contributions from developers	1,500	-	500	2,000	-	2,000	500	25.0%		1,600	1,696	1,798	1,906	2,020	2,141	2,270	2,406	2,550
Capital grants and subsidies	9,672	615	(11)	10,505	(3,622)	6,874	(2,988)	-29.3%	(e)	18,682	11,935	948	-	-	-	-	-	-
<b>Total Capital Income</b>	<b>11,172</b>	<b>615</b>	<b>489</b>	<b>12,505</b>	<b>(3,622)</b>	<b>8,874</b>	<b>(2,488)</b>	<b>-19.8%</b>		<b>20,282</b>	<b>13,629</b>	<b>2,446</b>	<b>1,906</b>	<b>2,020</b>	<b>2,141</b>	<b>2,270</b>	<b>2,406</b>	<b>2,550</b>
<b>Total Income</b>	<b>97,164</b>	<b>714</b>	<b>2,241</b>	<b>100,338</b>	<b>(3,526)</b>	<b>96,803</b>	<b>(361)</b>	<b>-0.6%</b>		<b>112,800</b>	<b>109,944</b>	<b>101,720</b>	<b>101,535</b>	<b>105,650</b>	<b>111,275</b>	<b>115,332</b>	<b>117,451</b>	<b>121,743</b>
<b>Operating expenses</b>																		
Employee benefits	52,590	(281)	(234)	52,055	(1,133)	50,920	(1,630)	-3.1%	(f)	51,084	51,251	51,984	52,733	53,552	54,392	55,286	56,204	57,143
Materials and services	28,556	-	1,669	30,225	771	30,996	1,440	8.1%	(g)	31,603	32,819	33,480	33,943	35,560	36,761	38,004	39,291	40,624
Depreciation and amortisation	21,893	810	137	22,400	567	22,967	673	3.0%	(h)	23,712	24,700	25,698	26,504	28,100	29,112	30,789	32,744	34,769
Finance Costs	151	-	-	151	-	151	-	0.0%		156	161	166	171	177	182	188	194	200
External Loan interest expense	3,845	-	-	3,845	0	3,845	0	0.0%		3,574	3,299	3,010	2,713	2,413	2,094	1,735	1,361	993
Other operating expenses	1,215	-	28	1,243	(15)	1,228	13	1.0%		1,250	1,285	1,314	1,343	1,376	1,410	1,445	1,483	1,518
<b>Total Operating Expenses</b>	<b>89,211</b>	<b>89</b>	<b>1,600</b>	<b>89,899</b>	<b>(193)</b>	<b>89,706</b>	<b>1,495</b>	<b>1.7%</b>		<b>91,386</b>	<b>93,326</b>	<b>95,652</b>	<b>97,607</b>	<b>99,186</b>	<b>100,951</b>	<b>103,445</b>	<b>106,275</b>	<b>109,215</b>
<b>Capital Expenses</b>																		
Restoration and rehabilitation provision	146	-	-	146	-	146	-	0.0%		149	152	155	158	161	164	167	170	173
<b>Total Capital Expenses</b>	<b>146</b>	<b>-</b>	<b>-</b>	<b>146</b>	<b>-</b>	<b>146</b>	<b>-</b>	<b>0.0%</b>		<b>149</b>	<b>152</b>	<b>155</b>	<b>158</b>	<b>161</b>	<b>164</b>	<b>167</b>	<b>170</b>	<b>173</b>
<b>Total Comprehensive Income</b>	<b>8,107</b>	<b>615</b>	<b>641</b>	<b>10,583</b>	<b>(3,552)</b>	<b>7,051</b>	<b>(2,056)</b>	<b>-19.8%</b>		<b>21,285</b>	<b>16,469</b>	<b>5,914</b>	<b>3,971</b>	<b>7,312</b>	<b>10,180</b>	<b>11,716</b>	<b>11,906</b>	<b>12,395</b>
<b>Operating Result</b>	<b>(2,219)</b>	<b>0</b>	<b>152</b>	<b>(2,066)</b>	<b>289</b>	<b>(1,777)</b>	<b>442</b>	<b>-21.4%</b>		<b>1,192</b>	<b>2,992</b>	<b>5,625</b>	<b>2,223</b>	<b>5,453</b>	<b>8,183</b>	<b>9,614</b>	<b>8,771</b>	<b>8,978</b>
<b>Underlying Result</b>	<b>98</b>	<b>-</b>	<b>153</b>	<b>251</b>	<b>284</b>	<b>549</b>	<b>451</b>	<b>179.7%</b>		<b>1,141</b>	<b>2,817</b>	<b>3,181</b>	<b>2,223</b>	<b>5,453</b>	<b>8,183</b>	<b>9,614</b>	<b>8,771</b>	<b>8,978</b>

#### Notes

- (a) Increase in anticipated revenues in relation to separate, sewerage and water access charges.  
 (b) Decrease mostly due to a reduction in waste disposal fees (-\$100K) as the result of the implementation of waste minimisation strategies.  
 (c) Increase due to a reduction in total capital expenditure cash outflows for 2019-20 financial year.  
 (d) Increase due to a number of operational grants received for disaster mitigation activities and functions.  
 (e) Decrease due to elgiring revenue recognition of capital grants and subsidies with capital project milestones and the carryover of capital projects into 2020-21 financial year.  
 (f) Decrease in total annual payments to employees due to recruitment timeframes for critical positions and savings in a number of non-wages employee budget line items including training & travel as a direct result of COVID-19 restrictions.  
 (g) Increase in contractors and Council maintenance activities (+\$637K) partly due to responding to COVID-19; provision for capital expenditure to be expended from Work in Progress (+\$500K) offset partly by decreases (-\$283) in consultants.  
 (h) Increase due to revised estimates from the comprehensive revaluation of the buildings, water and sewerage asset classes as at 1 July 2019.

STATEMENT OF CHANGES IN EQUITY  
2019-20 REVISED BUDGET (20Q3) AND LONG TERM FINANCIAL FORECAST 2020 to 2029

	Original Budget 2019-20 \$'000	Approved Changes		Revised Budget (20Q2) 2019-20 \$'000	Recommended Changes \$'000	Proposed Budget (20Q3) 2019-20 \$'000	Variance from Original Budget			Forecast (20Q3) 2020-21 \$'000	Forecast (20Q3) 2021-22 \$'000	Forecast (20Q3) 2022-23 \$'000	Forecast (20Q3) 2023-24 \$'000	Forecast (20Q3) 2024-25 \$'000	Forecast (20Q3) 2025-26 \$'000	Forecast (20Q3) 2026-27 \$'000	Forecast (20Q3) 2027-28 \$'000	Forecast (20Q3) 2028-29 \$'000
		20Q1	20Q2				\$'000	%	None									
<b>Retained Surplus</b>																		
Opening balance	895,733	15,195	-	910,929	-	910,929	15,195	1.7%		917,980	939,245	955,714	961,627	965,598	972,910	983,071	994,767	1,005,793
Net Result	9,107	635	641	10,383	(3,352)	7,031	(2,056)	-22.6%	(a)	21,205	16,466	5,914	3,971	7,312	10,160	11,716	11,006	12,355
Closing Balance	904,840	15,831	641	921,312	(3,352)	917,960	13,140	1.5%		939,245	955,714	961,627	965,598	972,910	983,071	994,767	1,005,793	1,018,148
<b>Asset Revaluation Surplus</b>																		
Opening balance	19,040	69	-	19,109	-	19,109	69	0.4%		12,380	12,380	43,416	46,763	46,763	57,248	57,248	69,861	73,676
Change in asset revaluation surplus	9,017	(235)	1,788	10,570	2,701	13,271	4,254	47.2%	(b)	-	11,036	3,347	-	10,485	-	12,504	3,635	-
Closing Balance	28,057	(166)	1,788	29,679	2,701	32,380	4,323	15.4%		22,380	43,416	46,763	46,763	57,248	57,248	69,861	73,676	73,676
<b>Total Community Equity</b>	<b>932,897</b>	<b>15,665</b>	<b>2,429</b>	<b>950,991</b>	<b>(651)</b>	<b>950,360</b>	<b>17,463</b>	<b>1.9%</b>		<b>971,625</b>	<b>999,130</b>	<b>1,008,390</b>	<b>1,012,361</b>	<b>1,030,158</b>	<b>1,040,318</b>	<b>1,064,623</b>	<b>1,079,469</b>	<b>1,091,824</b>

## Notes:

(a) Decrease to the net result due to the adjustments made to the Statement of Income and Expenditure as outlined.

(b) Increase due to the buildings, water &amp; sewerage asset classes were revalued as at 1 July 2019.

**MEASURES OF FINANCIAL SUSTAINABILITY****2019-20 REVISED BUDGET (20Q3) AND LONG TERM FINANCIAL FORECAST 2020 to 2029**

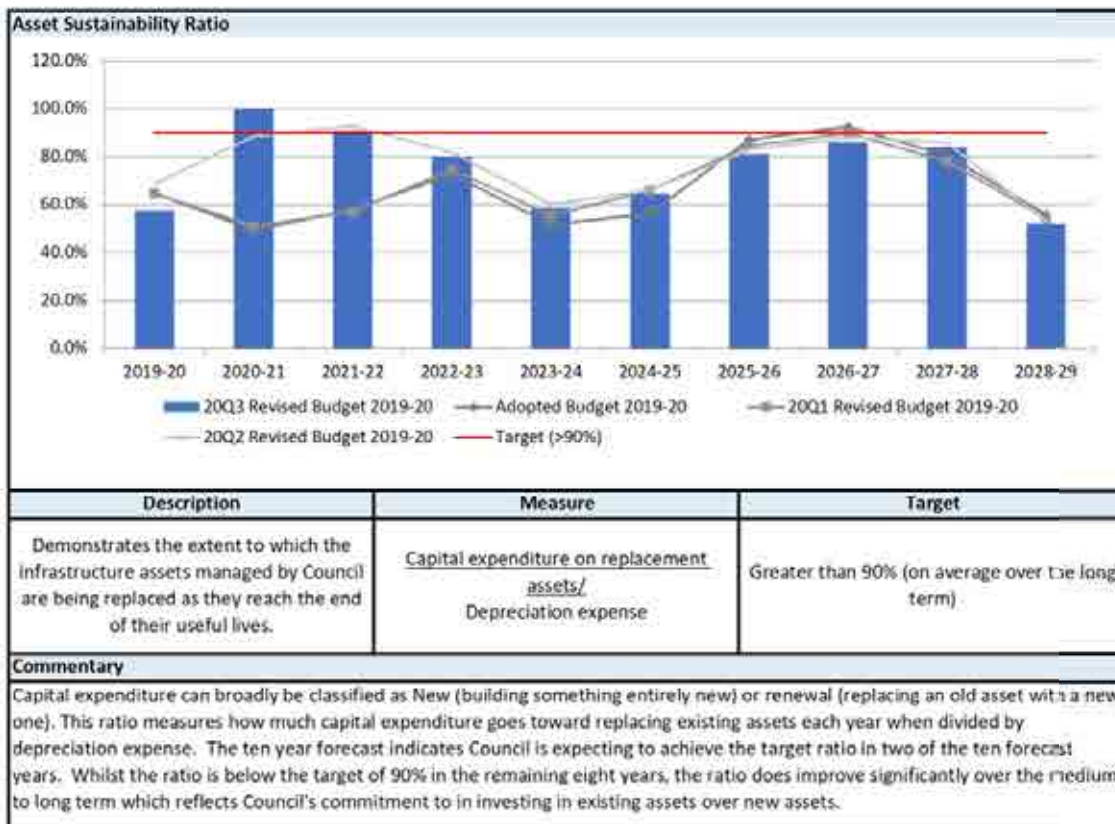
In accordance with section 169 of the *Local Government Regulation 2012*, the Council is required to disclose in the budget certain measures of financial sustainability.

The Queensland Government defines a sustainable local government as being 'able to maintain its financial capital and infrastructure capital over the long term' (*Local Government Act 2009*, section 104(2)).

To ensure the Council continues along the path of financial sustainability into the future, key long term strategic plans are developed and integrated, demonstrating a strategy is in place to manage the financial implications of its long term planning.

The three financial sustainability measures cover the period of the annual budget plus the next nine financial years (10 years in total).

The target indicated in each graph are sourced from the 'Financial management (sustainability) guideline 2013' which is available from the website of The Department of Local Government, Racing and Multicultural Affairs.







**TOTAL VALUE OF CHANGE IN RATES AND CHARGES LEVIED FROM 2018-19  
2019-20 REVISED BUDGET (20Q3) AND LONG TERM FINANCIAL FORECAST 2020 to 2029**

In accordance with section 169 of the *Local Government Regulation 2012*, the Council is required to report the total value of the change, expressed as a percentage in the rates and utility charges levied for the financial year (2019-20) compared with the rates and utility charges levied in the previous original adopted budget (2018-19). Council has also included the total value of change based on the actual results for 2018-19. The calculation of this percentage for a financial year excludes rebates and discounts applicable on rates and utility charges.

	2018-19 Original Budget	2018-19 Actual	2019-20 Revised Budget (20Q3)	2018-19 Original vs 2019-20 Revised Budget (20Q3)		2018-19 Actual vs 2019-20 Revised Budget (20Q3)	
	\$000	\$000	\$000	Variance \$000	Variance %	Variance \$000	Variance %
General Rates	31,772	32,936	32,403	631	2.0%	(533)	(1.6%)
Separate Charges	11,292	11,038	11,434	142	1.3%	396	3.6%
Special Charges	151	380	390	239	158.1%	10	2.6%
Water Utility and consumption charges	17,102	18,030	19,162	2,060	12.0%	1,132	6.3%
Waste charges	6,644	6,601	6,967	323	4.9%	366	5.5%
Sewerage Charges	10,802	10,744	11,150	348	3.2%	406	3.8%
<b>Total Rates and Charges Levied</b>	<b>77,763</b>	<b>79,729</b>	<b>81,505</b>	<b>3,742</b>	<b>4.8%</b>	<b>1,777</b>	<b>2.2%</b>



## **12.3 - QUARTERLY BUDGET REVIEW (20Q3)**

### **20Q3 Estimated Activity Statements**

**Meeting Date: 16 June 2020**

**Attachment No: 2**

## 2019-20 QUARTER 3 REVISED ESTIMATED ACTIVITY STATEMENTS

Council has decided by resolution that the Code of Competitive Conduct is to be applied to the following Business Activities for the 2019-20 Financial Year:

	SIGNIFICANT BUSINESS ACTIVITY	OTHER BUSINESS ACTIVITIES		
	Water & Sewerage Operations \$	Waste Operations \$	Building Certification \$	Caravan Parks \$
Operational Revenues for services provided to Council	\$22,000	\$320,000	\$0	\$0
Operational Revenues for services provided to External Clients	\$28,780,351	\$8,045,752	\$240,000	\$333,410
Community Service Obligations	\$0	\$326,500	\$0	\$0
Total Operational Revenue	\$28,802,351	\$8,692,252	\$240,000	\$333,410
Less: Operational Expenditure	\$23,865,744	\$7,745,089	\$166,546	\$307,936
Estimated Operational Surplus	\$4,936,607	\$947,163	\$73,454	\$25,474
<b>List of Community Service Obligations (CSO)</b>				
Charity Waste and Waste Disposal Vouchers	\$0	\$326,500	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$326,500</b>	<b>\$0</b>	<b>\$0</b>

The CSO value is determined by Council and represents an activity's costs which would not be incurred if the activity's primary objective was to make a profit. The Council provides funding from general revenue to the business activity to cover the cost of providing non-commercial community services or costs deemed to be CSO's by Council. The 2019-20 revised budget provides \$326,500 of CSO's by Council to the waste operations business activity comprised as follows:

Disposal of unwanted materials by approved charities at Council's waste facilities	\$20,000
Waste disposal vouchers provided to residential ratepayers for disposal of eligible waste materials at Council's waste facilities	\$306,500
	<u>\$326,500</u>

**12.4 FEES AND CHARGES REVIEW 2020/21**

**File No:** CM2.13.34  
**Attachments:** 1. Fees and Charges [↓](#)  
**Responsible Officer:** Andrea Ellis - Chief Financial Officer  
**Author:** Priscilla Graham - Coordinator Revenue

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**SUMMARY**

*The intention of this report is to submit the Livingstone Shire Council's Fees and Charges Schedule for the 2020-21 financial year for adoption.*

**OFFICER'S RECOMMENDATION**

THAT Council adopt the 2020-21 Fees and Charges Schedule, as contained in Attachment One, to be effective from Wednesday 1 July 2020.

**BACKGROUND**

The fees and charges have been reviewed and collated as part of the budget development process for the 2020-21 financial year.

Fees and charges have been determined in line with the principles documented in Council's Revenue Policy, and dependent on the type of goods or services provided, are a mixture of both commercial and cost recovery fees.

**COMMENTARY**

All Council business units and Councillors have been consulted in the development of the fees and charges for the 2020-21 financial year.

The fees and charges proposed for 2020-21 are provided in the attached Schedule. The schedule also outlines the heads of power for each fee/charge.

Fees and charges can be amended, added or removed by resolution throughout the financial year.

**PREVIOUS DECISIONS**

Councillors have reviewed the fees and charges as part of the budget development process for the 2020-21 financial year.

**ACCESS AND INCLUSION**

The newly adopted Fees and Charges Schedule 2020-21 will be presented on the Council's website and an online search facility available.

**ENGAGEMENT AND CONSULTATION**

The fees and charges are adopted annually along with the annual budget. Engagement and consultation will be conducted in conjunction with the budget process.

**HUMAN RIGHTS IMPLICATIONS**

There are no human rights implications foreseen.

**BUDGET IMPLICATIONS**

The fees and charges set by the Schedules attached form a significant part of Council's revenue raising requirements and provide a source of funding and/or contribution to programs delivered by Council.

The fees and charges are set in conjunction with the Budget each year to ensure appropriate and responsible revenue raising.

**LEGISLATIVE CONTEXT**

Sections 97 and 262 of the *Local Government Act* apply to the setting of fees and charges and have been applied.

**LEGAL IMPLICATIONS**

There are no legal implications foreseen.

**STAFFING IMPLICATIONS**

Fees and Charges are administered within current staffing levels.

**RISK ASSESSMENT**

The annual review of the fees and charges ensures the appropriate level of cost recovery and commercial fee for service. Should an amendment be identified the Fees and Charges Schedule can be amended throughout the year in accordance with legislation via Council resolution.

**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.*

**CONCLUSION**

The fees and charges for 2020-21 are set under the provisions of the *Local Government Act 2009* and are to be applied from the 1st July 2020. Council is required to make a resolution to adopt all such fees and charges and this will be proposed in the recommendation in the meeting report.

Upon approval by Council, the newly adopted Fees and Charges Schedule 2020-21 will be presented on the Council's website. A live online search facility is also available and further enhances the customer (internal and external) experience.

## **12.4 - FEES AND CHARGES REVIEW 2020/21**

### **Fees and Charges**

**Meeting Date: 16 June 2020**

**Attachment No: 1**



Livingstone Shire Council



Fees & Charges 2020/21





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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Livingstone Shire Council

### Customer Service

#### Event / Wedding Bookings (Parks & Reserves, Beaches, etc.)

Admin Booking Fee	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per booking	\$35.00
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#### Credit Card Surcharge

Commercial Transactions (Transactions greater than \$20,000)

Transactions including GST	G2221.1701	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	as required	0.50%
Transactions with no GST	G2221.1701	Local Government Act 2009   Part 6 S262 (3)(c)	Cost-Recovery	N	as required	0.50%

#### Photocopying – Black & White

##### 1 – 19 copies (A4)

Per copy	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	Per Copy	\$0.60
Double sided	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	Double Sided	\$1.00

##### Greater than 20 copies (A4)

Single sided	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	Per Copy	\$0.40
Double sided	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	Double Sided	\$0.80

#### Photocopying (Self-Service)

Fee	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	each	\$0.20
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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**1 – 5 copies (A3)**

Single sided	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$0.80
Double sided	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$1.20

**Greater than 20 copies (A3)**

Single sided	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$0.60
Double sided	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$0.90

**Photocopying – Colour (Where available)**

Colour copying A4	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$1.00
Colour copying A3	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$2.00

**Large Plan Copying (Where Available)**

Larger than A3 Plans (includes A1 & A0) – per sheet up to 10 sheets	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$6.00
Per additional sheet	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$4.00

**Printing**

A4 Black & White Printing Single Sided (Self-Service)	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$0.30
A4 Black & White Printing Single Sided (Staff Assisted)	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$0.70
A4 Black & White Printing Double Sided (Staff Assisted)	G5710.1104	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$0.80

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Right to Information

Application Fee – for access to documents that do not concern the applicant's personal information	G2411.1104	Right to Information Regulation 2009   Part 3.4	Cost-Recovery	N	each	\$50.80
Processing Charge	G2411.1104	Right to Information Regulation 2009   Part 3.5	Cost-Recovery	N	for each 15mins or part thereof	\$7.85
If the agency spends no more than five hours processing the application, no processing charge applies. If the agency spends more than five hours processing the application, processing charge applies.						
Access Charge – Black and white photocopy A4 Right To Information application	G2411.1104	Right to Information Regulation 2009   Part 3.6	Cost-Recovery	N	each	\$0.25
Access Charge – Black and white photocopy A4 Information Privacy application	G2411.1104	Information Privacy Regulation 2009   Part 3.4	Cost-Recovery	N	each	\$0.25

### Property Searches

#### Searches

Name and Address Certificate	G5710.1104	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per assessment	\$33.00
Financial Rates Records Search	G5710.1104	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per assessment	\$129.00
Land and Easement Requirements	P4320.429.1104	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per property	\$44.00
Copy of Historic Rate Notice (older than current financial year)	G2232.1116	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per notice	\$14.00
Records search and/or payment details	G2232.1116	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per service	\$78.00
Payment Dishonoured Fee – Recovery	G2232.1116	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	each	At cost

### Keppel Sands Caravan Park

#### Peak Season:

Easter - 19th April 2019 - 22nd April 2019  
 Christmas - 22nd December 2018 - 2nd January 2019

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Livingstone Shire Council - Fees and Charges 2020/21 || Page 13 of 110

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Keppel Sands Caravan Park [continued]

Easter - 6th April 2020 - 13th April 2020  
Christmas - 21st December 2019 - 2nd January 2020

#### Off Peak:

All other periods

#### Notes:

- Fees are based on stays for two (2) persons per site
- For bookings more than 27 consecutive nights a 5.5% GST applies & the above fee's will be adjusted accordingly
- Weekly rates will only apply if booked at the time of commencing the stay

#### All Caravan Park Refunds

##### Off Peak:

- If a customer cancels two (2) weeks prior to their arrival date in off-peak times, they are entitled to a refund of their deposit less a 20% administration fee.
- If a customer cancels within the two (2) week period prior to their arrival in off-peak times, the customer is not entitled to a refund.
- However, at the Manager's discretion, if the accommodation/site is filled for all of the original days booked, we may refund the deposit less 20% administration fee.

##### Peak:

- If a customer cancels four (4) weeks prior to their arrival date in peak times, they are entitled to a refund of their deposit.
- If a customer cancels within the four (4) week period prior to their arrival date in peak times, the customer is not entitled to a refund.
- However, at the Manager's discretion, if the accommodation/site is filled for all of the original days booked, we may refund the deposit less 20% administration fee.

#### Notes:

Refund payment by Direct Deposit or Cheque will be made via Council's accounts payable system.

EFTPOS and Cash Refund will be made onsite.

All refunds are made at the discretion of the Management



Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Powered Site

Off Peak – Daily	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per day	\$32.00
Off Peak – Weekly	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per week	\$207.00
Peak – Daily	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per day	\$40.00
Peak – Weekly	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per week	\$263.00

### Unpowered Site

Off Peak – Daily	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per day	\$27.00
Off Peak – Weekly	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per week	\$174.00
Peak – Daily	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per day	\$32.00
Peak – Weekly	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per week	\$207.00

### Extra People

Off Peak – Daily	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per day	\$11.50
Peak – Daily	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per day	\$11.50

### Other Charges

Charges for Current Permanent Residents on Moveable Dwelling Tenancy Agreements	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y		\$133.00
Septic Charge – Weekly	A0025942.881.1109	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per week	\$9.50

### Community Centre (John Street)

#### Room Hire Fees

Commercial Entity/Government Agency	P5430.539.1103	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	per hour	\$38.00
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Livingstone Shire Council - Fees and Charges 2020/21 | Page 15 of 110

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Room Hire Fees [continued]

Council Sponsored Initiative	P5430.539.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per session	As per agreement
Permanent Tenants	P5430.539.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per week	As per Community Centre tenant rental agreement
Visiting Outreach Services (not for profit)	P5430.539.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per session	As per agreement
All Other Groups	P5430.539.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per session	No charge

### Community Halls

#### Yeppoon Town Hall

#### Commercial Organisation

Full Site – maximum period of 24 hour hire. Fee is per calendar day	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$470.00
Auditorium – maximum period of 24 hour hire. Fee is per calendar day	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$282.00
Auditorium – additional hours or short term hire (Min 2 hours). Fee is per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$70.00
Function Room – maximum period of 24 hour hire. Fee is per calendar day	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$235.00
Function Room – additional hours or short term hire (Min 2 hours). Fee is per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$60.00
Cleaning (weekday) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$65.00
Cleaning (weekend) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour with 4 hour minimum	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$85.00
Continuous Booking – five (5) or more consecutive days	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Eighty (80) per cent of the standard fee

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Livingstone Shire Council - Fees and Charges 2020/21 | Page 16 of 110



Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Commercial Organisation [continued]

Bump in and Bump Out Fee (set up and clean up prior to and after event) 50% of hire rate **Applicable to Full Site only**	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Fifty (50) per cent of the hire fee
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### Community Organisations

Full site – maximum period 24 hour hire. Fee is per calendar day	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$235.00
Auditorium – maximum period of 24 hour hire. Fee is per calendar day	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$141.00
Auditorium – additional hours or short term hire (min 2 hours). Fee is per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$35.00
Function Room – maximum 24 hour hire. Fee is per calendar day	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$120.00
Function Room – additional hours or short term hire (Min 2 hours). Fee is per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$30.00
Cleaning (weekday) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$65.00
Cleaning (weekend) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour with 4 hour minimum	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$85.00
Continuous Booking – five (5) or more consecutive days	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Eighty (80) per cent of the standard fee
Bump in and Bump out Daily Rate (set up and clean up days prior to and following event) **Applicable to Full Site only**	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Fifty (50) per cent of hire fee

### All Other Organisations/Entities

Full Site – maximum period of 24 hour hire. Fee is per calendar day.	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	per day	\$352.50
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Livingstone Shire Council - Fees and Charges 2020/21 || Page 17 of 110

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### All Other Organisations/Entities [continued]

Auditorium – maximum period of 24 hour hire. Fee is per calendar day	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$210.00
Auditorium – additional hours or short term hire (Min 2 hours). Fee is per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$52.50
Function Room – maximum period 24 hour hire. Fee is per calendar day	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$180.00
Function Room – additional hours or short term hire (Min 2 hours). Fee is per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$45.00
Cleaning (weekday) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$65.00
Cleaning (weekend) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour with 4 hour minimum	P54808331103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$85.00
Continuous Booking – five (5) or more consecutive days	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Eighty (80) per cent of the standard fee
Bump in and Bump out Daily rate (set up and clean up days prior to and following event) **Applicable to Full Site only**	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Fifty (50) per cent of hire fee

### Security Deposits

Refundable after facilities are left in clean and tidy condition

Security Deposit	P9200.996.6510	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per booking	\$720.00
Security Access Card Replacement	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per card	\$88.00

### Cultural Centre, Emu Park

#### Commercial Organisation

Full Site – maximum period 24 hour hire. Fee is per calendar day	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	per day	\$340.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Commercial Organisation [continued]

Full Site – additional hours or short term hire (Min 2 hours). Fee is per hour	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$46.00
Cleaning (weekday) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$65.00
Cleaning (weekend) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour with 4 hour minimum	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$85.00
Continuous Booking – five (5) or more consecutive days	P5480.833.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Eighty (80) per cent of the standard fee
Bump In and Bump Out Daily Rate (set up and clean up prior to and following events) **Applicable to Full Site only**		Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Fifty (50) per cent of hire fee

### Community Organisations

Full Site – 24 hour period. Fee is per calendar day	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$90.00
Full Site – additional hours or short term hire (min 2 hours). Fee is per hour	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$18.00
Cleaning (weekday) – If not cleaned to Council's satisfaction. Rate per cleaner per hour	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$65.00
Cleaning (weekend) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour with 4 hour minimum	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$85.00
Continuous Booking – Five (5) or more consecutive days	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		
Bump in and Bump out Daily Fee (set up and clean up prior to and following events). 50% of hire rate **Applicable to Full Site only**	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		



Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### All Other Organisations/Entities

Full Site – maximum period 24 hour hire. Fee is per calendar day	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$175.00
Full Site – additional hours or short term hire (Min 2 hours). Fee is per hour	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$25.00
Cleaning (weekday) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$65.00
Cleaning (weekend) – If not cleaned to Council's satisfaction. Fee is per cleaner per hour with 4 hour minimum	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)		Y	per hour	\$85.00
Continuous Booking – five (5) or more consecutive days	P5480.834.1103	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Eighty (80) per cent of the standard fee
Bump In and Bump Out Daily Rate (set up and clean up prior to and following events). 50% of hire rate **Applicable to Full Site only**		Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		Fifty (50) per cent of hire fee

### Security Deposits

Refundable after facilities are left in clean and tidy condition

Security Deposit	P9200.996.6510	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per booking	\$720.00
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### Coote Bay Hall

Commercial Day Rate	P5480.833.1103	Local Government Act 2009   Part 2 S97 (2)(c)		Y	Daily	\$100.00
Commercial Hourly Rate	P5480.833.1103	Local Government Act 2009   Part 2 S97 (2)(c)	Commercial	Y	Hourly	\$35.00
Community organisations and Non For Profit	gl code	Local Government Act 2009   Part 6 S262 (3)(a)	Commercial	Y	Per Booking	\$0.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Local Disaster Coordination Centre (The Hub)

### Boardroom (Meeting Room)

Boardroom (Meeting Room) Emergency Services (No Fee)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	Per Booking	\$0.00
Board Room (Meeting Room) Commercial Rate (Hourly)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$61.00
Boardroom (Meeting Room) Commercial Daily Rate	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$428.00
Security Deposit	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per booking	\$200.00

### Community Education Room

Community Education Room Emergency Services (No Fee)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		\$0.00
Community Education Room – Commercial Rates (Hourly)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour	\$122.00
Community Education Room – Commercial Rates (Daily)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$640.00
Community Education Room Security Bond	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per booking	\$580.00

### Coordination Centre

Local Disaster Coordination Centre – Emergency Services (No Fee)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per booking	\$0.00
Local Disaster Coordination Centre Commercial Rate (2 Hourly)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(e)	Commercial	Y	two hourly	\$320.00
Local Disaster Coordination Centre Commercial Rate (Daily)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(e)	Commercial	Y	per day	\$1,600.00
Local Disaster Coordination Centre Security Bond	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(e)	Commercial	N	per booking	\$580.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Full Community Education and Coordination Centre Use

Access to Full Floor Use (2 Hourly)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	two hourly	\$540.00
Access to Full Floor Use (Daily)	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per day	\$2,600.00
Full Floor Access Security Bond	P3350.436.1108	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per booking	\$1,000.00

### Library

#### Overdue Fees

Collection Recovery Fee	-	Cost-Recovery	N			\$24.00
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#### Membership Fees

Provisional Members – including companies, institutions, services and government departments which are not based within the boundaries of Livingstone Shire Council	-	Commercial	Y			No Charge
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#### Administration Fee

Minor Repairs Library Resources	-	Commercial	N			\$12.00
For example, replacement barcode, cover, identification, tears, etcetera						
More than 5 minutes work to repair	-	Commercial	N			At cost, or replacement cost
Rebinding Required (cost incurred)	-	Commercial	N			At cost, or replacement cost
Replacing Lost Membership Card	-	Commercial	N			\$3.00
Loss/Irreparable Damage	-	Commercial	N			Replacement value per item
Photocopy A4 – Self-Service	-	Commercial	Y			\$0.20

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Administration Fee [continued]

Photocopy A3 – Self-Service	-	Commercial	Y			\$0.40
Research Fees (per hour)	-	Commercial	Y			\$66.00
Interlibrary Loan Fee	-	Commercial	Y			At cost
Internet	-	Commercial	Y			No charge

### Local Law

#### Impounding

#### Impounding Livestock

Fee	P3430.617.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	\$129.00
Transport	P3430.617.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per hour	\$76.00
Includes droving, transporting by vehicle or other means of relocating stock						
Sustenance Rate for Livestock	P3430.617.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per head per day	\$63.00
Cattle Tagging – applies if NLS tag is required	P3430.617.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	\$21.00
Vet or Other	P3430.617.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N		At cost

#### Impounding – Cats and Dogs

Release Fee (Plus Sustenance Rate Per Day)	P3430.617.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	\$40.00
Sustenance Rate	P3430.617.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per day	\$40.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Animal Permits

### Application for Specified Animal Permits

Applications for more than the permitted number of animals, an assessment under the Planning Scheme may be required

Cats and Dogs (3 or more)		Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$259.00
All Other Animal Permits Not Specifically Detailed Above		Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$259.00
Annual Renewal – Specified Animal Permits (Excluding Dogs)		Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$259.00
Biennial (two years) Renewal – Dogs		Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$259.00

### Refunds

Council will refund the permit fees within three (3) months of the relevant period where a permit is no longer required due to an animal(s) being deceased or changes to the permit conditions		Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	Applicable fee paid
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### Amendment to Applications

Fee	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00
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### Euthanising Fee

At cost and where assessed as applicable

Fee	P3431.619.1114	Local Government Act 2009   Council Local Law	Cost-Recovery	Y	per application	At cost
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Animal Registration

\$2.00 from each registration will be donated to 4PAWS, RSPCA and Capricorn Animal Aid

Note: All registrations are for a year or part thereof. Evidence of desexing and microchipping must be provided in the form of a vet certificate.

Replacement Registration Tag for Dog or Cats	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per tag	\$8.00
Transfer of Registration Between Animals – from a deceased dog or cat to a new dog or cat registration, for the current registration period only, and where a refund has not been given	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per event	\$10.00
Transfer of Current Registration from Another Local Government – for the current registration period only, evidence of current registration to be provided	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per event	\$10.00

## Concessions

Pension Card Holders (defined as a holder recognised by Council's Rating Policy)	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	Fifty (50) per cent of applicable fee
Dogs or Cats registered from 1 March to 31 August – applicable to the first year registration within Livingstone Shire only (does not apply to renewals or Regulated Dogs)	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	Fifty (50) per cent of applicable fee

## Refunds

If Dog or Cat is Desexed within three (3) Months of Registration	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	Difference between the fee for an entire dog or cat and the desexed fee
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Refunds [continued]

If Dog or Cat is Desexed and Microchipped within three (3) months of Registration	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	Difference between the fee for an entire dog or cat and the desexed and microchipped fee
Council will refund for stolen animals if the owner provides a police report within three (3) months of registration. Please note the animal will be unregistered if it is returned to the owner		Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	Applicable fee paid

### Dog Registration

Puppy Registration – initial registration for a Dog up to six (6) months old within the first year of registration		Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	\$30.00
Entire	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	\$125.00
Desexed	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	\$36.00
Desexed and Microchipped	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	\$18.00
Assistance Dogs with NGO Certificate – certificate must be provided	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	Exempt	Nil
Entire – Owned by a Member of Dogs Queensland (Former – Canine Control Council)	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	Fifty (50) per cent of applicable fee
Documentation showing membership to be provided						
Working Dogs	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	\$0.00
For rural areas and/or properties with an area greater than two (2) hectares, must be a Primary Producer and evidence must be provided						
Greyhounds	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	Fifty (50) per cent of applicable fee
Must hold a current Multiple Animal Permit or Development Permit, Evidence must be provided						

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Dog Registration [continued]

Multiple Dog Registration – three (3) or more dogs owned by one (1) owner only	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per owner	\$434 or registration for each dog, whichever is the lesser
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### Cat Registration

Kitten Registration – initial registration for a Cat up to six (6) months old within the first year of registration		Local Government Act 2009   Council Local Law	Cost-Recovery	N	per animal	\$16.00
Entire	P3431.619.1113	Local Government Act 2009   Animal Management Act 2008	Cost-Recovery	N	per animal	\$66.00
Desexed	P3431.619.1113	Local Government Act 2009   Animal Management Act 2008	Cost-Recovery	N	per animal	\$21.00
Desexed and Microchipped	P3431.619.1113	Local Government Act 2009   Animal Management Act 2008	Cost-Recovery	N	per animal	\$13.00
Entire Owned by a Member of the Queensland Feline Association	P3431.619.1113	Local Government Act 2009   Animal Management Act 2008	Cost-Recovery	N	per animal	Fifty (50) per cent of applicable fee
Multiple Cat Registration – three (3) or more cats owned by one (1) owner only	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per owner	\$434 or registration for each cat, whichever is the lesser

### Regulated Dogs

#### Declared Dangerous– Restricted and Menacing

Initial Fee – includes Regulated Dog Management Kit (one approved tag and two approved signs)	P3431.619.1113	Local Government Act 2009   Animal Management Act 2008	Cost-Recovery	N	per animal	\$646.00
Annual Renewal	P3431.619.1113	Local Government Act 2009   Animal Management Act 2008	Cost-Recovery	N	per animal	\$490.00
Reduced Annual Renewal – for Approved Applicants Only	P3431.619.1113	Local Government Act 2009   Animal Management Act 2008	Cost-Recovery	N	per animal	\$245.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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**Declared Dangerous– Restricted and Menacing** [continued]

Sign – only available to owners of regulated dogs	P3431.619.1113	Local Government Act 2009   Animal Management Act 2008	Cost-Recovery	Y	per item	At Cost
Replacement Regulated Dog Tag – only available to owners of regulated dogs	P3431.619.1113	Local Government Act 2009   Animal Management Act 2008	Cost-Recovery	N	per item	At Cost

**General Animal Control**

Cat or Dog Trap Hire – security deposit, refunded upon return of trap only	P9200.996.6521	-	Cost-Recovery	N	per service	\$57.00
Traps Lost, Damaged, or Not Returned	P3431.139.1113	-	Cost-Recovery	Y	per service	At cost

**Overgrown Land (Land Clearing/Slashing)**

Mowing, Slashing or Clean Up of an Overgrown Allotment – following non-compliance with an Overgrown or Unsightly Compliance Notice	P3432.625.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per allotment	Cost plus administration fee of \$80.00
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**Commercial Use of Roads**

Note: All permits/licences are subject to annual renewal. A copy of the current Public Liability Insurance Cover must accompany application (minimum of \$10 Million for Local Government controlled areas and \$20 Million for State Government controlled areas). Non-compliance with permit/licence conditions may result in additional Compliance Inspection fees.

**Inspections**

Compliance Inspection Fee	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per inspection	\$179.00
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**Signs and Advertising Devices Licence and Renewal Fee**

Application Fee – For 'A' Frames sign boards	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$48.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Signs and Advertising Devices Licence and Renewal Fee [continued]

Licence Fee – This fee is payable upon approval	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$23.00
Annual Licence Renewal Fee	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per licence	\$23.00
Release Fee for Impounded Sign	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per item	\$81.00

### Roadside Vending

Application Fee – This is payable upon lodgement and is non-refundable	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$259.00
Application Fee – For local community groups only, payable upon lodgement and is non-refundable	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00
Licence Fee – This fee is payable upon approval	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00
Annual Licence Renewal Fee	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per licence	\$80.00
Other – Permit to use a road or public land other than a Park by a not-for-profit organisation for fundraising	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per unit	Nil

### Mobile Roadside Vending

Application Fee – This is payable upon lodgement and is non-refundable	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00
Licence Fee – This fee is payable upon approval	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00
Annual Licence Renewal Fee	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00

### Alfresco Dining

Application Fee – This is payable upon lodgement and is non-refundable	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$259.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Alfresco Dining [continued]

Licence Fee – This fee is payable upon approval	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00
Annual Licence Renewal Fee	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00

### Goods – Items stored and or displayed on Local Government Controlled Areas during business hours

Application Fee – This is payable upon lodgement and is non-refundable	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$259.00
Licence Fee – This fee is payable upon approval	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00
Annual Licence Renewal Fee	P3432.623.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00

### Other

Amendment all Commercial use of Roads Applications	P3431.619.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00
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## Vehicle Parking or Permits

### Types of Parking Permits

**Resident Parking Permit** where the person resides in a residence situated on a section of road and parking immediately adjacent to the residence is regulated by time, and the residence does not have adequate off-street parking. To be eligible for a resident parking permit, residents must be a primary owner occupier and/or tenant of the property. Eligible residents are entitled to one residential permit (non-transferable) for each vehicle registered to the address.

**Community Service Organisation Parking Permit** where the person will use the parking permit for an activity, which is consistent with the objectives of the community service organisation, and parking is regulated by time.

**Temporary Parking Permit** where it is not reasonably practical for the applicant to carry out the activity unless the designated parking space or spaces are allocated to the applicant's exclusive use for the duration of the activity.

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Vehicle Parking or Permits [continued]

**Works Zone Parking Permit** where the part of the road is adjacent to a site at which the person is proposing to undertake building or construction work, and it is not reasonably practical for all work activity and movements to be confined within the site.

**Visitor Parking Permit** where the parking permit is to be made available by the resident for use by another person who is visiting or attending at the residence.

Paid Parking – Designated Traffic Areas	P3431.618.1113	Local Government Act 2009   S262 (3) (c)		Y	per hour	\$2.00
Application for Parking Permit (All Types & Concessions Apply)	P3431.618.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	Y	per application	\$169.00
Application for Designated Paid Parking Area	P3431.618.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	Y	per application	Application fee + \$16 per day per bay

### Motor Vehicle Ownership Searches

Conducted to determine ownership of a vehicle (for example CITEC) added to infringement

Fee	P3432.624.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per search	At cost plus \$30 admin fee
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### General Fee Permit

Short-Term Permit – Issued for periods up to one (1) month	P3431.139.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$153.00
Long-Term Permit – Issued for periods over one (1) month	P3431.139.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$153 for the first month plus \$70 for each additional month

### Temporary Home Permit

Additional Building and Plumbing Inspection fees may apply. Approval is subject to conditional requirements.

Application Fee – This is payable upon lodgement and is non-refundable	P3431.139.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$259.00
Licence Fee – This fee is payable upon approval	P3431.139.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Temporary Home Permit [continued]

Application for extension of timeframe	P3431.139.1113	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$80.00
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### Impounded Vehicles

If multiple vehicles have been advertised in the public notices at the same time, a pro-rata rate must be applied for each vehicle

Auctioneer Fee	P3431.451.1701	Transport Operations (Road Use Management) Act 1995	Cost-Recovery	N		As charged by appointed storage / auction compound
Public Notice Advertisement	P3431.451.1701	Transport Operations (Road Use Management) Act 1995	Cost-Recovery	N		As charged by newspaper
Towing Service Fee	P3431.451.1701	Transport Operations (Road Use Management) Act 1995	Cost-Recovery	N		As charged by towing service
Daily Storage Fee	P3431.451.1701	Transport Operations (Road Use Management) Act 1995	Cost-Recovery	N		As charged by appointed storage / auction compound
Notices Issued by Council	P3431.451.1701	Transport Operations (Road Use Management) Act 1995	Cost-Recovery	N	per notice	\$20.00
Inspection by Local Laws Officer	P3431.451.1701	Transport Operations (Road Use Management) Act 1995	Cost-Recovery	N	per inspection	\$45.00

### Parks Sport and Recreation

#### Temporary Event Administration Booking

Administration Booking Fee – Parks, Reserves and Beaches	G5710.1104	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per function	\$35.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Parks, Properties and Structures

### Usage Charges for Sport and Recreation Clubs and Associations

Building Site Leased by Organisation (unless there is an existing lease agreement)	A0058208.303.1127	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per annum	\$320.00
Field Exclusive – Non-Irrigated	A0058208.303.1127	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per annum	\$270.00
Field Exclusive – Irrigated	A0058208.303.1127	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per annum	\$520.00
Field Non-Exclusive – Non-Irrigated	A0058208.303.1127	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per annum	\$140.00
Field Non-Exclusive – Irrigated	A0058208.303.1127	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per annum	\$270.00
Specialised Area	A0058208.303.1127	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per annum	\$140.00
St Christopher's Chapel Security bond	A0283538.350.1114	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per service	\$250.00

### Park Hire Charges

Administration Booking Fee	G5710.1104	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per function	\$35.00
Chapel Hire – Saint Christopher's Chapel Nerimbera	A0283538.350.1114	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per wedding	\$130.00
Park Hire – Commercial Use (any park)	A0283538.350.1114	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per day	\$850.00
Park Hire – Private Event, Wedding, Ceremony or Memorial – includes access to power supply, bollard removal etc if requested	A0283538.350.1114	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per day	\$235.00

Any park. Hire includes access to council services such as; consumption of electricity, mowing or other maintenance services. Please note: if extra bins are required fees will apply

Park Hire – Private Event, Wedding, Ceremony or Memorial – excludes access to power supply	A0283538.350.1114	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per day	\$125.00
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Any park. Hire excludes access to council services such as; consumption of electricity, mowing or other maintenance services. Please note: if extra bins are required fees will apply

Extra Service Requested ie: mowing of park area	A0283538.350.1114	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per request	\$185.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Parks for Events/Carnivals (Pending Approval)

### Local Organisations by Negotiation

Administration Booking Fee	G5710.1104	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per function	\$35.00
Security Deposit	OP9200.996.6558	Local Government Act 2009   S262 (3) (c)	Commercial	N	per event	\$2,500.00
This is refundable subject to the area being left in a clean and tidy condition and against damage or loss being caused to council property, including toilets, and against the cost of additional security to protect Council property						
Electricity Deposit (deposit is refundable less electricity consumption)	OP9200.996.6558	Local Government Act 2009   S262 (3) (c)	Commercial	N	per event	\$800.00
Cleaning Deposit	OP9200.996.6558	Local Government Act 2009   S262 (3) (c)	Commercial	N	per event	\$2,000.00
Refundable upon the park being left in a clean and tidy condition. Any charges incurred by Council for cleaning of the area following the event will be deducted from the deposit amount						

## Swimming Pools

### Emu Park Pool

### Entry Fees

Child (Under 2)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	Free
Child (Under 16)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$3.00
Adult	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$4.00
Concession or Student (ID Required)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.20
School Event/Head	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.20
Swimming Queensland Registered Club Members	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.20
Australian Representative Athlete	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	POA
Spectator	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.00
Annual Spectator Pass	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$170.00
Non-Swimming School Student/Spectator	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$1.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Season and Annual Passes

Adult Summer Season Pass (01/09 – 30/04) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$130.00
Concession Summer Season Pass (01/09 – 30/04) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$100.00
Family Summer Season Pass – min 1 adult/max 3 children (01/09 – 30/04) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	TBD	Y	per family	\$380.00
Additional Child Summer Season Pass (01/09 – 30/04) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$55.00
Emu Park Only – Adult Winter Season Pass (01/05 – 30/08) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$80.00
Emu Park Only – Concession Winter Season Pass (01/05 – 30/08) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$70.00
Emu Park Only – Family Winter Season Pass (01/05 – 30/08) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per family	\$210.00
Emu Park Only – Additional Child Winter Season Pass (01/05 – 30/08) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$45.00
Emu Park Only – Adult Annual Pass (01/07 – 30/06) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$185.00
Emu Park Only – Concession Annual Pass (01/07 – 30/06) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$150.00
Emu Park Only – Family Annual Pass – min 1 adult/max 3 children (01/07 – 30/06) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per family	\$550.00
Emu Park Only – Additional Child Annual Pass (01/07 – 30/06) (pro-rata available)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$75.00

### Other Passes

Adult Ten (10) Visit Pass		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$30.00
Concession Ten (10) Visit Pass		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$20.00
Child Ten (10) Visit Pass		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$25.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Adult Twenty (20) Visit Pass		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$60.00
Concession Twenty (20) Visit Pass		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$35.00
Child Twenty (20) visit pass		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$45.00

### Hire Fees

Pre-booked Lane Hire (Swimmers/Spectators must pay entry)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per lane	Free
Casual Lane Hire – Not Pre-booked (Swimmers/Spectators must pay entry)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per lane	\$10.00
Lane Hire – Commercial (Swimmers/Spectators must pay entry)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per hour/lane	\$15.00
Additional Lifeguard/s - 1 Lifeguard per 50 people or as deemed necessary under RLSSA or Operator's Requirements						
Pool Hire (includes entry and one lifeguard)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per hour/lane	\$85.00
Additional Lifeguard/s - 1 Lifeguard per 50 people or as deemed necessary under RLSSA or Operator's Requirements						
Multiple Day Hire (includes entry and one lifeguard)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per hour	POA
Additional Lifeguard/s - 1 Lifeguard per 50 people or as deemed necessary under RLSSA or Operator's Requirements						
Additional Lifeguard/s – 1 Lifeguard per 50 people or as deemed necessary under RLSSA or Operator's Requirements		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per lifeguard/hour	\$55.00

### Marlborough Pool

#### Entry Fees

Child (Under 2)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	Free
Child (Under 16)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Adult		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$3.00
Concession or Student		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$1.00
School Event/Head		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$1.00
Swimming Queensland Registered Club Members		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.00
Australian Representative Athlete		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.00
Spectator		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$1.00
Annual Spectator Pass		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$85.00
Non-Swimming School Student/Spectator		Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$1.00

### Season and Annual Passes

Adult Summer Season Pass (01/09 – 30/04)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$105.00
Concession Summer Season Pass (01/09 – 30/04)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$75.00
Family Summer Season Pass – min 1 adult/max 3 children (01/09 – 30/04)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per family	\$240.00
Additional Child Summer Season Pass (01/09 – 30/04)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$35.00

### Hire Fees

Pre-booked Lane Hire (Swimmers/Spectators must pay entry)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per lane	Free
Casual Lane Hire – not Pre-booked (Swimmers/Spectators must pay entry)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per lane	\$10.00
Lane Hire – Commercial (Swimmers/Spectators must pay entry)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per hour/lane	\$15.00
Pool Hire		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per person	Per entry

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Additional Lifeguard/s – 1 Lifeguard per 50 people or as deemed necessary under RLSSA or Operator's Requirements		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per lifeguard/per hour	\$55.00
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### Cooee Bay Pool

#### Entry Fees

Child (Under 2)	Local Government Act 2009   S262 (3) (c)	Commercial	Y		Free
Child (Under 16)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$3.00
Adult	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$4.00
Concession or Student (ID Required)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.20
School Event/Head	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.20
Swimming Queensland Registered Club Members	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.20
Australian Representative Athlete	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	POA
Spectator	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$2.00
Annual Spectator Pass	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per year	\$170.00
Non-Swimming School Student/Spectator	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$1.00

#### Season and Annual Passes

Adult Summer Season Pass (01/09 – 30/04) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per year	\$130.00
Concession Summer Season Pass (01/09 – 30/04) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per year	\$100.00
Family Summer Season Pass – min 1 adult/max 3 children (01/09 – 30/04) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per family	\$380.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Additional Child Summer Season Pass (01/09 – 30/04)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per year	\$55.00
Cooee Bay Only – Adult Winter Season Pass (01/05 – 30/08) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$80.00
Cooee Bay Only – Concession Winter Season Pass (01/05 – 30/08) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$70.00
Cooee Bay Only – Family Winter Season Pass (01/05 – 30/08) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per family	\$210.00
Cooee Bay Only – Additional Child Winter Season Pass (01/05 – 30/08) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$45.00
Cooee Bay Only – Adult Annual Pass (01/07 – 30/06) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$185.00
Cooee Bay Only – Concession Annual Pass (01/07 – 30/06) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$150.00
Cooee Bay Only – Family Annual Pass – min 1 adult/max 3 children (01/07 – 30/06) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per family	\$550.00
Cooee Bay Only – Additional Child Annual Pass (01/07 – 30/06) (pro-rata available)	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per year	\$75.00

### Other Passes

Adult Ten (10) Visit Pass	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$30.00
Concession Ten (10) Visit Pass	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$20.00
Child Ten (10) Visit Pass	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$25.00
Adult Twenty (20) Visit Pass	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$60.00
Concession Twenty (20) Visit Pass	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$35.00
Child Twenty (20) Visit Pass	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$45.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Hire Fees

Pre-booked Lane Hire (Swimmers/spectators must pay entry)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per lane	Free
Casual Lane Hire – not Pre-booked (Swimmers/Spectators must pay entry)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per lane	\$10.00
Lane Hire – Commercial (Swimmers/Spectators must pay entry)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per hour/lane	\$15.00
Pool Hire (includes entry and one lifeguard)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per hour/lane	\$85.00
Multiple Day Hire (includes entry and one lifeguard)		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per hour	POA
Additional Lifeguard/s – 1 Lifeguard per 50 people or as deemed necessary under RLSSA or Operator's Requirements		Local Government Act 2009   S262 (3) (c)	Commercial	Y	per lifeguard/hour	\$55.00

### Development Assessment Livingstone Planning Scheme 2018

Development Assessment Inspection Fee	P3310.361.1105	Planning Act 2016   Section 51		N	per hour	\$179.00
Hourly Rate for Admin/ Technical Support	P3310.361.1105	Planning Act 2016   Section 46		Y	per hour	\$129.00

### Applications for Material Change of Use and Building Works regulated under the planning scheme

#### Accommodation Activities

Caretaker's Accommodation	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$885.00
Community Residence Plus Cost per Number of Persons Accommodated	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Community Residence – per Number of Persons Accommodated	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per three persons accommodated or part thereof	\$388.00
Dual Occupancy	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,580.00
Dwelling House	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,039.00
Dwelling House (secondary dwelling)	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$885.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Impounded Vehicles [continued]</b>						
Dwelling House extension (Building Works regulated under the planning scheme only)	P3310.361.1105	Planning Act 2016   Section 51		N	per application	\$644.00
Garage, shed or carport ancillary to a Dwelling House	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$644.00
Dwelling House and ancillary garage, shed, carport	P3310.361.1105	Planning Act 2016   Section 51		N	per application	\$1,223.00
Dwelling Unit	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$885.00
Home Based Business	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$885.00
Home Based Business (Bed and Breakfast) Plus Cost per Number of Persons Accommodated	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$885.00
Home Based Business (Bed and Breakfast) – per Number of Persons Accommodated	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per three persons accommodated or part thereof	\$187.00
Multiple Dwelling Plus Cost per Unit	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Multiple Dwelling – per Unit	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per unit	\$388.00
Non-Resident Workforce Accommodation Plus Cost per Unit/Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Non-Resident Workforce Accommodation – per Unit/Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per room	\$388.00
Residential Care Facility Plus Cost per Unit/Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Residential Care Facility – per Unit/Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per unit/room	\$388.00
Relocatable Home Park Plus Cost per Dwelling	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Relocatable Home Park – per Dwelling	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per dwelling	\$388.00
Resort Complex Plus Cost per Unit/Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Resort Complex – per Unit/Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per unit/room	\$388.00
Resort Complex – per Site Area of Non-Accommodation Components	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare site area or part thereof	\$388.00
Retirement Facility Plus Cost per Unit/Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Retirement Facility – per Unit/Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per unit/room	\$388.00
Rooming Accommodation Plus Cost per Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Rooming Accommodation – per Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per room	\$388.00
Rural Worker's Accommodation Plus Cost per Number of Persons Accommodated	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Rural Worker's Accommodation – per Number of Persons Accommodated	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per five persons accommodated or part thereof	\$388.00
Short-term Accommodation Plus Cost per Unit/Room or Site or Cabin/Van or Tent Site	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Short-term Accommodation – per Unit/Room	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per unit/room	\$388.00
Short-term Accommodation (Farm Stay) – per Cabin	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per cabin	\$187.00
Short-term Accommodation (Farm Stay) – per Caravan or Tent Site	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per van or tent site	\$39.00
Tourist Park Plus Cost per Cabin, Caravan or Tent Site	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Tourist Park – per Cabin	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per cabin	\$187.00
Tourist Park – per Caravan or Tent Site	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per van or tent site	\$39.00

### Business Activities

Agricultural Supplies Store Plus Cost per Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Agricultural Supplies Store – Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$187.00
Bulk Landscape Supplies Plus Cost per Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Impounded Vehicles</b> [continued]						
Bulk Landscape Supplies – Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$187.00
Car Wash	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Funeral Parlour Plus Cost per Floor Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Funeral Parlour – Floor Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Garden Centre Plus Cost per Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Garden Centre – Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$187.00
Hardware and Trade Supplies Plus Cost per Floor Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Hardware and Trade Supplies – Floor Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Market	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Outdoor Sales Plus Cost per Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Outdoor Sales – Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$187.00
Sales Office	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Service Station Plus Cost per Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$3,293.00
Service Station – Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$510.00
Showroom Plus Cost per Floor Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Showroom – Floor Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Veterinary Services Plus Cost per Floor Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Veterinary Services – Floor Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
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### Centre Activities

Adult Store plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Adult Store – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Food and Drink Outlet plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Food and Drink Outlet – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Health Care Services plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Health Care Services – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Office plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Office – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Shop plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Shop – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Shopping Centre plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$3,293.00
Shopping Centre – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Community Activities

Child Care Centre plus number of children accommodated	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Child Care Centre – per children accommodated	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 10 children accommodated or part thereof	\$388.00
Club plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Club – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$187.00
Community Care Centre	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Community Use	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Educational Establishment	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Hospital	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Outstation plus cost per camping site	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Outstation – per camping site	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per camping site	\$39.00
Place of Worship	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00

### Entertainment Activities

Bar plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Bar – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Brothel plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Brothel – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$187.00
Function Facility plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Function Facility – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Nightclub Entertainment Facility plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Nightclub Entertainment Facility – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Theatre plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Theatre – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00
Tourist Attraction plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Tourist Attraction – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare site area of site or part thereof	\$187.00

### Industrial Activities

High impact industry plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$3,293.00
High impact industry – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$388.00
Low impact industry plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Low impact industry – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$187.00
Marine industry – plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,467.00
Marine industry – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$187.00
Medium impact industry plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,467.00
Medium impact industry – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$187.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Research and technology industry plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$3,293.00
Research and technology industry – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$388.00
Service industry plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Service industry – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$187.00
Special industry plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$3,293.00
Special industry – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$388.00
Warehouse plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Warehouse – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$388.00

### Recreational Activities

Environment facility plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Environment facility – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00
Indoor sport and recreation plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Indoor sport and recreation – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$187.00
Major sport, recreation and entertainment facility plus cost per floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,467.00
Major sport, recreation and entertainment facility – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Major sport, recreation and entertainment facility – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres GFA or part thereof	\$187.00
Motor sport facility plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,467.00
Motor Sport Facility – floor area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00
Outdoor sport and recreation plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Outdoor sport and recreation – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00
Park plus cost per hectare of site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Park – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00

### Rural Activities

Animal husbandry plus cost per no. of animals	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Animal husbandry – no. of animals	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 10 animal capacity or part thereof	\$187.00
Animal keeping plus cost per no. of animals	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Animal keeping – no. of animals	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 10 animal capacity or part thereof	\$187.00
Aquaculture plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Aquaculture – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00
Cropping plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Cropping – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Impounded Vehicles [continued]

Extractive industry base fee plus cost per hectare of site area		Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$3,293.00
Extractive industry – site area of development application	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof (minimum charge of \$20,000)	\$850.00
Intensive animal industry plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,536.00
Intensive animal industry – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$530.00
Intensive horticulture plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,536.00
Intensive horticulture – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$530.00
Permanent plantation plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Permanent plantation – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00
Roadside stall	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Rural industry plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Rural industry – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$388.00
Wholesale nursery plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Wholesale nursery – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00
Winery plus cost per site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Winery – site area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$187.00

### Special Activities

Air Services	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Cemetery	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Special Activities [continued]

Crematorium	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Detention Facility	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Emergency Services	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Landing	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Major Electricity Infrastructure	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Parking Station Plus Cost per Space	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Parking Station – per Space	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per space	\$26.00
Port Services Plus Cost per Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Port Services – Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres of site area or part thereof	\$187.00
Renewable Energy Facility Plus Cost per Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Renewable Energy Facility – Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per hectare of site area or part thereof	\$388.00
Substation	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Telecommunications Facility	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,589.00
Transport Depot Plus Cost per Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Transport Depot – Site Area	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per 100 square metres site area or part thereof	\$187.00
Utility Installation	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00

### Reconfiguring a Lot Applications

Reconfiguring a Lot (Subdivision) plus Lot/Unit fees	P3310.362.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,705.00
Reconfiguring a Lot (Subdivision) – Lot/Unit fees	P3310.362.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per lot/unit	\$530.00
Boundary Realignment (No Extra Lots Created)	P3310.362.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,165.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Approval of Plans of Subdivision (Survey Plan Endorsement) and Endorsement of Documents

Request for Approval of a Plan of Subdivision (Boundary realignment plans only)	P3310.362.1105	Planning Act 2016   Section 51		N	per application	\$530.00
Request for Approval of a Plan of Subdivision (including Standard Format Plans/Community Management Statements/Building Format Plans) Plus Lot/Unit Fees	P3310.368.1105	Planning Regulation 2017   Schedule 18	Cost-Recovery	N	per request	\$530.00
Request for Approval of a Plan of Subdivision (including Standard Format Plans/Community Management Statements/Building Format Plans) – Lot/Unit Fees	P3310.368.1105	Planning Regulation 2017   Schedule 18	Cost-Recovery	N	per lot/unit	\$188.00
Endorsement of a Road Opening Plan (including Truncations and Widening)	P3310.368.1105	Planning Regulation 2017   Schedule 18	Cost-Recovery	N	per application	\$530.00
Re-endorsement Fee	P3310.368.1105	Planning Regulation 2017   Schedule 18	Cost-Recovery	N	per application	\$477.00
Endorsement of Community Management Statement Only	P3310.368.1105	Planning Regulation 2017   Schedule 18	Cost-Recovery	N	per application	\$477.00

### Operational Works

Clearing	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,059.00
Advertising Device	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$520.00
Third Party Advertising Device	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,223.00
Operational Works for a Vehicle Crossover for a Single Dwelling or Dual Occupancy or Rural Access up to 2,000 Vehicles a Day or Works Involving Council Infrastructure	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$159.00
Operational Works up to \$5,000 (includes rural accesses over 2,000 vehicles a day)	P3310.367.1105	-	Cost-Recovery	N	per application	\$530.00
Operational Works from \$5,001 up to \$24,999	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,059.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Operational Works</b> [continued]						
Operational Works from \$25,000 to \$249,999	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$1,500.00 plus 3.75% of value of work over \$25,000
Operational Works from \$250,000.0 to \$499,999	P3310.361.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$10,000 plus 3% of value of work over \$250,001
Operational Works from \$500,000.00 to \$999,999	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$17,500 plus 2% of value of work over \$500,001
Operational Works from \$1,000,000 to \$1,999,999	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$27,500 plus 1.5% of value of work over \$1,000,001
Operational Works from \$2,000,000 to \$4,999,999	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$42,500 plus 0.4% of value of work over \$2,000,001
Operational Works \$5,000,000 and greater	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$54,500 plus 0.25% of value of work over \$5,000,001
Earthworks up to 500 cubic metres (including retaining wall structures)	P3310.367.1105	Planning Act 2016   Section 51		N	per application	\$795.00
Earthworks from 501 cubic metres up to 1,000 cubic metres	P3310.367.1105	-	Cost-Recovery	N	per application	\$1,058.74
Earthworks from 1,000 cubic metres to 10,000 cubic metres	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$2,117.00
Earthworks from 10,000 cubic metres to 100,000 cubic metres	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$3,176.00
Earthworks over 100,000 cubic metres	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$5,291.00
Bonding of Incomplete Subdivision Works	P3310.367.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	\$530.00

### Applications for Preliminary Approval (Variation Approval)

continued on next page ...

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Applications for Preliminary Approval (Variation Approval) [continued]

Application for Preliminary Approval (variation approval)	MCU and BW P3310.361.1105 ROL P3310.362.1105	Planning Act 2016   Section 51	Cost-Recovery	N	per application	Seventy-five (75) per cent of the standard application fee (calculated from potential lot yield, unit yield, GFA, and Site Area)
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### Change and Extension Applications

Extension Application (currency period extension) other than for a Dwelling House	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105 & BUILD P3340.063.1106	Planning Act 2016   Section 86	Cost-Recovery	N	per application	\$1,059.00
Extension Application (currency period extension) for a Dwelling House Only	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 86	Cost-Recovery	N	per application	\$780.00
Change Application (minor change) other than for a Dwelling House	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 78	Cost-Recovery	N	per application	Thirty (30) per cent of current development fees and charges with a minimum fee of \$1,000.00  Min. Fee: \$1,000.00
Change Application (other change) other than for a Dwelling House	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 78	Cost-Recovery	N	per application	The full application fee as if the application were a new application

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Change and Extension Applications [continued]

Change Application for a Dwelling House Only	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 78	Cost-Recovery	N	per application	\$780.00
Request for a Pre-Request Response from the Relevant Entity for a Change Application	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 78	Cost-Recovery	N	per application	\$880.00

### Miscellaneous

Prelodgement Meeting	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	Y	per meeting	\$500.00 (subtracted from the application fee when submitted)
Request for 'Generally in Accordance' Consideration	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per request	\$159.00
Superseded Planning Scheme Request	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 29	Cost-Recovery	N	per request	\$1,039.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Miscellaneous</b> [continued]						
Superseded Planning Scheme Request (Dwelling House Only)	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 29	Cost-Recovery	N	per request	\$520.00
Exemption Certificate	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 46	Cost-Recovery	N	per lot	\$265.00
Town Planning Compliance of Building Applications	MCU and BW P3310.361.1105	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per request	\$293.00
Public Notification Sign	MCU and BW P3310.361.1105 & ROL P3310.362.1105	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per sign	\$45.00
Car Parking Contribution Prescribed Under Planning Scheme Policy No.6 (Livingstone Planning Scheme 2005)	MCU and BW P3310.361.1105 & ROL P3310.362.1105	Planning Act 2016   Section 145	Cost-Recovery	N	per car parking space	\$22,116.00
Pathways Contribution Prescribed Under Planning Scheme Policy No.14 (Livingstone Planning Scheme 2005)	MCU and BW P3310.361.1105 & ROL P3310.362.1105	Planning Act 2016   Section 145	Cost-Recovery	N	per equivalent tenement	\$240.00
Concurrence Agency Assessment – All Buildings and Structures	MCU and BW P3310.361.1105	Planning Act 2016   Section 54	Cost-Recovery	N	per application	\$645.00
Drafting of an Infrastructure Agreement by Council (for works up to \$50,000.00)	MCU and BW P3310.361.1105	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	N	per agreement	\$764.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Refunds</b>						
Not Properly Made Application	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 109	Cost-Recovery	N	per application	\$573.00
Application Withdrawn Prior to the Issue of an Confirmation Notice	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 109	Cost-Recovery	N	per application	Ninety (90) per cent of the application fee
Application Withdrawn Prior to the Issue of an Information Request	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 109	Cost-Recovery	N	per application	Eighty (80) per cent of the application fee
Application Withdrawn after the issue of an Information Request	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 109	Cost-Recovery	N	per application	Fifty (50) per cent of the application fee
Application Withdrawn after Public Notification has Commenced	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 109	Cost-Recovery	N	per application	Thirty (30) per cent of the application fee
Application Withdrawn Prior to the Issue of a Decision Notice	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 109	Cost-Recovery	N	per application	Ten (10) per cent of the application fee

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Refunds [continued]

Application Refused	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 109	Cost-Recovery	N	per application	no refund
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### Concessions

Educational, Religious, Charitable or Community Organisations where the organisation is a non profit or holds registration with the Queensland Government Office of Fair Trading as a Charitable Purpose. If the proposal is primarily for commercial purposes, no concession will be available.	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 51 and 109	Cost-Recovery	N	per application	Fifty (50) per cent concession with a minimum fee of \$830.00
All Other Requests	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 51 and 109	Cost-Recovery	N	per application	Must be accompanied with the payment of full fees. If a variation is allowed, a refund will be arranged.
Advertising Device Associated with an Education, Religious, Charitable or Community and Volunteer Emergency Service Organisation use	MCU and BW P3310.361.1105 & ROL P3310.362.1105 & OPW P3310.367.1105	Planning Act 2016   Section 51 and 109	Cost-Recovery	N	per application	100 per cent concession

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Built Environment – Building

### Building Assessment (Commercial)

#### Class 1 and 2 Buildings

Single Storey Dwelling (Includes four (4) inspections)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per Unit – Includes Lodgement, Assessment and four (4) inspections	\$1,744.00
Two Storey Dwelling ( Includes four (4) inspections)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per Unit – Includes Lodgement, Assessment and four (4) inspections	\$1,744.00
Dwelling over 2 storey– (Includes six (6) inspections)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per Unit – Includes Lodgement, Assessment and six (6) inspections	\$2,343.00

#### Class 3 to 9 Buildings – New, Additions and/or Alterations

Floor area up to 500 square metres (Includes Lodgement, Assessment and four (4) inspections)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y		\$1,984.00
Floor area greater than 500 square metres.	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	per assessment	Quote

#### Alterations/Additions to Class 1 and 2 Buildings

Note: Where new floor area is proposed then additional inspections may be applicable. Contact Council for confirmation

Alterations/Additions to Class 1 and 2 Buildings	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Per assessment – Includes lodgement, assessment and two (2) inspections	\$920.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Garden Sheds Twenty (20) Square Metres or Less</b>						
Garden Sheds twenty (20) square metres or less	P3340.364.1106	-	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$264.00
<b>Garages, Patios, Carports, Decks and Sheds Greater than Twenty (20) Square Metres</b>						
Garages, Patios, Carports, Decks and Sheds greater than twenty (20) square metres	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and two (2) Inspections	\$786.00
<b>Pergola/Sail Shade Area</b>						
Pergola/Shade Sail	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$418.00
<b>Minor Building Works (Class 1 and 10 only) including Shadehouses, Barbeques or the Like</b>						
Minor Building Works (Class 1 & 10) including shadehouses, re-roofs or the like	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$418.00
<b>Restumping of Buildings</b>						
Restumping of Buildings	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and two (2) Inspections	\$943.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Swimming Pools and Fencing (Private)

Above Ground Pool (includes 1 inspection)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$690.00
Temporary and Replacement Pool Fence (includes 1 inspection)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$596.00
In Ground Plastic/Fibreglass (includes 1 inspection)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$690.00
In Ground Reinforced Concrete Pool (includes 2 inspections)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and two (2) Inspections	\$880.00
Fences over two (2) metres in height	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment (including concurrence agency response) and one (1) Inspection	\$418.00
Retaining Walls exceeding one (1) metre	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and two (2) Inspections	\$766.00

### Signs

Note: Freestanding signs which are no higher than two (2) metres and no wider than 1.2 metres do not require a development application building works

Freestanding (will require a minimum of 1 inspection)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$418.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Signs [continued]

Attached to Building	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$418.00
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### Demolitions and Removal from Site

All Classes of Buildings	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$556.00
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### Structures not Specifically Identified within the Schedule of Fees and Charges

Buildings, Structures or Services not Specifically Identified	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y		Quote
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### Minor Building Works (Class 2 to 9)

To be applied where other specified fee considered excessive in the circumstances

Minor Building Works ( Class 2 to 9)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y		Quote
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### Amendments and Alterations to Plans

All Classes of Buildings	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Hourly rate due to variable nature	\$172.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Shop Fitouts

Floor area up to 150 square metres	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$982.00
Floor area greater than 150 square metres	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	Quote

### Change of Classification

Class 1a to Class 10	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$436.00
Class 10a to 1	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and one (1) Inspection	\$676.00
From any class to class 2 or 3	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and two (2) Inspections	Quote
From any class to class 4, 5, 6, 7, 8 or 9	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and two (2) Inspections	Quote

### Inspections

Inspection Fee	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y		\$179.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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**Hourly Rate for Admin/Technical Support**

Hourly Rate	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	each	\$81.00
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**Hourly Rate for Building Inspections**

Hourly Rate	P3340.364.1106	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	each	\$163.00
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**Request for Certificate of Classification for Buildings Constructed Prior to 30 April 1998**

Request for Certificate of Classification (Buildings pre 1998)	P3340.364.1106	Local Government Act 2009   S262 (3) (c)	Commercial	Y	Includes Lodgement, Assessment and two (2) Inspections	Quote
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**Refunds**

Application Not Properly Made	-	Commercial	Y	ninety (90) per cent of the application fee	Ninety (90) per cent of the application fee
Assessment Not Commenced	-	Commercial	Y	ninety (90) per cent of the application fee	Ninety (90) per cent of the application fee
Assessment Commenced but not Completed	-	Commercial	Y	sixty (60) per cent of the application fee	Sixty (60) per cent of the application fee
Assessment Completed	-	Commercial	Y	Inspection fee only	Inspection fee only



Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Building Assessment (Regulatory)

### Lodgement of Plans

Electronic Lodgement of Development Permits (Private Certifier service only) where lodged using Council's online portal	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	All classes	\$89.00
Electronic Lodgement of Development Permits (Private Certifier service only) Where NOT lodged using Council's online portal	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	all classes	\$120.00
Hardcopy Lodgement of Development Permits – All Building Class Types (a private certifier service only)	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	Class 1a and class 2 structures	\$172.00
Administration Fee for Follow Up of Lodgement Fees not submitted with documents by Private Certifiers (additional to lodgement fees)	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N		\$86.00

### Searches

Property Records – Building only	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	per property	\$113.00
Building Plan Retrieval Fee (Residential)	G2411.1104	Building Regulations 2006   Section 36	Cost-Recovery	N	each	\$50.00
Building Plan Retrieval Fee (Commercial)	G2411.1104	Building Regulations 2006   Section 36	Cost-Recovery	N	each	Quote

### Monthly Development Approval Statistics

Monthly Development Approval Statistics	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	Annual fee	\$195.00
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### Exemption to Swimming Pool Fence

Exemption to Swimming Pool Fence	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	Includes application assessment and one (1) inspection	\$660.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Pool Fence Compliance Inspection

Note: State Govt Fee for Certificate is additional

Pool Fence Compliance Inspection	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	Includes application assessment and one (1) inspection	\$404.00
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### Pool Safety Certificate

As per State Government Fee Schedule

Pool Safety Certificate	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	State Govt Fee	As per State Government Fee Schedule
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### Certificate of Classification

Copy of Existing Certificate	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	per copy	\$35.00
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### Extension of Time or Amending an Approval

Plus any Inspections required

Extension of Time or a Minor Amendment to Approval	P3340.365.1106	Building Regulations 2006   Section 36	Cost-Recovery	N	Includes Lodgement and Assessment	\$138.00
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## Built Environment – Plumbing & Drainage

### Inspections (Each)

Inspection Fee	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	each	\$179.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Hourly Rate for Admin/Technical Support

Rate	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	each	\$81.00
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### Hourly Rate for Plumbing Inspections

Rate	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	each	\$129.00
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### Lodgement – Electronic – Not via Portal

Lodgement - Electronic - NOT VIA PORTAL

Rate	P3340.366.112	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per assessment	\$50.00
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### Lodgement – Hard Copy (over counter)

Lodgement - HARD COPY (over counter)

Rate	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per assessment	\$100.00
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### Proposed New Dwelling Class 1 (Per Dwelling)

Dwelling – Fast Track Permit – Includes assessment and a maximum of 4 inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		\$1,000.00
Dwelling – Non Sewered Area– Includes assessment and a maximum of 4 inspections (Does not include on-site sewerage facility)	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		\$1,000.00
Dwelling and On-Site Sewerage Facility – Includes assessment and a maximum of 5 inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		\$1,275.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Detached Class 1 Building (Dual Occupancy)

Dual Occupancy (2 detached class 1 buildings) – Includes assessment and 7 inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		\$1,568.00
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### Class 1 Duplex, Dwelling with Secondary Dwelling (Under One Roof)

Duplex (2 dwellings under one roof) – Includes assessment and 5 inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		\$1,210.00
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### New Sheds (Class 10a)

Class 10 (Shed in a sewered area) – Fast Track Permit – Includes assessment and a maximum of 3 inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		\$755.00
Class 10 and On-site Sewerage Facility (shed in a non-sewered area) – Includes assessment and a maximum of 4 inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		\$1,031.00
Class 10 (shed only in a non-sewered area) – Includes assessment and a maximum of 3 inspections (Does not include on-site sewerage facility)	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		\$735.00

### New Work, Alterations and Additions Class 2-9, 3 or More Class 1 and Permit Work Excluded From Notifiable Work

Number of Fixtures per Class

Rate per Fixture - Note:: A fixture is any drainage point receiving a discharge from an appliance or device connected to sanitary plumbing or drainage. See AS3500.0 and AS3500.2 Section 13 and includes tundishes and FWG, grates and bucket traps not receiving a discharge from another fixture

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1 to 2 Fixtures	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	Per Assessment	\$535.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### New Work, Alterations and Additions Class 2-9, 3 or More Class 1 and Permit Work Excluded From Notifiable Work [continued]

3 to 7 Fixtures	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Commercial	N	Per assessment	\$714.00
Rate Per Fixture-- 8 to 10 Fixtures (Includes Maximum 4 Inspections)	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Commercial	N	Per Fixture	\$100.00
Rate Per Fixture-- 11 to 20 Fixtures (Includes Maximum 5 Inspections)	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	Per Fixture	\$100.00
Rate Per Fixture-- 21 to 30 Fixtures (Includes Maximum 6 Inspections)	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	Per Fixture	\$100.00
30 Plus Fixtures – Fee is determined by quotation	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	Quote	Quote
Class 2-9 Permit Work (No fixtures added-not listed in fees) eg. Remove trade waste or minor work requiring a Permit	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		\$357.00

### Other Plumbing/Drainage Works not Specified in the Schedule of Fees

Assessment and Approval of other Plumbing/Drainage Works not Specified within the Fees Schedule	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N		Quote
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### Disconnection – Sanitary Drainage and Water Plumbing

Assessment and Approval of Disconnection of Sanitary Drainage and Water Plumbing includes one (1) inspection	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per assessment	\$432.00
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### Relaying Sanitary Drainage (Where lodgement of Form 4 not applicable)

Assessment and Approval of Relaying Sanitary Drainage includes two (2) inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per assessment	\$609.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Onsite Sewerage Disposal

Onsite Sewerage Facility Only (not combined with a new dwelling) includes two (2) inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per assessment	\$737.00
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### Replacement of Onsite Sewerage Tank or Land Application Area Only

Replacement of Onsite Sewerage Facility (Tank or land application area only) – Includes assessment and 1 inspection	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per assessment	\$432.00
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### Onsite System/Septic Conversions to Sewer

Assessment and Approval of Conversion to Reticulated Sewer includes two (2) inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per assessment	\$609.00
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### Onsite System/Septic – Concurrence Application

Assessment of Concurrence for Onsite Sewerage	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per assessment	\$255.00
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### Register First Device (Yearly Inspection Results)

Register First Device (yearly inspection results)	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	1st item	\$44.00
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### Register Each Additional Device (Yearly Inspection Result)

Register Each Additional Device (yearly inspection result)	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per item	\$11.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Grease Traps / Arrestors (including backflow prevention device)

Assessment and Approval of Trade Waste Interceptor (Grease/oil interceptor) – Includes assessment and 2 inspections	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	each device	\$728.00
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### Copies of Sanitary Drainage Plans (Also House Drainage Plans)

A4	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	each	\$34.00
A3	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	each	\$34.00
AO	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	each	\$70.00
Property Records – Plumbing only	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per property	\$113.00

### Change of Name of Plumber or Drainlayer

Change of Responsible Person (Form 7)	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	per change	\$34.00
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### Amend Plan Re-Assessment

Amend Plan Re-assessment (Form 2)	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	50% of original assessment fee	Quotation
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### Minor Plan Amendment

Minor Plan Amendment	P3340.366.1122	Plumbing and Drainage Regulation 2019   Section 44 (1)(iv)	Cost-Recovery	N	each	\$39.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Refunds

### All Requests Must be Submitted in Writing

All Refund Requests are to be Made in Writing	-	Cost-Recovery	N			Refund of fee – All Requests Must be Submitted in Writing
Assessment Not Commenced	-	Cost-Recovery	N	ninety (90) per cent of the application fee		Ninety (90) per cent of the application fee
Assessment Commenced but not Completed	-	Cost-Recovery	N	sixty (60) per cent of the application fee		Sixty (60) per cent of the application fee
Assessment Completed	-	Cost-Recovery	N	Inspection fee only		Inspection Fee Only

## Land Protection

### Natural Resource Management

#### Land Rehabilitation (Community Nursery Sale of Plants)

Native Plants (50mm tube)	P3422.000.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	Y	each	\$2.60
Native Plants (50mm tube) Bulk Orders	P3422.000.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	Y	each if order over 500 plants	Price on Application, over 500 plants
Native Plants (100mm pot)	P3422.000.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	Y	each	\$3.50
Native Plants in other Size Pots	P3422.000.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	Y	each	POA

### Pest Management

Declared Weeds Search	P3420.491.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	N	each	\$47.00
Copy Pest Survey Program	P3420.491.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	N	each	\$5.00
Viewing of Pest Control & Entry Notice	P3420.491.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	N	each	\$31.00
Application to Extend Compliance Under Pest Control Notice	P3420.491.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	N	per application	\$66.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Pest Management [continued]

Vehicle Washdown Inspection for Weed Seeds	P3420.491.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	N	per hour	\$179.00
Treatment of Declared Weeds on Private Land	P3420.491.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	N	per job	Price On Application
Treatment of Mosquitoes or Vermin on Private Land in Exceptional Circumstances	P3420.491.1111	Local Government Act 2009   S262 (3) (c)	Cost-Recovery	N	per job	Price On Application

## Environmental Health

### Food Act 2006

Category 1 - Businesses with breakfast preparation only (as part of accommodation activity), fruit and vegetable cutting only, ice-cream only, food vehicles manufacturing non-potentially hazardous foods only, drinking-water carriers and food stores with pies or similar only

Category 2 - Hotels, resorts, restaurants, clubs, supermarkets and similar medium-large premises, takeaway food bars, cafes, bakeries, small convenience stores and similar small-medium premises, food vehicles manufacturing potentially hazardous food

Category 3 - Large supermarkets

### Food Business Licence Application Only (i.e. No Food Safety Program)

Category 1	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$472.00
Category 2	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$743.00
Category 3	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$963.00
Short Term Food Licence (per event) in the LSC Local Government Area	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$84.00
Short Term Licence (3 months – no renewal)	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	30 per cent of the relevant Food category business application fee

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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#### Food Business Licence Application Only (i.e. No Food Safety Program) [continued]

Short Term Licence (6 months – no renewal)	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	60 per cent of the relevant Food category business application fee
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#### Food Business Licence Application with Food Safety Program

Category 1	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$1,033.00
Category 2	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$1,304.00
Category 3	P3410.126.1115	Food Act 2006   Sections 31 & 88	Cost-Recovery	N	per application	\$1,524.00

#### Annual Food Business Licence Renewal

Category 1	P3410.126.1115	Food Act 2006   Sections 31 & 88	Cost-Recovery	N	per application	\$178.00
Category 2	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$314.00
Category 3	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$429.00

#### Food Business Licence Restoration – Restoration of Lapsed Licence due to Non-Renewal

Category 1	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$357.00
Category 2	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$493.00
Category 3	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$608.00

#### Food Business Licence Amendment

Amendment of Licence Details – For example Licensee name, contact details.	P3410.126.1115	Food Act 2006   Sections 31 & 102 (3)	Cost-Recovery	N	per application	\$89.00
Amendment of Premises Location – Full assessment of premises for new location.	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	Refer to relevant Food Business Licence Application fee



Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Australia New Zealand Food Standards Code

Water Analysis	P3410.126.1115	Australia New Zealand Food Standards Code   Chpt 3 Standard 3.2.3	Cost-Recovery	N	per sample	At per cost
Water analysis - sample taken onsite by Environmental Health Officers and processed in accredited laboratory						

### Other

Application for Major Amendment of an Accredited Food Safety Program	P3410.126.1115	Food Act 2006   Sections 31 & 112	Cost-Recovery	N	per amendment	\$385.51
Application for Minor Amendment of an Accredited Food Safety Program	P3410.126.1115	Food Act 2006   Section 31	Cost-Recovery	N	per amendment	\$182.75
Replacement of Lost or Damaged Food Business Licence	P3410.126.1115	Food Act 2006   Section 49 Part 2	Cost-Recovery	N	per application	\$60.00
Application for Minor Material Alteration of Premises – Minor material amendments to food business premises	P3410.126.1115	Food Act 2006   Sections 31 & 85	Cost-Recovery	N	per assess	\$203.00
Application for Major Material Alteration of Premises – Major material amendments to food business premises	P3410.126.1115	Food Act 2006   Sections 31 & 85	Cost-Recovery	N	per assess	\$592.00
Application for Accreditation of a Food Safety Program only	P3410.126.1115	Food Act 2006   Sections 31 & 102 (3)	Cost-Recovery	N	per application	\$562.00
Food Safety Plan Non-Conformance Audit Inspection	P3410.126.1115	Food Act 2006   Sections 31 & 160	Cost-Recovery	N	per inspection	\$179.00
Additional Inspections	P3410.126.1115	Food Act 2006   Section 31	Cost-Recovery	N	per inspection	\$179.00
Food Safety Program Audit	P3410.126.1115	Food Act 2006   Section 31	Cost-Recovery	N	per hour	\$170.00

### Environmental Protection Act 1994 & Sustainable Planning Act 2016

Application for assessment of a development application for 1 or more concurrence Environmentally Relevant Activity	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$638.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Request under the Planning Act to do any of the following where Environmentally Relevant Activities are Involved

a) Extend a currency period for a development approval	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$319.00
b) Change a Development Approval	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$319.00
Application for environmental authority EP Act (125(1)(e))	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$638.00
Application to change environmental authority, other than an application for a minor change or a change approved by the administering authority EP Act (132(1)(b))	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$319.00
Amendment application for environmental authority (EP Act 226(1)(c))	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$319.00
Application to change amendment application for environmental authority EP Act 236(b)	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$319.00
Amalgamation application EP Act 246(e)	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$319.00
Transfer application for environmental authority for a prescribed ERA EP Act 253(f)	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$130.00
Conversion application EP Act 696 (b)	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$319.00

### Annual Fee for Registration Certificate

Note: Highest fee is charged for multiple activities

ERA 6 Asphalt Manufacturing Threshold 2	P3410.128.1115	Environmental Protection Act   Section 514	Cost-Recovery	N	per application	\$3,336.00
ERA 49 Boat Maintenance or Repair	P3410.128.1115	Environmental Protection Act   Section 514	Cost-Recovery	N	per application	\$1,772.00
ERA 19 Metal Forming	P3410.128.1115	Environmental Protection Act   Section 514	Cost-Recovery	N	per application	\$265.00
ERA 12 Plastic Product Manufacturing Threshold 1	P3410.128.1115	Environmental Protection Act   Section 514	Cost-Recovery	N	per application	\$2,914.00
ERA 12 Plastic Product Manufacturing Threshold 2	P3410.128.1115	Environmental Protection Act   Section 514	Cost-Recovery	N	per application	\$5,623.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Annual Fee for Registration Certificate [continued]

ERA 38 Surface Coating Threshold 1	P3410.128.1115	Environmental Protection Act   Section 514	Cost-Recovery	N	per application	\$1,046.00
ERA 61 Waste Incineration & Thermal Treatment	P3410.128.1115	Environmental Protection Act   Section 514	Cost-Recovery	N	per application	\$265.00

### Other

Late Payment Fee – Late payment of annual fee for Registration Certificate	P3410.128.1115	Environmental Protection Act   Schedule 15 Fees – EP Regs 2019	Cost-Recovery	N	per application	\$130.00
Anniversary Changeover Application	P3410.128.1115	Environmental Protection Act   Section 514 EP Act & S138 of EP Reg 2019	Cost-Recovery	N	per application	Available on application
Fees for termination of suspension of Environmental Authority	P3410.128.1115	Environmental Protection Act   Section 514 EP Act & S140 of EP Reg 2019	Cost-Recovery	N	per application	Available on application
Application for consideration of a draft Transitional Environmental Programme	P3410.128.1115	Environmental Protection Act   Section 514 EP Act & S140 of EP Reg 2019	Cost-Recovery	N	per application	\$321.00
Transitional Environmental Programme (TEP) and monitoring compliance with Transitional Environmental Programme	P3410.128.1115	Environmental Protection Act   Section 514 EP Act & S140 of EP Reg 2019	Cost-Recovery	N	per assess	\$331.00

### Public Health (ICPAS) Act 2003

Application for Higher Risk Personal Appearance Licence – including change to location or adding additional premise	P3410.130.1115	Public Health (Infection Control for Personal Appearance Services) Act 2003   Section 9 & section 58	Cost-Recovery	N	per application	\$435.00
Annual Higher Risk Personal Appearance Licence Renewal	P3410.130.1115	Public Health (Infection Control for Personal Appearance Services) Act 2003   Section 9 & section 58	Cost-Recovery	N	per site	\$254.00
Amendment of Licence – change to licensee or contact details	P3410.130.1115	Public Health (Infection Control for Personal Appearance Services) Act 2003   Section 9 & section 58	Cost-Recovery	N	per application	\$89.00
Transfer of Licence – to proposed transferee	P3410.130.1115	Public Health (Infection Control for Personal Appearance Services) Act 2003   Section 9 & section 58	Cost-Recovery	N	per application	\$89.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Public Health (ICPAS) Act 2003 [continued]

Replacement of Licence	P3410.130.1115	Public Health (Infection Control for Personal Appearance Services) Act 2003   Section 9 & section 61	Cost-Recovery	N	per application	\$60.00
Inspection Fee – for inspection after a remedial notice	P3410.130.1115	Public Health (Infection Control for Personal Appearance Services) Act 2003   Section 110	Cost-Recovery	N	per inspection	\$179.00
Inspection of Non-Higher Risk Personal Appearance Premises	P3410.130.1115	Public Health (Infection Control for Personal Appearance Services) Act 2003   Section 105 & Section 107	Cost-Recovery	N	per inspection	\$179.00

Complaint based compliance inspection (subsequent to initial inspection)

### Residential Services (Accreditation) Act 2002

Note: If a new application both the Health Inspection and Health Plan Assessment fees are payable

Notice of compliance inspection under Residential Services (Accreditation) Act 2002	P3410.133.1115	Residential Services (Accreditation) Act   Section 29	Cost-Recovery	N	per application	\$179 per hour or part thereof per inspection
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**Residential Services (Accreditation) Act 2002 section 28 - regulation may provide for requirements (the prescribed building requirements), for premises in which a residential service is being, or is proposed to be, conducted, for ensuring the premises are safe and suitable for use in providing accommodation in the course of the residential service.**

Health Plan Assessment under Residential Services (Accreditation) Act 2002	P3410.133.1115	Residential Services (Accreditation) Act   Section 29	Cost-Recovery	N	per application	\$221 + \$87/hour for application
Compliance Inspection	P3410.133.1115	Residential Services (Accreditation) Act   Section 29	Cost-Recovery	N	per request	\$197 per inspection first hour and per hour or part thereof after

Associated with compliance notice

### Environment & Public Health Record Search

Activity/Facility Records Search – current status of licence/registration records only (i.e. no inspection report)	P3410.140.1115	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per application	\$94.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Environment & Public Health Record Search [continued]

Single Activity/Facility Search & Inspection – current status of licence records and current inspection report where applicable	P3410.140.1115	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per application	\$314.00
Multiple Activity/Facility Search & Inspection – current status of licence records and current inspection report where applicable for multiple activities at the one premises (e.g. ERA & Food at the one premises)	P3410.140.1115	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per application	\$586.00

### Refunds

#### All Requests Must be Submitted in Writing

Application withdrawn prior to information request	Food Act Food ActP3410.126.1115 Environmental Protection Act and Sustainable Planning ActP3410.128.1115 Public Health ActP3410.130.1115 Residential Services ActP3410.133.1115 Environment and Public Health Record SearchP3410.140.1115	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per application	80 per cent of the application fee
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Refunds [continued]

Application withdrawn after information request	Food Act Food ActP3410.126.1115 Environmental Protection Act and Sustainable Planning ActP3410.128.1115 Public Health ActP3410.130.1115 Residential Services ActP3410.133.1115 Environment and Public Health Record SearchP3410.140.1 115	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per application	50 per cent of the application fee
Application withdrawn prior to the issue of the Decision Notice	Food Act Food ActP3410.126.1115 Environmental Protection Act and Sustainable Planning ActP3410.128.1115 Public Health ActP3410.130.1115 Residential Services ActP3410.133.1115 Environment and Public Health Record SearchP3410.140.1 115	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per application	10 per cent of the application fee

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Refunds [continued]

Application refused	Food Act Food ActP3410.126.1115 Environmental Protection Act and Sustainable Planning ActP3410.128.1115 Public Health ActP3410.130.1115 Residential Services ActP3410.133.1115 Environment and Public Health Record SearchP3410.140.1 115	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per application	No refund
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### Strategic Planning

#### Planning Certificates

Limited (includes overlays)	P3200.947.1105	Planning Act 2016   Section 265	Cost-Recovery	N	per lot	\$208.00
Standard	P3200.947.1105	Planning Act 2016   Section 265	Cost-Recovery	N	per lot	\$975.00
Full	P3200.949.1105	Planning Act 2016   Section 265	Cost-Recovery	N	per lot	\$1,991.00
Misc Documents	P3200.949.1105	Local Government Act 2009   Part 6 S262 (3)(c)	Cost-Recovery	N	per copy	Quote

#### Planning Scheme

Electronic copy	P3200.950.1105	Sustainable Planning Act 2009   Section 724	Cost-Recovery	N	per copy	\$21.00
Hard copy	P3200.952.1105	Sustainable Planning Act 2009   Section 724	Cost-Recovery	N	per copy	\$361.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Miscellaneous

Any other service that is not specified and which Council has the resource capacity to provide	P3200.949.1105	Local Government Act 2009   Part 6 S262 (3)(c)	Cost-Recovery	N	per lot	Quote
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### Cemeteries

#### Lawn & Monumental Cemeteries

#### Cemetery Application for Monumental, Lawn and Inurnment of Ashes in all Livingstone Shire Council

a) Burial site fee – grave	Yeppoon A.0035917.002.112 3 – Emu Park A.0035907.002.112 3 – Cawarral A.0036080.002.112 3 – Joskeleigh A.0200479.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial site	\$768.00
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Not applicable if the burial site was reserved prior to 1 July 2008

Not applicable if an arrangement for a prepaid burial has been entered into with Council

If the burial site is non-standard depth, reduce the burial site fee by 40%

b) Burial fee (lawn)	Cemetery Operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial	\$1,293.00
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Not applicable if an arrangement for a prepaid burial has been entered into with Council

c) Burial fee (monumental)	Cemetery Operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	per burial	\$2,309.00
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Not applicable if an arrangement for a prepaid burial has been entered into with Council

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Cemetery Application for Monumental, Lawn and Inurnment of Ashes In all Livingstone Shire Council [continued]

d) Inurnment of ashes in a grave	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per inurnment	\$218.00
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### Columbarium (Yeppoon and Emu Park)

#### Application for a Permit – Bringing & Disposing of Human Remains

a) Burial site fee – single niche	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial site	\$172.00
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Not applicable if the burial site was reserved prior to 1 July 2008

Not applicable if an arrangement for a prepaid burial has been entered into with Council

b) Burial site fee – double niche (Emu Park only)	Yeppoon A.0035917.002.112 3 – Emu Park A.0035907.002.112 3 – Cawarral A.0036080.002.112 3 – Joskeleigh A.0200479.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial site	\$335.00
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Not applicable if the burial site was reserved prior to 1 July 2008

Not applicable if an arrangement for a prepaid burial has been entered into with Council

c) Inurnment of ashes and installation of plaque by Council	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per inurnment	\$318.00
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Not applicable if an arrangement for a prepaid burial has been entered into with Council

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Yeppoon Ashes Garden

### Application for a Permit – Bringing & Disposing of Human Remains

a) Burial site fee	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per site	\$335.00
Not applicable if an arrangement for a prepaid burial has been entered into with Council						
b) Inurnment of ashes by Council	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per inurnment	\$218.00
Not applicable if an arrangement for a prepaid burial has been entered into with Council						

## Memorials

### Application for a Permit – Memorials

a) Fee for Council to install plaque in lawn cemetery on behalf of burial right holder or next of kin (excludes granite plaques)	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per installation	\$113.00
b) Permit to: (1) Carry out maintenance or repair work on a memorial; (2) Erect or install a memorial in monumental cemetery, lawn cemetery (granite plaque) or ashes garden; or (3) Alter an existing memorial,	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per application	\$192.00
c) Fee for Council to install plaque on Remembrance Wall	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	per installation	\$96.00



Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Application to Undertake Regulated Activities Regarding Human Remains</b>						
a) Application for approval to disturb human remains buried outside a cemetery	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per application	\$78.00
b) Application for approval to bury or dispose of human remains (excluding cremated remains) outside a cemetery	Cemetery operation A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per application	\$271.00
c) Disturb/exhume Human Remains (excluding cremated remains) in a Local Government Cemetery – Monumental – i) Application for approval; or ii) Order from State Coroner where the exhumation occurs within 6 days or after 1 year of the burial and the burial site has no memorial	Yeppoon A.0035917.002.112 3 – Emu Park A.0035907.002.112 3 – Cawarral A.0036080.002.112 3 – Joskeleigh A.0200479.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per application	\$2,362.00
d) Disturb/exhume Human Remains (excluding cremated remains) in a Local Government Cemetery – Lawn i) Application for approval; or ii) Order from State Coroner where the exhumation occurs within 6 days or after 1 year of the burial and the burial site has no memorial	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per application	\$1,346.00
e) Application for approval to disturb human remains (cremated remains) in a local government cemetery (Council to recover cremated remains)	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per recovery	\$218.00
Does not apply to an order from the State Coroner						

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Reservations

### Application for a Permit – Reserve a Burial Site

a) Lawn	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial site	\$2,061.00
If the burial site is non-standard depth, reduce the burial site fee by 40%						
b) Monumental	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial site	\$3,077.00
If the burial site is non-standard depth, reduce the burial site fee by 40%						
c) Single niche	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial site	\$490.00
d) Double niche (Emu Park only)	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial site	\$653.00
e) Ashes Garden	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial site	\$552.00

## Miscellaneous

a) Additional charge for burial outside the hours of 9am to 4pm (Monday to Friday)	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	per burial	\$377.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Miscellaneous [continued]

b) Saturday burial fee (Yeppoon or Emu Park)	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per burial	\$747.00
c) Saturday burial fee (Joskeleigh or Cawarral)	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per application	\$853.00
d) Application for restrictions or closure of a burial site	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per application	TBA
e) Application to retain or relinquish a burial right	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per application	TBA
f) Installation by Council of a concrete cover in a grave where minimum earth cover cannot be achieved	Cemetery operations A.0035917.002.112 3	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per installation	\$429.00

### Car Wash

#### Yeppoon Town Centre Car Wash

#### Multilevel Car Park – Car Wash Facility

Car Wash Fees	A.0433934.303.112 4	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	per 1 minute 20 seconds	\$1.00
Vacuum Fees	A.0433934.303.112 4	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	per 2 minutes	\$1.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Infrastructure

### Gates and Grids

#### Notes:

1. Installation not included.
2. Fittings, and therefore cost, may be reduced, depending on construction materials for grids.

Application Fee	P4320.427.1110	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$200.00
Application for Permit Renewal Fee	P4320.427.1110	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$85.00
Gate Sign	P4320.427.1110	Local Government Act 2009   Part 6 S262 (3)(c)	Cost-Recovery	Y	each	At cost
Recover cost for purchase of materials only.						
2 Advance Warning Signs, 4 Hazard Markers, and All Posts and Brackets	P4320.427.1110	Local Government Act 2009   Part 6 S262 (3)(c)	Cost-Recovery	Y	each	At cost
Recover cost of purchasing materials only.						
4 Hazard Markers, and all Posts and Brackets	P4320.427.1110	Local Government Act 2009   Part 6 S262 (3)(c)	Cost-Recovery	Y	each	At cost
Recover cost of purchasing materials only.						

### Road Reserve – Works (which are not part of a subdivision)

Driveway/Property Access – Permit	P4320.429.1110	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$113.00
Recover costs to process application. Only for driveway / property access applications that are not associated with Operational Works.						
Minor Operational Works (Access Driveways) stormwater drainage, erection of a structure.	P4320.429.1110	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per application	\$113.00



Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Rural Addressing

Additional or Replacement Rural Addressing Sign	P4320.428.1110	Local Government Act 2009   Part 6 S262 (3)(c)	Cost-Recovery	N	per sign	\$119.00
Recover cost of materials and installation - technical officer plus vehicle.						
Supply and Installation of Rural Addressing Sign Required as a Result of Development	P4320.428.1110	Local Government Act 2009   Part 6 S262 (3)(c)	Cost-Recovery	N	per sign	\$119.00
recover cost of materials and installation - technical officer plus vehicle.						

### Management of Vegetation on Council Controlled Land – Prescribed Activities

(i) Installing, changing, damaging or removing a structure in a Council controlled area (Assets)	P4320.429.1110	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per permit	\$113.00
(ii) Installing, changing, damaging or removing a structure on a road (Operations)	P4320.429.1110	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per permit	\$113.00
(iii) Planting, clearing or damaging of vegetation in a Council controlled area (Parks & Reserves or Cemeteries)	P4320.429.1110	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per permit	\$113.00
(iv) Planting, clearing or damaging of vegetation on an urban road (Construction & Maintenance)	P4320.429.1110	Local Government Act 2009   Council Local Law	Cost-Recovery	N	per permit	\$113.00

### Miscellaneous Signage

Directional Signage	P4320.429.1110	Local Government Act 2009   Part 6 S262 (3)(c)	Cost-Recovery	Y	per sign	\$0.00
recover cost of materials only.						

### Building Over Relevant Infrastructure

Initial Application Fee	P4330.199.1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per assessment	\$265.00
applies per assessment - an application may consist of multiple assessments.						

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Building Over Relevant Infrastructure [continued]

Pre-Construction CCTV Inspection	P4330.202.1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per inspection	\$680.00
CCTV inspection required pre and post construction. This fee is for pre construction and includes CCTV inspection by contractor plus technical officer. Allowances made for administration costs and vehicle.						
Post Construction CCTV Inspection	P4330.199.1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per inspection	\$680.00
Additional Analysis for New Development and Report	P4330.199.1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per assessment	POA

## Maps

### GIS Mapping Products

#### Hourly Rate – Customised Mapping Products, Data Creation, Extraction, Conversion

GIS Consultancy	P4504.000.1110	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	Minimum 1 Hr	\$144.00
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#### Road Register

Full Shire	P4504.000.1110	Local Government Act 2009   Council Local Law	Cost-Recovery	N	each	\$62.00
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#### LIDAR, Aerial Imagery Products – per Tile

Contours (0.25, 0.5, 1, 5 or 10m), DEM, Aerial Imagery supplied as full tiles only	P4504.000.1110	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	1km2	\$12.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Waste & Recycling

### Waste Management – Transfer Facilities

#### Domestic Waste Disposal

Minimum Domestic Charge per Delivery	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarra 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	\$7.50
Garbage Bag or 1/2 full 240L MGB	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarra 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	\$8.50

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Domestic Waste Disposal</b> [continued]						
Per Car Boot – Sedan, SUV or Station Wagon / 240L MGB	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	\$14.00
2 * 240L MGB	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	\$24.00
Trailer (6'X4') / Utility / Tray Back / Van	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	\$24.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Domestic Waste Disposal</b> [continued]						
Larger Trailer or 6'X4" Trailer/ Ute Using Hungry Boards	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	\$35.00
Tyres	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tyre	\$8.00
Tyre on Rim	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tyre	\$16.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Domestic Waste Disposal</b> [continued]						
Light Truck Tyre	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tyre	\$20.00
Mattress – up to single size	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	mattress	\$7.00
Mattress – larger than single size	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	mattress	\$10.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Domestic Waste Disposal</b> [continued]						
White Goods (Refrigerators/Air Con Units with Refrigerant)	Yeppoon 24739.668.1120 Emu Park 24819.667.1120 Cawarral 24851.667.1120 The Caves 24835.667.1120 Byfield 24867.667.1120 Marlborough 24883.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	Per Unit	\$8.00
Weight Fee if Weighbridge Facility is Available	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$155.00
Volume Fee if Weighbridge Facility Not Available	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	cubic metre	\$46.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Domestic Greenwaste Disposal</b>						
Garbage Bag or 1/2 Full 240L MGB	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	No Charge
Per Car Boot – Sedan, SUV or Station Wagon / 240L MGB	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	No Charge
Trailer (6'X4') / Utility / Tray Back / Van	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	No Charge

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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**Domestic Greenwaste Disposal** [continued]

Larger Trailer or 6'X4" Trailer/ Ute using Hungry Boards	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	No Charge
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**Commercial Waste Disposal**

Minimum Commercial Charge per Delivery	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	\$12.00
Commercial Waste (Tonne) – Non Recyclable	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$243.00
Commercial Waste (Volume) – Non Recyclable	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	cubic metre	\$121.50
White Goods (Refrigerators/Air Con Units with Refrigerant)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	Per Unit	\$8.00

**Other**

Inert Waste (Soil, Concrete, Reinforcing Steel Mix)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$131.00
Contaminated Soil (Capable of Direct Burial – Approved by Council)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$384.00
Concrete – Clean (Uncontaminated) – Public	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$120.00
Concrete – Clean (Uncontaminated) – Council	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$120.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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**Other** [continued]

Asphalt – Clean (Uncontaminated)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$25.00
Pallet Waste – Clean (Uncontaminated)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$51.00
Timber – Clean (Uncontaminated)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$51.00
Clean Fill (Suitable for Daily Cover & Cell Walls – Free of any Contaminates)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	No Charge
Water / Soil Mix – Clean – Public & Council	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$56.00

**Approved Noxious or Hazardous Waste**

Asbestos or Other Approved Hazardous Waste (Asbestos Disposal is Limited to Yeppoon Landfill Only)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$305.00
Sewerage & Water Treatment Sludge	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$179.00
Street Sweepings	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$56.00

**Special Burials**

Small Animals (Dogs, Cats, etc)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	\$40.00
Medium Animals (Sheep, Pigs, Goats, etc)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	Each	\$82.00
Large Animals (Horse, Cattle, etc)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	Each	\$161.00
Special Burials (by prior arrangement)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	tonne	As per quote

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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**Commercial Greenwaste Disposal**

Commercial Greenwaste – minimum charge	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	cubic metre	\$5.00
Commercial Greenwaste – small quantities or if weighbridge not available (Volume)	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	cubic metre	\$5.00
Commercial Greenwaste (Tonne)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$30.00

**Sorted and Clean Recyclables**

Re-saleable Items (as determined by Tip Shop Contractor)		Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Cardboard – Clean (Uncontaminated)		Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Comingled Recyclables (Domestic Only)	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
E-Waste (TV's, Computers, Printers, Monitors, Keyboards, Modems – Whole Items Only)		Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Gas Bottles		Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	transaction	
Fire Extinguishers		Local Government Act 2009   Part 6 S262 (3)(*)	Commercial	Y	transaction	

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Sorted and Clean Recyclables [continued]

Scrap Metal ( Including Car Bodies )	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Automotive Batteries – less than 5	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Oil – Less than 20L per visit	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Sorted and Clean Recyclables [continued]

Solvents & Turps – Less than 20L per visit	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Domestic Cooking Oils & Fats	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	

### Resource Recovery Sales

Mulch Sales – Standard Grade – Cubic Metre (Supply Only – Does Not include Loading)	Yeppoon 24739.668.1120 Emu Park 24819.667.1120 Cawarral 24851.667.1120 The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	cubic metre	\$10.00
Mulch Sales – Standard Grade – Tonne (Supply Only – Does Not include Loading) – (Density approx 0.5T/m3)	Yeppoon 24739.668.1120 Emu Park 24819.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$20.00

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Livingstone Shire Council - Fees and Charges 2020/21 | Page 100 of 110

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Resource Recovery Sales [continued]

Mulch Sales – Fine Grade – Cubic Metre (Supply Only – Does Not include Loading) – Subject to Availability	Yeppoon 24739.668.1120 Emu Park 24819.667.1120	-	Commercial	Y	cubic metre	\$25.00
Mulch Sales – Fine Grade – Tonne (Supply Only – Does Not include Loading) – Subject to Availability – (Density approx 1.0T/m3)	Yeppoon 24739.668.1120 Emu Park 24819.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$25.00

### Mulch – Loading

Council Loading Fee (Commercial Vehicles)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	tonne	\$5.00
Council Loading Fee (Ute/Trailer)	Yeppoon 24739.668.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	Transaction	\$5.00
Customer Loading Mulch	Yeppoon 24739.668.1120 Emu Park 24819.667.1120 Cawarra 24851.667.1120 The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	Transaction	No Charge
Free Loading Mulch Days (Domestic Utes and Trailers Only)	Yeppoon 24739.668.1120 Emu Park 24819.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	Transaction	No Charge

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Prohibited Wastes

Batteries – over 5 per drop off	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Oil – over 20L per drop off	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Solvents & Turps – over 20L per drop off	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
<b>Prohibited Wastes</b> [continued]						
Unknown Chemicals	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Commercial Cooking Oils & Fats	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
Bitumen	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Prohibited Wastes [continued]

Regulated Waste & Liquid Waste	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	transaction	
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## Waste Collection Charges

New Wheelie Bin	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	bin	\$99.00
Missed Collection (returned to service)	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarral 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	service	\$20.00

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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Waste Collection Charges [continued]

One Off Collection (i.e. carnivals, special events) including bin delivery, recovery and cleansing	Yeppoon 24739.668.1120 – Emu Park 24819.667.1120 – Byfield 24867.667.1120 Cawarra 24851.667.1120 – Marlborough 24883.667.1120 – The Caves 24835.667.1120	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y		As per quote
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Note: Council requires 48 hours notice to provide this service

### Water Connections

#### Water Connection Fee

New Subdivision Connections that have Ball Valve & Raised to 300mm Below Ground (20mm metered service)	P____-183-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	Per Connection	\$530.00
All Water Service for Residential Properties within Declared Water Service Area Excluding First Connection in New Subdivisions	P____-183-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	Per Connection	As per quote
All Other Connections	P____-183-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	Per Connection	As per quote
Rockhampton to Yeppoon Pipeline Service Connections	P7600-183-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	Per Connection	\$10,550.00

#### Water Disconnections

Water Service Disconnection	P____-184-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	Per Connection	\$530.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Metered Services

Relocate Standard Water Service to Box on Footpath (same alignment)	P_____185-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	Each	\$265.00
Meter Box Replacements	P_____185-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	Each	As per quote

### Water Meter Verification Tests

Water Meter Verification Test – NATA Lab Test	P_____187-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per test	\$400.00
Water Meter Verification Test – On-site with Calibrated Meter	P_____187-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per test	\$190.00

### Water Main Pressure & Flow Test

Hydrant Pressure and Flow Tests (Tests are conducted from street hydrants located adjacent to development site)	P_____189-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per test	\$510.00
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### Water or Sewer Reticulation Network Analysis

Carry Out Water or Sewer Reticulation Network Analysis for New Development & Report	P4310-190-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per hour or part thereof	As per quote
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### Watermain/Service Locations

Water Main/Service locations (not potholed)	P_____193-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	Y	per hour or part thereof	\$170.00
Water Main/Service locations (potholed)	P_____193-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	Y		As per quote

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Metered Hydrant Standpipe Hire

Security Deposit/Bond	P9200-996-6518	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per standpipe hired	\$2,000.00
Standpipe Hire (weekly hire charge)	P7600-195-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per week or part thereof (more than 1 day)	\$30.00
Standpipe Hire (monthly hire charge)	P7600-195-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	Monthly	\$84.00
Water Usage Rate (R)	P7600-196-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per kl	\$2.80

### Metered Recycled Water

Commercial Users (as per agreement)	-			N	per Kl	\$0.17
NFP Club (as per agreement)	-			N		\$0.06
Recycled Water Consumption Charges	-			N	per Kl	\$0.17

### Sale of Water by Metered Supply for Jettys

Access Charges	P7600-211-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	yearly	In accordance with rate & charges set in revenue statement
Consumption Charges	P7600-211-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per kilolitre	In accordance with rate & charges set in revenue statement

### Sub Metering

Supply of 20mm Water Meter c/w Tails and Bushes	P7600-214-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	Each	\$66.00
Application for Sub-meter Certification	P7600-214-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per inspection	\$225.00

Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Special Water Meter Reads

Special Water Meter Reading (Onsite Inspection) **move to Property Searches 20/21 **	P7600-244-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per property	\$105.00
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### Sewerage Connections

Sewer Connections/Disconnections	P7800-197-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	as per quote	As per quote
Sewer Main Locations	P7800-198-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	Y	per hour	\$164.00

### Water/Sewerage Plans – Copy

A4 Water Plan	P7800-200-1121	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per plan	\$33.00
A4 Sewer Plan	P7800-200-1121	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per plan	\$33.00
A4 Houeline Blockage Plan	P7800-200-1121	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per plan	\$33.00
All Other Plan Sizes	P7800-200-1121	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	N	per plan	\$33.00
CCTV Sewer Inspections	P7800-202-1121	Local Government Act 2009   Part 6 S262 (3)(c)	Commercial	Y	per hour or part thereof	As per quote

### Bulk Liquid Waste Disposal

Commercial Load (minimum charge of 1 kilolitre)	P7800-204-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per kilolitre	\$53.00
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### Trade Waste Fees

Trade Waste Application Fee	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per application	\$222.00
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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## Annual Licence Fee

### Category 1

Annual Fee	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per annum	\$207.00
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### Category 2

Annual Fee	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per annum	\$207.00
Volumetric Rate (minimum)	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per kilolitre	\$1.20

### Category 3

Annual Fee	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per annum	\$305.00
Volumetric Rate (minimum)	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per kilolitre	\$1.20
BOD5 Rate	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per kilolitre	\$2.00
Suspended Solids Rate	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per kilolitre	\$2.00

## Miscellaneous Trade Waste Fees

Trade Waste Officer – Charge Out Rate	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per hour or part thereof	\$146.00
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Minimum charge is 1 hour and this rate shall apply to all sampling programs and inspections required as a result of non compliance with an Approval

Testing Fees	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	as per quote	As per quote
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To be applied in conjunction with Trade Waste Officer charge out rate

## Penalty Charges

For all parameters: d = 1.2	P7800-205-1121	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per kilogram	\$2.10
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Name	Account Number	Legislative Authority	Fee Type	GST	Charge Basis	Year 20/21 Fee (incl. GST)
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### Headworks Contribution Policy

Livingstone Shire planning scheme and applicable/relevant to development permits issued prior to the adopted infrastructure charges resolution, November 2011.

Refer to town planning section

Refer to policy W1.1 or PSP5 as appropriate for the development approval permit. Headworks charges are CPI based.	C.0688556-248-141 8 Water	Local Government Act 2009   Part 2 S97 (2)(c)	Cost-Recovery	N	per unit	As per quote
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**12.5 ANNUAL PROCUREMENT POLICY**

**File No:** Procurement  
**Attachments:**  
**Responsible Officer:** Andrea Ellis - Chief Financial Officer  
**Author:** Rachel Jackson - Coordinator Procurement

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**SUMMARY**

*This report presents the Procurement Policy, which Council has a legislative obligation to adopt on an annual basis.*

**OFFICER'S RECOMMENDATION**

THAT the Procurement Policy be adopted as required under section 198 of the *Local Government Regulation 2012*.

**BACKGROUND**

A local government is required to review its procurement policy annually under section 198 of the *Local Government Regulation 2012*. This report provides for this annual review. There are no proposed amendments for the existing policy.

The policy (Attachment 1) applies to the procurement of all goods, services, equipment, construction contracts and service contracts. Procurement is an essential function to advance the priorities and outcomes of Council and must be conducted in a manner that achieves value for money with probity and accountability. In doing so, Council must also meet legislative obligations under the *Local Government Act 2009* and *Local Government Regulation 2012*.

**COMMENTARY**

The Procurement Policy sets out Council's policy position on having regard to the sound contracting principles as required by section 104 of the *Local Government Act 2009*; the application of minimum quotation thresholds, and how Council will establish and access buying arrangements.

**PREVIOUS DECISIONS**

The Procurement Policy was previously adopted in March 2019.

**ACCESS AND INCLUSION**

There are no access and inclusion considerations or implication.

**ENGAGEMENT AND CONSULTATION**

Internal engagement and consultation was undertaken to develop the report.

**HUMAN RIGHTS IMPLICATIONS**

There are no human rights implications.

**BUDGET IMPLICATIONS**

Having a robust procurement policy framework ensures that wherever possible Council will receive value for money in its purchasing processes and procedures

**LEGISLATIVE CONTEXT**

Council is required to review and adopt the Procurement Policy on an annual basis under s198 of the *Local Government Regulation 2012*.

Council also publicly displays awarded contracts over \$200,000 (excluding GST) in accordance with Section 237 of the *Local Government Regulation 2012* on Council's website and a noticeboard in the customer service centre in Yeppoon.

**LEGAL IMPLICATIONS**

No legal implications

**STAFFING IMPLICATIONS**

Training of staff is essential for compliance with the policy documents. Regular training is in place to address the different training and development needs of those responsible and/or accountable for purchasing decisions.

**RISK ASSESSMENT**

The Procurement Policy and Purchasing Directive direct the implementation of internal controls to ensure compliance with legislation and policy. Sufficient internal controls are established for assurance purposes, including reviews and, both internal and external audit of procurement processes with reports to the Executive Leadership Team on any non-compliance identified within the Purchasing Policy and/or Procurement Directive.

**CORPORATE PLAN REFERENCE*****Leading Livingstone***

*Community Plan Goal 4.2 - Collaboration and partnerships to advocate for the needs of the community*

*4.2.1 Build and maintain strong, collaborative, and co-operative relationships across all levels of government, industry, business and community.*

**CONCLUSION**

Council has a legislative obligation to adopt its Procurement Policy on an annual basis for the acquisition of goods and services and application to all procurement activities of Council. Consistent application and adherence to the Policy and supporting policy documents ensures that Council's purchasing is accountable and transparent.

## **12.5 - ANNUAL PROCUREMENT POLICY**

### **Procurement Policy**

**Meeting Date: 16 June 2020**

**Attachment No: 1**





## PROCUREMENT POLICY

### (STATUTORY POLICY)

#### 1. Scope

The Procurement Policy (this 'Policy') sets out Council's policy for the procurement of goods and services and applies to the procurement of all goods, equipment and related services, construction and service contracts (including maintenance).

The Procurement of all goods and services by Council must be carried out in accordance with the *Local Government Act 2009* (the 'Act') and the *Local Government Regulation 2012* (the 'Regulation'). It is the responsibility of all Council officers to understand the meaning and intent of this Policy and comply with its provisions.

#### 2. Purpose

Council procurement activities aim to achieve advantageous procurement outcomes by:

- a) promoting value for money with probity and accountability; and
- b) advancing Council's economic, social and environmental policies; and
- c) providing reasonable opportunity for competitive local business that comply with relevant legislation to supply Council; and
- d) promoting compliance with relevant legislation.

#### 3. References (legislation/related documents)

##### Legislative references

*Local Government Act 2009*

*Local Government Regulation 2012*

##### Related documents

Purchasing Directive

#### 4. Definitions

To assist in interpretation, the following definitions shall apply:

Buying Arrangements	Exceptions under the legislation that enable Council to reduce Minimum Quotation Thresholds.
Council	Livingstone Shire Council.
Council Officer	An individual that is paid to perform work for Council.
Procurement	The end to end process by which goods and services are obtained and involves tasks such as (but not limited to) market research, requirements identification, planning, specification writing, budget considerations, contract administration, purchasing and supplier performance.

Procurement Policy

Adopted/Approved: Adopted, 4 March 2019  
Version: 3

Portfolio: Office of the CEO  
Business Unit: Finance and Business Excellence

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Suppliers	Any supplier/contractor/consultant supplying goods and/or services to Council.
The Act	<i>Local Government Act 2009.</i>
The Regulation	<i>Local Government Regulation 2012.</i>

## 5. Policy Statement

In accordance with s 198 of the Regulation, this Policy incorporates relevant requirements regarding the procurement of goods and services and the carrying out of the Sound Contracting Principles as stated in s 104 of the Act.

### 5.1 Probity

Probity or procedural integrity is an essential and mandatory requirement for all Council officers (including agents or contractors acting on behalf of Council) when undertaking any procurement related activity. This includes quotations, tenders and any evaluations and recommendations associated with subsequent contracts or purchases.

Council officers are accountable for ensuring that procurement decisions are supported by ethical, impartial and objective processes with relevant supporting documentation.

Council must uphold and demonstrate the highest standards of probity in all procurement related activities that it undertakes.

### 5.2 Sound Contracting Principles

Council officers must ensure regard is given to the Sound Contracting Principles when entering into a contract for the supply of goods, services or disposal of assets.

#### (a) Value for money

Council must harness its purchasing power to achieve the best value for money. The concept of value for money is not restricted to price alone.

#### (b) Open and effective competition

Procurement should be open and result in effective competition in the provision of goods and services. Council must give fair and equitable consideration to all prospective suppliers.

#### (c) The development of competitive local business and industry

Council encourages the development of competitive local businesses within its local government area.

#### (d) Environmental protection

Council promotes environmental protection through its procurement procedures.

#### (e) Ethical behaviour and fair dealing

Council officers involved in procurement are to behave with impartiality, fairness, independence, openness, integrity, and professionalism in their discussions and negotiations with suppliers and their representatives.

### 5.3 Minimum Quotation Thresholds

Council is required to apply minimum quotation thresholds as per the Regulation with exceptions to these minimum quotations thresholds being governed by Council's Procurement Policy and Purchasing Directive.

**5.3.1 Small Purchases - Under \$15,000 (ex GST)**

- a) For a purchase under \$5,000, no minimum number of quotes required.
- b) For purchases between \$5,001 and \$15,000 invite a minimum of two (2) written quotes.
- c) When accessing a buying arrangement and the purchase is under \$15,000, one (1) written quote is required, unless otherwise directed by the Purchasing Directive.

**5.3.2 Medium Purchases - worth \$15,000 or more, but less than \$180,000**

Council cannot enter into a **medium-sized contractual arrangement** unless Council first invites written quotes for the contractual arrangement.

The invitation must be to at least three (3) persons who Council considers can meet Council's requirements, at competitive prices. Council may decide not to accept any of the quotes it receives.

However, if Council does decide to accept a quote, Council must accept the quote most advantageous to it having regard to the Sound Contracting Principles identified in s 104 of the Act.

Council Officers will have access to Buying Arrangements which provide for alternative minimum quote requirements.

**5.3.3 Large Purchases - Worth \$180,000 (ex GST) or more**

Council cannot enter into a **large-sized contractual arrangement** unless Council first invites written tenders for the contractual arrangement in accordance with the requirements of s 228 of the Regulation.

Council must either invite written tenders under s 228(4) or invite expressions of interest under s228(5) before considering whether to invite written tenders under s 228(6)(b).

The invitation for tenders must:

- (a) be made by an advertisement in a newspaper that circulates generally in the local government area of Council; and
- (b) allow written tenders to be given to Council for at least twenty-one (21) days after the advertisement is published.

Council must comply with the requirements in s 228(7) of the Regulation if it wants to invite tenderers to change their tenders to take account of a change in the tender specifications.

Council Officers will have access to Buying Arrangements which may provide an alternative to seeking tenders. Please refer to the Procurement Team in this regard.

**5.4 Buying Arrangements**

Council will establish Buying Arrangements including Preferred Supplier Arrangements, Register of Pre-Qualified Suppliers, Local Buy Arrangements and Queensland State Purchasing Arrangements.

These arrangements are available to Council Officers through VendorPanel and Officers must access quotes for goods or services under a buying arrangement through this portal. Officers must attach evidence in Finance One showing that section 5.4 has been adhered to.

Application of buying arrangements will be detailed in Council's Purchasing Directive.



**6. Changes to this Policy**

This Policy is to be reviewed when any of the following occur:

1. As required by Legislation – annually; or
2. The related information is amended or replaced; or
3. Other circumstances as determined from time to time by the Council.

**7. Repeals/Amendments**

This Policy repeals the former Livingstone Shire Council Policy titled 'Procurement Policy'.

Version	Date	Action
1	28/01/2014	Adopted
2	15/08/2017	Amended Policy Adopted
2.1	02/10/2018	Administrative Amendments – reflect organisational restructure
3	04/03/2019	Amended Policy Adopted – amendment to section 5.4

**CHRIS MURDOCH**  
CHIEF EXECUTIVE OFFICER

Procurement Policy

Adopted/Approved: Adopted, 4 March 2019  
Version: 3

Portfolio: Office of the CEO  
Business Unit: Finance and Business Excellence

Page 4 of 4

## 12.6 CHANGE APPLICATION FOR DEVELOPMENT PERMIT D-46-2015 FOR RECONFIGURING A LOT (TWO LOTS INTO TWO LOTS) AND A MATERIAL CHANGE OF USE FOR A RETIREMENT VILLAGE (SIXTY-TWO (62) ADDITIONAL UNITS)

**File No:** D-46-2015

**Attachments:** 1. Request for Reduction of Infrastructure Charges [↓](#)

**Responsible Officer:** David Battese - Manager Liveability  
David Mazzaferri - Acting Executive Director - Liveability & Wellbeing

**Author:** Melissa Warwick - Principal Strategic Planner

### SUMMARY

*Applicant:* Paynters Pty Ltd

*Real Property Address:* Lot 357 on SP300267

*Area of Site:* 13.1966ha

*Planning Scheme:* 2005 Planning Scheme (original application)  
Livingstone Planning Scheme 2018 (change)

*Planning Scheme Zone:* Livingstone Planning Scheme 2018 - Low Medium Density zone  
2005 Planning Scheme – Residential zone: Precinct R1

*Planning Scheme Overlays:* OM02 Agricultural Land Classification  
OM07 Biodiversity – Habitat and Vegetation  
- MLES – Veg of local significance  
OM11 Biodiversity – Stream Order  
- Watercourse Stream Order  
- Waterway Potential Assessment Area  
OM12 Bushfire Hazard Area  
- Medium Potential Bushfire Intensity

*Existing Development:* Capricorn Adventist Retirement Village

*Level of Assessment originally:* Impact Assessable

*Submissions:* One (1) submission received originally (Not properly made)

*Referral matters:* Infrastructure – Electricity infrastructure (10.9.2.1.1) – Advice agency  
Infrastructure – State transport infrastructure (10.9.4.1.1.1)

*Infrastructure Charge Area:* Charge Area 1

*Application progress:*

Change Application received:	10 February 2020
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<i>Fee Pay letter issued:</i>	<i>11 February 2020</i>
<i>Development control unit meeting:</i>	<i>12 February 2020</i>
<i>Application properly made:</i>	<i>13 February 2020</i>
<i>Decision period commenced:</i>	<i>14 February 2020</i>
<i>Council meeting date:</i>	<i>16 June 2020</i>
<i>Statutory determination date:</i>	<i>19 June 2020</i>
<i>Change Application received:</i>	<i>10 February 2020</i>
<i>Fee Pay letter issued:</i>	<i>11 February 2020</i>

### OFFICER'S RECOMMENDATION

THAT in relation to the request to reduce the infrastructure charges levied for Development permit for Reconfiguring a lot (two lots into two lots) and a Material Change of Use for a Retirement village (62 units) made by Paynters Pty Ltd, that the request to reduce the levied charges to \$474,300 from \$1,054,000, is not supported. However, removal of the stormwater component, which is two (2) per cent, is supported reducing the levied charge per unit from \$17,000 to \$16,660.00 per independent living unit.

### BACKGROUND

At its meeting of 8 December 2015, Council approved Development Permit D-46-2015 for Reconfiguring a Lot (two lots into two lots) and a Material Change of Use for a Retirement village (sixty-two (62) additional units) over Lot 600 on SP280123 (formally known as Lot 600 on SP261783) and Lot 356 on SP195003, and located at Lot 600 Tabone Street and 150-170 Rockhampton Road, Yeppoon.

The applicant suspended the appeal period on 18 December 2015 and provided representations for a Negotiated Decision Notice in accordance with Section 361 of the *Sustainable Planning Act 2009*. On 29 January 2016, the applicant lodged representations for a Negotiated Infrastructure Charges Notice in accordance with Section 361 of the *Sustainable Planning Act 2009*. On 10 March 2016, Council issued a Negotiated Decision Notice. Council did not agree to the applicant's representations for a Negotiated Infrastructure Charges Notice.

On 27 June 2019, an application was made to change conditions of Development Permit D-46-2015. The request to change conditions was to make minor changes to the internal layout and provision of each building type approved. The location and number of proposed units remained unchanged. The change resulted in an increase in calculated charges from \$984,000 to \$1,054,000 based on the charges in Adopted Infrastructure Charges Resolution No.3 (2018) from the original Adopted Infrastructure Charges Resolution No.1 (2014).

Existing development permits over the site	
	<p>Development Permit D-46-2015 for Reconfiguring a Lot (two lots into two lots) and a Material Change of Use for a Retirement village (sixty-two (62) additional units) (minor change)</p> <p>Development Permit D-46-2015 for Reconfiguring a Lot (two lots into two lots) and a Material Change of Use for a Retirement village (sixty-two (62) additional units)</p> <p>Development Permit 40/002/1263 for a Material Change of Use for a Place of Worship (Church), Hostel for disabled, general purpose shed &amp; Multiple Dwelling unit (8 aged persons units)</p> <p>Development Permit D/396-2008 for Reconfiguring a Lot (216 lots)</p> <p>Development Permit D-116-2016 for Operational Works for Bulk Earthworks</p> <p>Development Permit D-148-2016 for Operational Works for Roadworks, Drainage Works, Stormwater Works, Water Infrastructure and Sewerage Infrastructure</p>

### **PROPOSAL IN DETAIL**

The current change application (minor change) is in relation to a request for a reduction in the levied infrastructure charges applied to the approved development. The request is to reduce the levied amount per two (2)-bedroom unit from \$17,000 to \$7,650.

The request to change conditions pertains to the levied infrastructure charged of \$1,054,000 and the proposal to reduce the charge to \$474,300.

The subject site adjoins the existing Capricorn Adventist Retirement Village. The site gains access via Rockhampton Road to the west and via McBean Street to the east. The locality is characterised by residential development of varying forms and densities and adjoins Central Park Estate to the north and east. The retirement village extension is for sixty two (62) independent living units.

The reconfiguring a lot component of the approval has been completed over three (3) stages to complete the realignment of boundaries between the two lots, thereby creating a distinct boundary separation between the retirement village lot and the Central Park Estate balance lot.

### **MATTERS FOR CONSIDERATION**

Section 81(2) of the *Planning Act 2016* states;

*'When assessing the change application, the responsible entity must consider—*

*(a) the information the applicant included with the application; and*

*(b) if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and*

*(c) any pre-request response notice or response notice given in relation to the change application; and*

*(d) if the responsible entity is, under section 78(3)(ba) or (bb), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a*

*development application called in by the Minister; and*

*(da) if paragraph (d) does not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and*

*(e) another matter that the responsible entity considers relevant.'*

### **Information the applicant included with the Change Application**

The change application seeks changes to the Development Permit, namely a reduction in levied charges included in the Infrastructure Charges Notice. The applicant considers this request a minor change as the changes will not result in a substantially different development to that which was approved.

The applicant has requested that the Infrastructure Charges Notice be amended, with the reduced charges based on four (4) of the five (5) trunk networks charged at only 50% of the current charge and no charge for stormwater trunk. The table below summarizes the current levied charges and the change request.

<b>Infrastructure Charges levied 24 September 2019</b>	<b>Proposal to reduce levied charge</b>
\$17,000 per two bedroom unit x 62 units = \$1 054 000	\$7,650 per two bedroom unit x 62 units = \$474 300
Transport (levied) YES	Levy only 50%
Water (levied) YES	Levy only 50%
Sewer (levied) YES	Levy only 50%
Stormwater (levied) YES	NIL
Parks and Community Facilities (levied) YES	Levy only 50%

In relation to the proposed reduction, the following advice was received from Councils Development Engineering team regarding the proposed reduction in contributions to levied trunk infrastructure:

1. The Transport network is an open network levied for all development and a reduction is not supported.
2. The development is connected and will rely on trunk Water networks. The development is within the Priority Infrastructure Area and all trunk networks are required to be contributed to in these priority areas. The development has increased demand on the network and a reduction is not supported.
3. The development is connected and will rely on trunk sewer networks. The development is within the Priority Infrastructure Area and all trunk networks are required to be contributed to in these priority areas. The development has increased demand on the network.
4. The Parks and Community Facilities network is an open network levied for all development and a reduction is not supported.
5. The submitted Stormwater Management Plan that accompanied the application

has demonstrated no increase in the post-development flows. With no demonstrable additional load on to the identified stormwater trunk infrastructure, development engineering recommends to delete the stormwater component which is 2% of \$17,000.00 of the per unit charge. Therefore, applicable levied charge per unit without the stormwater component would be \$16,660.00 per unit / dwelling (two (2) bedrooms).

### **LEVIED INFRASTRUCTURE CHARGES**

The Infrastructure Charges levied pursuant to the Adopted Infrastructure Charges Resolution (No.3) LSC 2018 are below.

Total charge:	<b>\$1,054,000.00</b> This charge may be indexed in line with Consumer Price Index on an annual basis.
Charge area:	The subject site is located within Charge Area 1
Calculation:	The charge is calculated in accordance with Table 4 - Adopted charge for development uses within the priority infrastructure area, as follows: <ol style="list-style-type: none"> <li>Sixty-two (62) two (2) bedroom units at \$17,000.00 per unit;</li> <li>No credit will apply for the subject development as the credit has been consumed.</li> </ol>
Staging:	The development will be undertaken in stages, the charges for each stage are as follows: <u>Stage One:</u> Twenty-one (21) two (2)-bedroom units at \$17,000.00 per unit. A total of <b>\$357,000.00</b> is payable for Stage One. <u>Stage Two:</u> Eighteen (18) two (2)-bedroom units at \$17,000.00 per unit. A total of <b>\$306,000.00</b> is payable for Stage Two. <u>Stage Three</u> Twenty-three (23) two (2)-bedroom units at \$17,000.00 per unit. A total of <b>\$391,000.00</b> is payable for Stage Three.

As outlined in the report, the independent living units are deemed consumers of the trunk infrastructure that has been levied. However, Council agrees that the stormwater component the levy which is two per cent of \$1,054,000.00 can be waived. This will result in reduction of \$21,080 and accordingly reduce the total levied charge to \$1,032,920. The amount to be paid for each stage is:

- Twenty-one (21) units: (Stage One) - **\$349,860** reduced down from \$357,000.00;
- Eighteen (18) units: (Stage Two) - **\$299,880** reduced down from \$306,000.00; and
- Twenty-three (23) units: (Stage Three) - **\$383,180** reduced down from \$391,000.00.

### **AMENDED INFRASTRUCTURE CHARGES**

The Infrastructure Charges levied pursuant to the Adopted Infrastructure Charges Resolution (No.4) LSC 2019 are below.

Total charge:	<b>\$1,032,920.00</b>
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	This charge may be indexed in line with Consumer Price Index on an annual basis.
Charge area:	The subject site is located within Charge Area 1
Calculation:	<p>The charge is calculated in accordance with Table 4 - Adopted charge for development uses within the priority infrastructure area, as follows:</p> <p>Sixty-two (62) two (2) bedroom units at \$16,660.00 per unit;</p> <p>No credit will apply for the subject development as the credit has been consumed.</p>
Staging:	<p>The development will be undertaken in stages, the charges for each stage are as follows:</p> <p><u>Stage One:</u></p> <p>Twenty-one (21) two (2)-bedroom units at \$16,660.00 per unit.</p> <p>A total of <b><u>\$349,860.00</u></b> is payable for Stage One.</p> <p><u>Stage Two:</u></p> <p>Eighteen (18) two (2)-bedroom units at \$16,660.00 per unit.</p> <p>A total of <b><u>\$299,880.00</u></b> is payable for Stage Two.</p> <p><u>Stage Three</u></p> <p>Twenty-three (23) two (2)-bedroom units at \$16,660.00 per unit.</p> <p>A total of <b><u>\$383,180.00</u></b> is payable for Stage Three.</p>

## COMMENTARY

The applicant purports that the levied infrastructure charges as outlined in the Infrastructure Charges Notice issued on 24 September 2019 is excessive and has provided statements to request a reduction from \$17 000 per two bedroom unit to \$ 7650 per unit. The reduced charges as proposed is based on four (4) of the five (5) trunk networks charges at only 50% of the current charge and no charge for stormwater trunk.

## PREVIOUS DECISIONS

Previous decisions in relation to this matter have been outlined in the body of this report

## ACCESS AND INCLUSION

There have been no specific access and inclusion issues identified with this proposal.

## ENGAGEMENT AND CONSULTATION

Consultation with the following has been undertaken in relation to this matter;

- (1) Property owner;
- (2) Property owners' consultant; and
- (3) Councils Development Engineering Team

## HUMAN RIGHTS IMPLICATIONS

There have been no specific human rights implications identified with this proposal.

## BUDGET IMPLICATIONS

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

This request for reduced levied charges will reduce the collected charge for development in the locality of Yeppoon by \$21,080 however; the submitted Stormwater Management Plan that accompanied the application has demonstrated no increase in the post-development



flows. With no demonstrable additional load on to the identified stormwater trunk infrastructure, development engineering recommends to delete the stormwater component by two percent.

### **LEGISLATIVE CONTEXT**

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

### **LEGAL IMPLICATIONS**

There are no significant legal implications in approving the application, given no submissions were received.

### **STAFFING IMPLICATIONS**

No staffing implications have been identified in the assessment.

### **RISK ASSESSMENT**

The risks to council in relation to the consideration of this request are primarily financial.

### **CORPORATE PLAN REFERENCE**

#### ***Future Livingstone***

#### ***Community Plan Goal 5.1 - Balanced environmental and development outcomes***

#### ***5.1.1 Maintain a clear and comprehensive planning vision for the region.***

The relevant Corporate Plan element relevant to this matter is Community Plan Goal 5.1 - Balanced environmental and development outcomes

### **CONCLUSION**

The applicant has requested that the Infrastructure Charges Notice be amended, with the reduced charges based on four (4) of the five (5) trunk networks charged at only 50% of the current charge and no charge for stormwater trunk. With no demonstrable additional load on to the identified stormwater trunk infrastructure, it is recommended that the stormwater component only is not charged, reducing the levied charges for each independent living unit from \$17000 to \$16,660. An amended Infrastructure Charges Notice will therefore be issued.

**12.6 - CHANGE APPLICATION FOR  
DEVELOPMENT PERMIT D-46-2015  
FOR RECONFIGURING A LOT (TWO  
LOTS INTO TWO LOTS) AND A  
MATERIAL CHANGE OF USE FOR A  
RETIREMENT VILLAGE (SIXTY-TWO  
(62) ADDITIONAL UNITS)**

**Request for Reduction of Infrastructure  
Charges**

**Meeting Date: 16 June 2020**

**Attachment No: 1**



Paynters

19 December 2019

The Chief Executive Officer  
Livingstone Shire Council  
PO BOX 2292  
YEPPON QLD 4703

Attention: Jonathon Trevett-Lyall  
Via Email: [enquiries@livingstone.qld.gov.au](mailto:enquiries@livingstone.qld.gov.au)

Dear Jonathon

**RE: REPRESENTATIONS FOR NEGOTIATED INFRASTRUCTURE CHARGES NOTICE  
CAPRICORN ADVENTIST RETIREMENT VILLAGE - 150-170 ROCKHAMPTON ROAD, YEPPON  
LOT 357 on SP300267: COUNCIL REF: D/46-2015**

I refer to Council's Infrastructure Charges Notice, dated 24 September 2019, in relation to the abovementioned development.

We are project managers responsible for the design and construction of the extension to the Capricorn Adventist Retirement Village and on behalf of our client the Seventh Day Adventist Church, the applicant, we are writing to you seeking a reduction in the infrastructure charges applied to the approved development. The grounds for the proposed reductions are outlined below.

The Infrastructure charges total \$1,054,000.00 across the 3 stages of the development consisting of 62 Retirement village units with each two bedroom unit being charged at the rate of \$17,000.00.

While we acknowledge that the proposed development does place additional demand on Council's infrastructure networks, the extent of this additional demand and the calculation of an appropriate monetary contribution should be fair and reasonable. As demonstrated below, we believe that the current infrastructure charge is significantly over and above the demand realistically imposed by the proposed development on Council's infrastructure networks.

#### Occupancy Rates & Infrastructure Demand

It is acknowledged that Council's Adopted Infrastructure Charges Resolution (No.4) LSC 2019 and the State Planning Regulatory Provision (adopted charges) 2016 (SPRP) provide guidance on what constitutes an appropriate infrastructure charge for this particular form of development. However, the current infrastructure charging policy in our opinion, overstates the demand on infrastructure by this form of development and the contributions required for retirement housing is excessive. This is on the basis that independent living units within retirement villages are assumed to be equivalent to other long-term residential uses, such as multiple dwelling units which have a higher occupancy rate and place a higher burden on Council's infrastructure networks.

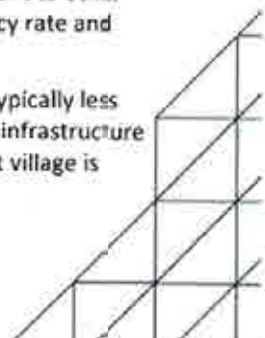
Evidence indicates that infrastructure demands for retirement village developments is typically less than standard residential developments. This is due to occupancy rates and demand on infrastructure services generally being lower than standard residential development, as the retirement village is

1300 734 157  
[admin@paynters.com.au](mailto:admin@paynters.com.au)

ABN 32 060 951 162  
QBCC 63889

7 Baroona Rd  
Milton QLD 4064

PO BOX 1206  
Milton QLD 4064



largely self contained. This results in lower vehicle use, greater open space provision and the inclusion of community facilities within the village and less demand on water, sewer and transport infrastructure.

Our investigations indicate that other similar retirement villages have an occupancy rate of approximately 1.2 persons per dwelling, which is significantly less than the average household size in Yeppoon of 2.1 persons (ABS2016). The existing Capricorn Adventist Retirement Village (CARV) facility, comprising two (2) and three (3) bedroom dwellings, has an occupancy rate of 1.18 persons per dwelling, which is comparable to other typical retirement villages. At this occupancy rate, the proposed development would result in a substantially lower demand on Council's infrastructure than a typical dwelling house or multiple dwelling unit, and this consideration would support a reduced infrastructure charge for the development.

In addition to reduced occupancy rates, other factors that cause a reduced infrastructure demand include reduced car ownership and trip generation (being the number of vehicle trips generated by seniors), the provision of onsite open space and community facilities, and that there will be no net increase in stormwater discharge into Council's stormwater infrastructure as a result of the proposed development.

#### **Reduced Demand on Transport Network**

It is acknowledged that Council's Planning Scheme Policies relating to infrastructure contributions will not be used for the subject development application, it is submitted that Council's own Planning Scheme Policy No. 18/1 Strategic Road Network indicates that a retirement village generates a vehicles per day (VPD) rate of 1.5/dwelling unit, as opposed to 6.5/dwelling unit for a multiple dwelling development. On this basis, imposing the same transport network charge for retirement dwelling and a typical residential dwelling is considered excessive and not representative of the actual demand on Council's transport infrastructure.

#### **Reduced Demand on Parks and Community Facilities Network**

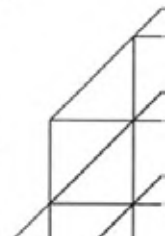
It is also submitted that imposing a full charge for the Public Parks and Land for Community Facilities network is excessive for the proposed development. The proposed development represents an extension of the existing CARV retirement and aged care facility and includes substantial open space and recreational facilities onsite, meaning the additional demand on Council's parks and community facilities networks is negligible as a result of this development. The proposed development will be readily serviced by private, communal open space and community facilities over and above that of which would be provided as part of a typical residential subdivision or multiple living development.

#### **Stormwater Infrastructure – 'Non-worsening'**

The proposed stormwater management strategy developed by Calibre Consulting as previously submitted concludes that although the development does increase stormwater runoff from the catchment, the proposed detention basin ensures a 'non-worsening' scenario. The stormwater network infrastructure charges proposed to be applied to the development are based on the development discharging stormwater from the premises and resulting in an increased demand on the stormwater network. Given the proposed development will not adversely impact on Council's stormwater drainage network, the proposed stormwater network charge of \$105,400.00 (based on the 10% proportional split of the adopted charges) cannot be reasonably apportioned to the usage of the network by the proposed development. The proposed development will have no net increase to the demand for stormwater infrastructure and therefore no stormwater network charges should be applied.

#### **Proposed Charges**

Based on the above and actual demand on Council's infrastructure networks, it is requested that Council consider the following as representing a fair and reasonable infrastructure charge.



Current charge as per ICN	Proposed Charge	Comments
\$17,000.00 per Two (2) bedroom unit	\$7,650.00 per unit	Based in Nil charge for stormwater network and 50% the standard charge for park, community facilities and water, sewer and transport networks

The revised calculation for the proposed development being as follows:

Stage One: a total of \$160,650 is payable based on 21 units x \$7,650.00

Stage Two: a total of \$137,700 is payable based on 18 units x \$7,650.00

Stage Three: a total of \$175,950 is payable based on 23 units x \$7,650.00

Total charge of \$474,300.00

#### **Owner and Operator is a Not for Profit Organisation**

The Capricorn Adventist Retirement Village is owned and operated by The Seventh Day Adventist Church (SDA), a not-for-profit organisation which provides a wide range of support services to the community in Yeppoon and the wider region. The extension of the retirement village is part of the SDA's commitment to providing a full spectrum of services to support the growing number of seniors in the community. These services include social support and health care including home care to elderly residents living in the retirement village units as well as full residential aged care provided on site.

Infrastructure charges paid on the development of the retirement village units directly adds to the capital cost of housing for retirees, most of whom have limited resources.

SDA are not a property developer driven by profit, but rather a faith based charitable organisation seeking to provide a continuum of care which is appropriate and affordable to the older citizens in our community as they age.

#### **Summary**

The application of infrastructure charges that are generally levied at rates applicable to standard residential development is considered excessive and unreasonable in this instance given the reduced demand on infrastructure due to reduced occupancy rates in the retirement village.

As we have noted the demand on Council's infrastructure network is considerably reduced in the retirement village with lower sewer and water loading, substantially less traffic generation, reduced demand for community infrastructure due to extensive onsite facilities and non-worsening outcome in terms of stormwater discharge. The proposed development will impose a lower demand on Council's infrastructure than that of a typical residential dwelling or other form of long-term accommodation. This consideration supports a reduced infrastructure charge for the development.

It is also noted that the Seventh Day Adventist Church is the long-term owner and operator of the retirement village and a not for profit provider of much needed services to the growing population of elderly in the community.

We ask that Council consider entering into an agreement with SDA for the reduction of infrastructure charges as suggested above.

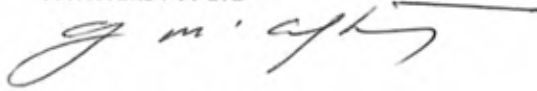




We welcome the opportunity to work with Council in the coming weeks to facilitate a discussion and agreement on a suitable reduced infrastructure charge for the proposed development.

Yours faithfully

**PAYNTERS PTY LTD**

A handwritten signature in black ink, appearing to read 'J. McCafferty', with a long horizontal stroke extending to the right.

JOHN MCCAFFERTY  
Director

## 12.7 DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (ONE LOT INTO TWO LOTS) AT 635 ADELAIDE PARK ROAD, ADELAIDE PARK

File No: D-28-2020

Attachments: 1. Reconfiguration Plan (1 lot into 2 lots)[↓](#)

Responsible Officer: David Battese - Manager Liveability  
David Mazzaferri - Acting Executive Director - Liveability & Wellbeing

Author: Tessa Horgan - Planning Officer

### SUMMARY

*Applicant:* M Jowsey

*Consultant:* Finch Surveying Consultants

*Real Property Address:* Lot 1 on RP606912

*Area of Site:* 17.907 hectares

*Planning Scheme:* Livingstone Planning Scheme 2018

*Planning Scheme Zone:* Rural

*Planning Scheme Precinct:* Capricorn Coast Rural Precinct

*Planning Scheme Overlays:*

- OM02 Agricultural Land Classification
  - Agricultural Land Class A and Class B
- OM07 Biodiversity – Habitat and Vegetation
  - Matter of Local Environmental Significance (Locally significant vegetation)
  - Matter of State Environmental Significance (Wildlife habitat)
- OM12 Bushfire Hazard Area
  - Potential Impact Buffer
  - Medium Potential Bushfire Intensity
  - High Potential Bushfire Intensity
  - Very High Potential Bushfire Intensity
- OM15 Drainage Problem Area
- OM18 Landslide Hazard Area
- OM20 Road Hierarchy (Rural Minor Collector)
- OM21 Scenic Amenity
  - Scenic Amenity Management Area A and B

*Existing Development:* Primary and Secondary dwelling houses with ancillary outbuildings

*Level of Assessment:* Impact Assessable

*Submissions:* Nil

*Referral matters:* Nil

*Infrastructure Charge Area:* Outside the Priority Infrastructure Area

*Application progress:*

<i>Application received:</i>	<i>11 February 2020</i>
<i>Application properly made:</i>	<i>12 February 2020</i>
<i>Development control unit meeting:</i>	<i>12 February 2020</i>
<i>Confirmation notice issued:</i>	<i>14 February 2020</i>
<i>Application stopped:</i>	<i>10 March 2020</i>
<i>Information request not required:</i>	<i>10 March 2020</i>
<i>Application resumed:</i>	<i>17 March 2020</i>
<i>Public notification period:</i>	<i>19 March to 8 April 2020</i>
<i>Notice of compliance received:</i>	<i>21 April 2020</i>
<i>Extension of time agreed to:</i>	<i>Twenty (20) business days</i>
<i>Decision period commenced:</i>	<i>22 April 2020</i>
<i>Council workshop date:</i>	<i>2 June 2020</i>
<i>Council meeting date:</i>	<i>16 June 2020</i>
<i>Statutory determination date:</i>	<i>25 June 2020</i>

**OFFICER'S RECOMMENDATION**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one (1) lot into two (2) lots), made by M Jowsey C/- Finch Surveying Consultants, on land described as Lot 1 on RP606912, and located at 635 Adelaide Park Road, Adelaide 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 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 (Access Works); and
  - 1.6.2 Plumbing and Drainage Works (where necessary).
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

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

## 2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Reconfiguration Plan (1 Lot into 2 Lots) with Ortho Underlay	7600-01-ROL, Issue A, Sheet 1 of 1	4 February 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 request for approval of a plan of subdivision (survey plan endorsement).

## 3.0 ACCESS WORKS

- 3.1 A Development Permit for Operational Works (Access Works) must be obtained for proposed Lot 1, prior to the commencement of any access works on the site.
- 3.2 All works must be designed and constructed in accordance with the approved plan (refer condition 2.1), *Capricorn Municipal Development Guidelines*, relevant Australian Standards and the provisions of a Development Permit for Operational Works (access works).
- 3.3 Access driveway(s) must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines, Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains*.
- 3.3.1 For proposed Lot 1, the access driveway must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines*.
- 3.3.2 For proposed Lot 2, the existing access driveway must be upgraded to comply with the *Capricorn Municipal Development Guidelines*.
- 3.4 Rural addressing must be provided to each lot in accordance with Council's rural addressing policy and procedure.

## 4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 All internal plumbing and sanitary drainage systems must be located within the respective lot it serves.
- 4.2 Buildings and structures must not be located within an on-site sewerage treatment and disposal area or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.
- 4.3 On-site water storage for domestic water supply purposes, with a minimum combined capacity of 50,000 litres, must be provided for proposed Lot 1 and 2.
- 4.4 On-site water storage for firefighting purposes, with a minimum combined capacity of 25,000 litres, must be provided for proposed Lot 1 and 2.
- 4.5 Any new on-site water storage for firefighting purposes must be:
- 4.5.1 Constructed with fire-proof materials, or located underground with above-ground access points;
- 4.5.2 Located more than nine (9) metres from any potential fire hazards (such as venting gas bottles and combustible structures);

- 4.5.3 Located within six (6) metres of a hardstand area allowing access for a heavy rigid fire appliance;
- 4.5.4 Fitted with fire brigade tank fittings consisting of;
  - (i) For above ground tanks, a fifty (50) millimetre ball valve and male camlock coupling and metal pipe fittings; or
  - (ii) For underground tanks, an access hole having a minimum diameter of 200 millimetres to allow access for suction lines; and
- 4.5.5 Identified by directional signage clearly provided at the street access point (Adelaide Park Road).

## 5.0 ROOF AND ALLOTMENT DRAINAGE

- 5.1 All stormwater, including roof and allotment drainage, must drain to achieve demonstrated lawful discharge in accordance with the requirements of the *Queensland Urban Drainage Manual*.
- 5.2 All drainage works including roof water must achieve demonstrated lawful discharge and must not adversely affect the upstream or downstream land when compared to pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or cause an actionable nuisance or damage infrastructure.

## 6.0 SITE WORKS

- 6.1 All earthworks must be undertaken in accordance with the *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 6.2 Any vegetation cleared or removed must be:
  - (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
  - (ii) removed for disposal at a location approved by Council;within sixty (60) days of clearing. Any vegetation removed must not be burnt.

## 7.0 ELECTRICITY AND TELECOMMUNICATIONS

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

## 8.0 OPERATING PROCEDURES

- 8.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Adelaide Park Road.

## ADVISORY NOTES

### NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of



care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander Partnerships website [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety of Public During Construction

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

NOTE 4. Environmental

- (i) The land subject to the above development application must be free of declared pest plants and animals; 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 in the *Land Protection (Pest and Stock Route Management) Act 2002* 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.
- (ii) It is advised that the southern extent of the subject site is mapped by the Department of Environment and Science as a high priority area for protected plants, which is administered under the *Nature Conservation Act 1992*. Further advice regarding protected plants can be sought from the Department of Environment and Science.
- (iii) The dividing fence line through mapped areas containing Matters of Local Environmental Significance – Locally significant vegetation must protect and retain locally significant species including, but not limited to *Cycas ophiolitica*, Byfield Fern, *Stackhousia tryonii* and the Koala.

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 is supplied with the decision notice.

**RECOMMENDATION B**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one (1) lot into two (2) lots), made by M. Jowsey C/- Finch Surveying Consultants, on land described as Lot 1 on RP606912, and located at 635 Adelaide Park Road, Adelaide Park, Council resolves to issue an Infrastructure Charges Notice for the amount of \$14,750.00.

**BACKGROUND**

The property currently holds two (2) Dwelling houses and their ancillary outbuildings.

**COMMENTARY**

The proposal is for the subdivision of one (1) lot into two (2) lots. The subject lot currently contains two (2) Dwelling houses, which will each be retained on their own land title. Proposed Lot 1 is ten (10) hectares in area, and proposed Lot 2 is 7.932 hectares in area. The site is included in the Rural Zone, Capricorn Coast Rural Precinct, where the required minimum lot size is ten (10) hectares. Proposed Lot 1 will utilise the existing access and

crossover via Adelaide Park Road, and a new access will be conditioned for Proposed Lot 2 via Adelaide Park Road.

### **SITE AND LOCALITY**

The subject site is 17.907 hectares in area and rises from Adelaide Park Road, up towards the rear of the subject lot from approximately seventy (70) metres Australian Height Datum along Adelaide Park Road, to 170 metres Australian Height Datum along the ridgeline situated on the south-western most extent of the subject lot. The subject lot contains two (2) dwellings, a primary and secondary Dwelling house. The primary Dwelling house (Approved with conditions under Development Permit D-47-2016) will be sited within proposed Lot 2, and the secondary Dwelling house (Approved with conditions under Development Permit D-110-2019) will be sited within proposed Lot 1.

The subject lot fronts onto Adelaide Park Road, a Rural Minor Collector road. Aside from containing two (2) Dwelling houses and their ancillary outbuildings, the subject lot contains a man-made dam, historically cleared areas, landscaped vegetation, and dense remnant native vegetation areas. The Department of Natural Resources, Mines and Energy identify these densely vegetated areas as Least Concern Regional Ecosystems RE 11.3.9, 11.11.4 and 11.11.3. Fire break trails are also located through the dense communities of remnant native vegetation.

The site is located within a rural area and is connected to road and electricity infrastructure networks.

Officers undertook a site visit on 20 March 2020, whereby the property was externally viewed from the Adelaide Park Road frontage. The site inspection confirmed the existing two (2) Dwelling houses and ancillary outbuildings.

The locality is characterised by Dwelling houses on rural blocks, with or without small-scale rural uses including, but not limited to planted fruit trees.

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

Existing applications/development permit over the site	
Lot 1 on RP606912 635 Adelaide Park Road, Adelaide Park	Building Permit B-94-2016 for a Dwelling (Approved on 21 April 2016)  Plumbing and Drainage Permit P-52-2016/PLUMB for a Dwelling (Lodged on 16 February 2016 with works completed)  Development Permit D-47-2016 for a Material Change of Use for a Dwelling house (Approved with conditions on 31 March 2016 with changed Decision Notice approved on 27 May 2019)  Development Permit D-110-2019 for Building Work regulated under the Planning Scheme for a Secondary dwelling (Approved with conditions on 6 June 2019)
Applications/development permits on adjoining properties	
Lot 8 on RP613810 645 Adelaide Park Road, Adelaide Park (to the west)	There are no records of approvals for this subject lot. Despite this, the property contains two (2) dwellings and an ancillary outbuilding.
Lot 7 on RP613810 655 Adelaide Park Road, Adelaide	Plumbing and Drainage Permit P-21-2015/PLUMB for OSSS Conversion (Lodged on 23 January 2015)

Park (to the west)	and Approved with conditions)
Lot 1 on SP175973 589 Adelaide Park Road, Adelaide Park (to the south and east)	There are no records of approvals for this subject lot. Despite this, the property contains a Dwelling house and ancillary outbuildings, planted fruit trees and dense remnant vegetation.

### **ASSESSMENT INCLUDING BENCHMARKS AND RELEVANT MATTERS**

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

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

<b>Benchmarks applying for the development</b>	<b>Benchmark reference</b>
Strategic Framework – Settlement Pattern Theme – Rural Places, and Natural environment and hazards theme  Reconfiguring a lot code  Biodiversity overlay code  Bushfire hazard overlay code  Landslide hazard overlay code  Scenic amenity overlay code  Development works code	<i>Livingstone Planning Scheme 2018</i> , Version 2, in effect 25 June 2018
Part E: State interest policies and assessment benchmarks	<i>State Planning Policy</i> , July 2017
<b>Relevant matters considered</b>	
Any development approval for, and any lawful use of, the premises or adjacent premises	The relevance of existing approvals on the subject site and adjoining properties in respect of the land use pattern and commensurate development
The common material submitted with the application	In respect of the reports provided in the material including proposal plans and supporting information
The Local Government Infrastructure Plan	In respect of trunk infrastructure provisions and charging for development.

### **Internal advice and assessment**

Development Engineering Unit – Development Control Unit meeting held on 12 February 2020

Support, subject to standard conditions.

Natural Resource Management – Development Control Unit meeting held on 12 February 2020

Not in attendance. Comments not required.

Public and Environmental Health – *Development Control Unit meeting held on 12 February 2020*

No comments.

Growth Management – *Memo completed on 27 April 2020*

Support, subject to standard conditions.

### **State Planning Policy – July 2017**

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

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

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

The subject lot is mapped to contain three (3) State interests, Economic Growth (Agriculture - Agricultural land classification – class A and B), Environment and Heritage (Biodiversity - Matters of State Environmental Significance – Wildlife habitat (endangered or vulnerable) and Regulated vegetation (essential habitat)), and Natural Hazards Risk and Resilience (Flood hazard area – Local Government flood mapping area and Bushfire prone area).

Agriculture – Following subdivision, each lot will contain an existing Dwelling house and ancillary outbuildings. These lots will be used for habitable purposes and subdivision will not compromise the future agricultural potential of the land. Development within the locality predominantly includes Dwelling houses and ancillary outbuildings with minimal agricultural related activities i.e. planted fruit trees. Therefore, the subdivision is not considered to cause adverse impacts to the mapped State interest, Economic Growth.

Biodiversity - The site is mapped as containing Matters of State Environmental Significance (Wildlife habitat (endangered or vulnerable) and Regulated vegetation (essential habitat)).

Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.	
Development is located in areas to avoid significant impacts on matters of national environmental significance and considers the requirements of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .	<b>Not applicable</b>  There are no matters of national environmental significance located within the subject lot.
Matters of state environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.	<b>Complies</b>  The existing Dwelling houses and ancillary outbuildings are located wholly outside of areas mapped to contain Matters of State Environmental Significance. Therefore, the development will not cause adverse biodiversity impacts.

Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.	<b>Complies</b> Matters of Local Environmental Significance (Habitat and Vegetation – Locally significant vegetation) are mapped within the southern rear extent of the subject lot, over a steep ridgeline. The existing development, include two (2) Dwelling houses and their ancillary outbuildings, are located within historically cleared areas and wholly outside of mapped Matters of Local Environmental Significance areas.
Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.	<b>Complies</b> The proposed subdivision will not compromise ecological processes and connectivity.
Viable koala populations in South East Queensland are protected by conserving and enhancing koala habitat extent and condition.	<b>Not applicable</b> The subject lot is not located within South East Queensland.

Liveable Communities: Not applicable

Economic Growth – Mining and extractive resource: Not applicable

Environment and Heritage - Water quality: Not applicable

Natural Hazards Risk and Resilience – There is no flood mapping within the subject lot under the *Livingstone Planning Scheme 2018*.

Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:	
Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.	<b>Complies</b> Although the reconfiguration will be creating an extra lot, there are already two (2) existing dwellings on the subject site that will each be within one (1) of the new proposed lots. Therefore, there will not be an increase in the risk to people and property as a result of the proposed development.
All natural hazard areas:	
Development supports and does not hinder disaster management response or recovery capacity and capabilities.	<b>Complies</b> The proposal is for the creation of one (1) extra lot. However, there will not be an increase in the number of dwellings, as the reconfiguration will result in the existing dwellings being evenly distributed between the two (2) proposed lots (one (1) for each lot). Therefore, the development will not hinder disaster management response or recovery capacity and capabilities.
Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.	<b>Complies</b> Although the reconfiguration will be creating an extra lot, there are already two (2) existing dwellings on the subject site that will



	each be within one (1) of the new proposed lots. Therefore, the proposed development will not lead to an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.
Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.	<b>Complies in part</b> There is no known storage of hazardous materials associated with this application. However, there may be the potential for the storage of materials associated with rural activities.
The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.	<b>Complies</b> The proposal does not involve the removal or any vegetation or changes to the topography that may impact on the effects of a bushfire event. The two (2) existing dwellings have/will have safe and efficient access to Adelaide Park Road in the case of a bushfire event.

### **Central Queensland Regional Plan**

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

### **Livingstone Planning Scheme 2018**

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

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

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

### **Settlement pattern theme**

Specific Outcome	Assessment response
<b>3.3.1 Strategic outcome</b>	
(2) Development makes efficient use of land and existing or planned infrastructure.	<b>Complies</b> The site is zoned as Rural and the reconfiguration will not place any additional load upon the trunk infrastructure network given the property already contains two (2) dwelling houses. These uses are anticipated to continue into the future.
(5) Population growth is predominantly accommodated within urban and urban infill places, as identified on the strategic framework maps SFM-01 to SFM-04.	<b>Complies</b> The proposal will create an extra lot however, there will be an existing dwelling house located on each lot. This proposal and its circumstances will not lead to increased population densities.
(10) The design of development is consistent with the desired built form and character of specific	<b>Complies</b>

places and the existing or intended role and function of the place in the settlement pattern.	Apart from a new fence line, the two dwelling houses are in existence and are in keeping with others in the immediate vicinity. The site is located in a Rural area and the reconfiguration will not impact on any agricultural capacity of the land. There is limited agricultural uses in the locality and the location of the steep vegetated ridgeline within the southern site extent limits the potential for agricultural uses.
(18) Rural places are predominantly used for purposes that contribute to primary production.	<p><b>Complies</b></p> <p>The site is located in the Rural area and the reconfiguration will not impact on the agricultural capacity of the land, as adequate agricultural potential land is located within the north-eastern half of the subject lot. Two (2) Material Change of Uses for Dwelling houses were approved for the primary and secondary dwellings within the lot.</p>
(19) Development does not limit or compromise agricultural land or uses involved in primary production.	<p><b>Complies</b></p> <p>The reconfiguration will not impact on the agricultural capacity of the land as Proposed Lot 1 remains compliant at ten (10) hectares in area. Agricultural potential of the land is already limited by the steep ridgeline and dense remnant vegetation. Therefore, the subdivision is unlikely to limit or compromise agricultural land uses for primary production. The locality of the lot contains limited primary production land, as the predominantly land use is Dwelling houses. Much smaller lot sizes are located further to the west of the subject lot, which contain Dwelling house uses and are located within the agricultural land overlay.</p>
(20) Development avoids causing significant adverse impacts on matters of environmental significance, or when this cannot be achieved, impacts are minimised or residual impacts offset.	<p><b>Complies</b></p> <p>The southern extent of the site is mapped of being environmental significant (Matter of Local Environmental Significance – Locally significant vegetation). However, the site already contains two (2) Dwelling houses, for which one (1) dwelling will be sited within each newly created lot. Therefore, reconfiguration will not cause any significant adverse impacts on matters of environmental significance.</p>
<b>3.3.5 Rural places</b>	
(4) Rural places containing important features identified by scenic amenity overlays or biodiversity areas overlays are protected from development which could adversely affect the values associated with the overlay features.	<p><b>Complies</b></p> <p>The southern extent of the site is mapped to contain biodiversity and scenic amenity values. However, the site has been historically cleared (within the northern half) and the proposed reconfiguration will not adversely impact on the values associated with the overlay features. This application does not contain any details about any future clearing. This would be a separate application.</p>
(6) Development in rural places does not result in fragmentation of land which is suitable for primary production by virtue of the following:  (a) being identified as agricultural land Class A or Class B; or	<p><b>Does not comply</b></p> <p>The proposed lot reconfiguration results in the fragmentation of land (one (1) into two (2) lot subdivision), which is identified and mapped as agricultural land Class A or Class B.</p>

<p>(b) being identified as rural land needing retention in larger lot sizes; or</p> <p>(c) being identified as having known minerals or other natural resources.</p>	<p><b>Justified to comply</b></p> <p>The site is within land identified as agricultural land Class A or Class B. There are currently no primary production activities occurring on the subject lot, nor in the locality, aside from minimal planted fruit trees to the east. Agricultural primary production activities are limited by the steep ridgeline and dense remnant vegetation situated within the southern half of the subject lot. Adequate historically cleared areas are preserved within each proposed lot, following subdivision, for future primary production potential use of the land.</p>
<p>(7) A range of lot sizes in rural places is identified based on the capabilities of the land for primary production, with rural places predominantly being retained in larger lots except for the Capricorn Coast Rural Precinct, where minimum lot sizes of ten (10) hectares or greater are provided for.</p>	<p><b>Does not comply</b></p> <p>Following subdivision, proposed Lot 2 will be 7.932 hectares in area, which is below the minimum requirement of ten (10) hectares in the Rural zone (Capricorn Coast Rural Precinct).</p> <p><b>Justified to comply</b></p> <p>The lot sizes of the proposed reconfiguration will not impact on the agricultural capacity of the land. The existing dwellings are dispersed on the property and adequate historically cleared areas are preserved within each proposed lot (within the northern half), for the future potential primary production use.</p>
<p>(8) In the Capricorn Coast Rural Precinct, relatively low impact rural activities involved in primary production remain as the preferred and dominant land use.</p>	<p><b>Does not comply</b></p> <p>The proposal involves a reconfiguration of lot (one (1) into two (2) lots), with each lot encompassing an existing Dwelling House and ancillary outbuildings. This is not a preferred use within the Capricorn Coast Rural Precinct.</p> <p><b>Justified to comply</b></p> <p>The dense vegetation and slope across the subject lot limits the potential to utilise the land for rural activity purposes. Further, the subject lot is surrounded by rural lots also containing Dwelling house purposes with limited rural activities in the locality.</p>

### Natural environment and hazards theme

Specific Outcome	Assessment response
<b>3.4.1 Strategic outcome</b>	
<p>(2) Areas which are affected by natural hazards including storm tide, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide, are identified and development does not occur in these areas if it is incompatible with the nature of the hazard or if it is likely to expose people, property and vital infrastructure to unacceptable risk.</p>	<p><b>Complies</b></p> <p>The proposed reconfiguration is mapped as being mostly within the bushfire hazard area. The steep ridgeline and dense remnant native vegetation heightens the risk levels mapped as Very High, High, Medium Potential Bushfire Intensity, and a Potential Impact Buffer. The existing dwellings are mapped within High and Medium Potential Bushfire Intensity, and Potential Impact Buffer.</p> <p>The proposed reconfiguration will create an extra lot however, there are already two (2) existing dwellings on the subject site that will each be within one (1) of the new proposed lots as a result of the</p>

	reconfiguration. Both dwellings hold appropriate approvals and were assessed and conditioned appropriately at the time for bushfire hazard. Further, the development is located downslope of dense hazardous vegetation areas located to the south, and within historically cleared areas. Both dwellings have a clear driveway access for emergency evacuation purposes in the event of a bushfire. Therefore, the proposed reconfiguration will not lead to an increase in the severity of the natural hazard or the likelihood of exposing, people, property and vital infrastructure to unacceptable risk.
<b>3.4.3.1 Natural hazards and climate change</b>	
(4) Unacceptable risks to human life, property and vital infrastructure due to potential impacts from natural hazards including acid sulfate soils, storm tide hazard, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide, are avoided as far as practicable.	<b>Complies</b>  The proposed reconfiguration will not increase the number of people, property or vital infrastructure that will be at risk due to a bushfire.
(8) Development does not directly, indirectly and cumulatively increase the severity of natural hazards and any adverse impacts associated with natural hazards upon the site or other sites, property and infrastructure.	<b>Complies</b>  The proposed reconfiguration will not directly, indirectly nor cumulatively increase the severity of any adverse impacts associated with a bushfire, on the site or external to the site.

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

### Reconfiguring a lot code

The purposes of the Reconfiguring a lot code are:

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

### Overall outcomes

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

- (1) *lot reconfiguration results in a pattern of urban development which is broadly sequential, to maximise the efficiency of infrastructure provision and connect to surrounding movement and infrastructure networks;*
- (2) *a variety and mix of lot sizes enable a range of development options to accommodate the preferred uses in each zone;*
- (3) *lots have suitable areas, dimensions and slope for the intended use, including space for vehicle access and parking, on-site services and recreation, appropriate for the zone;*

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

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

Performance outcomes	Acceptable outcomes	Assessment response
<b>All other reconfiguring a lot applications</b>		
<b>Lot design – general</b>		
<b>PO5</b> Development included in the table below requires the preparation of a structure plan to accompany the development application.	No acceptable outcome is nominated.	<b>PO5 - Does not comply</b> The proposed reconfiguration of a lot was impact assessable and creates an additional lot in the Rural zone. A large 'structure plan' has not been supplied.  <b>PO5 – Justified to comply</b> The proposed reconfiguration will create one (1) additional lot. The proposed reconfiguration will separate each of the existing two (2) dwellings onto their own lots and will mitigate the risk to life and property, associated with bushfires. The proposal can meet the overall outcomes for the Reconfiguring a Lot code and as such a structure plan is not deemed to be necessary for this reconfiguration.



Performance outcomes		Acceptable outcomes		Assessment response	
Zone		Proposed additional lots in the stage/ development	Small structure plan	Large structure plan	
All residential category zones		7 – 15	✓		
		16 or more		✓	
All centres category zones and all industrial category zones		5 - 10	✓		
		11 or more		✓	
All other zones where reconfiguring a lot requires impact assessment		1 or more		✓	
<b>PO6</b> Development which requires a structure plan is undertaken in accordance with the structure plan, and the structure plan is prepared in accordance with the requirements of Schedule SC7.14.		No acceptable outcome is nominated.		<b>PO6 - Does not comply</b> The proposed reconfiguration of a lot was impact assessable and will create an additional lot in the Rural zone. A large structure plan has not been supplied. <b>PO6 – Justified to comply</b> Although PO5 requires a structure plan, the proposal can meet the overall outcomes for the Reconfiguring a Lot code and as such does not require a structure plan to be prepared.	
<b>PO7</b> Lot design is well integrated with the surrounding locality, having regard to: (a) roads, streets, pedestrian and cycle networks; (b) utility installations and other infrastructure networks; (c) open space networks, significant vegetation and habitat areas, waterways and wetlands, and valued biodiversity corridors; (d) connections to centres and employment areas; (e) surrounding landscaping and streetscape treatments; and (f) the interface with established land uses.		No acceptable outcome is nominated.		<b>PO7 - Complies</b> The proposed reconfiguration of a lot has regard to the established land use of the site by retaining one (1) Dwelling house and their ancillary access and outbuildings on each newly created lot.	
<b>PO8</b> Lot design: (a) protects areas with significant environmental values; (b) appropriately utilises the natural topography of the site as far as practicable and minimises the need for significant earthworks for future development;		No acceptable outcome is nominated.		<b>PO8 - Complies</b> The development site is already partially cleared of existing vegetation within the northern half and will have an existing Dwelling House on each lot. The proposed boundary has been aligned to reduce the impact on locally significant vegetation. There is no requirement for significant earthworks for future development.	

Performance outcomes	Acceptable outcomes	Assessment response
<p>(c) avoids crossing or otherwise interfering with natural drainage lines, waterways, wetlands, habitat areas or biodiversity corridors; and</p> <p>(d) retains key site characteristics, landmarks, and places of heritage significance.</p>		<p>The access driveways are existing/to be re-conditioned and do not cross waterways, habitat areas or biodiversity corridors. The key site characteristics are not altered as a consequence of the newly created lot boundaries.</p>
<p><b>PO9</b></p> <p>Lot reconfiguration does not facilitate development which would be visually obtrusive on skylines, headlands or prominent landscape features.</p>	No acceptable outcome is nominated.	<p><b>PO9 - Complies</b></p> <p>The proposed reconfiguration will have an existing Dwelling House located on each lot and will not facilitate any visually obtrusive development.</p>
<p><b>PO10</b></p> <p>Lot reconfiguration does not:</p> <p>(a) increase the likelihood of significant land use conflict;</p> <p>(b) compromise the potential to use adjoining land for its zoned purpose;</p> <p>(c) compromise the use of stock routes;</p> <p>(d) compromise the safe and efficient operation of major transport networks and other major infrastructure networks.</p>	No acceptable outcome is nominated.	<p><b>PO10 - Complies</b></p> <p>Proposed lots 1 and 2 of the reconfiguration will not compromise the potential of the land for agricultural or rural purposes. The location of the existing two Dwelling Houses are located in such a way as to limit the current potential to utilise portions of the land for agricultural or rural purposes.</p>
<b>Lot design - size and dimension</b>		
<p><b>PO11</b></p> <p>Reconfiguration only occurs if it creates lot sizes and dimensions that:</p> <p>(a) are consistent with the intended character of the zone, precinct or sub-precinct in which the land is located;</p> <p>(b) do not limit or compromise the ability to use rural land for its preferred uses;</p> <p>(c) do not limit or compromise the ability to use industrial zoned land or special purpose zoned land for their preferred uses;</p> <p>(d) protect resources (including potential mining and extractive resources), environmental and landscape values of rural land;</p> <p>(e) protect ground and surface water quality in the rural residential zone;</p> <p>(f) protect areas with significant biodiversity values; and</p> <p>(g) protect areas of high scenic amenity value.</p>	<p><b>AO11.1</b></p> <p>The lots are designed in accordance with the minimum lot sizes and dimensions specified within Table 9.3.3.4.2.</p>	<p><b>AO11.1 – Complies</b></p> <p>Proposed Lot 1 has an area of ten (10) hectares, which complies with the minimum lot size of ten (10) hectares for the Rural zone (Capricorn Coast Rural Precinct).</p> <p><b>AO11.1 - Does not comply</b></p> <p>For Proposed Lot 2, the proposed lot size of 7.932 hectares is less than the minimum lot size requirement of ten (10) hectares for the Rural zone where located within Capricorn Coast Rural Precinct.</p> <p><b>PO11 – Justified to comply</b></p> <p>Proposed Lot 1 will be compliant at ten (10) hectares in area. Despite the 2.068-hectare shortfall of proposed Lot 2, the reduced lot size allows the containment of a majority of the environmental values (locally significant vegetation) to be sited within proposed Lot 1. Further, lots within the locality are less than ten (10) hectares in area, particularly to the west, meaning the proposed lot reconfiguration will not cause amenity impacts to the locality. Scenic amenity values are also wholly contained within proposed Lot 1. The location of the existing</p>

Performance outcomes	Acceptable outcomes	Assessment response
		two Dwelling Houses on the site are located in such a way as to limit the current potential to utilise portions of the land for agricultural or rural purposes.
<b>PO12</b> Lots have a regular shape and consistent dimensions to facilitate the efficient development of the land for its intended purpose, and have sufficient area to provide for: <ul style="list-style-type: none"> <li>(a) buildings and structures;</li> <li>(b) usable open space and landscaping</li> <li>(c) ventilation and sunlight for buildings;</li> <li>(d) privacy for residents;</li> <li>(e) suitable vehicle access and on-site parking where required; and</li> <li>(f) any on-site services and infrastructure such as effluent disposal areas if required.</li> </ul>	<b>AO12.1</b> The lots are designed in accordance with the minimum lot sizes and dimensions specified within Table 9.3.3.4.2.	<b>AO12.1 – Complies</b> Proposed Lot 1 has an area of ten (10) hectares, which complies with the minimum lot size of ten (10) hectares for the Rural zone (Capricorn Coast Rural Precinct). <b>AO12.1 - Does not comply</b> For Proposed Lot 2, the proposed lot size of 7.932 hectares is less than the minimum lot size requirement of ten (10) hectares for the Rural zone where located within Capricorn Coast Rural Precinct. <b>PO12 – Justified to comply</b> The reduced lot size of proposed Lot 2 is a consequence of the biodiversity and scenic amenity values being wholly or mostly located within proposed Lot 1. The existing two Dwelling Houses will be located so each dwelling has its own land title and are adequately setback approximately 268 metres apart.
	<b>AO12.2</b> All residential lots are able to contain a constraint free rectangular building location envelope, having dimensions no less than nine (9) metres by fifteen (15) metres.	<b>AO12.2 – Complies</b> Each of the two (2) proposed lots will contain an existing Dwelling House with its own building envelope that meets the minimum dimensions of nine (9) metres by fifteen (15) metres.
<b>Hazards</b>		
<b>PO31</b> Reconfiguration of a lot avoids creating unacceptable risk to human safety, property and the environment due to natural hazards and contaminated land.	No acceptable outcome is nominated.	<b>PO31 – Complies</b> The proposed reconfiguration will not create any additional risk to human safety, property and the environment due to a bushfire.

As evident from the above assessment, the proposal complies with the various requirements of the Reconfiguring a lot code apart from a deviation from Performance outcomes PO5 and PO6, and Acceptable Outcomes AO11.1 and AO12.1. Suitable justification has been provided to support the deviation given the proposal is able to meet the Performance outcomes and Overall outcomes for the code.

### Biodiversity overlay code

The following is an assessment of the proposal against the specific benchmarks of the Biodiversity hazard overlay code, which includes an assessment of the development against the relevant performance outcomes of the code.

Performance outcomes	Acceptable outcomes	Assessment response
<b>Land use</b>		
<b>PO1</b> In areas identified as having	No acceptable outcome is nominated.	<b>PO1 – Complies</b> The proposal is for a one (1) into

Performance outcomes	Acceptable outcomes	Assessment response
<p>matters of environmental significance, all uses are located, designed and operated to:</p> <ul style="list-style-type: none"> <li>(a) retain and protect significant environmental values; and</li> <li>(b) maintain the underlying ecological functions and biophysical processes of the site and surrounds.</li> </ul>		<p>two (2)-lot subdivision – no new uses are proposed. The existing Dwelling house uses on each proposed lot will be sited wholly outside of areas protected as a Matter of Local Environmental Significance – Locally significant vegetation. The dividing boundary will result in potential for clearing for fencing or boundary management however, it is likely limited to minor clearing which is not expected to significantly impact on matters of environmental significance. Therefore, environmental values are retained and protected to the rear of each proposed lot.</p>
<b>Native vegetation and habitat</b>		
<p><b>PO2</b></p> <p>Development retains and regenerates native vegetation in such a way as to:</p> <ul style="list-style-type: none"> <li>(a) retain vegetation that is in patches of greatest size and smallest possible edge-to-area ratio;</li> <li>(b) maximise the linkages between vegetation located on the subject site;</li> <li>(c) maximise linkages between vegetation located on adjacent properties within the biodiversity network; allow the dispersal or movement through biodiversity corridors; and</li> <li>(d) protect riparian vegetation in and adjacent to watercourses.</li> </ul>	No acceptable outcome is nominated.	<p><b>PO2 - Complies</b></p> <p>The proposal is for a one (1) into two (2)-lot subdivision – no new uses are proposed. The proposed dividing boundary has been realigned to ensure a majority of biodiversity values are retained within proposed Lot 1, and ensures at least one (1) of the lots remains compliant with the required minimum lot size under the Planning Scheme, that being ten (10) hectares in area for proposed Lot 1. Each newly created lot will contain an existing Dwelling House and ancillary outbuildings, with no further requirement for development. The dividing boundary will result in potential for clearing for fencing or boundary management however, it is likely limited to minor clearing which is not expected to significantly impact on matters of environmental significance.</p>
<p><b>PO3</b></p> <p>Development retains, protects and enhances areas of habitat that support a critical life stage in ecological process such as feeding, breeding or roosting for the identified species</p>	No acceptable outcome is nominated.	<p><b>PO3 - Complies</b></p> <p>The proposal is for a one (1) into two (2)-lot subdivision – no new uses are proposed. The dividing boundary has been proposed to retain a majority of locally significant vegetation within proposed Lot 1. The dividing boundary will traverse through biodiversity values and minimal clearing is required for ongoing boundary management. This is not expected to significantly impact on matters of environmental significance.</p>
<p><b>PO4</b></p> <p>Development protects existing biodiversity corridors and assists in the establishment of new corridors which have adequate dimensions and characteristics to support:</p>	<p><b>AO4.1</b></p> <p>Development involving roads, pipelines, pedestrian access and in-stream structures:</p> <ul style="list-style-type: none"> <li>(a) does not create barriers to the movement of fauna (including fish passage) along or within</li> </ul>	<p><b>AO4.1 - Not applicable</b></p> <p>The development does not involve roads, pipelines, pedestrian access and in-stream structures.</p>

Performance outcomes	Acceptable outcomes	Assessment response
<p>(a) unimpeded movement of terrestrial and aquatic fauna that are associated with or are likely to use the biodiversity corridor as part of their normal life cycle evolutionary and genetic processes;</p> <p>(b) the natural change in distributions of species and connectivity between populations of species over long periods of time;</p>	<p>biodiversity corridors; or</p> <p>(b) provides effective wildlife movement infrastructure in accordance with best practice which:</p> <p>(i) enables fauna to safely negotiate a development area; and</p> <p>(ii) separates fauna from potential hazards through the use of appropriate fencing.</p>	
<p>(c) ecological responses to climate change;</p> <p>(d) maintenance of large scale seasonal/ migratory species processes and movement of fauna;</p> <p>(e) connectivity between large tracts and patches of native remnant vegetation and habitat areas; and</p> <p>(f) effective and continuous movement of terrestrial and aquatic fauna.</p>	<p><b>AO4.2</b></p> <p>Development ensures that biodiversity corridors have a sufficient width to protect habitat, minimise impacts from adjoining land use, and to enhance connectivity in accordance with the following:</p> <p>(a) regional corridors retain a width of at least five-hundred (500) metres; and</p> <p>(b) local corridors retain a width of at least fifty (50) metres.</p>	<p><b>AO4.2 - Not applicable</b></p> <p>There are no mapped biodiversity corridors located within the subject lot.</p>
<b>All matters of environmental significance</b>		
<p><b>PO7</b></p> <p>All matters of environmental significance are identified and protected from significant adverse impacts associated with development.</p>	<p>No acceptable outcome is nominated.</p>	<p><b>PO7 – Complies</b></p> <p>The proposal is for a one (1) into two (2)-lot subdivision – no new uses are proposed. The dividing boundary has been proposed to retain a majority of locally significant vegetation within proposed Lot 1. The dividing boundary will traverse through biodiversity values and minimal clearing is required for ongoing boundary management. This is not expected to significantly impact on matters of environmental significance.</p>
<b>Hydrology</b>		
<p><b>PO8</b></p> <p>Development enhances or maintains the existing surface water hydrological regime of all areas containing matters of environmental significance.</p>	<p>No acceptable outcome is nominated.</p>	<p><b>PO8 – Complies</b></p> <p>There are no proposed changes to the landform.</p>
<p><b>PO9</b></p> <p>Development:</p> <p>(a) enhances or maintains the existing groundwater hydrological regime of all areas containing matters of environmental significance;</p> <p>(b) ensures that the water table and hydrostatic pressure in the area of environmental significance is returning to its</p>	<p>No acceptable outcome is nominated</p>	<p><b>PO10 - Complies</b></p> <p>There are no proposed changes to the landform.</p>



Performance outcomes	Acceptable outcomes	Assessment response
natural state; and (c) does not result in ingress of saline water into freshwater aquifers.		
<b>Ongoing management, construction and operation</b>		
<b>PO10</b> During the construction and operation of development, ongoing management, monitoring and maintenance is undertaken to ensure impacts on environmentally significant areas, biodiversity values and ecological processes, including water quality and hydrology, are avoided or minimised.	No acceptable outcome is nominated.	<b>PO10 – Complies</b> There is no construction proposed as part of the development.
<b>PO11</b> Development transfers into public ownership, or incorporates within a voluntary statutory covenant registered under the <i>Land Title Act 1994</i> , any land required for public access or for some other public purpose consistent with its ecological functions, including: (a) access for maintenance; (b) linking core and remnant habitat areas; and (c) land protecting water quality and ecological processes.	No acceptable outcome is nominated.	<b>PO11 - Not applicable</b> There is no infrastructure proposed to be transferred into public ownership.
<b>Rehabilitation</b>		
<b>PO12</b> 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.	No acceptable outcome is nominated.	<b>PO12 - Complies</b> There is no construction required as part of the development.
<b>Vegetation clearing</b>		
<b>PO13</b> Development avoids indiscriminate and unnecessary clearing of vegetation in order to protect: (a) the visual integrity of the natural landscape; (b) ecological features and processes that underpin biodiversity.	<b>AO13.1</b> Vegetation clearing: (a) does not occur; or (b) where it cannot be avoided, is carried out in accordance with the Development Works Code.	<b>PO13 – Not applicable</b> There is no proposed clearing of vegetation as part of this application, aside from minimal clearing required for boundary management.
<b>PO14</b> Development retains and protects locally significant species, including but not limited to the following: (a) <i>Cycas ophiolitica</i> ;	No acceptable outcome is nominated.	<b>PO14 – Complies</b> The proposal is for a one (1) into two (2)-lot subdivision – no new uses are proposed. The dividing boundary has been proposed to retain a majority of locally significant vegetation within proposed Lot 1.

Performance outcomes	Acceptable outcomes	Assessment response
(b) <i>Byfield Fern</i> ; (c) <i>Stackhousia tryonii</i> ; and (d) <i>Koala</i> .		The dividing boundary will traverse through biodiversity values and minimal clearing is required for ongoing boundary management. This is not expected to significantly impact on matters of environmental significance. A condition will be included in the recommendations noting the requirement to retain and protect locally significant species.
<b>If reconfiguring a lot</b>		
<b>PO15</b> The ecological function and biodiversity values of existing vegetation and habitat are maintained by ensuring that reconfiguring a lot in areas containing matters of environmental significance does not result in significant adverse impacts on the values present.	<b>AO15.1</b> Reconfiguring a lot does not result in the following: (a) the creation of additional lots within areas mapped as containing matters of environmental significance; or (b) the creation of new lots adjoining areas mapped as containing matters of environmental significance of less than ten (10) hectares.	<b>AO15.1 – Does not comply</b> The application will result in the creation of an additional lot within areas mapped as containing matters of environmental significance. <b>PO15 – Justified to comply</b> Despite the non-compliance, the dividing boundary is proposed through areas of sparser vegetation, meaning less vegetation removal is required. The majority of locally significant vegetation within the subject lot is retained within proposed Lot 1.
<b>PO16</b> Reconfiguring a lot incorporates a buffer to areas containing matters of environmental significance in accordance with minimum best practice standards and the buffer area has characteristics to minimise development impacts on the values present.	No acceptable outcome is nominated	<b>PO16 - Complies</b> The proposal is for a one (1) into two (2)-lot subdivision – no new uses are proposed. The new lot boundary has been proposed to retain a majority of locally significant vegetation within proposed Lot 1. The new boundary line will traverse through biodiversity values and minimal clearing is required for ongoing boundary management. This is not expected to significantly impact on matters of environmental significance.

As evident from the above assessment, the proposal complies with the various requirements of the Biodiversity Overlay Code, apart from a non-compliance with Acceptable Outcome AO15.1. Suitable justification has been provided as the development can still meet the relevant Performance Outcome.

### **Bushfire hazard overlay code**

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

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

- (1) *development is located where bushfire hazard risk to personal safety and property is avoided or minimised and mitigated to acceptable levels;*
- (2) *highly vulnerable and community uses are not located in bushfire hazard areas;*

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

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

Performance outcomes	Acceptable outcomes	Assessment response
<b>Reconfiguring a lot where located in bushfire hazard areas identified as potential impact buffer, or medium potential bushfire intensity, or high potential bushfire intensity, or very high potential bushfire intensity</b>  Note: The following performance outcomes and acceptable outcomes apply only to the following categories of development: <ul style="list-style-type: none"> <li><input type="checkbox"/> Reconfiguring a lot in the Rural zone and in the Emerging Community zone;</li> <li><input type="checkbox"/> Reconfiguring a lot in any other zone where more than 6 additional lots are created and a new road is created.</li> </ul>		
<b>Bushfire planning</b>		
<b>PO11</b>  The lot layout is designed as a consequence of, and in accordance with the recommendations of a bushfire hazard assessment and management plan.	No acceptable outcome is nominated.	<b>PO11 – Does not comply</b>  A bushfire hazard assessment and management plan has not been prepared.  <b>PO11 – Justified to comply</b>  The proposed reconfiguration will separate the existing two (2) Dwelling Houses onto their own lots. Each Dwelling House is located downslope of hazardous mapped areas associated with the ridgeline to the south. Historically cleared areas surround each residence and the internal access driveways are in a cleared state. Appropriate approvals, D-47-2016 for the primary Dwelling house and D-110-2019 for the secondary Dwelling house, were issued by Council for both dwellings. Bushfire hazard was assessed against the Planning Scheme in force at the time of assessment and conditioned accordingly. Therefore, the lot subdivision will not increase the risk to personal safety and property, in the event of a bushfire.

Performance outcomes	Acceptable outcomes	Assessment response
<p><b>PO12</b></p> <p>A bushfire hazard assessment and management plan demonstrates that all future buildings are able to be separated from the bushfire hazard by a distance which is the greater of the following:</p> <ul style="list-style-type: none"> <li>(a) a sufficient distance to achieve a bushfire attack level no greater than 29kW/m<sup>2</sup>; or</li> <li>(b) no less than 1.5 times the mature tree canopy height in the hazard hazardous vegetation; or</li> <li>(c) for forest or woodland vegetation, a sufficient area to create a building protection zone which achieves the following: <ul style="list-style-type: none"> <li>(i) the inner zone and outer zone of the building protection zone have slopes under thirty-three (33) per cent; and</li> <li>(ii) the inner zone has the following characteristics: <ul style="list-style-type: none"> <li>(A) it has a minimum distance of ten (10) metres, or a distance sufficient to achieve a bushfire attack level no greater than 29kW/m<sup>2</sup>; and</li> <li>(B) tree canopy cover in the zone is less than ten (10) per cent; and</li> <li>(C) three canopy is located greater than two (2) metres from any part of the roofline of a building; and</li> </ul> </li> <li>(iii) the outer zone has the following characteristics: <ul style="list-style-type: none"> <li>(A) it has a minimum distance of ten (10) metres plus one (1) metre for every degree of downslope vegetation; and</li> <li>(B) tree canopy cover in the zone is less than thirty (30) per cent.</li> </ul> </li> </ul> </li> </ul>	<p>No acceptable outcome is nominated.</p>	<p><b>PO12 - Does not comply</b></p> <p>A bushfire hazard assessment and management plan has not been prepared.</p> <p><b>PO12 – Justified to comply</b></p> <p>The proposed reconfiguration will separate each of the existing two (2) dwellings onto their own lots. Each of the two (2) Dwelling houses are located downslope of hazardous mapped areas associated with the ridgeline to the south. Historically cleared areas surround each Dwelling house and the internal access driveways are in a cleared state. In accordance with the Australian Standard AS 3959-2018 <i>Construction of buildings in bushfire-prone areas</i>, the primary Dwelling house incurs a Bushfire Attack Level of BAL 12.5 and the Secondary dwelling incurs a Bushfire Attack Level of Low, given the setback to the nearest hazardous vegetation and underlying slope. Each Dwelling house meets the requirements of the inner and outer protection zone.</p>
<b>PO13</b>	<b>AO13.1</b>	<b>AO13.1 - Does not comply</b>

Performance outcomes	Acceptable outcomes	Assessment response
Lot design minimises the number of lots which have a direct interface with the bushfire hazard.	No more than twenty (20) per cent of the total number of lots in the development interface directly with the fire hazard.	The two (2) proposed lots will interface with the bushfire hazard overlay.  <b>PO13 – Justified to comply</b>  Despite the non-compliance, each resultant lot will include an existing Dwelling House and ancillary outbuildings fronting Adelaide Park Road. Therefore, as there will be an existing Dwelling House on each lot, it can be deemed that the lot design will minimise the number of lots that interface with the bushfire hazard overlay.
<b>Access</b>		
<b>PO14</b>  The reconfiguring design ensures that the road network, future driveways and access routes: <ul style="list-style-type: none"> <li>(a) avoid potential for entrapment during a bushfire;</li> <li>(b) provide safe and efficient movement of residents, workers and visitors out of the subdivision and away from an approaching bushfire;</li> <li>(c) provides alternative access and egress considering the most likely bushfire scenarios;</li> <li>(d) ensures that the location, siting, and design of development and associated driveways and access routes enables safe and efficient access for emergency services vehicles during and after a bushfire.</li> </ul>	<b>AO14.1</b>  Where creating lots having an area less than two (2) hectares: <ul style="list-style-type: none"> <li>(a) all lots are separated from hazardous vegetation by a constructed all-weather, public road;</li> <li>(b) the road layout provides for at least one alternative access route connecting all lots in the development to a public road that meets the requirements in Table 8.2.4.4.2 and which is connects to a collector road; and</li> <li>(c) cul-de-sacs are avoided except where: <ul style="list-style-type: none"> <li>(i) a perimeter road with a cleared width of twenty (20) metres separates the lots at the head of the cul-de-sac from hazardous vegetation; and</li> <li>(ii) the cul-de-sac is no longer than seventy (70) metres from the intersection with another road to the furthest future building.</li> </ul> </li> </ul>	<b>AO14.1 – Not applicable</b>  The subdivision will result in a ten (10) hectare (proposed Lot 1) and 7.932-hectare lots (proposed Lot 2).
	<b>AO14.2</b>  Where creating lots having an area greater than two (2) hectares: <ul style="list-style-type: none"> <li>(a) all lots have a driveway or private road access which connects directly to a constructed all-weather public road;</li> <li>(b) dead-end roads are a maximum length of 200 metres and an alternative emergency</li> </ul>	<b>AO14.2 - Complies</b>  Proposed Lot 1 and 2 will have direct access to Adelaide Park Road, a Rural Minor Collector road, which is a constructed all-weather public road.



Performance outcomes	Acceptable outcomes	Assessment response
	evacuation route is provided away from the most likely source of bushfire risk.	
	<b>AO14.3</b> For all lots, private roads and access driveways comply with the requirements specified in Table 8.2.4.4.2.	<b>AO14.3 - Complies</b> The proposed reconfiguration will utilise the existing crossovers and access driveways. A condition will be included in the recommendations to ensure the crossover to service the Dwelling house (primary Dwelling house) in proposed Lot 1 complies with the requirements of the Capricorn Municipal Development Guidelines.
	<b>AO14.4</b> Where the lots: <ul style="list-style-type: none"> <li>(a) are required to be supplied with reticulated municipal water supply, private roads and access driveways have a maximum length of seventy (70) metres from an all-weather public road designed with culverts and bridges constructed with a minimum load bearing of fifteen (15) tonnes; or</li> <li>(b) are not required to be supplied with reticulated municipal water supply, private roads and access driveways have a maximum length of 200 metres from an all-weather public road designed with culverts and bridges constructed with a minimum load bearing of eight (8) tonnes.</li> </ul>	<b>AO14.4 - Complies</b> The existing and proposed access driveways to the as-constructed Dwelling houses on proposed Lot 1 and 2 are less than 200 metres in length.
<b>Water for fire-fighting purposes</b>		
<b>PO15</b> Development involving new premises provides adequate infrastructure to support firefighting.	<b>AO15.1</b> Where the development is connected to a reticulated water supply, lots are provided with water supply and pressure in accordance with Australian Standard AS2419 Fire Hydrant Installations.	<b>PO15 - Not applicable</b> The development site is not located in an area that can connect to a reticulated water supply.

As evident from the above assessment, the proposal complies with the various requirements of the Bushfire hazard overlay code apart from a deviation from Performance Outcomes PO11 and PO12, and Acceptable Outcome AO13.1. Suitable justification has been provided to support the deviation given the proposal is able to meet the Performance outcomes for the code.

### Landslide hazard overlay code

The following is an assessment of the proposal against the specific benchmarks of the Landslide hazard overlay code, which includes an assessment of the development against the relevant Performance Outcomes of the code.

Performance outcomes	Acceptable outcomes	Assessment response
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Performance outcomes	Acceptable outcomes	Assessment response
<b>Land use</b>		
<b>PO1</b> In areas determined to be at an unacceptable risk from landslide hazards, development does not occur if it is for a use which: <ul style="list-style-type: none"> <li>(a) results in a significant concentration of people at any one time; or</li> <li>(b) results in a significant increase in people living or working in the area; or</li> <li>(c) involves institutional uses where evacuating people may be difficult; or</li> <li>(d) involves a significant number of vulnerable people; or</li> <li>(e) involves essential public infrastructure; or</li> <li>(f) involves manufacture or storage of hazardous materials.</li> </ul>	No acceptable outcome is nominated.	<b>PO1 – Not applicable</b> The development is for a lot subdivision, which will result in the existing Dwelling Houses being sited on their own land title. These dwellings and their ancillary outbuildings are located wholly outside of landslide hazard areas.
<b>All development</b>		
<b>PO2</b> Development: <ul style="list-style-type: none"> <li>(a) maintains the safety of people and property on the site and neighbouring sites from landslides; and</li> <li>(b) ensures acceptable risk during all phases of construction and use.</li> </ul>	<b>AO2.1</b> A site-specific slope stability assessment report that has been certified by a Registered Professional Engineer of Queensland, demonstrates to the assessment manager that: <ul style="list-style-type: none"> <li>(a) the site is not subject to landslide hazard; or</li> <li>(b) the development does not increase risks to the safety of people and property on the site and neighbouring sites from landslide hazards.</li> </ul>	<b>AO2.1 – Not applicable</b> The development does not include the construction of buildings that would warrant the requirement for a site-specific slope stability report.
	<b>AO2.2</b> Development incorporates the risk of landslide relevant to the full nature and end of the development, including ancillary buildings, structures and swimming pools into the design of the developments to ensure: <ul style="list-style-type: none"> <li>(a) the long-term stability of the site considering the full nature and end use of the development;</li> <li>(b) site stability during all phases of construction and development.</li> </ul>	<b>AO2.2 - Not applicable</b> The development does not include the construction of any ancillary buildings.
<b>PO4</b> Vegetation clearing on site does not result in landslide hazard increasing.	<b>AO4.1</b> Vegetation clearing which exposes the underlying soil or rock: <ul style="list-style-type: none"> <li>(a) does not occur on land within</li> </ul>	<b>AO3.1 – Does not comply</b> Minimal vegetation clearing to construct the dividing boundary will partially traverse through areas mapped as being landslide hazard

Performance outcomes	Acceptable outcomes	Assessment response
	the landslide overlay; or  (b) occurs only in compliance with the recommendations of a site specific slope stability assessment report that has been certified by a Registered Professional Engineer of Queensland.	prone.  <b>PO3 - Justified to comply</b>  Despite the non-compliance, the proposed dividing boundary partially traverses biodiversity value and landslide hazard areas. Despite this, existing structures and infrastructure are located wholly outside of biodiversity and landslide mapped areas. The construction and management of the dividing fence line will be situated in sparser areas of vegetation and will therefore, require minimal clearing. Therefore, the construction of the dividing fence is unlikely to result in the increase of landslide hazard.
<b>PO5</b>  Vehicle and pedestrian access to the development can be achieved in a safe and efficient manner.	<b>AO5.1</b>  The development:  (a) has a frontage to a formed road; and  (b) any section of a driveway or road internal to a site is not steeper than twenty-five (25) per cent.	<b>PO4 - Complies</b>  The development has frontage to Adelaide Park Road.  The existing access (to service Lot 2) and proposed internal driveway (to service Lot 1) are not steeper than twenty-five (25) per cent.
<b>PO6</b>  Development involving the manufacture or storage of hazardous materials in bulk is not at risk from landslide hazard.	<b>AO6.1</b>  The manufacture or storage of hazardous materials in bulk does not occur within the landslide hazard area.	<b>PO5 – Not applicable</b>  The development is for reconfiguring a lot only. The existing use for both proposed lots is for Dwelling House purposes, with the manufacture or storage of hazardous materials being no greater than what is usually associated with a Dwelling House.
<b>PO7</b>  Development and actions to minimise or mitigate landslide hazard do not adversely impact matters of State or local environmental significance.	No acceptable outcome is nominated.	<b>PO6 – Not applicable</b>  No development or actions to minimise or mitigate landslide hazard are proposed as part of the development.
<b>Filling and excavation</b>		
<b>PO8</b>  Filling and excavation:  (a) maintains the safety of people and property on the site and neighbouring sites from landslides; and  (b) ensures acceptable risk during all phases of construction.	<b>AO8.1</b>  Filling and excavation is designed in accordance to the recommendations of a site-specific slope stability assessment report that has been certified by a Registered Professional Engineer of Queensland.	<b>PO7 – Not applicable</b>  No filling or excavation within the landslide hazard area is proposed as part of the development.
<b>PO9</b>  Filling and excavation do not create or increase risk on the site or neighbouring sites by changing the hydrology of the site.	<b>AO9.1</b>  Filling and excavation works do not in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.	<b>PO8 - Not applicable</b>  No filling or excavation within the landslide hazard area is proposed as part of the development.

Performance outcomes	Acceptable outcomes	Assessment response											
<b>Reconfiguring a lot</b>													
<b>PO10</b> Development ensures that: <ul style="list-style-type: none"> <li>(a) each new lot does is not subject to unacceptable risks from landslide hazards;</li> <li>(b) on each new lot, the need for excessive work or change to the finished landform to reasonably construct a building or vehicular access route within the locations nominated is avoided;</li> <li>(c) future building location is not located in part of the site subject to landslide; and</li> <li>(d) future building location will not be adversely affected by, or be at unacceptable risk from, landslide activity originating on sloping land above the site.</li> </ul>	<b>AO10.1</b> A site-specific slope stability assessment report that has been certified by a Registered Professional Engineer of Queensland, demonstrates to the assessment manager that: <ul style="list-style-type: none"> <li>(a) each new lot is not subject to unacceptable risks from landslide hazards; and</li> <li>(b) future development on each lot does not increase risks to the safety of people and property on the site and neighbouring sites from landslide hazards.</li> </ul>	<b>AO9.1 – Does not comply</b> A supporting site-specific slope stability assessment report has not been prepared for the proposed development.  <b>PO9 – Justified to comply</b> A site-specific slope stability assessment report has not been provided as part of the application. No building and/or structures or changes to landform are proposed as part of the application. The existing development, being a Dwelling House, Secondary Dwelling and ancillary outbuildings, are wholly located outside of landslide hazard areas and adequate space is preserved to site future buildings and/or structures outside of landslide prone areas.											
	<b>AO10.2</b> When a lot has a slope of fifteen (15) per cent or greater, each new lot has a minimum size and road frontage in accordance with Table 8.2.8.4.1.1  <b>Table 8.2.8.4.1.1 — Minimum lot size and road frontage widths for slopes</b> <table border="1"> <thead> <tr> <th>Slope</th><th>Minimum lot size (square metres)</th><th>Minimum road frontage width</th></tr> </thead> <tbody> <tr> <td>Equal to, or greater than fifteen (15) per cent but less than twenty (20) per centum.</td><td>1,400</td><td>Twenty-five (25) metres</td></tr> <tr> <td>Equal to, or greater than twenty (20) per cent but less than twenty-five (25) per centum.</td><td>1,700</td><td>Twenty-five (25) metres</td></tr> <tr> <td>Equal to, or greater than twenty-five (25) per cent</td><td>2,000</td><td>Thirty (30) metres</td></tr> </tbody> </table>	Slope	Minimum lot size (square metres)	Minimum road frontage width	Equal to, or greater than fifteen (15) per cent but less than twenty (20) per centum.	1,400	Twenty-five (25) metres	Equal to, or greater than twenty (20) per cent but less than twenty-five (25) per centum.	1,700	Twenty-five (25) metres	Equal to, or greater than twenty-five (25) per cent	2,000	Thirty (30) metres
Slope	Minimum lot size (square metres)	Minimum road frontage width											
Equal to, or greater than fifteen (15) per cent but less than twenty (20) per centum.	1,400	Twenty-five (25) metres											
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Equal to, or greater than twenty-five (25) per cent	2,000	Thirty (30) metres											

As evident from the above assessment, the proposal complies with the various requirements of the Landslide hazard overlay code, apart from a deviation from Acceptable Outcomes

AO3.1 and AO9.1. Suitable justification has been provided to support the deviation given the proposal is able to meet the Performance Outcomes for the code.

### Scenic amenity overlay code

A portion of the proposed dividing boundary traverses through areas mapped within Scenic amenity management area B under the Scenic amenity overlay. The existing land uses, including Dwelling houses and their ancillary outbuildings and accesses are located wholly outside of scenic amenity valued areas, located within the southernmost extent of the subject lot. Any future development is likely to be located within the historically cleared areas surrounding each as-constructed Dwelling house, well outside areas mapped to contain scenic amenity value.

### Development works code

The purpose of the Development works code is:

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

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

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

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

Performance outcomes	Acceptable outcomes	Assessment response
Access and parking		
PO1	AO1.1	AO1.1 - Complies



Performance outcomes	Acceptable outcomes	Assessment response														
<p>The development is provided with an on-site parking and movement system designed and constructed to:</p> <p>(a) be integrated with the site layout including:</p> <p>(i) direct access to a road providing an appropriate level of service required to accommodate traffic generated by the use;</p> <p>(ii) having appropriately designed footpath crossovers;</p> <p>(iii) provision for safe pedestrian movement between public footpath and facility entry points;</p> <p>(b) accommodate sufficient manoeuvring room for the safe entry and exit of all modes of transport generated by the use (including refuse collection vehicles, trucks, buses and the like as relevant to the development);</p> <p>(c) accommodate sufficient parking for the expected number and type of vehicles generated by the use;</p> <p>(d) facilitate non-discriminatory accessibility;</p> <p>(e) provide for safe and efficient loading and unloading of goods;</p> <p>(f) allow for vehicle queuing necessary for the use;</p> <p>(g) provide for passenger set down and pick up necessary for the use (including public transport needs);</p> <p>(h) facilitate public access to the foreshore and public open space networks;</p> <p>(i) provide a safe environment;</p> <p>(j) be compatible with the character and amenity of the area; and</p> <p>(k) make a positive aesthetic contribution to the streetscape character of the setting, particularly if involving multi-level parking.</p>	<p>The development is provided with sufficient on-site vehicle parking and queuing space in accordance with the standards relevant to the use in compliance with Table 9.3.2.4.3.</p> <p><b>AO1.2</b></p> <p>For development other than a use listed in the table below, an engineer who qualifies as a registered professional engineer of Queensland certifies that all vehicles likely to use the site are able to enter and leave the site in a forward gear, and that the on-site vehicle parking spaces, pick-up areas, loading and unloading areas, queuing areas, circulation and manoeuvring areas for the development are designed and constructed in accordance with the most up to date version of the Australian Standards as relevant to the development, including but not limited to the following:</p> <p>(a) <i>Australian Standard AS2890.1-1993: Parking Facilities –Off-street Car parking;</i></p> <p>(b) <i>Australian Standard AS1428.1-2001: Design for access and mobility – General requirements for access – New building work;</i></p> <p>(c) <i>Australian Standard AS2890.2-1993: Off-street parking – Commercial vehicle facilities.</i></p> <table><tr><td>Accommodation activities</td></tr><tr><td>Caretaker’s accommodation</td></tr><tr><td>Community residence</td></tr><tr><td>Dual occupancy</td></tr><tr><td>Dwelling house</td></tr><tr><td>Dwelling unit</td></tr><tr><td>Home based business</td></tr><tr><td>Recreation activities</td></tr><tr><td>Environment facility</td></tr><tr><td>Park</td></tr><tr><td>Rural activities</td></tr><tr><td>Animal husbandry</td></tr><tr><td>Cropping</td></tr><tr><td>Permanent plantation</td></tr></table>	Accommodation activities	Caretaker’s accommodation	Community residence	Dual occupancy	Dwelling house	Dwelling unit	Home based business	Recreation activities	Environment facility	Park	Rural activities	Animal husbandry	Cropping	Permanent plantation	<p>The proposal is for a reconfiguration of a lot to create a single additional lot and will have sufficient on-site provision for any future vehicle parking needs.</p> <p><b>AO1.2 - Not applicable</b></p> <p>The proposed reconfiguration will be for the provision of the uses listed in the table for AO1.2.</p>
Accommodation activities																
Caretaker’s accommodation																
Community residence																
Dual occupancy																
Dwelling house																
Dwelling unit																
Home based business																
Recreation activities																
Environment facility																
Park																
Rural activities																
Animal husbandry																
Cropping																
Permanent plantation																

Performance outcomes	Acceptable outcomes	Assessment response
	<div>Roadside stall</div> <div>Special activities</div> <div>Landing</div> <div>Major electricity infrastructure</div> <div>Substation</div> <div>Telecommunications facility</div>	
	<b>AO1.3</b> A solid, good quality brick, timber or masonry screen fence having a minimum height of 1.8 metres is provided between the car parking area of development (other than a use within the accommodation activities group being for long-term accommodation) where adjoining a sensitive land use located within the residential category zone or the township zone.	<b>AO1.3 - Not applicable</b> The proposal site is not adjoining a sensitive land use located within the residential category zone or the township zone.
<b>PO2</b> Access driveways are designed and sited: (a) to minimise disruption to public infrastructure; (b) to operate safely and efficiently taking into account the volume, frequency and type of vehicle traffic expected to be generated by the development; (c) to operate safely and efficiently taking into account the function of the adjoining road; and (d) to minimise impacts on the safety, efficiency, or function of the road network.	<b>AO2.1</b> The access driveway of the development does not require the modification, relocation or removal of any street tree or public infrastructure including a fire hydrant, water meter, street sign, manhole, stormwater gully pit or other Council asset.	<b>AO2.1 - Complies</b> The existing (to service Lot 2) and proposed (to service Lot 1) access driveways will not require the modification, relocation or removal of any street tree or public infrastructure.
	<b>AO2.2</b> The access driveway of the development is not constructed over an access point to infrastructure under the control of a regulatory authority, including storm water pits, water meters, water hydrants and telephone pits.	<b>AO2.2 - Complies</b> The existing and proposed access driveways are not located near any infrastructure under the control of a regulatory authority.
	<b>AO2.3</b> The access driveway of the development does not enter the road carriageway at the location of an existing traffic island, speed control device, car parking bay, pedestrian crossing, bus stop or other infrastructure within the road carriageway.	<b>AO2.3 - Complies</b> The existing and proposed access driveway are not located near any infrastructure within the road carriageway.
	<b>AO2.4</b> The access driveway of the development is not located within: (a) two (2) metres of any adjoining property access driveway (excluding shared property accesses at the property line); and (b) one (1) metre of any public infrastructure such as a street sign, power pole, street light, manhole, stormwater gully pit	<b>AO2.4 - Complies</b> The existing and proposed access driveways are not located near any other access driveways, public infrastructure, or located on a corner lot.

Performance outcomes	Acceptable outcomes	Assessment response
	<p>or other Council asset;</p> <p>(c) the closest half of the road frontage to a road intersection for any corner lot.</p>	
	<p><b>AO2.5</b></p> <p>The access driveway of the development is designed and constructed in accordance with the Capricorn Municipal Development Guidelines Standard Drawing relevant to the development including but not limited to the following:</p> <p>(a) <i>Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains;</i></p> <p>(b) <i>Standard Drawing CMDG-R-041 Residential Driveway Slab and Tracks;</i></p> <p>(c) <i>Standard Drawing CMDG-R-042 Commercial Driveway Slab (Type A) Two Way Access;</i></p> <p>(d) <i>Standard Drawing CMDG-R-043 Commercial Driveway Slab (Type B) Two Way Access.</i></p>	<p><b>AO2.5 - Complies</b></p> <p>The existing and proposed access driveways will be conditioned to meet the requirements of the Capricorn Municipal Development Guidelines <i>Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains.</i></p>
	<p><b>AO2.6</b></p> <p>Where adjoining a state-controlled road or Key Resource Area transport route, the development provides:</p> <p>(a) a single site access driveway;</p> <p>(b) the access driveway to the lowest order road to which the site has frontage;</p> <p>(c) an access driveway, which enables vehicles to enter and exit the site in a forward direction.</p>	<p><b>AO2.6 - Not applicable</b></p> <p>The proposal site does not adjoin a state-controlled road or Key Resource Area transport route.</p>
<b>Energy supply</b>		
<p><b>PO9</b></p> <p>An energy supply is provided in a manner which:</p> <p>(a) is safe; and</p> <p>(b) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; and</p> <p>(c) does not compromise other infrastructure.</p>	<p><b>AO9.1</b></p> <p>The development is provided with an energy supply in accordance with the requirements of Table 9.3.2.4.7.</p>	<p><b>AO9.1 - Complies</b></p> <p>The proposed reconfiguration will be conditioned to meet the minimum energy requirements for the rural zone.</p>
	<p><b>AO9.2</b></p> <p>If the development requires the provision of reticulated grid electricity supply in accordance with Table 9.3.2.4.7 or if the development is to be provided with a reticulated grid electricity supply,</p>	<p><b>AO9.2 - Not applicable</b></p> <p>The site is in the rural zone and does not require the provision of reticulated grid energy supply.</p>

Performance outcomes	Acceptable outcomes	Assessment response
	the reticulated grid electricity supply infrastructure is provided in accordance with the requirements of the relevant energy supply authority.	
	<b>AO9.3</b> If the development requires an on-site energy supply in accordance with Table 9.3.2.4.7 (and the development is not to be provided with a reticulated energy supply in accordance with AO9.2 above), the on-site energy supply is installed in accordance with all laws and regulations and current best practice.	<b>AO9.3 - Complies</b> The proposed reconfiguration will be conditioned to provide an on-site energy supply in accordance with all laws and regulations and current best practice.
<b>Sewage and waste water treatment and disposal</b>		
<b>PO10</b> The development is provided with sewage and wastewater treatment and disposal infrastructure which: <ul style="list-style-type: none"> <li>(a) treats and disposes all generated sewage and waste water in a manner that protects public health and avoids environmental harm;</li> <li>(b) where practicable, is integrated with the existing public sewerage networks;</li> <li>(c) where practicable, facilitates the orderly provision of future public sewerage networks; and</li> <li>(d) is designed and constructed to be safe, operationally reliable and easily maintained.</li> </ul>	<b>AO10.1</b> The development is provided with sewage and waste water treatment and disposal infrastructure in accordance with the requirements of Table 9.3.2.4.6.	<b>AO10.1 - Complies</b> The proposed reconfiguration will be conditioned to meet the minimum sewage and waste water and sewerage disposal requirements for the rural zone.
	<b>AO10.2</b> If the development requires the provision of reticulated sewerage in accordance with Table 9.3.2.4.6 or if the development is to be provided with reticulated sewerage, the reticulated sewerage is provided in accordance with the current version of the Capricorn Municipal Development Guidelines.	<b>AO10.2 - Not applicable</b> The site is in the rural zone and does not require the provision of reticulated sewerage.
	<b>AO10.3</b> If the development requires on-site sewerage infrastructure in accordance with Table 9.3.2.4.6 (and the development is not to be provided with reticulated sewerage in accordance with AO10.2 above), the on-site sewerage infrastructure is provided in accordance with the current version of the Queensland Plumbing and Wastewater Code.	<b>AO10.3 - Complies</b> The proposed reconfiguration will be conditioned to provide on-site sewerage infrastructure in accordance with the current version of the Queensland Plumbing and Wastewater Code.
<b>Roof and allotment drainage</b>		
<b>PO11</b> Roof and allotment drainage is able to be collected and discharged from the development in a manner that does not adversely affect the stability of buildings, structures, or land on the site or on adjoining land.	<b>AO11.1</b> Roof and allotment drainage is conveyed to the kerb and channel or an inter-allotment drainage system in accordance with the most current version of the Australian Standard AS3500.3 (stormwater drainage).	<b>PO11 - Not applicable</b> The proposal is for a reconfiguration and will not involve any roof and allotment drainage.
<b>Telecommunications</b>		
<b>PO12</b> The development is provided with telecommunications infrastructure or equipment which:	<b>AO12.1</b> The development is provided with telecommunications infrastructure or equipment in accordance with	<b>AO12.1 - Complies</b> The proposed reconfiguration will be conditioned to meet the minimum telecommunications

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



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

### **PUBLIC NOTIFICATION**

The proposal was the subject of public notification between 19 March 2020 and 8 April 2020, as per the requirements of the *Planning Act 2016*, and no submissions were received.

### **INFRASTRUCTURE CHARGES**

Infrastructure charges are levied pursuant to the *Adopted Infrastructure Charges Resolution (No.4) LSC 2019*. The details and breakdown of the charges are outlined below:

Charge area:	The subject site is located outside the Priority Infrastructure Area.
Calculation:	The charge is calculated in accordance with Table 5 - Minimum infrastructure charge for Reconfiguring a Lot partly outside or entirely outside the Priority Infrastructure Area, as follows:  1. Two (2) lots at \$14,750.00 per lot. 2. less a <b>credit</b> of \$14,750.00.
Credit:	The above calculation takes into account a credit of \$14,750.00 for the existing allotment pursuant to Part 4.0 of Council's <i>Adopted Infrastructure Charges Resolution (No. 4) LSC 2019</i> . The credit is calculated as follows:  1. one existing lot at \$14,750.00 per lot.
Offset:	No offsets are applicable to the development.

A total contribution of \$14,750.00 is payable and will be reflected in an Infrastructure Charges Notice for the development.

### **STATEMENT OF REASONS**

The development application for a **Development Permit for Reconfiguring a Lot (One Lot into Two Lots)** is approved as per this Decision Notice (approval) D-28-2020.

#### **1. REASONS OF THE DECISION**

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

- (i) The development does not comply with Overall Outcome 6 of the Settlement pattern theme (Rural places) of the Strategic Framework as the proposed lot subdivision (one (1) into two (2) lots) will result in the fragmentation of land, identified and mapped as agricultural land Class A or Class B.
- (ii) Despite the non-compliance, there are currently no primary production activities occurring on the subject lot, nor within the locality, aside from minimal planted fruit trees to the east. Agricultural primary production activities are limited by the steep ridgeline and dense remnant vegetation situated within the southern half of the subject lot. Historical clearing within the subject lot has resulted in adequate land potential within each resultant lot, following subdivision.
- (iii) The development does not comply with Overall Outcome 7 of the Settlement pattern theme (Rural places) of the Strategic Framework as following subdivision, proposed Lot 2 will be 7.932 hectares in area, which is below the minimum lot size requirement of ten (10) hectares for the Rural zone, Capricorn Coast Rural Precinct.
- (iv) Despite the non-compliance, the proposed lot sizes will not impact on the agricultural capacity of the land. The existing Dwelling houses are dispersed on the property and adequate historically cleared areas are preserved within each proposed lot, for the future potential primary production use.

- (v) The development does not comply with Overall Outcome 8 of the Settlement pattern theme (Rural places) of the Strategic Framework as the subject lot is located in the Capricorn Coast Rural Precinct, and the resultant lots will not involve primary production activities, which are the preferred and dominant land uses within the precinct.
- (vi) Despite the non-compliance, the dense remnant vegetation and steep slope across the southern extent of the subject lot, limits the potential to utilise the land for rural activity purposes. Further, the subject lot is surrounded by rural lots also containing Dwelling house purposes with limited rural activities in the locality.
- (vii) The development does not comply with Performance Outcomes PO5 and PO6 of the Reconfiguring a lot code as a Large structure plan has not been provided for the proposed lot subdivision.
- (viii) Despite the non-compliance, the subdivision will result in one (1) additional lot, where each of the existing Dwelling houses will occupy their own land title. The proposal is able to meet the overall outcomes for the Reconfiguring a Lot code and as such, does not require a Large structure plan to be prepared.
- (ix) The development does not comply with Acceptable Outcomes AO11.1 and AO12.1 of the Reconfiguring a lot code as the proposed Lot 2 size of 7.932 hectares, is less than the minimum requirement of ten (10) hectares in area for the Rural zone (Capricorn Coast Rural Precinct).
- (x) Despite the non-compliances, proposed Lot 1 remains compliant with a lot size of ten (10) hectares in area. The dividing boundary has been aligned to ensure a majority of the environmental (Matter of Local Environmental Significance – Locally significant vegetation) and scenic amenity values are retained within proposed Lot 1. Further, lots within the locality are less than ten (10) hectares in area, particularly to the west, meaning the proposed subdivision will not cause amenity impacts to the locality. The location of the existing Dwelling houses are located in such a way as to limit the current potential to utilise portions of the land for agricultural or rural purposes.
- (xi) The development does not comply with Acceptable Outcome AO15.1 of the Biodiversity overlay code as the proposed one (1) into two (2) lot subdivision results in the creation of an additional lot within areas mapped as containing matters of environmental significance.
- (xii) Despite the non-compliance, the dividing boundary has been aligned to ensure a majority of the biodiversity values (Matter of Local Environmental Significance – Locally significant vegetation) is preserved within proposed Lot 1. The dividing boundary partially traverses mapped biodiversity value areas that are sparser in vegetation, meaning less vegetation removal would be required to install fencing.
- (xiii) The development does not comply with Performance Outcomes PO11 and PO12 of the Bushfire hazard overlay code as a supporting Bushfire hazard assessment and management plan has not been prepared for the proposal.
- (xiv) Despite the non-compliances, the subdivision will separate each of the existing two (2) Dwelling houses onto their own lots. The existing Dwelling houses are located downslope of hazardous mapped areas associated with the ridgeline to the south. Historically cleared areas surround each Dwelling house and the internal access driveways are in a cleared state. Appropriate approvals were granted for the existing Dwelling houses (Development Permits D-47-2016 and D-110-2019), where bushfire hazard was assessed and conditioned appropriately at the time of assessment. The Dwelling houses are able to meet the inner and outer zone requirements, with respect to the historically cleared areas, and the Dwelling house on proposed Lot 1 scores a Bushfire Attack Level of 12.5 and the Dwelling house on proposed Lot 2 scores a Bushfire Attack Level of Low, given the setback from hazardous vegetation and the underlying slope. Therefore, the subdivision will not increase the risk to personal safety and property, in the event of a bushfire.

- (xv) The development does not comply with Acceptable Outcome AO13.1 of the Bushfire hazard overlay code as more than twenty (20) per cent of the total number of lots, being two (2) for this instance, interface with the fire hazard.
- (xvi) Despite the non-compliance, each resultant lot following subdivision will include a Dwelling house and ancillary outbuildings fronting Adelaide Park Road. Therefore, as there will be an existing Dwelling house on each lot, it can be deemed that the lot design will minimise the number of lots that interface with the mapped bushfire hazard overlay.
- (xvii) The development does not comply with Acceptable Outcome AO3.1 of the Landslide hazard overlay code as vegetation clearing through landslide prone areas is required to install the dividing fence line.
- (xviii) Despite the non-compliance, the construction and management of the dividing fence line will be situated through sparser areas of vegetation and will therefore, require minimal clearing. The existing development, being Dwelling houses and their ancillary outbuildings and accesses, are located wholly outside of landslide prone areas. Therefore, the construction of the dividing fence is unlikely to result in the increase of landslide hazard.
- (xix) The development does not comply with Acceptable Outcome AO9.1 of the Landslide hazard overlay code as a supporting site-specific slope stability assessment report has not been prepared for the proposed development.
- (xx) Despite the non-compliance, no building and/or ancillary outbuildings, or changes to landform are proposed as part of the application. The existing development is located entirely outside of landslide hazard areas and adequate space is preserved to site future buildings and/or outbuildings outside of landslide prone areas.
- (xxi) The application complies with the relevant outcomes of the Scenic amenity overlay code and Development works code.
- (xxii) The development does not compromise the achievement of the State interests – Economic Growth, Environment and Heritage, and Safety and Resilience to Hazards outlined in the State Planning Policy.
- (xxiii) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application, even though the development does not comply with thirteen (13) aspects of the assessment benchmarks.

## 2. ASSESSMENT BENCHMARKS

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Strategic Framework – Settlement Pattern Theme – Rural Places, and Natural environment and hazards theme Reconfiguring a lot code Biodiversity overlay code Bushfire hazard overlay code Landslide hazard overlay code Scenic amenity overlay code Development works code	<i>Livingstone Planning Scheme 2018</i> Version 2, in effect 25 June 2018
Part E: State interest policies and assessment benchmarks (Planning for Economic Growth, Environment and Heritage, and Safety and Resilience to	<i>State Planning Policy, July 2017</i>

Hazards)	
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### 3. COMPLIANCE WITH BENCHMARKS

The development meets the overall outcomes for the Reconfiguring a lot code, Biodiversity overlay code, Bushfire hazard overlay code and Landslide hazard overlay code, despite not complying with the following:

Benchmark reference	Reasons for the approval despite non-compliance with benchmark
Strategic Framework – Settlement pattern theme (Rural places) – Overall Outcomes 6, 7 and 8	As per the reasons set out in the findings on material questions of fact in section 1 of this notice.
Reconfiguring a lot code – Performance Outcomes PO5 and PO6, and Acceptable Outcomes AO11.1 and AO12.1	
Biodiversity overlay code – Acceptable Outcome AO15.1	
Bushfire hazard overlay code – Performance Outcomes PO11 and PO12, and Acceptable Outcome AO13.1	
Landslide hazard overlay code – Acceptable Outcomes AO3.1 and AO9.1	

### 4. RELEVANT MATTERS

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

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

### 5. MATTERS RAISED IN SUBMISSIONS

No submissions were received for this application.

### 6. MATTERS PRESCRIBED BY REGULATION

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

- |   |
|---|
| <ul style="list-style-type: none"> <li>(i) The State Planning Policy – Part E;</li> <li>(ii) The Strategic Framework, Reconfiguring a lot code, Biodiversity overlay code, Bushfire hazard overlay code, Landslide hazard overlay code, Scenic amenity overlay code and Development works code in the <i>Livingstone Planning Scheme 2018</i>.</li> <li>(iii) The land, the subject of the application is improved with two (2) approved Dwelling houses under Development Permits D-47-2016 and D-110-2019;</li> </ul> |
|---|

- (iv) The adjoining lots, in terms of commensurate and consistent development; and
- (v) The common material, being the material submitted with the application.

## PREVIOUS DECISIONS

It is noted that this is the first impact assessable Reconfiguring of Lot application for the locality of Adelaide Park Road.

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

## ACCESS AND INCLUSION

There have been no specific access and inclusion issues identified with this proposal.

## ENGAGEMENT AND CONSULTATION

The proposal was the subject of public notification between 19 March 2020 and 8 April 2020, as per the requirements of the *Planning Act 2016*, and no submissions were received.

## HUMAN RIGHTS IMPLICATIONS

There have been no specific human rights implications identified with this proposal

## BUDGET IMPLICATIONS

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

## LEGISLATIVE CONTEXT

*Planning Act 2016*

## LEGAL IMPLICATIONS

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

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

## STAFFING IMPLICATIONS

No staffing implications have been identified in the assessment.

## RISK ASSESSMENT

The risks associated with this assessment have been generally addressed in the body of this report. However, there is the additional risk of appeal to any decision made by Council and any financial/budget implications such action may have. It should be noted that appeal risks are difficult to quantify at the assessment stage.

## CORPORATE PLAN REFERENCE

### ***Future Livingstone***

*Community Plan Goal 5.1 - Balanced environmental and development outcomes*

*5.1.2 Balance development within Livingstone Shire in accordance with the community's desired environmental and economic outcomes.*

## CONCLUSION

Council officers have formed the opinion that application D-28-2020 being for a Development Permit to Reconfigure a Lot (one (1) lot into two (2) lots), made by M Jowsey C/- Finch Surveying Consultants, on land described as Lot 1 on RP606912, and located at 635 Adelaide Park Road, Adelaide Park, should be approved with conditions.



**12.7 - DEVELOPMENT APPLICATION  
FOR A DEVELOPMENT PERMIT FOR  
RECONFIGURING A LOT (ONE LOT  
INTO TWO LOTS) AT 635 ADELAIDE  
PARK ROAD, ADELAIDE PARK**

**Reconfiguration Plan (1 lot into 2 lots)**

**Meeting Date: 16 June 2020**

**Attachment No: 1**





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**12.8 APPLICATION FOR PERMANENT ROAD CLOSURE - YEPPOON CRESCENT YEPPOON****File No:** 14.4.2**Attachments:**  
1. Application for road closure [↓](#)  
2. Locality Plan [↓](#)**Responsible Officer:** Scott Casey - Executive Director Infrastructure**Author:** Carrie Burnett - Policy & Planning Officer

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**SUMMARY**

*This report pertains to an application to permanently close an area of road (pathway) off Yeppoon Crescent Yeppoon.*

**OFFICER'S RECOMMENDATION**

THAT Council resolve to:

- 1) advise the applicant that it does not support the proposal to permanently close the road (pathway) to the north of 23 Yeppoon Crescent Yeppoon because it provides access to the western side of Fig Tree Creek in the neighbouring reserve for park (Lot 113 LN2550) and may be required at some future point for access to the reserve for maintenance or walkway purposes; and
- 2) authorise the Manager Engineering Services to sign a 'Statement in relation to an application under the *Land Act 1994* over State Land (Part C)' advising the Department of Natural Resources, Mines and Energy that Council, as road manager, does not support the proposal to permanently close the road (pathway) to the north of 23 Yeppoon Crescent Yeppoon because it provides access to the western side of Fig Tree Creek in the neighbouring reserve for park (Lot 113 LN2550) and may be required as some future point for access to the reserve for maintenance or walkway purposes.

**BACKGROUND**

In April 2020, Council received a request from the owners of Lot 96 LN2550 (23 Yeppoon Crescent Yeppoon) for Council to consider a proposed application for permanent road closure over an area of road (pathway) to the north of their property.

**COMMENTARY**

Under the *Land Act 1994* an adjoining land owner may apply to have an area of road permanently closed and incorporated into their adjoining freehold land. The owners of Lot 96 are requesting Council to complete a 'Statement in relation to an application under the *Land Act 1994* over State land Part C' which they will lodge with the Department of Natural Resources, Mines and Energy along with their application for road closure (refer to Attachment 1 for application form).

Advice was sought from various sections of Council and comments provided are covered below:

- 1) Council's Senior Land Protection Officer inspected the reserve for park at Lot 113 LN2550 on 13 May 2020 and has recommended that Council retain the pathway. She advises as follows:
  - a) Lot 113 has a boundary with Adelaide Park Road however this only provides access to the eastern side of Fig Tree Creek which runs through the reserve.
  - b) The land becomes steep on the western side of the creek and is heavily vegetated.

- c) The pathway to the north of 23 Yeppoon Crescent provides Council with a legal access to undertake maintenance on the western side of Fig Tree Creek if required or could provide a future public pathway to access the waterway or a bushland walking track.
- 2) Council's Coordinator Water and Sewerage Operations advises that there is a sewer running across the pathway from 21 to 25 Yeppoon Crescent. If it is the owner's intention to install a pool will they need to lodge a Building Over or Near Relevant Infrastructure application if the pool will impact the sewer main.
- 3) Council's Coordinator Open Spaces advises that the pathway and Lot 113 are not maintained by Open Spaces.
- 4) Council's Coordinator Infrastructure Planning does not object to the road closure proposal because of practical concerns in the planning of a pathway through to Adelaide Park Road due to extremely difficult terrain close to the creek.
- 5) Council's Acting Planning Officer states the road reserve does not have a zone therefore will take on the zone of the adjacent land, low density residential zone. The site is mapped with the following overlays:
- i. OM11 Biodiversity – Stream Order
    - Waterway potential assessment area
  - ii. OM12 Bushfire hazard area
    - High potential bushfire intensity
    - Potential impact buffer

There is a sewer line running through the road reserve. The road reserve may have been required at subdivision for access through the road reserve onto Adelaide Park Road however Planning have no comments regarding if connection will be made in the future.

- 6) Council's Principal Development Engineer has advised any future structures (example – pool) adjacent to or over Council Infrastructure must comply with the Queensland Development Code, Mandatory Provision (MP 1.4).

## **PREVIOUS DECISIONS**

Not applicable.

## **ACCESS AND INCLUSION**

Not applicable.

## **ENGAGEMENT AND CONSULTATION**

On their website, *NRM* states '*To assess local community opinion about a proposed closure, a public notice is required (e.g. advertisement in a local newspaper, signs erected on the land).*'

## **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 human rights implications associated with this report.

## **BUDGET IMPLICATIONS**

There are no foreseeable budget implications associated with this matter.

## **LEGISLATIVE CONTEXT**

Pursuant to s 99 of the *Land Act 1994* an owner of land that adjoins road may apply for the permanent closure of the road. The owner may ask for the closed road to be amalgamated into the owner's adjoining land.

Applications are assessed by *NRM* on their own merits and the Minister may refuse a road closure application if the Minister is satisfied-

- a) the road is the only dedicated access to a person's land;
- b) the road is, or may be, used regularly by the public as a road or stock route; or
- c) the road provides continuity to a road network.

### **LEGAL IMPLICATIONS**

Not applicable.

### **STAFFING IMPLICATIONS**

Existing staff can accommodate this project.

### **RISK ASSESSMENT**

Permanently closing the pathway to the north of 23 Yeppoon Crescent will remove a legal access that Council may use in the future to undertake maintenance on the western side of Fig Tree Creek if required.

### **CORPORATE PLAN REFERENCE**

#### ***Future Livingstone***

*Community Plan Goal 5.2 - Connected places, people and services*

*5.2.1 Implement an integrated transport strategy which encourages alternative transport usage to maximum economic, environmental, and liveability outcomes.*

### **CONCLUSION**

Given the pathway provides Council with legal access to enter the reserve for park (Lot 113 LN2550) on the western side of Fig Tree Creek, which may be required for maintenance or walkway purposes in the future, Council should not support the proposed road closure application submitted by the owner of 23 Yeppoon Crescent.



## **12.8 - APPLICATION FOR PERMANENT ROAD CLOSURE - YEPPON CRESCENT YEPPON**

### **Application for road closure**

**Meeting Date: 16 June 2020**

**Attachment No: 1**

### Contact details

<b>Lodger Details and Mailing Address</b>		
A lodger is only required when a solicitor, bank, consultant lodges the application on behalf of the applicant.		
<b>Full Name(s)</b>		
Title	First name	Surname

**Company name(s)**

**If a Corporation then record**   
 ☐ ACN   
 ☐ ARBN   
 ☐ ABN

**Postal Address**

**Phone number****Mobile phone**

**Email**

Applicant(s) Details and Mailing Address			
If the applicant is a Corporation, either the Australian Company number, Australian Registered Body number or the Australian Business number must be shown.			
<b>Full Name(s)</b>			
<b>Title</b>	<b>First name</b>	<b>Surname</b>	
MR			
MRS			
<b>Company name(s)</b>			
If a Corporation then record <input type="checkbox"/> ACN <input type="checkbox"/> ARBN <input type="checkbox"/> ABN <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px; vertical-align: middle;"></span>			
<b>Postal Address</b>			
QLD 4703			
<b>Phone number</b>		<b>Mobile phone</b>	
<b>Email</b>			
<b>Future correspondence should be sent to</b> <input type="checkbox"/> Lodger <input checked="" type="checkbox"/> Applicant			
1. Are the applicants a foreign acquirer as defined by the Additional Foreign Acquirer Duty (AFAD)? <input type="checkbox"/> Yes go to 2 <input checked="" type="checkbox"/> No go to 4			
For further information refer to the Queensland Government website to determine if the applicant/s are a <u>foreign person (acquirer) for AFAD</u> >. <a href="https://www.business.qld.gov.au/industries/service-industries-professionals/professional-financial-services/transfer-duty/investors/afad/foreign-persons">https://www.business.qld.gov.au/industries/service-industries-professionals/professional-financial-services/transfer-duty/investors/afad/foreign-persons</a>			
2. Is the application related to the purchase of land, for example a permanent road closure, or conversion of a lease where the land is or will be used solely or primarily for residential purposes as defined for the Additional Foreign Acquirer Duty (AFAD) under the <i>Duties Act 2001</i> ? <input checked="" type="checkbox"/> Yes go to 3 <input type="checkbox"/> No go to 4			
<b>Note – Under the <i>Duties Act 2001</i> an additional amount of duty applies where the land is residential land and the applicant is a foreign person (acquirer) for AFAD. For further details, please refer to the information on the Queensland Government website for <u>Additional Foreign Acquirer Duty</u>:-</b> <a href="https://www.business.qld.gov.au/industries/service-industries-professionals/professional-financial-services/transfer-duty/investors/afad">https://www.business.qld.gov.au/industries/service-industries-professionals/professional-financial-services/transfer-duty/investors/afad</a>			

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3. Enter the full name/s of the foreign acquirer/s.  
(If there is insufficient space, please lodge as an attachment) go to 4

Full Name/s (If a company, also provide a contact name)	Share held

4. Are the Applicant/s registered for GST AND acquiring the land for a creditable purpose? ☐ Yes ☒ No go to 5

Under the Tax Administration Act (Cth) 1953 certain purchasers of new residential premises or potential residential land are required to withhold the Goods and Services Tax (GST) amount from the price of the supply (purchase price) for payment directly to the Australian Taxation Office (ATO) as outlined on the ATO's website. The department is unable to provide further advice on the ATO's requirements. For further information contact the ATO on 13 28 65 or refer to the ATO website <https://www.ato.gov.au/business/gst/in-detail/your-industry/property/gst-property-settlement-online-forms-and-instructions/> or seek advice from a financial or legal expert.

### Details of land for which the application is being lodged

5. Select the type of land for which the application is being lodged.

<input type="checkbox"/> Permit	<input type="checkbox"/> Lease	go to 6
<input type="checkbox"/> Licence	<input type="checkbox"/> Unallocated State Land (USL)	
<input type="checkbox"/> Trust Land Reserve/ Deed of Grant in Trust (DOGIT)	<input checked="" type="checkbox"/> Road	
<input type="checkbox"/> Dealing Number (refer to Item 6)	<input type="checkbox"/> Other	

1.	The Application is for:	<input checked="" type="checkbox"/> Permanent road closure	go to 2
		<input type="checkbox"/> Temporary road closure	go to 2

2. If you are not the manager of the road as defined below, have you consulted with the Road Manager to determine if the road is still required? ☒ Yes go to 3 ☐ No go to 3

Before submitting your application to the DNRME, it is recommended that you discuss your proposal for closure of a local road with the local government responsible for its management, or the Department of Transport and Main Roads for a state controlled road managed under the Transport Infrastructure Act 1994.

This will assist you to plan your project and will help reduce the time required to assess your application. It will also provide you with an opportunity to address in your application any issues identified through discussion with the road manager.

A signed 'Part C - Statement in relation to an application under the Land Act 1994 over State land' from the road manager must accompany this application.

A road may be permanently closed under the Land Act 1994 if the Minister is satisfied the road is not:

- (a) the only dedicated access to a person's land;
- (b) used regularly by the public as a road or stock route; or
- (c) providing continuity to a road network.

An application must be refused if the road is still needed in accordance with section 101(3) of the Land Act 1994.

**Note** – A road manager has the powers to authorise various uses on roads, however neither agency is able to permanently close the dedicated road and allocate the land for another use.

**Road Manager is –**

- The local government for a road that is controlled by the local council
- For a state controlled road, the chief executive of the Queensland Government agency administering the Transport Infrastructure Act 1994 such as the Department of Transport and Main Roads.

3. Are you a public utility provider or the registered owner, lessee or trustee of the land adjoining the area of road subject to this road closure application? ☒ Yes go to 4 ☐ No

Application cannot be considered unless temporary closure is for reasons listed in Question 4

Section 99(1) of the Land Act 1994 states that only a public utility provider or the registered owner, lessee or trustee of the land adjoining a road may apply for a permanent closure of the road.

4. Is the temporary closure to make structural improvements for:

☐ Pipes for irrigation purposes that cross the road beneath its surface

☐ Water channels for irrigation purposes that cross the road

go to 5

Section 99(3) of the Land Act 1994 limits who can apply for temporary closure of a road to only the registered owner, lessee or trustee of the land adjoining a road or another person for;

- Pipes for irrigation purposes that cross the road beneath its surface; or
- Water channels for irrigation purposes that cross the road.

5. Provide details in Schedule 1 below, of any land you lease from the state or are the registered owner that adjoins or is in the vicinity of the land applied for. go to 6  
(If there is insufficient space, please lodge as an attachment)

Schedule 1		
You must enter either the Lot on Plan or Title Reference of the land.		
Lot	Plan	Title Reference
96	LN 2550	

6. Have you made a previous application for closure of this area of road? ☐ Yes go to 7 ☒ No go to 10

7. Was this application refused? ☐ Yes go to 8 ☐ No go to 10

8. Has there been any change in circumstances from the previous application, which may lead to this application being accepted for further consideration? ☐ Yes go to 9 ☐ No go to 10

The application may be rejected without further consideration.

9. Provide details of the change in circumstances from the previous application. go to 10  
(If there is insufficient space, please lodge as an attachment)

10. Is any use currently being made of the road area? ☐ Yes go to 11 ☒ No go to 12

11. Provide details of the current use of road e.g. grazing, encroachment of building or structure go to 12  
(If there is insufficient space, please lodge as an attachment)

This an unused pathway No-one has accessed  
 this since us moving in in 2007.

12. Provide details of the proposed use of the road area. go to 13

We would like to purchase the land, To amalgamate  
 into our property.



13. Provide details of any additional information to support the application. (optional)  
 If there is insufficient space, please lodge as an attachment) go to 14

Since 2001 we have maintained the pathway as though it was our own yard. Laying turf, watering + mowing. If able to be proven we are hoping to use for a pool as backyard has a sewerline which would allow for a pool.

### Attachments

The following will need to be lodged with your application for it to be considered a properly made application. If all this information is not submitted or the forms are not completed accurately, your application will be returned.

14. Tick the box to confirm the attachments for part of the application.

☒ Part A - Contact and land details form.

☒ Part C - Statement from road manager.

☒ Application fee.

☒ A copy of a Dial Before You Dig enquiry confirmation sheet verifying if there is any Telstra infrastructure located on the road area applied for.

☒ A drawing showing the information listed in the "application requirements" that are included in the Applying for a road closure guide.

☒ Additional information in support of your application such as correspondence from the road manager or current users of the road.

### Declaration

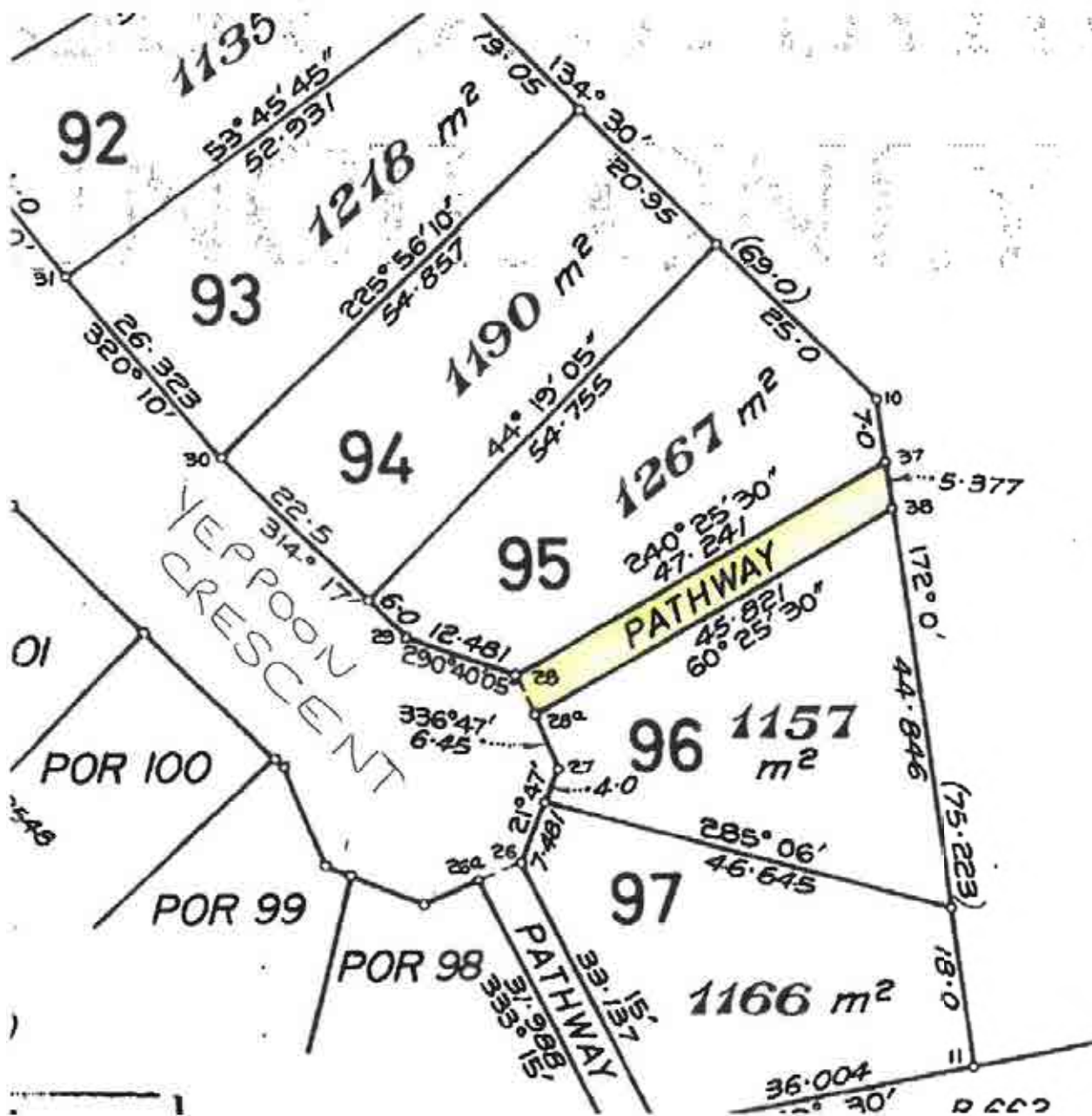
I certify that I have read the information which forms part of this application and the information I have provided is true and accurate.

Signature of applicant (or their legal representative)

[Redacted Signature]

Date: 27 / 04 / 2020

If applicant, section 142 of the Land Act 1994 states a person is eligible to apply for, buy or hold land under the Land Act 1994 if the person is an adult, that is, 18 years of age or over.  
 If the legal representative of the applicant is signing as the applicant then the legal representative's full name must be printed immediately below the signature.



# **12.8 - APPLICATION FOR PERMANENT ROAD CLOSURE - YEPPOON CRESCENT YEPPOON**

## **Locality Plan**

**Meeting Date: 16 June 2020**

**Attachment No: 2**





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**12.9 APPLICATION FOR PERMANENT ROAD CLOSURE OFF TOOKERS ROAD, CAWARRAL**

**File No:** 14.4.2  
**Attachments:** 1. Application for Permanent Road Closure [↓](#)  
**Responsible Officer:** Scott Casey - Executive Director Infrastructure  
**Author:** Carrie Burnett - Policy & Planning Officer

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**SUMMARY**

*This report pertains to an application to permanently close an unconstructed road reserve off Tookers Road Cawarral.*

**OFFICER'S RECOMMENDATION**

THAT Council resolve to:

- 1) advise the applicant that it does not support the proposal to permanently close approximately 3.58 hectares of road described as Lot A on AP19963 off Tookers Road, Cawarral because the subject land could be required at some future time to expand walking and cycling infrastructure adjacent and connecting to the Rail Trail; and
- 2) authorise the Manager Engineering Services to sign a 'Statement in relation to an application under the *Land Act 1994* over State Land (Part C)' advising the Department of Natural Resources, Mines and Energy that Council, as road manager, does not support the proposal to permanently close approximately 3.58 hectares of road described as Lot A on AP19963 off Tookers Road, Cawarral because the subject land could be required as some future time to expand walking and cycling infrastructure adjacent and connecting to the Rail Trail.

**BACKGROUND**

In March 2020, Council received a request from the Sporting Shooters Association Australia (Rockhampton Branch) ('SSAA') being the owner of Lot 3 SP224423 (402 Tookers Road Cawarral) for Council to consider a proposed application for permanent road closure over an area of unconstructed road to the north of their property described as Lot A on AP19963 over which the club has a permit to occupy. If approved the permanent road closure will increase club's area of Safety Buffer Zone.

**COMMENTARY**

Under the *Land Act 1994* an adjoining land owner may apply to have an area of road permanently closed and incorporated into their adjoining freehold land. The SSAA, owners of Lot 3 SP224423 are requesting Council to complete a 'Statement in relation to an application under the *Land Act 1994* over State land Part C' which they will lodge with the Department of Natural Resources, Mines and Energy along with their application for road closure (refer to Attachment 1 for application form).

Advice was sought from various sections of Council and the only issue identified is that the area of proposed road closure may be required at some future point to expand walking and cycling infrastructure adjacent to and connecting to the Rail Trail.

On 28 April 2020 Council Officers inspected the proposed road closure area to identify any impediments to the proposal for a bush walking path. None were identified. Council's Coordinator Infrastructure Planning has advised that '*Considering potential future opportunities in expanding walking and cycling infrastructure adjacent and connecting to [sic] Rail Trail...*' that Council should not support the proposed road closure application.

**PREVIOUS DECISIONS**

Not applicable.

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**ACCESS AND INCLUSION**

Not applicable.

**ENGAGEMENT AND CONSULTATION**

On their website, *NRM* states '*To assess local community opinion about a proposed closure, a public notice is required (e.g. advertisement in a local newspaper, signs erected on the land).*'

**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 human rights implications associated with this report.

**BUDGET IMPLICATIONS**

There are no foreseeable budget implications associated with this matter.

**LEGISLATIVE CONTEXT**

Pursuant to s 99 of the *Land Act 1994* an owner of land that adjoins road may apply for the permanent closure of the road. The owner may ask for the closed road to be amalgamated into the owner's adjoining land.

Applications are assessed by *NRM* on their own merits and the Minister may refuse a road closure application if the Minister is satisfied-

- a) the road is the only dedicated access to a person's land;
- b) the road is, or may be, used regularly by the public as a road or stock route; or
- c) the road provides continuity to a road network.

**LEGAL IMPLICATIONS**

Not applicable.

**STAFFING IMPLICATIONS**

Existing staff can accommodate this project.

**RISK ASSESSMENT**

Currently there are no walking trails in use in close proximity to the SSAA. The Rail Trail, located on the opposite side of Tookers Road is fenced keeping users away from the road and on the trail. If a walking trail is constructed on the area of proposed road closure in the future, users will be in close proximity to the boundary of an established shooting complex. This may be perceived as an increased risk to Rail Trail users given the clubs use of weapons and live firing.

With the SSAA's existing "Limited Danger Zones" there should already be adequate distance to prevent injury to the public outside the club's property boundary. Fencing and signage is in place to deter the public accessing the SSAA property.

**CORPORATE PLAN REFERENCE*****Future Livingstone******Community Plan Goal 5.2 - Connected places, people and services******5.2.1 Implement an integrated transport strategy which encourages alternative transport usage to maximum economic, environmental, and liveability outcomes.*****CONCLUSION**

With a highly positive community response to the Rail Trail project any additional connections would be beneficial to the greater community, bringing visitors and locals to the region. Given potential future *opportunities* to expand walking and

cycling infrastructure adjacent and connecting to the Rail Trail Council should not support the proposed road closure application submitted by the SSAA.

## **12.9 - APPLICATION FOR PERMANENT ROAD CLOSURE OFF TOOKERS ROAD, CAWARRAL**

### **Application for Permanent Road Closure**

**Meeting Date: 16 June 2020**

**Attachment No: 1**

1.	The Application is for:	<input checked="" type="checkbox"/> Permanent road closure	go to 2
		<input type="checkbox"/> Temporary road closure	go to 2

2.	If you are not the manager of the road as defined below, have you consulted with the Road Manager to determine if the road is still required?	<input checked="" type="checkbox"/> Yes	go to 3	<input type="checkbox"/> No	go to 3
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Before submitting your application to the DNRME, it is recommended that you discuss your proposal for closure of a local road with the local government responsible for its management, or the Department of Transport and Main Roads for a state controlled road managed under the Transport Infrastructure Act 1994.

This will assist you to plan your project and will help reduce the time required to assess your application. It will also provide you with an opportunity to address in your application any issues identified through discussion with the road manager.

A signed 'Part 3 - Statement in relation to an application under the Land Act 1994 over State land' from the road manager must accompany this application.

A road may be permanently closed under the Land Act 1994 if the Minister is satisfied the road is not

- (a) the only dedicated access to a person's land;
- (b) used regularly by the public as a road or stock route; or
- (c) providing continuity to a road network.

An application must be refused if the road is still needed in accordance with section 101(3) of the Land Act 1994.

Note – A road manager has the powers to authorise various uses on roads, however neither agency is able to permanently close the dedicated road and allocate the land for another use.

Road Manager is –

- The local government for a road that is controlled by the local council
- For a state controlled road, the chief executive of the Queensland Government agency administering the Transport Infrastructure Act 1994 such as the Department of Transport and Main Roads.

3.	Are you a public utility provider or the registered owner, lessee or trustee of the land adjoining the area of road subject to this road closure application?	<input checked="" type="checkbox"/> Yes	go to 4	<input type="checkbox"/> No	Application cannot be considered unless temporary closure is for reasons listed in Question 4
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Section 99(1) of the Land Act 1994 states that only a public utility provider or the registered owner, lessee or trustee of the land adjoining a road may apply for a permanent closure of the road.

4.	Is the temporary closure to make structural improvements for:	<input type="checkbox"/> Pipes for irrigation purposes that cross the road beneath its surface	go to 5
		<input type="checkbox"/> Water channels for irrigation purposes that cross the road	

Section 99(3) of the Land Act 1994 limits who can apply for temporary closure of a road to only the registered owner, lessee or trustee of the land adjoining a road or another person for;

- Pipes for irrigation purposes that cross the road beneath its surface; or
- Water channels for irrigation purposes that cross the road.

<b>5.</b>	Provide details in Schedule 1 below, of any land you lease from the state or are the registered owner that adjoins or is in the vicinity of the land applied for. (If there is insufficient space, please lodge as an attachment)	<b>go to 6</b>									
<b>Schedule 1</b> You must enter either the Lot or Plan or Title Reference of the land.											
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Lot</th> <th style="width: 33%;">Plan</th> <th style="width: 33%;">Title Reference</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">SP224423</td> <td style="text-align: center;">50764054</td> </tr> <tr> <td style="text-align: center;">A</td> <td style="text-align: center;">AP19963</td> <td></td> </tr> </tbody> </table>	Lot	Plan	Title Reference	3	SP224423	50764054	A	AP19963		
Lot	Plan	Title Reference									
3	SP224423	50764054									
A	AP19963										
<b>6.</b>	Have you made a previous application for closure of this area of road?	<input type="checkbox"/> Yes go to 7 <input checked="" type="checkbox"/> No go to 10									
<b>7.</b>	Was this application refused?	<input type="checkbox"/> Yes go to 8 <input type="checkbox"/> No go to 10									
<b>8.</b>	Has there been any change in circumstances from the previous application, which may lead to this application being accepted for further consideration?	<input type="checkbox"/> Yes go to 9 <input type="checkbox"/> No go to 10									
The application maybe rejected without further consideration.											
<b>9.</b>	Provide details of the change in circumstances from the previous application. (If there is insufficient space, please lodge as an attachment)	<b>go to 10</b>									
<b>10.</b>	Is any use currently being made of the road area?	<input checked="" type="checkbox"/> Yes go to 11 <input type="checkbox"/> No go to 12									
<b>11.</b>	Provide details of the current use of road e.g. grazing, encroachment of building or structure (If there is insufficient space, please lodge as an attachment)	<b>go to 12</b>									
Refer to Attachment 1											
<b>12.</b>	Provide details of the proposed use of the road area. (If there is insufficient space, please lodge as an attachment)	<b>go to 13</b>									
Refer to Attachment 1											

<b>13.</b>	Provide details of any additional information to support the application. (optional) (If there is insufficient space, please lodge as an attachment)	<b>go to 14</b>
<div style="border: 1px solid black; padding: 2px;">Refer to Attachment 1</div>		

### Attachments

The following will need to be lodged with your application for it to be considered a properly made application. If all this information is not submitted or the forms are not completed accurately, your application will be returned.

<b>14.</b>	Tick the box to confirm the attachments for part of the application. <div style="margin-top: 10px;"> <div style="display: flex; align-items: center; margin-bottom: 5px;"> <input checked="" style="margin-right: 10px;" type="checkbox"/> <div>Part A - Contact and land details form.</div> </div> <div style="display: flex; align-items: center; margin-bottom: 5px;"> <input checked="" style="margin-right: 10px;" type="checkbox"/> <div>Part C - Statement from road manager.</div> </div> <div style="display: flex; align-items: center; margin-bottom: 5px;"> <input checked="" style="margin-right: 10px;" type="checkbox"/> <div>Application fee.</div> </div> <div style="display: flex; align-items: center; margin-bottom: 5px;"> <input checked="" style="margin-right: 10px;" type="checkbox"/> <div>A copy of a <u>Dial Before You Dig</u> enquiry confirmation sheet verifying if there is any Telstra infrastructure located on the road area applied for.</div> </div> <div style="display: flex; align-items: center; margin-bottom: 5px;"> <input checked="" style="margin-right: 10px;" type="checkbox"/> <div>A drawing showing the information listed in the "application requirements" that are included in the Applying for a road closure guide.</div> </div> <div style="display: flex; align-items: center;"> <input checked="" style="margin-right: 10px;" type="checkbox"/> <div>Additional information in support of your application such as correspondence from the road manager or current users of the road.</div> </div> </div>
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### Declaration

I certify that I have read the information which forms part of this application and the information I have provided is true and accurate.

Signature of applicant (or their legal representative)

J. Brander

Date: 25 / 03 / 2020

If applicant, section 142 of the Land Act 1994 states a person is eligible to apply for, buy or hold land under the Land Act 1994 if the person is an adult, that is, 18 years of age or over.  
 If the legal representative of the applicant is signing as the applicant then the legal representative's full name must be printed immediately below the signature.





ABN: 42 157 123 786

## Sporting Shooters' Association of Australia (Qld.) Inc.

Q07 SSAA Rockhampton Branch Inc.

Postal:  
P.O. Box 675  
Rockhampton QLD 4700

Secretary – Gina Bianchi  
Phone: 0477 008 182

25 March 2020

### DNREM APPLICATION FOR ROAD CLOSURE – PART B - ATTACHMENT 1

#### 11. Provide details of the current land use of road.

- (a) Permit to Occupy – Lot A on AP19963. Aft 3.58 ha. See attached plan AP19963
- (b) Buffer area for Approved Shooting Ranges under the *Weapons Act*
- (c) Regional Sporting Complex for 2 Approved Shooting Clubs (SSAA Rockhampton & SSAA Morinish) under the *Weapons Act*. Approx. 1300 members.
- (d) Unformed road.
- (e) No infrastructure (either private or community or government or entity) is located in the road area.
- (f) Fauna protection area as an Approved Shooting Range.
- (g) Basic boundary fencing exists between the road and the three adjacent freehold lots.
- (h) No cultural heritage sites evident.
- (i) No mining activities are evident.

#### 12. Provide details of the proposed use of the road area.

- (a) Continue as Buffer area for Approved Shooting Ranges under the *Weapons Act*
- (b) Reduced boundary fence lines for vegetation management and infrastructure management.
- (c) Improved boundary fences and warning signs for control of shooting range access for public safety.
- (d) Improved bushfire management in a high-risk area.

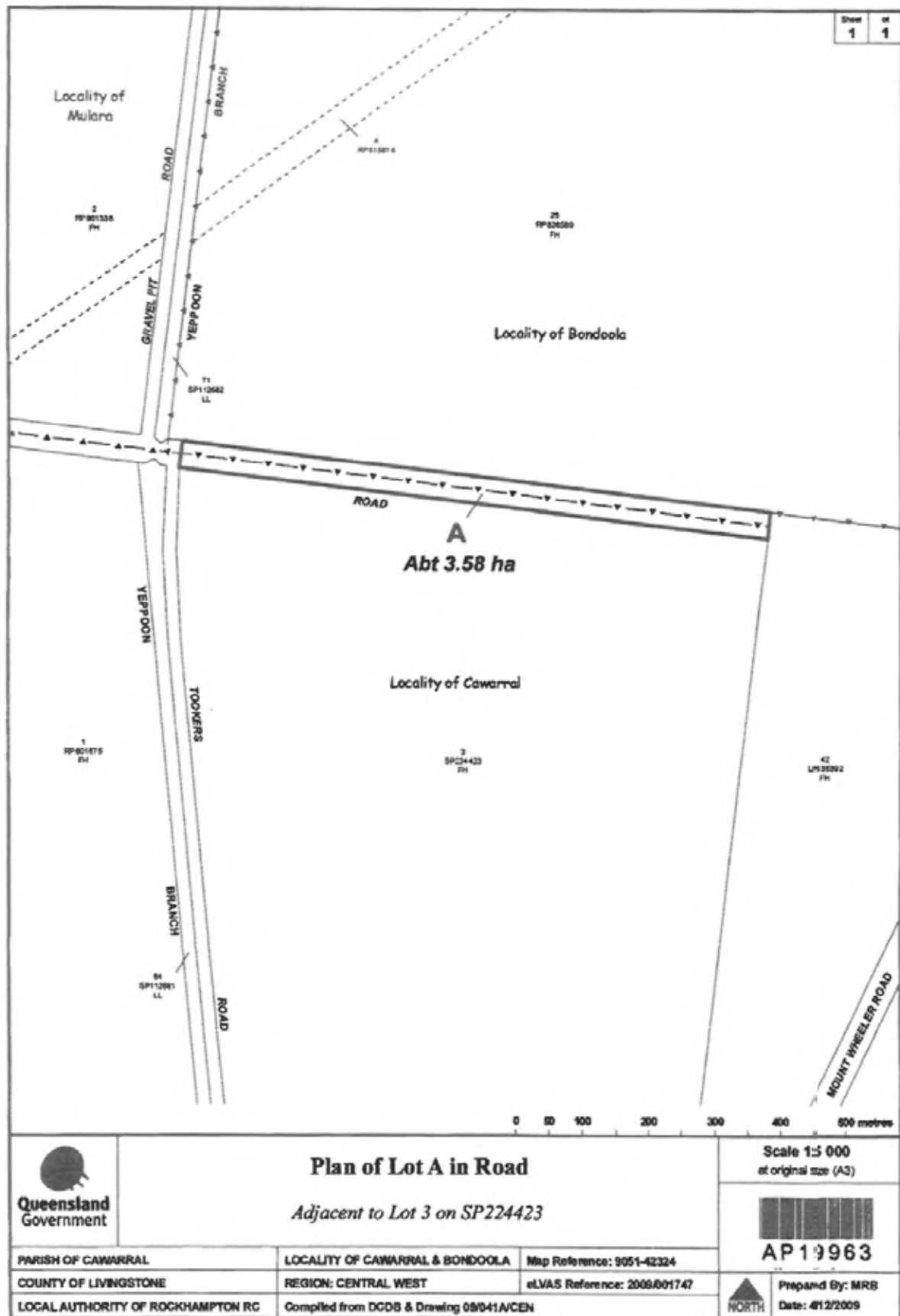
#### 13. Provide details of any additional information to support the application.

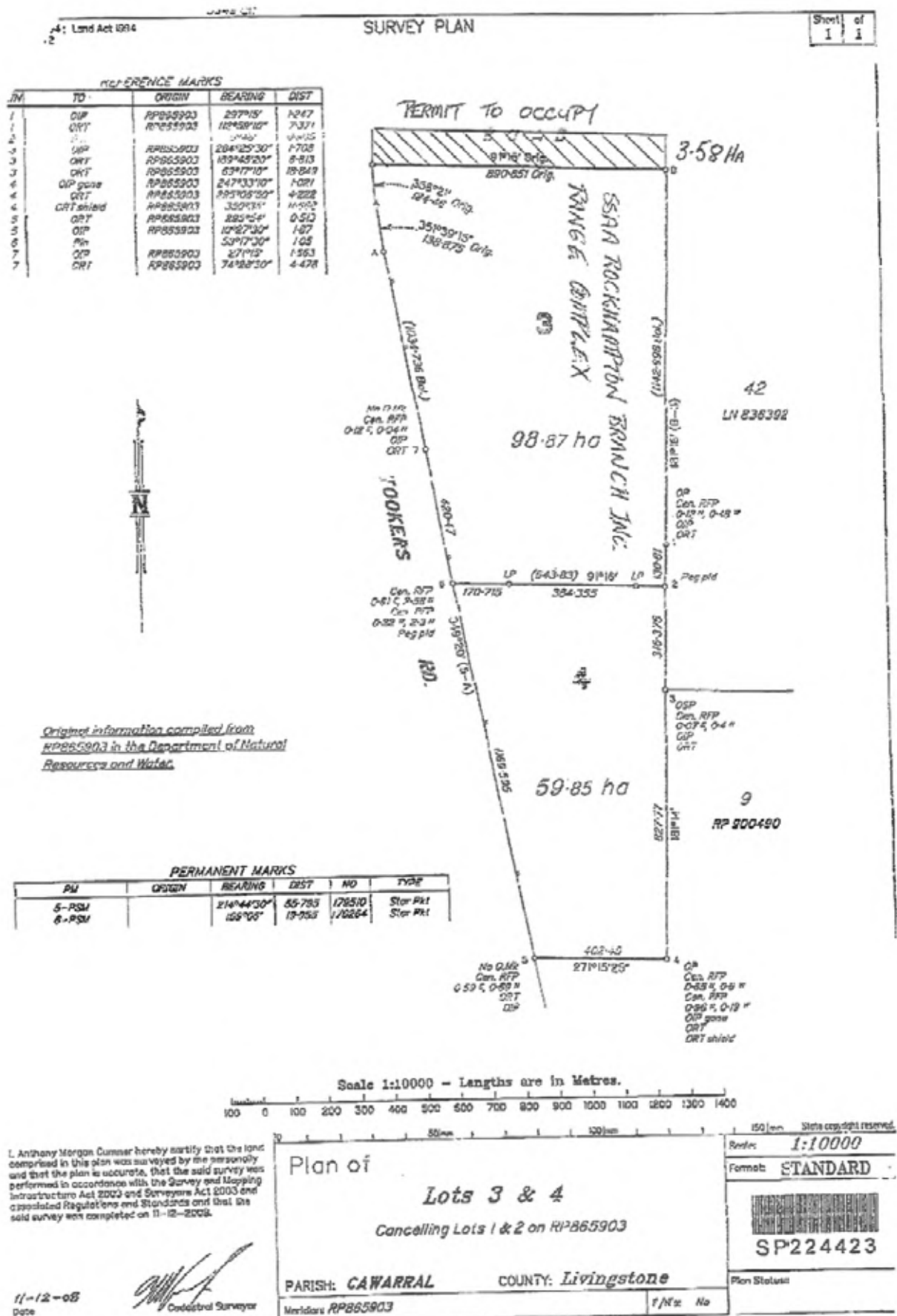
- (a) Steep ground slopes. Slopes up to 20% prevent safe public access or transport uses.
- (b) No effect on existing property access. All 3 adjacent freehold lots have existing access from either Tookers Road or Mount Wheeler Road.
- (c) No effect on long term transport network. No connectivity and steep ground slopes prevent infrastructure standards and safety compliance. Access to private properties and Gawula land is best undertaken off Mount Wheeler Road.
- (d) Public safety. Limitation of public access to Tookers Road. The old railway corridor provides desirable shared pedestrian and cycling grades. Undertaking land acquisitions and creating new public access would create new safety hazards, when viable alternatives already exist.

Yours Sincerely,

Gina Bianchi  
Secretary

Shooting Sports – Gun Safety and Youth Training – Conservation & Ethical Hunting – Responsible Shooting – Shooter Protection





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**12.10 MANAGEMENT OF PUBLIC MARINE FACILITIES****File No:** 5.4.4

**Attachments:**

1. Plans of public marine facilities under Council control [↓](#)
2. Letter from Queensland Transport dated 20 January 2009 [↓](#)
3. Letter to Queensland Transport dated 9 April 2009 [↓](#)
4. Letter from Department of Transport and Main Roads dated 30 June 2014 [↓](#)
5. Letter from Department of Transport and Main Roads dated 21 November 2019 [↓](#)
6. Deed of Agreement dated 7 January 2019 - Thompson Point Boat Ramp [↓](#)
7. Photos of boats moored at Coorooman Creek floating walkway [↓](#)
8. Letter to Department of Transport and Main Roads dated 30 November 2016 and 18 October 2017 [↓](#)
9. Terms and Conditions for the Management and Control of a Public Marine Facility [↓](#)
10. Email from Department of Transport and Main Roads dated 1 June 2015 and Council's response of 4 June 2015 [↓](#)
11. Letter from Department of Transport and Main Roads dated 3 February 2020 [↓](#)

**Responsible Officer:** Scott Casey - Executive Director Infrastructure**Author:** Carrie Burnett - Policy & Planning Officer

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**SUMMARY**

*This report addresses various issue in relation to Council's management of Public Marine Facilities.*

**OFFICER'S RECOMMENDATION****THAT**

1. Pursuant to s 459(2) of the *Transport Infrastructure Act 1994*, Livingstone Shire Council affirm its consent to its appointment as manager of the following public marine facilities:
  - boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, upstream ramp) as shown on Plan No. L-3-77-1B
  - boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, downstream ramp) as shown on Plan No. L-3-77-1B
  - boat ramp at St Christophers Chapel Road, Nerimbera as shown on Plan No. L-3-77-10B
  - boat ramp at Taylor Street, Keppel Sands as shown on Plan No. L-3-77-11
  - boat ramp at Svendsen Road, Zilzie (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2A
  - boat ramp at Hill Street, Emu Park as shown on Plan No. L-3-77-3
  - boat ramp at Resada Esplanade, Mulambin (Causeway Lake) as shown on Plan

No. L-3-77-4A

- boat ramp at Emu Park Road, Yeppoon (Fig Tree Creek) as shown on Plan No. L-3-77-7
  - boat ramp at Corbetts Landing Road, Corbetts Landing as shown on Plan No. L-3-77-8B
  - boat ramp at Banksia Road, Stanage Bay as shown on Plan No. L-3-77-9B'
2. Pursuant to s 459(2) of the *Transport Infrastructure Act 1994*, Livingstone Shire Council consents to its appointment as manager of the following public marine facilities:
- the new boat ramp to be constructed adjacent to the existing boat ramp at Corbetts Landing
  - the new boat ramp to be constructed at Thompson Point
3. Council does not consent to its appointment as manager under s 459(2) of the *Transport Infrastructure Act 1994* of the following public marine facilities:
- the new floating walkway and breakwater at Banksia Road, Stanage Bay
  - the proposed floating walkway at Corbetts Landing
4. That the validity of Council's consent to being appointed manager of the floating walkway at Thompson Point under the Deed of Agreement dated 7 January 2019 be further investigated.
5. In relation to the floating walkway at Svendsen Road, Zilzie (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2A, Council seek advice clarifying its position with regards to the transfer of responsibilities due to deamalgamation and the effects of Council's 4 June 2015 letter.
6. The Department of Transport and Main Roads:
- a. be advised that Council affirms its consent to the appointment as manager of the public marine facilities detailed in Item 1 above pursuant to s 459(2) of the *Transport Infrastructure Act 1994*;
  - b. be advised that pursuant to s 459(2) of the *Transport Infrastructure Act 1994*, Council does not consent to the appointment as manager of the new floating walkway and breakwater at Banksia Road, Stanage Bay;
  - c. be advised that Council will consent to its appointment as manager of the new boat ramp to be constructed adjacent to the existing boat ramp at Corbetts Landing and does not consent to its appointment as manager of the proposed floating walkway.
  - d. be advised that Council consents to its appointment as manager of the new boat ramp to be constructed at Thompson Point;
  - e. be advised that in regards to the proposed floating walkway at Thompson Point, Council is investigating the validity of its consent to being appointed manager under cl 3.17 of the Deed of Agreement dated 7 January 2019 and will provide further advice in the future on this matter.
  - f. be advised that Council is undertaking further investigations in relation to the floating walkway at Coorooman Creek and will provide advice as to its management role in the future.

## BACKGROUND

In August 2004 Queensland Transport ('QT') and the Local Government Association of Queensland ('the LGAQ') signed a Memorandum of Understanding ('MOU') to formalise the relationship between local governments and QT in all matters related to the planning, coordination and provision of transport services and associated infrastructure. The MOU is designed to facilitate ongoing cooperation and participation by both levels of government for the benefit of communities across the state. Relevant to this report, the following is one of the key issues which is addressed in the MOU

*'Maritime Services To manage and influence the operation and use of maritime resources so that they contribute to economic development, ensure environmental sustainability and improve safety, living standards and quality of life.'*

The MOU requires QT and local governments to consult and work together on marine transport facilities for recreational and commercial boating, specifically:

*'the initiation and provision of land-based components of recreational boating facilities, management maintenance and operation of land and water-based facilities...' and 'the management and control of commercial maritime infrastructure, including all ongoing maintenance issues'.*

While the 2004 MOU only had a life of three years, there have been several subsequent agreements between the State and the LGAQ (with varying levels of information specific to public marine facilities), that have preserved the intention and principles from the MOU.

The *Transport Infrastructure Act 1994* ('the Act') ch 15 pt 1 covers public marine facilities. Pursuant to s 459 the Governor in Council may, by regulation, appoint a person to manage a public marine facility however the appointment may only be made if the person consents to the appointment.

According to s 5 of the *Transport Infrastructure (Public Marine Facilities) Regulation 2011* ('the Regulation') the current Livingstone Shire Council ('the Council') has been appointed as the manager of the public marine facilities detailed in sch 1 of the Regulation. The facilities are replicated in Table 1 below and plans of each facility are at Attachment 1.

Table 1

boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, upstream ramp) as shown on Plan No. L-3-77-1B	boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, downstream ramp) as shown on Plan No. L-3-77-1B
boat ramp at St Christophers Chapel Road, Nerimbera as shown on Plan No. L-3-77-10B	boat ramp at Taylor Street, Keppel Sands as shown on Plan No. L-3-77-11
boat ramp at Svendsen Road, Zilzie (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2A	floating walkway at Svendsen Road, Zilzie (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2A
boat ramp at Hill Street, Emu Park as shown on Plan No. L-3-77-3	boat ramp at Resada Esplanade, Mulambin (Causeway Lake) as shown on Plan No. L-3-77-4A
boat ramp at Emu Park Road, Yeppoon (Fig Tree Creek) as shown on Plan No. L-3-77-7	boat ramp at Corbetts Landing Road, Corbetts Landing as shown on Plan No. L-3-77-8B
boat ramp at Banksia Road, Stanage Bay as shown on Plan No. L-3-77-9B	

Section 7 of the Regulation provides that the manager of public marine facilities is responsible for the following:



- (a) replacing buoy moorings, pile moorings and dinghy racks in the facility;
- (b) maintaining roads, parking areas, amenities and gardens in the facility;
- (c) maintenance dredging in the facility other than dredging of channels to landings and boat ramps; and
- (d) all other aspects of managing the facility, including funding of maintenance unless otherwise agreed to by the chief executive.

The author has searched records from 1993 of the former Livingstone Shire Council, Rockhampton Regional Council ('RRC') records during the amalgamation period and the records of *the Council* and has been unable to locate documents that satisfy the requirements of s 459(2) of *the Act* where the relevant Council has formally consented to being manager of the above public marine facilities.

The following relevant documents have been located:

- a) A facsimile dated 17 September 1996 from Main Roads requesting the former Livingstone Shire Council to provide written notification confirming its consent to the role of management authority for the Corbetts Landing boat ramp, Stanage Bay boat ramp and Nerimbera boat ramp. No response from the former Livingstone Shire Council could be located.
- b) Attachment 2 – Letter from QT dated 20 January 2009 providing a list of public marine facilities falling under the management of the newly amalgamated RRC.
- c) Attachment 3 – Letter from RRC to QT dated 9 April 2009 accepting the list of public marine facilities.
- d) Attachment 4 – Letter to *the Council* from Department of Transport and Main Roads ('TMR') dated 30 June 2014 providing a list of public marine facilities falling under the management of *the Council*.

To ensure there is certainty of *the Council's* appointment as manager of the public marine facilities detailed in Table 1 (excluding the floating walkway at Svendsen Road Zilzie which is subject to further discussion below), *the Council* should consider affirming its consent to the appointment as manager pursuant to s 459(2) of the *Act* of the following public marine facilities and advising TMR of such:

- a) boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, upstream ramp) as shown on Plan No. L-3-77-1B
- b) boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, downstream ramp) as shown on Plan No. L-3-77-1B
- c) boat ramp at St Christophers Chapel Road, Nerimbera as shown on Plan No. L-3-77-10B
- d) boat ramp at Taylor Street, Keppel Sands as shown on Plan No. L-3-77-11
- e) boat ramp at Svendsen Road, Zilzie (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2A
- f) boat ramp at Hill Street, Emu Park as shown on Plan No. L-3-77-3
- g) boat ramp at Resada Esplanade, Mulambin (Causeway Lake) as shown on Plan No. L-3-77-4A
- h) boat ramp at Emu Park Road, Yeppoon (Fig Tree Creek) as shown on Plan No. L-3-77-7
- i) boat ramp at Corbetts Landing Road, Corbetts Landing as shown on Plan No. L-3-77-8B
- j) boat ramp at Banksia Road, Stanage Bay as shown on Plan No. L-3-77-9B

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**COMMENTARY**

*The Council's* former Director Infrastructure Services raised concerns regarding *the Council's* appointment over a floating walkway and breakwater at Stanage Bay without *the Council's* consent as required by s 459(2) of *the Act*. This led to investigations to determine whether appropriate consent was provided to *TMR* for *the Council's* appointment as manager of several floating walkways each of which is addressed below.

**1. General Management Concerns**

The information provided below addresses issues surrounding management of floating walkways and breakwaters.

- a) Cleaning can be challenging (people fishing from them cut up bait on the walkways and leave bait and waste from cleaned fish on the walkways);
- b) *The Council* will be expected to address unauthorised and conflicting uses on the floating walkways for example:

The photo in Attachment 7 was provided to *the Council* in April 2017 in support of a complaint about the pictured tenders (which were from larger vessels moored in Coorooman Creek) being moored on the western side of the pontoon for long periods of time. It was claimed that they severely impacted the launch and retrieval of trailer boats. It was also claimed that a large vessel was permanently moored on the western side of the pontoon for an extended period of time while undertaking repairs.

In accordance with Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011 the following restricted and prohibited activities apply to the above circumstances:

NOTE: Definition of 'landing' includes jetty, pontoon and wharf.

Schedule 1 - prohibited activities:

- The activity of a person carrying out maintenance or repairs to a ship in the water around a boat ramp or landing unless the person has a reasonable excuse.
- Obstructing another person's use of a boat ramp or landing.
- Using a boat ramp or landing in a manner which is inconsistent with the safe, secure and efficient operation of the boat ramp or landing.

Schedule 2 - restricted activities:

- Anchoring, mooring or placing a ship in the water around a boat ramp or a landing is permitted only if the anchoring, mooring or placing of the ship is not likely to obstruct another person's use of the boat ramp or landing.

Fielding complaints regarding unauthorised and conflicting uses on the pontoons and actively enforcing *the Council's* local laws will have an impact on resources.

- c) *The Council* will have to administer use by commercial craft;
- d) Inspections on isolated pontoons, anticipated to be more frequently required than for concrete boat ramps, such as Stanage Bay, Corbetts Landing and Thompson Point will have an impact on resources;
- e) *The Council* will be required to carry out regular minor maintenance such as tightening of bolts;
- f) The Coorooman Creek floating walkway is generally utilised by recreational boaties however the Stanage Bay area is frequented by long-term commercial fishers and larger vessel users (e.g. barges) that utilise the boat ramp. This will lead to an increased risk of larger vessels coming into contact/stressing or damaging the floating walkway.

- g) An email from *TMR* on 17 October 2019 identifies potential liability issues for *the Council* – the email states that a barge operator had accessed the floating walkway in violation of signage and the barges tonnage and the currents in the area could result in significant damage to the floating walkway potentially voiding the walkways warranty. The email states *‘this will be LSC’s liability’*.
- h) *TMR* have informed *the Council* that it will be liable for damages if ‘non-approved’ vessels moored to the floating walkways damage them, because it voids the warranty.
- i) In relation to the breakwater at Stanage, *the Council’s* Manager Construction & Maintenance has advised that he expects the vast majority, if not all, defects will be structural and not *the Council* responsibility or cost to repair. However he has concerns that *the Council* will be expected to closely monitor this type of structure which will generally mean it will need to be inspected after every high sea/high tide weather event. Such inspections will be onerous at locations such as Stanage Bay.
- j) *TMR* have provided the following advice:
  - i *‘minimum need for appointed manager visits to places like Stanage Bay is a single joint condition assessment each year. For day to day issues, LSC may wish to engage the Coastguard unit at Stanage Bay or other local entity’.*
  - ii *More frequent condition assessments are a matter for council discretion. For instance, in more northern tropical areas only one inspection/clean-up is needed during the dry season, but one is needed more frequently during the wet season to remove debris and silt from tropical stream outflows. One would expect in the LSC area, Corbetts Landing, being in a mangrove lined stream with muddy banks, to require more frequent visits compared to say Stanage Bay or Coorooman Creek.’*
- k) *TMR* have provided the following advice regarding its obligation to fund structural repairs to all parts of boating facilities:
  - i *‘Appointed managers are responsible for all maintenance (both routine and structural) under the Transport Infrastructure (Public Marine Facilities) Regulation.*
  - ii *Appointed managers are entitled to a full refund for structural maintenance and council costs for each agreed structural maintenance project, provided that an estimate has been approved prior to council commencing the structural maintenance works.*
  - iii *Councils may not claim refund for non-structural or routine maintenance or for other costs associated with management appointment.*
  - iv *Appointed managers arrange and fund all non-structural maintenance and inspections.*
  - v *This includes ramp cleaning, silt removal from boat ramps and the like.*
  - vi *However, in at least two exceptional cases, siltation has – through poor design – become excessive and TMR has agreed on a case basis to assist the subject councils with costs. In both cases, TMR has in subsequent years redesigned and rebuilt the ramps to reduce siltation to normal levels.’*

## 2. Administration and Local Laws

Section 6 of *the Regulation* requires an appointed manager to allow the public marine facility to be used only –

- (a) for a genuine, private, recreational boating purpose; or
- (b) for a commercial purpose with-
  - (i) the manager’s written approval; and

- (ii) the written consent of the chief executive.
- a) Due to the isolated nature and distance of some public marine facilities (for example Stanage Bay, Corbetts Land and Thompson Point) it will be problematic for *the Council* to comply with this obligation. Constant monitoring of the usage of these facilities is not within *the Council's* capabilities. *The Council* will be reliant on the good will of commercial operators to comply with signage and also seek its written approval to use the facilities. *The Council* would also need to rely on local-informers to report non-compliant usage.
- b) The author has been informed that commercial fishers from the length of the Queensland coastline utilise the Stanage Bay facility and that several other facilities managed by *the Council* are also used for commercial purposes.
- c) With the above in mind, *the Council* will need to develop and implement an administrative/permit process to address the requirements of s 6 of *the Regulation*.
- d) Section 466 of *the Act* authorises the manager to impose fees for the commercial use of public marine facilities, however the amount of the fee must be prescribed under a local law.
- e) Schedule 6 of *the Council's* Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011 will need to be updated to include any new public marine facilities to enable enforcement of the prohibited activities in sch 1 and the restricted activities in sch 2 of the subordinate local law.
- f) Section 462(b) of *the Act* provides that Council
 

*'**may** make local laws and do anything it considers necessary or convenient for the facility's effective and efficient management'.*

(emphasis added by author)

At Attachment 9 the 'Terms and Conditions for the Management and Control of a Public Marine Facility' Item 4 the use of the word 'shall' places an obligation on Council to make a local law addressing specific matters detailed in Item 4.
- g) *The Council's* Coordinator Public Environments Craig Newsome has advised that all local laws will be reviewed in the near future. The matters raised above should be considered as part of this review.

### 3. Delegations

At its 3 March 2020 Council resolved to delegate the powers necessary for management of public marine facilities under *the Act* to the CEO. Those powers have been sub-delegated to the Executive Director Infrastructure, Manager Engineering Services and Manager Construction & Maintenance. The power to consent to appointment as manager of a public marine facility - s 459(2) and the power to resign as manager of a public marine facility - s 467 were not delegated and remain with *the Council*.

### 4. Stanage Bay floating walkway and breakwater

- a) *TMR* installed the floating walkway and breakwater at Banksia Road Stanage Bay in 2019 as part of an upgrade to the existing boat ramp. On 21 November 2019 *the Council* received a letter from *TMR* (see Attachment 5) appointing it as manager of the new boat ramp, floating walkway and breakwater at Banksia Road Stanage Bay.
- b) Discussions with *the Council's* Technical Officer Engineering Services has clarified that the 'new boat ramp' referred to in the letter is an upgrade of the existing boat ramp/site which *the Council* acknowledges it is the manager of. However the floating walkway and breakwater are 'new public marine facilities' for which *the Council* has not consented to its appointment as manager.
- c) During discussions between the Manager Engineering Services, the Manager Construction & Maintenance and *TMR* on 19 December 2019, *TMR* conceded that issuing the 21 November 2019 letter was an oversight and on 7 January 2020 *TMR*

forwarded an email seeking *the Council's* consent to being appointed the manager of the additional components (floating walkway and breakwater) at Stanage Bay and requesting the 21 November 2019 letter to be disregarded. *TMR* forwarded a further letter dated 3 February 2020 regarding management responsibilities of various facilities including Stanage (refer to Attachment 11).

- d) *TMR* have suggested that the initial proposal to upgrade the Stanage Bay facility was put forward by *the Council* at a meeting with the Mayor, the former Deputy Mayor Cr Scott and other Councillors during consideration of the 2016 boating facilities demand forecasting study. It is claimed that the proposal for a pontoon and breakwater was submitted by the former Deputy Mayor to provide a landing place in *the Council* area for boats transiting the Queensland coast between Rosslyn Bay and Mackay. *TMR* have also highlighted *the Council's* support of the upgrade in its letters dated 30 November 2016 and 18 October 2017 (Attachment 8). Although not stated outright in regards to the Stanage Bay facility, it is assumed that in the same manner as the Corbetts Landing facility (discussed below), *TMR* have taken *the Council's* support of the upgrade as implying that it consents to being appointed manager of the facility.

*The Council* should affirm its consent to appointment as manager of the boat ramp at Stanage Bay and consider whether it wishes to consent to being appointed manager of the floating walkway and breakwater, having due regard to the resource and budget implications.

#### 5. Corbetts Landing

- a) There is an existing single-lane boat ramp at Corbetts Landing which is under *the Council's* management. It is understood that small commercial vessels (fishers and crabbers) operate from this boat ramp.
- b) *TMR* intend to supplement the existing single lane with a new second lane at a different orientation and include a floating walkway resting on the new second ramp.
- c) In its letters dated 30 November 2016 and 18 October 2017 (Attachment 8), *the Council* supported the installation of a floating walkway at Corbetts Landing. According to *TMR* this support '*implies LSC being OK managing the upgraded site*'. The author is of the opinion that *the Council's* support of a project cannot be taken as its consent to appointment as manager required under s 459(2). *TMR* have advised they urgently need to formalise *the Council's* consent to being appointed manager of the new boat ramp and floating walkway to allow this project to proceed to tenders and be completed as scheduled by late 2020.

*The Council* should consent to its appointment as manager of the new boat ramp to be constructed adjacent to the existing boat ramp at Corbetts Landing and consider whether it wishes to consent to being appointed manager of the proposed floating walkway.

#### 6. Thompson Point

- a) There is an existing gravel boat ramp at Thompson Point which is not under Council management. *TMR* plan to construct a concrete boat ramp and floating pontoon in the near future.
- b) *The Council* entered into a Deed of Agreement ('*the Deed*') in January 2019 regarding the Thompson Point boat ramp (refer to Attachment 6) The cover page describes *the Deed* as  

*'about land tenure changes for and grant funding for construction of an access road and car-trailer park for the Thompson Point boat ramp'*.
- c) The recitals in *the Deed* relate to land tenure changes to facilitate the construction of an access road to a planned *TMR* boat ramp, funding for construction of the access road and informal gravel car-trailer parking area.
- d) *The Deed* was executed within the scope of the signatories' financial delegations,

however pursuant to cl 3.17; the signatory has inadvertently consented to *the Council's* appointment as manager of the upgraded boat ramp and new floating walkway pursuant to s 459(2) without the appropriate delegation. The lack of delegation raises concern about the validity of *the Council's* consent to its appointment as manager of the upgraded boat ramp and new floating walkway.

- e) Given the concerns raised above about managing pontoons, if *the Council* is inclined to resist management responsibilities, it would be prudent to seek legal advice to ascertain whether *the Council's* consent under cl 3.17 of *the Deed* is valid.
- f) Section 467 of *the Act* provides that a manager may resign with the consent of the Governor in Council. It is unknown whether consent would be forthcoming but this option could be investigated further if *the Council* is not inclined to take on management responsibilities for the pontoon.

*The Council* should consent to its appointment as manager of the new boat ramp to be constructed at Thompson Point and consider whether it wishes to consent to being appointed manager of the proposed floating walkway.

#### 7. Coorooman Creek floating walkway

- a) *TMR* installed the floating walkway at the Coorooman Creek boat ramp in February 2012 as part of an upgrade to the existing boat ramp.
- b) On 30 June 2014 *TMR* wrote to *the Council* providing a list of public marine facilities under control of *the Council* due to de-amalgamation. Included in the listing is the floating walkway at Svendsen Road, Zilzie (refer to Attachment 4 – note some attachments removed by author).
- c) On 20 December 2019 the Manager Engineering Services received advice from *TMR* that they had appointed *RRC* as manager of the Coorooman Creek floating walkway in 2011-2012 and *the Council* inherited management of the walkway due to de-amalgamation. According to *TMR* following de-amalgamation, '*LSC had no issue with the list of appointments and has been faithfully operating as the appointed manager for all appointments listed.*'
- d) The above statement by *TMR* is refuted by the Manager Engineering Services who has advised that '*LSC has not carried out any maintenance on it. LSC have always referred maintenance requirements to TMR.*'
- e) Research of *the Council's* records during the amalgamation period have not produced evidence that *RRC* consented to its appointment as manager of the floating walkway as required under s 459(2) of *the Act*. On 23 January 2020 the author requested *TMR* to produce evidence of formal consent from *RRC*. *TMR* have been unable to produce the requested evidence.
- f) If *RRC* did not consent to its appointment as manager, the author has concerns over the validity of the transfer of management of the floating walkway from *RRC* to *the Council* upon de-amalgamation.
- g) The author is of the opinion that regardless of what the 2014 letter from *TMR* and the regulation states, if legislative requirements were not complied with and *RRC* did not consent to its appointment then they were not the manager of the floating walkway therefore the undertaking/commitment regarding management of this facility could not have transferred to *the Council* upon de-amalgamation.
- h) To further complicate this matter, on 1 June 2015 *TMR* requested *the Council* to confirm it will continue to manage the upgraded facility at Svendsen Road upon completion of upgrading works to the existing boat ramp. The email references the floating walkway. A response was provided on 4 June 2015 confirming *the Council's* commitment to continue to manage the upgraded facility upon completion of the boat ramp upgrade. Refer to Attachment 10 for both documents.
- i) In its letter of 3 February 2020 *TMR* states



*'Management appointment is provided for under the Transport Infrastructure Act 1994 and its Transport Infrastructure (Public Marine Facilities) Regulation 2011. Such consent may take many forms, the most usual being a council submitting a funding application to TMR. Consent may also be via an email exchange, a letter, a deed of agreement, and so on.'* (refer to Attachment 11)

- j) As mentioned in Item 3 Delegations above, the power to consent to appointment as manager of a public marine facility pursuant to s 459(2) of *the Act* has not been delegated by *the Council*; therefore it cannot be exercised at officer level.
- k) If *the Council* is inclined to resist management responsibilities of the Coorooman Creek pontoon, it would be prudent to seek legal advice to ascertain its position with regards to the supposed transfer of responsibilities due to deamalgamation and the effects of the letter dated 4 June 2015.

*The Council* should affirm its consent to appointment as manager of the boat ramp at Svendsen Road, Zilzie (north bank of Coorooman Creek) and consider whether it wishes to consent to being appointed manager of the proposed floating walkway.

On 3 February 2020 *TMR* wrote to *the Council* requesting formalisation of *the Council's* appointment as manager over several public marine facilities which are addressed above (refer to Attachment 11).

## PREVIOUS DECISIONS

Council was briefed on this matter on 24 February 2020. It was requested this report be presented to Council after the 2020 local government election meeting for consideration. The report was to include investigations in relation to compliance demands. This information has been provided under Budget Implications. A further briefing to Council was made on 2 June 2020.

## ACCESS AND INCLUSION

Not applicable.

## ENGAGEMENT AND CONSULTATION

Not applicable.

## 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 human rights implications associated with this report.

## BUDGET IMPLICATIONS

The Manager Construction & Maintenance has advised that due to the nature of floating walkways with their moving parts, it is expected that two monthly inspections would be required which would cost in the vicinity of \$10,000 per annum/floating walkway. In addition, minor maintenance could be an additional \$10,000 per annum/floating walkway. If *the Council* were to become manager of all four floating walkways, maintenance could be as high as \$80,000 in addition to the FTE mentioned in staffing implications.

Council's Principal Local Law Officer has provided the following advice:

*'Council's current Local Law 4 and Subordinate Local Law 4 restrict and prohibit activities in relation to boat ramps and landings. Schedule 7, Dictionary, defines landing to include jetty, pontoon and wharf. Subordinate Local Law 4 lists the boat ramps applicable to the Local Law. Subordinate Local Law 4 lists 15 prohibited activities, including activities such as maintenance of a boat on a boat ramp, vandalism of a boat ramp or notice displayed by a local government, obstructing normal use of a boat ramp or landing and cleaning or gutting fish on or near a boat ramp. There are also 7 restricted activities, including standing or driving a vehicle on a boat ramp, when not launching or retrieving a vessel, rigging of a sail ship on a ramp or landing and driving and taking a vehicle weighing more than 5 tonnes onto a boat ramp. With the*

*proposed upgrades to the Shire's boat ramps, similar to Coorooman Creek and Stanage Bay with pontoons installed, it is anticipated a significant increase for compliance requests will be generated impacting Local Law resources. Resources required to manage the increased demand would include another FTE and vehicle with an estimated costing around \$150,000+ and the introduction of CCTV cameras to assist in monitoring activities at the boat ramps. Based on increased activity at Coorooman Creek during peak times, (such as school and public holidays), expectation is there would be further demand for Local Law services.'*

## **LEGISLATIVE CONTEXT**

Chapter 15 pt 1 of *the Act* covers public marine facilities. Pursuant to s 459 the Governor in Council may, by regulation, appoint a person to manage a public marine facility however the appointment may only be made if the person consents to the appointment.

Schedule 1 of *the Regulation* details the public marine facilities under *the Council's* control.

## **LEGAL IMPLICATIONS**

If *the Council* decides to resist management responsibilities associated with the Thompson Point public marine facility, it is unclear whether there could be legal implications associated with the signing of *the Deed*. Furthermore, the author is uncertain as to the validity of *the Council's* 1 June 2015 letter to *TMR* confirming it will continue to manage the upgraded facility at Svendsen Road.

There will be no implications if *the Council* chooses to affirm/confirm its consent to being appointed manager of the Thompson Point and Coorooman Creek facilities, however if *the Council* wishes to resist management responsibilities legal advice should be obtained to ascertain possible implications.

## **STAFFING IMPLICATIONS**

If *the Council* consents to being appointed manager of the floating walkways and breakwaters the matters addressed above in 'General Management Concerns' will affect resources. Depending on the frequency of inspections and the maintenance required, the costs could be as high as one FTE for inspections, monitoring and processing of applications for commercial use.

Regardless of *the Council's* decision regarding floating walkways, a permit system to administer the commercial use of public marine facilities under *the Council's* control will need to be implemented.

## **RISK ASSESSMENT**

Section 460(2) of *the Act* applies to public marine facilities managed by *the Council*. This section states that for the purposes of all adverse civil proceedings in relation to death, injury, damage or loss, the facility is taken to be solely owned, occupied and under the management, control and responsibility of the manager.

The following statement has been provided from *TMR*:

*'TMR acknowledges that both LGAQ partners (councils and TMR) take on increased liability and resource demand with every item of new boating infrastructure. This increase is an unavoidable consequence of increasing population, more people with boats, and changing community expectations. Boaties are now expecting 'dry access' and improved safety from crocodile attack through the installation of floating walkways or pontoons throughout Queensland.'*

## **CORPORATE PLAN REFERENCE**

### ***Future Livingstone***

*Community Plan Goal 5.2 - Connected places, people and services*

*5.2.1 Implement an integrated transport strategy which encourages alternative transport usage to maximum economic, environmental, and liveability outcomes.*

**CONCLUSION**

Discussions with relevant officers of *the Council* has determined that it would be appropriate for *the Council* to consent to its appointment as manager of new/proposed boat ramps and affirm its consent as manager of the existing/upgraded boat ramps that are detailed in sch 1 of *the Regulation*.

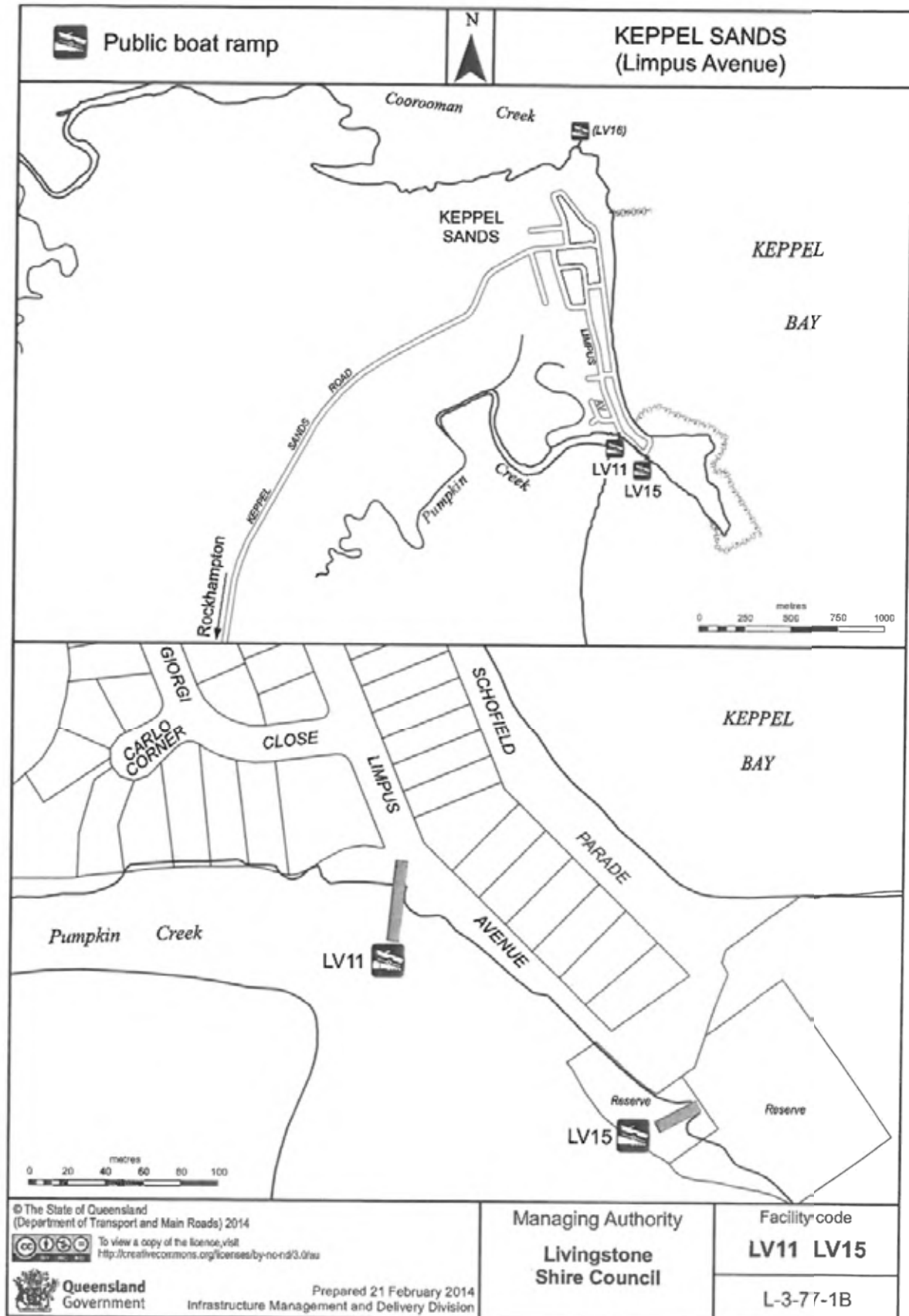
Valid concerns have been raised regarding *the Council's* appointment as manager of floating walkways and breakwaters. In considering the content of this report *the Council* should consider the burden on its resources that comes with management of these types of public marine facilities and consider its obligations under the *MOU* (and subsequent versions) and decide whether it wishes to consent to its appointment as manager of several floating walkways and a breakwater.

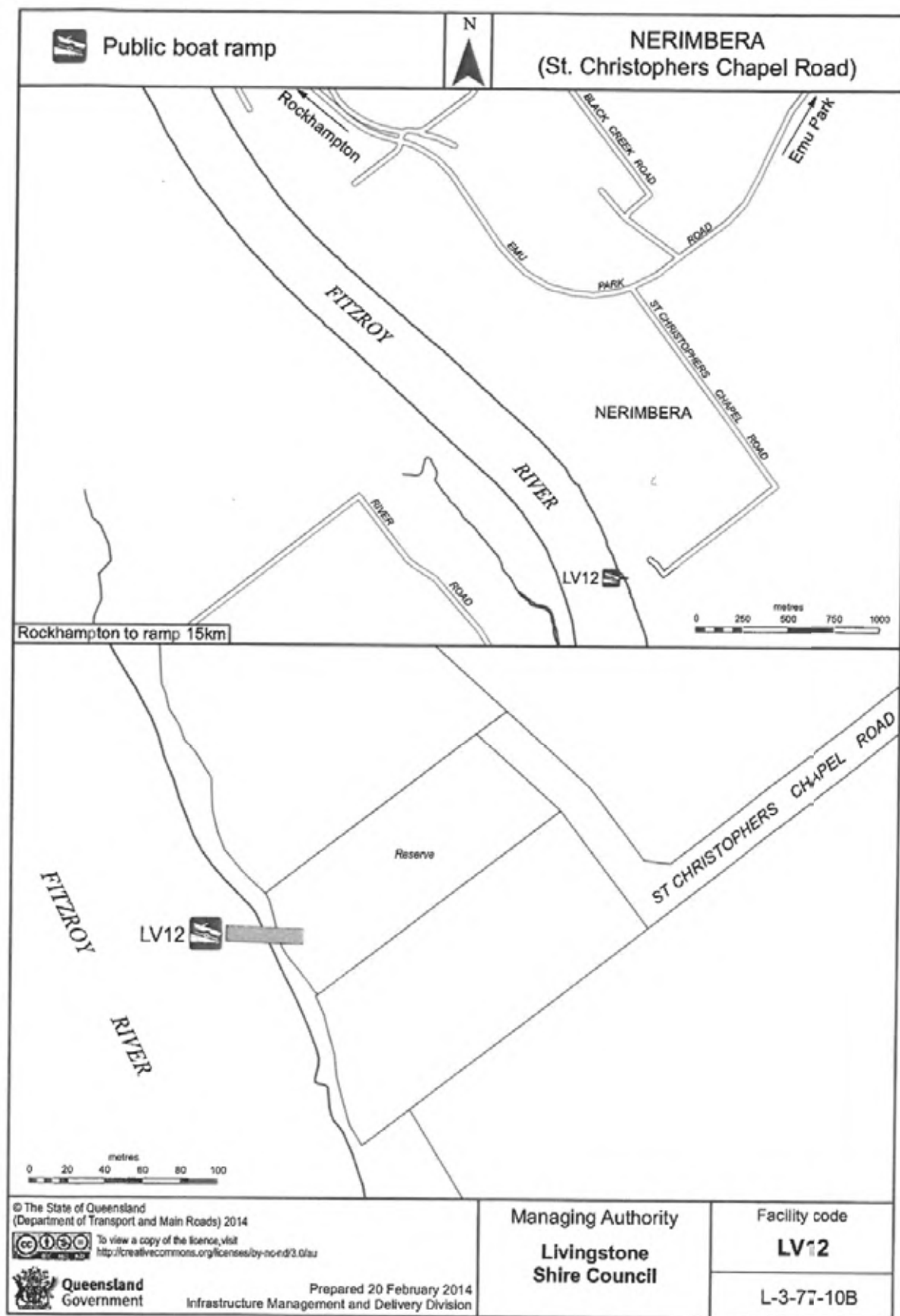
## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

### **Plans of public marine facilities under Council control**

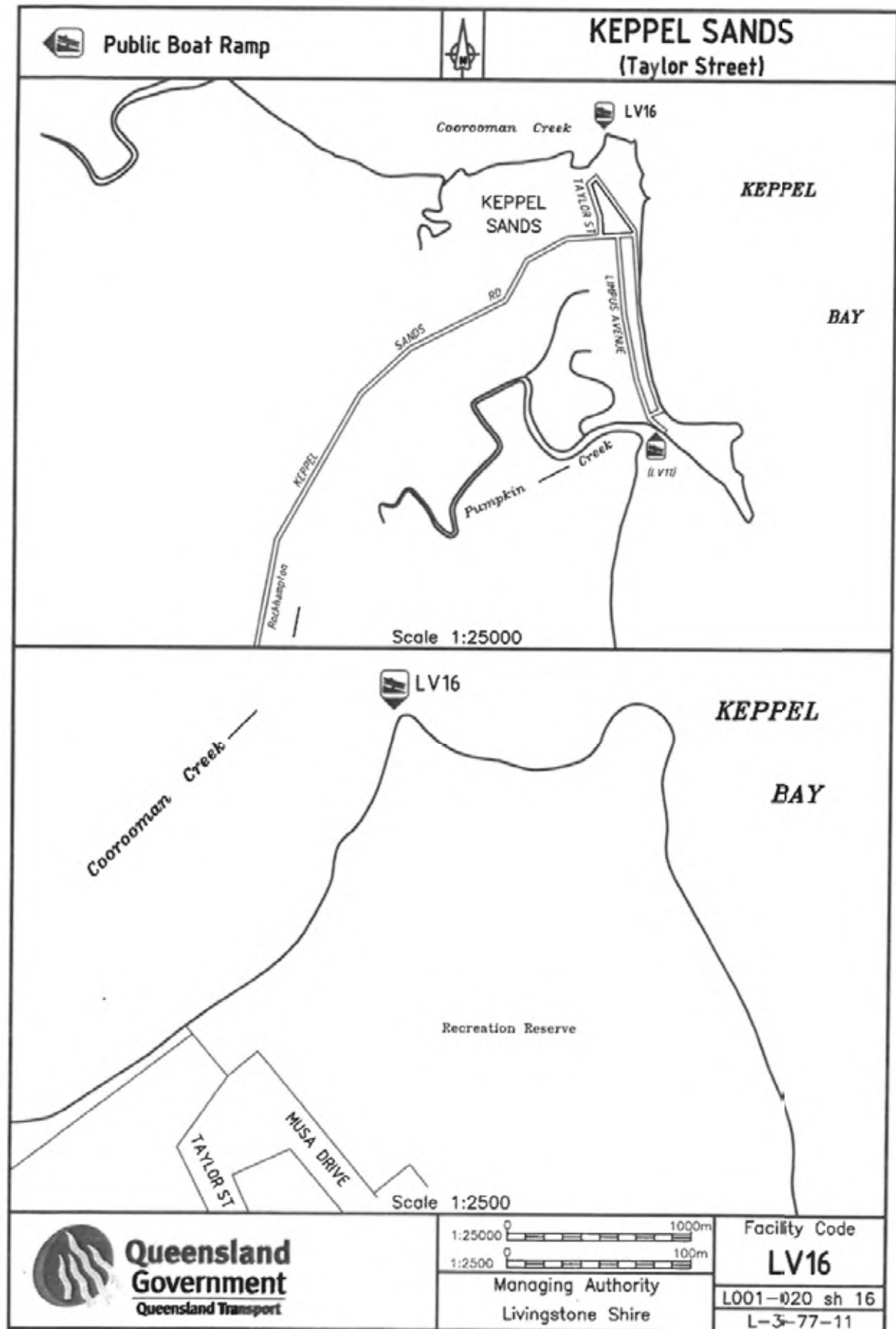
**Meeting Date: 16 June 2020**

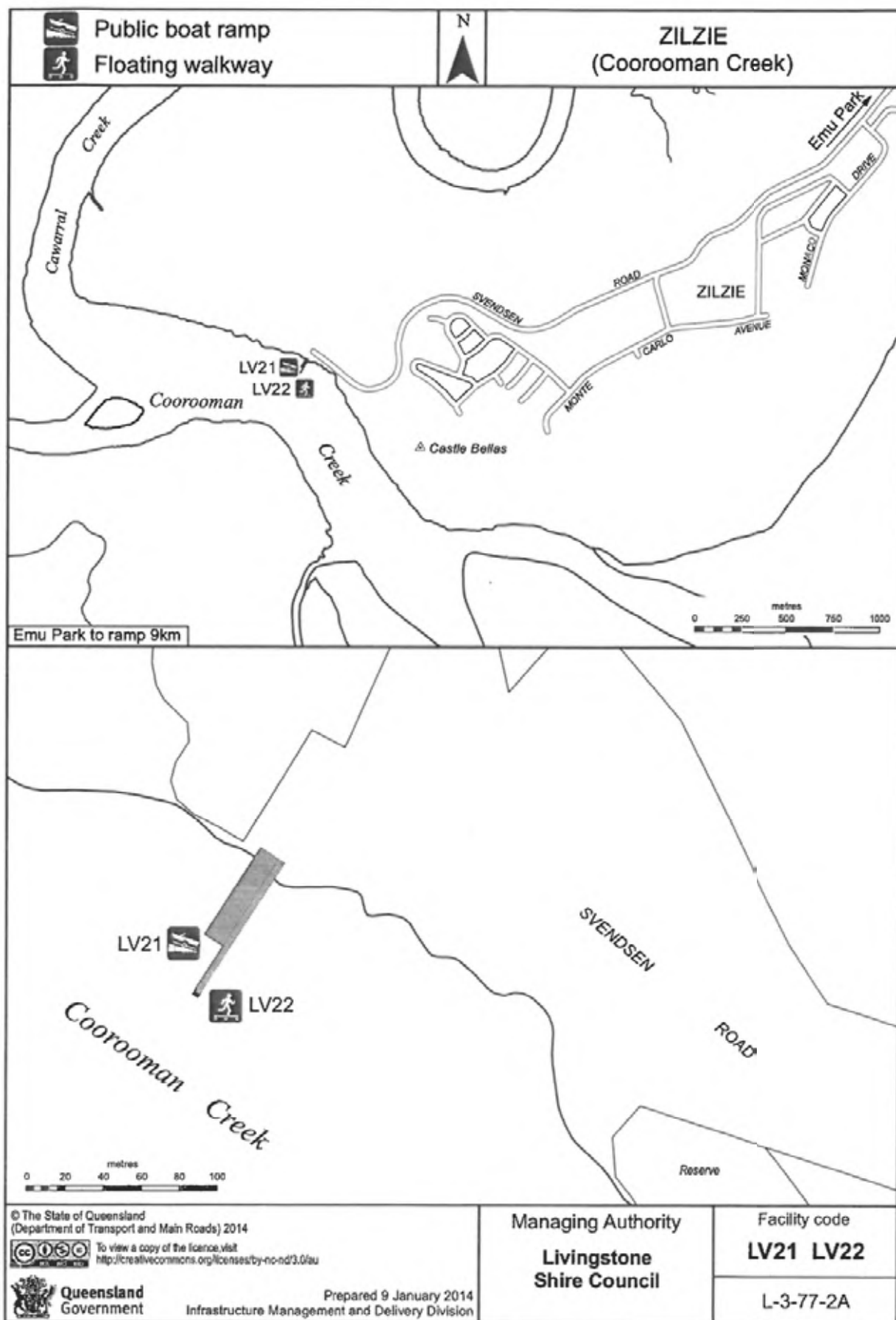
**Attachment No: 1**

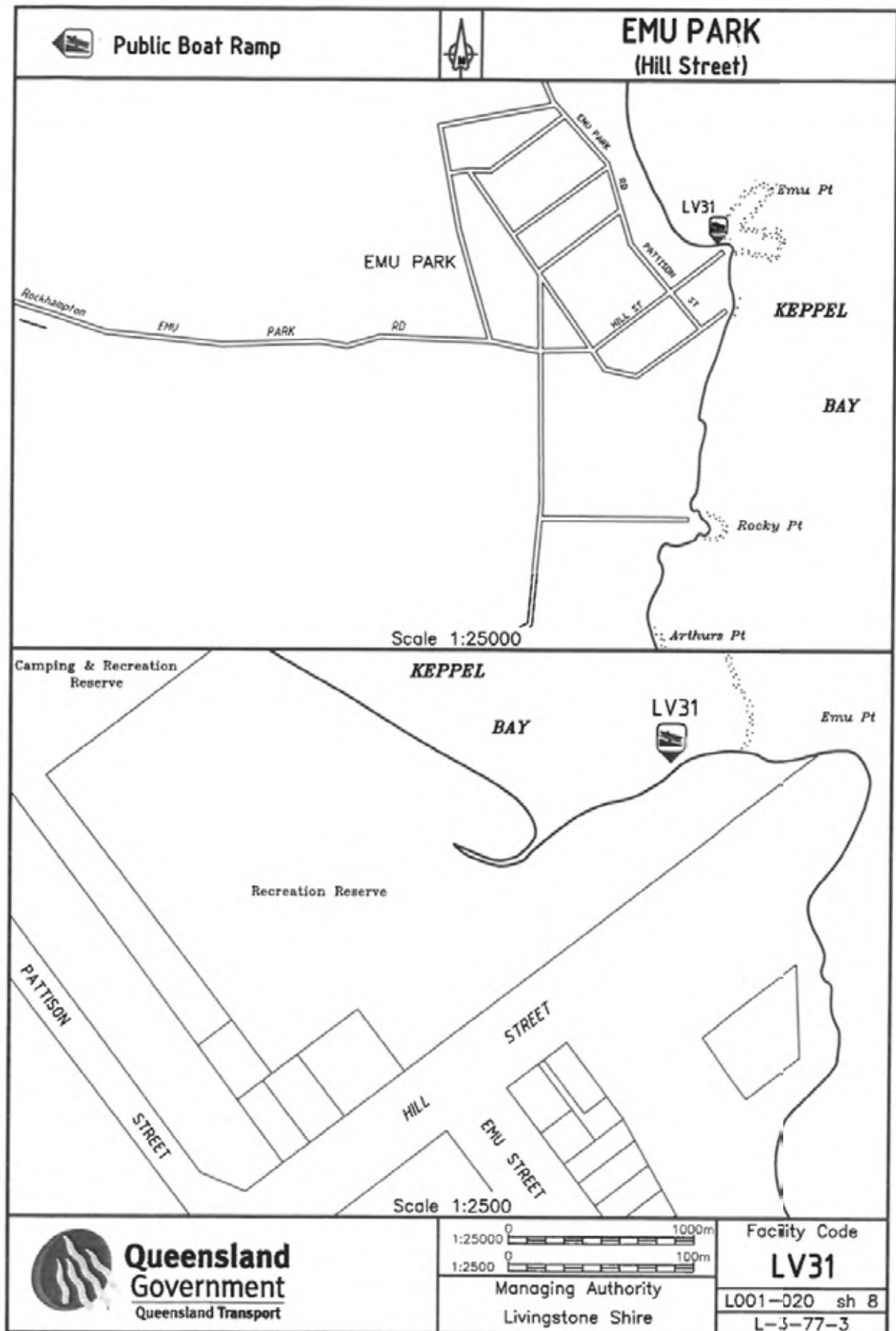


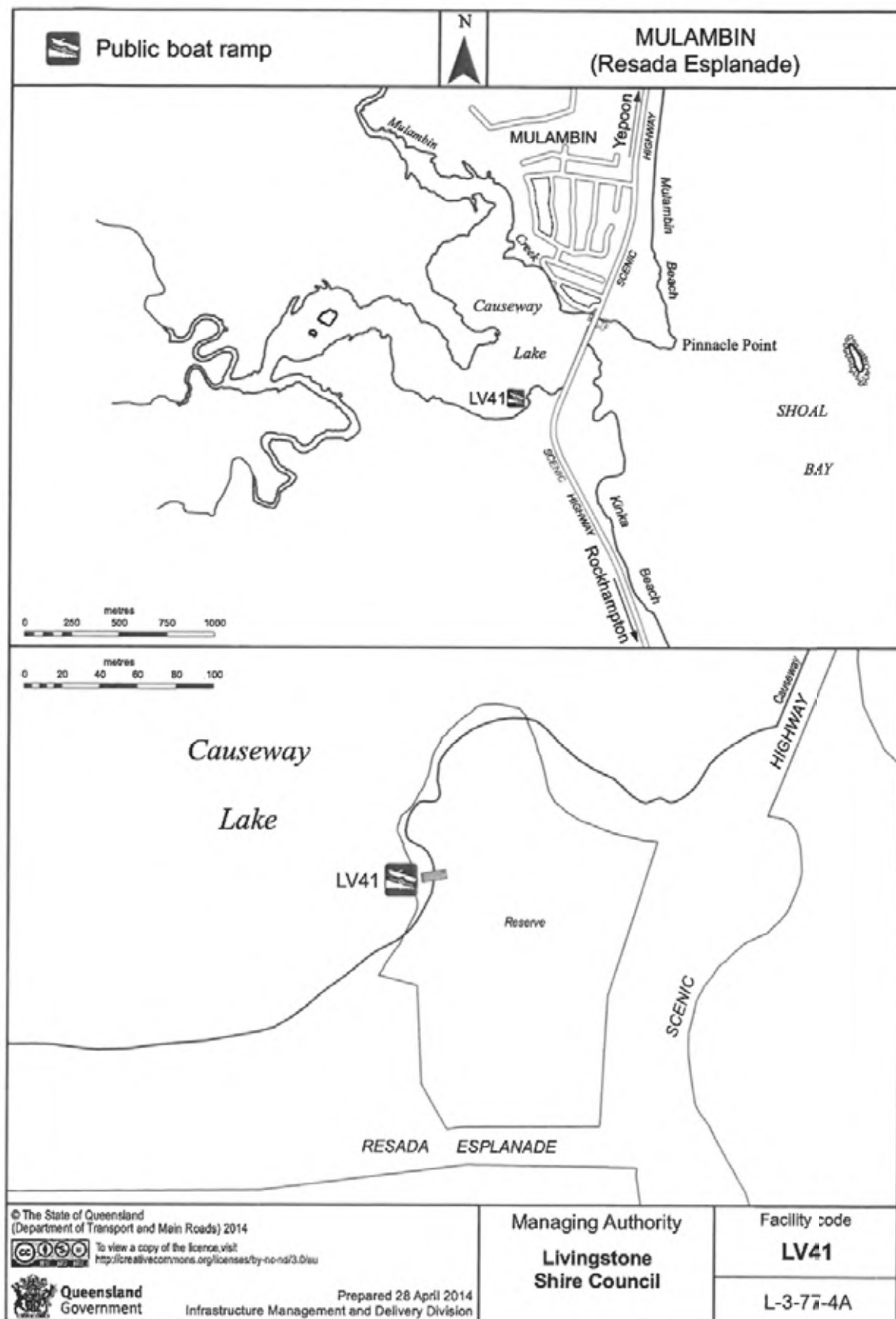


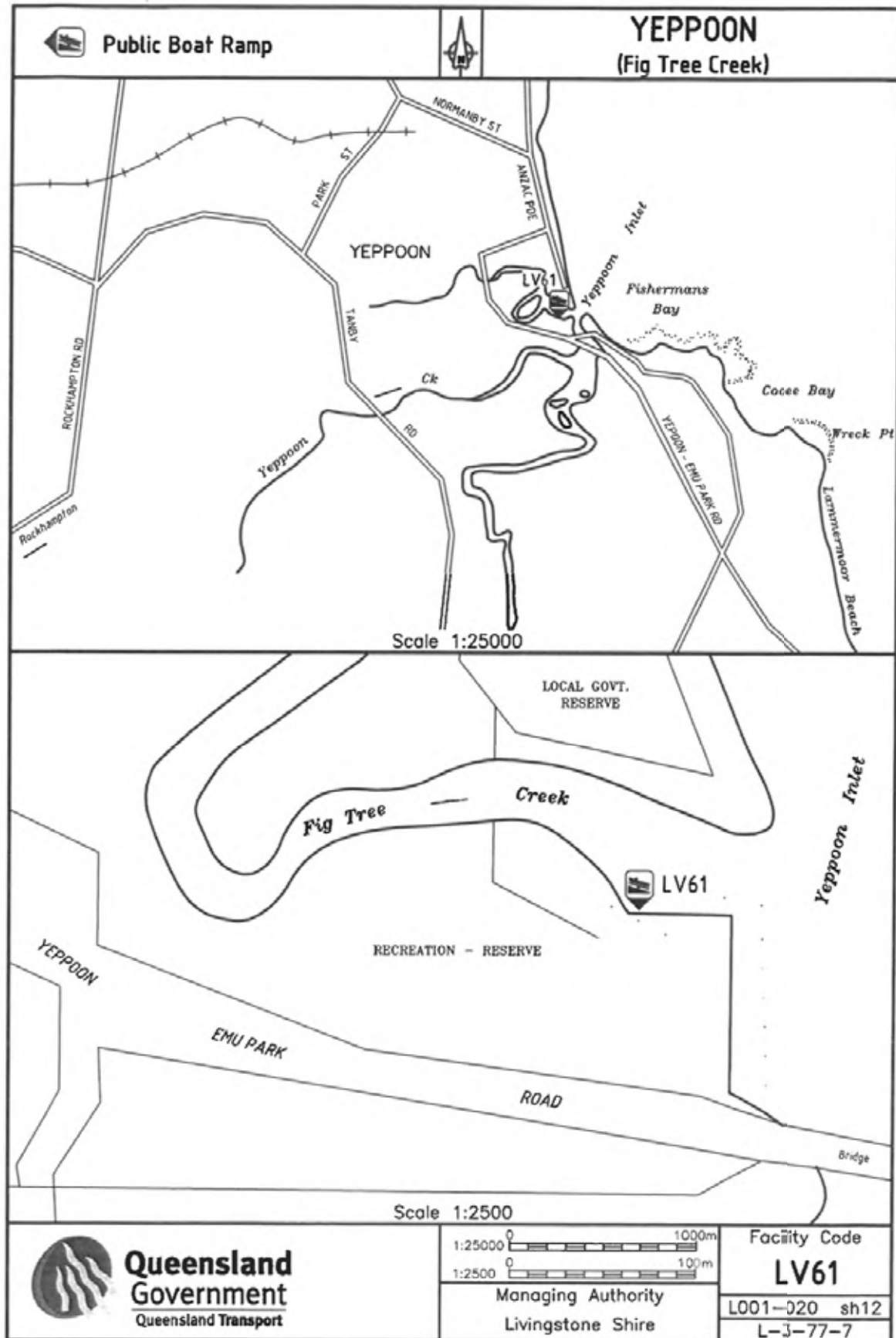


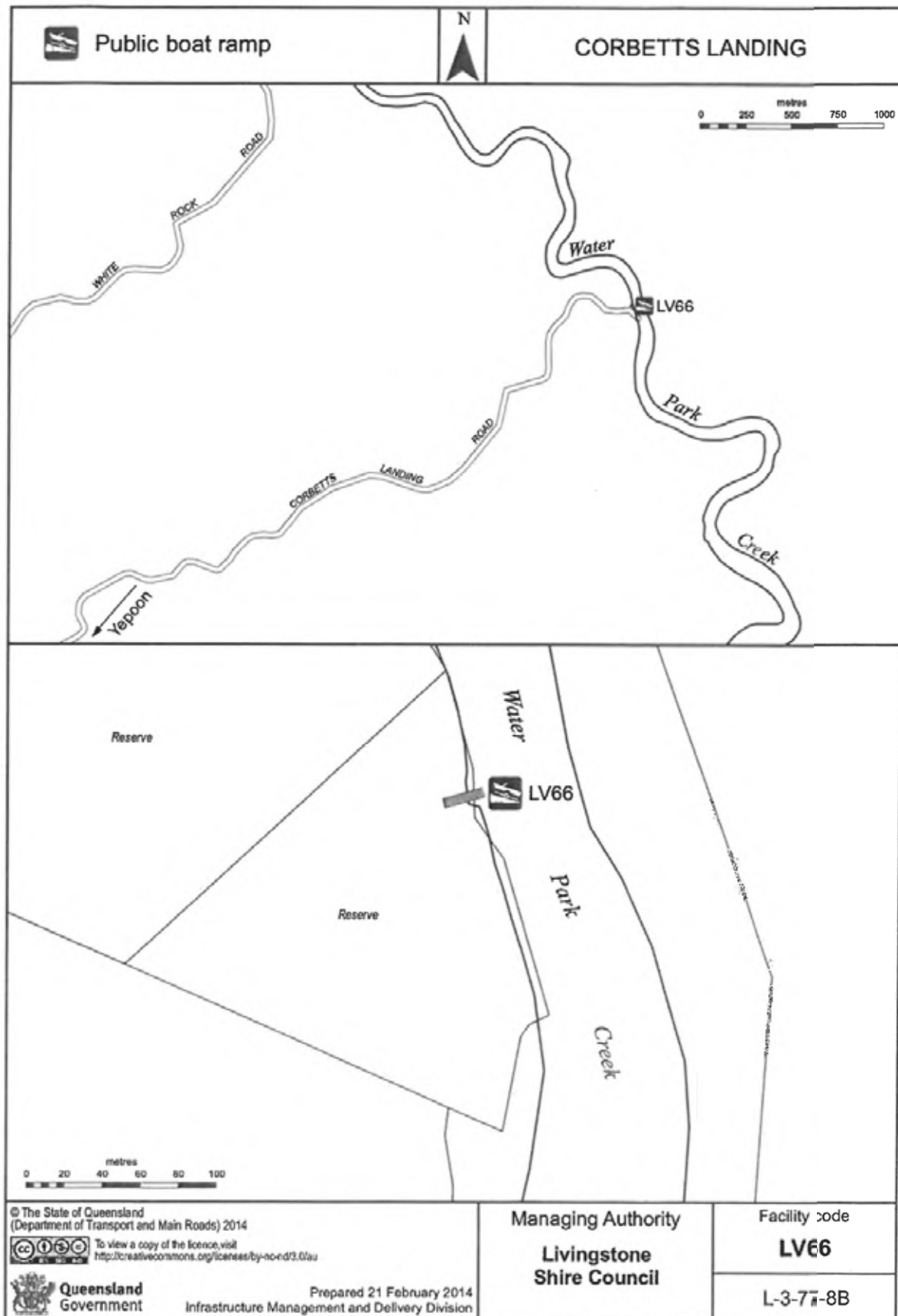




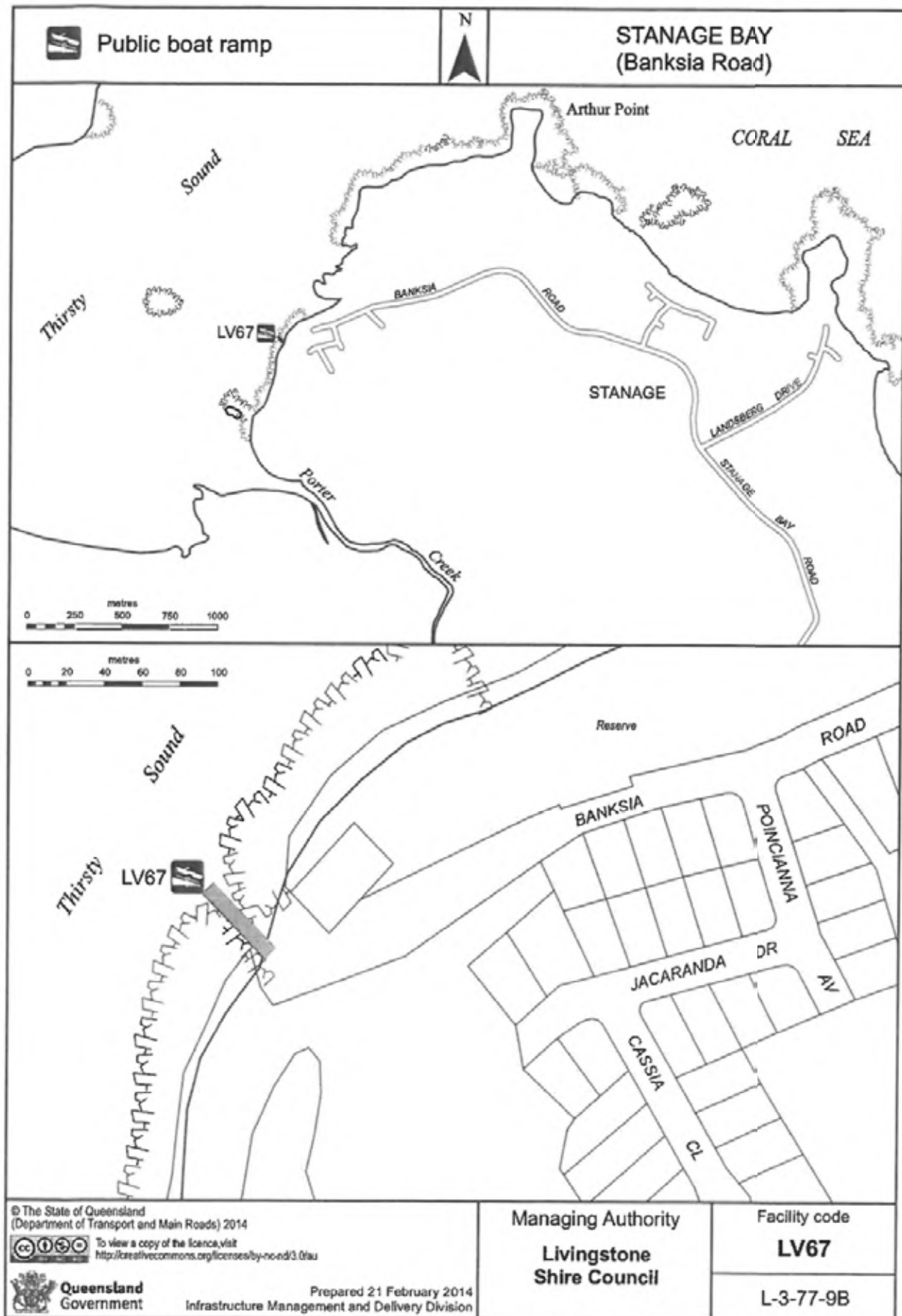












## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

**Letter from Queensland Transport  
dated 20 January 2009**

**Meeting Date: 16 June 2020**

**Attachment No: 2**



Queensland  
Government

20 January 2009

Chief Executive Officer  
Rockhampton Regional Council  
PO Box 1860  
Rockhampton Qld 4700

ROCKHAMPTON REGIONAL COUNCIL	
File No: <u>2308</u>	Doc No:
Links:	
Action Officer: <u>CARTER J</u>	
28 JAN 2009	
Task to: <u>MICHAEL K</u>	
3.	4.
QDAN: <u>15.6.1</u>	v: <u>15.6.1</u> Ret: <u>15.6.1</u>
Box No:	Yrs: <u>10</u>

Queensland Transport

Dear Sir,

**Boating infrastructure management: continuation of management arrangements**

Following the March 2008 local government amalgamations, this letter is being forwarded to confirm the continuing management and funding arrangements between your council and Queensland Transport (QT) for public marine facilities.

A list of public marine facilities subject to management appointments or "maintenance funding only" agreements is enclosed. This list includes:

- a. those QT-owned facilities with management and control appointments up to 2003 and listed in the schedules of the *Transport Infrastructure (Public Marine Facilities) Regulation 2000*
- b. those QT-owned facilities for which management and control was "vested" with your council(s) prior to 2000 by gazetted Orders-in-Council, such arrangements being continued according to the transitional provisions in the *Transport Infrastructure Act 1994* (Clause 519)
- c. those QT-owned facilities built since 2003 and handed over to your council for management on the basis of your agreement prior to construction. It is intended that your agreed appointment as manager of these facilities will be formalised by amendments to the *Public Marine Facilities Regulation 2000* in due course.
- d. Other facilities (council or port authority owned) for which QT has entered into "maintenance funding only" agreements

As you are aware, the construction and management of facilities subject to management appointments under the *Transport Infrastructure Act 1994* is a shared QT-local government arrangement, with the local government role extending to providing land-based facilities such as car-trailer parks and access roads for boat ramps. This is in addition to providing the day to day management and maintenance services. Prior to construction of these facilities, in many cases initiated at the request of the council, agreement of the council has been obtained for its commitment to post-construction management and maintenance and appointment as manager under the *Transport Infrastructure Act 1994*.

Services Division  
Central Region  
Ground Floor Knight Street Complex  
31 Knight Street North Rockhampton Qld 4701  
PO Box 5086 Central Qld Mail Centre Qld 4702  
ABN 13 200 330 520

Our ref  
Your ref  
Enquiries Michael Hoolihan  
Telephone +61 7 4931 1635  
Facsimile +61 7 4922 5481  
Website [www.transport.qld.gov.au](http://www.transport.qld.gov.au)  
Email [michael.g.hoolihan@transport.qld.gov.au](mailto:michael.g.hoolihan@transport.qld.gov.au)

Appointed manager responsibilities for public marine facilities are based on the provisions of the *Transport Infrastructure Act 1994* and the *Transport Infrastructure (Public Marine Facilities) Regulation 2000*. Clause 462 of the *Transport Infrastructure Act 1994* provides a head of power for local government to enact local laws for the facility's effective and efficient management. Details of the legislative framework and maintenance and management responsibilities have been set out by QT in the "terms and conditions for the management and control of a public marine facility". A copy is enclosed for your reference and should be read in conjunction with the legislation. Also enclosed is an extraction from the legislation of relevant clauses, compiled in August 2008. The actual legislation should be checked for any subsequent amendment.

QT considers the enactment of local laws by councils as critical to the continued management of these facilities. It is requested that your Council proceed to make such local laws, in case this has not already been done. While not compulsory, their enactment entitles your council to reclaim maintenance expenditure from QT. An example of an existing local law is attached for your perusal. More can be accessed at:  
<http://www.localgovernment.qld.gov.au/applications/localLawSearch/quickSearch/default.asp>

I draw your attention in particular to the need for written consent of the Queensland Transport chief executive for the use of the boating infrastructure for any purpose other than genuine private recreational boating. Such non-recreational use would normally be the subject of local laws.

As noted above, QT proposes to include the post-2003 facilities and their management arrangements in amendments to *Transport Infrastructure (Public Marine Facilities) Regulation 2000*, which as a subsidiary regulation requires formal review by 2011. Until such amendments are finalised, the pre-construction agreements with your council, and the standard terms and conditions referred to above will continue to apply. You are welcome to contribute ideas for the formal review of the regulation.

I would appreciate your early confirmation that the public marine facilities listed in the attachment as being under your management and control are correct and complete plus advice as to the status of current local laws and your intentions for future relevant local laws.

Yours sincerely



Andrew Bourne  
Regional Director (Central)

Enc (4)

Boating infrastructure – at 01 January 2009  
Rockhampton Regional Council

QT-owned facilities managed and controlled by council

Facility ID	Facility Name	Facility Location	Facility Type	Facility Manager	Maintenance Contribution
LV11	Keppel Sands, Limpus Avenue, upstream	North bank of Pumpkin Creek	Boat ramp	Rockhampton Regional Council	100.00%
LV12	Nerimbera, St Christopher's Chapel Road	Fitzroy River near St Christophers Chapel Road.	Boat ramp	Rockhampton Regional Council	100.00%
LV15	Keppel Sands, Limpus Avenue, downstream	North Bank of Pumpkin Creek	Boat ramp	Rockhampton Regional Council	100.00%
LV16	Keppel Sands, Taylor Street	Musa Heads - Keppel Bay	Boat ramp	Rockhampton Regional Council	100.00%
LV21	Coorooman Creek (Svendsen Road) Boat Ramp	North bank of Coorooman Creek, Emu Park	Boat ramp	Rockhampton Regional Council	100.00%
LV31	Emu Park, Hill Street	Emu Point	Boat ramp	Rockhampton Regional Council	100.00%
LV41	Mulambin, Yeppoon - Emu Park Road	Causeway Lake	Boat ramp	Rockhampton Regional Council	100.00%
LV61	Yeppoon, Emu Park Road - Fig Tree Creek	Yeppoon - near Beak bridge	Boat ramp	Rockhampton Regional Council	100.00%
LV66	Corbetts Landing, Corbetts Landing Road	Waterpark Creek	Boat ramp	Rockhampton Regional Council	100.00%
LV67	Stanage Bay, Banksia Road	Thirsty Sound at the end of Banksia Road.	Boat ramp	Rockhampton Regional Council	100.00%
RK11	Rockhampton, Reaney Street	North bank of Fitzroy River	Boat ramp	Rockhampton Regional Council	100.00%
RK21	Rockhampton, Larcombe Street	North bank of Fitzroy River barrage	Boat ramp	Rockhampton Regional Council	100.00%
RK31	Rockhampton - Ski Gardens via Huet Street	South bank of Fitzroy River	Boat ramp	Rockhampton Regional Council	100.00%
RK41	Rockhampton, Derby Street	South bank of Fitzroy River	Jetty	Rockhampton Regional Council	100.00%

Non QT-owned facilities with QT maintenance only agreements

Facility ID	Facility Name	Facility Location	Facility Type	Facility Owner	Facility Manager	Maintenance Contribution
MM10	Mount Morgan, Dee River	South Side of Dee River Dam	Boat ramp	Rockhampton Regional Council	Rockhampton Regional Council	100.00%

**TERMS AND CONDITIONS  
FOR THE  
MANAGEMENT AND CONTROL OF A PUBLIC MARINE FACILITY**

1. These Terms and Conditions shall be read in conjunction with the requirements of the *Transport Infrastructure Act 1994* and the *Transport Infrastructure (Public Marine Facilities) Regulation 2000* as amended from time to time. Where any difference or doubt arises, the Act and Regulation shall prevail. Section and subsection numbers quoted below are correct at September 2008 but may vary with future amendments to the legislation.  
  
Definitions:
  - (i) *public marine facility* means public marine transport infrastructure
  - (ii) *public marine transport infrastructure* means State-owned or State-controlled transport infrastructure relating to Queensland waters, other than port or miscellaneous transport infrastructure
2. Attention is drawn to the requirements, as amended from time to time, of:
  - a. *Transport Infrastructure Act 1994* (the Act)
    - 459 – Appointment of manager of public marine facility
    - 460 – Manager's responsibility for maintenance and injuries
    - 462 – Management by local government (making of local laws)
    - 463 – Management by port authority  
(powers under *Government Owned Corporations Act 1993*)
    - 519 – Transitional – Appointment as manager under the Act applies where management of facility was vested by Order in Council prior to the Act
  - b. *Transport Infrastructure (Public Marine Facilities) Regulation 2000* (the Regulation)
    - Division 1 – Management
    - 5 – Manager appointed
    - 6 – Condition of appointment
    - 7 – Manager's responsibilities for managing public marine facility
    - Division 2 – Use of, and safety at, certain public marine facilities
    - 8 – Application of Division 2 (applies only to boat ramps and landings)
    - 9 – Using boat ramp or landing – penalties for misuse – load limits and signage
3. The Authority (i.e. Council or Port Authority) shall:
  - a. manage, control, supervise and administer the public marine facility;
  - b. maintain the public marine facility (see the Act, Section 460 (1) and the Regulation, Section 7);
  - c. meet the costs of:
    - (i) management, control, supervision and administration of the public marine facility; and
    - (ii) maintenance of the public marine facility subject to clause 7 of these Terms and Conditions (see the Regulation, Section 7 (1) (d))
4. The Authority shall (under the head of power provided by the Act, Section 462 or 463) make local laws for the management and control of the public marine facility, and the conduct of persons thereon, which local laws shall require (but not be limited to requiring) that:
  - a. If a boat ramp, it shall be available at all times for use by the public without charge for launching and retrieving of trailer-borne private recreational vessels;
  - b. If a landing, it shall be available at all times for use by the public without charge for the embarking and disembarking operations of private recreational vessels. The maximum staying time shall be determined and displayed on or near the landing;
  - c. If a landing, and it provides a queuing facility for an associated boat ramp, it shall be available at all times for use by the public for launching and retrieving trailer-borne private recreational vessels at the associated boat ramp;

Version dated: 26 September 2008



- d. A boat ramp or landing shall not be used for any other purpose except with the express permission of the Authority obtained beforehand. In particular, boat ramps and landings shall not be used by cranes without prior permission or above prescribed load limits;
  - e. The local laws shall refer to (and may extend) the acts prohibited under the Regulation, Sections 8 and 9 (Use of, and safety at, certain public marine facilities);
  - f. The manager shall determine whether a landing is to be accessible by vehicles and shall pass a local law to that effect and display the ban or maximum load by notice on or near the landing in accordance with the Regulation, Section 9(9) (Use of, and safety at, certain public marine facilities); and
  - g. The manager shall erect a sign stating the maximum load to be applied to a boat ramp. The maximum load shall be in accordance with the Regulation, Section 9(7) (Use of, and safety at, certain public marine facilities).
5. The Authority may (and is hereby authorised to) enter into agreements with third parties for the non-exclusive use of the public marine facility for commercial or other purposes, provided that:
- a. If the public marine facility is a boat ramp the Authority shall not enter into an agreement for, or otherwise authorise or permit the use of the boat ramp for the loading or unloading of barges or for the taking on or discharge of cargo;
  - b. The Authority shall not enter into an agreement for the non-private usage of any public marine facility unless the approval in writing of the Director-General, Department of Transport of the agreement and its terms, conditions and duration is first obtained;
  - c. The said Director-General shall not approve the entering into of an agreement if, in his opinion, the entering into of the agreement would unreasonably impede or disturb the use of the public marine facility by the recreational boating public; and
  - d. The Authority may, as part of any such agreement with third parties, issue licences and charge fees. A portion of such fees may, as part of the Department of Transport approval conditions, be set aside for structural maintenance or eventual facility replacement.
6. The local laws made in accordance with clause 4 of these Terms and Conditions may provide for the imposition of fees for parking in a parking area provided by the Authority for use in conjunction with the public marine facility.
7. The Authority shall be entitled to claim and receive from the Department of Transport reimbursement of the cost to the Authority of maintenance of the public marine facility, provided that:
- a. the expenditure was incurred while local laws made in accordance with clause 4 of these Terms and Conditions were in force;
  - b. the prior approval of the Department of Transport was obtained in relation to that expenditure;
  - c. the maintenance was of a structural nature necessary to repair or prolong the life of the public marine facility or to render it safe and effective for its purpose.  
Note: Reimbursable maintenance on the public marine facility does not include cleaning, the removal of silt, debris or algal growth or the operational cost associated with lighting or water supply;
  - d. the Authority has certified that the expenditure was actually incurred in relation only, to the maintenance of the public marine facility and that no other claim has been made in respect of that expenditure; and
  - e. the proportion of the maintenance cost incurred by the Authority which shall be reimbursed by the Department of Transport shall be as agreed in writing between the Authority and the Department of Transport.

## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

**Letter to Queensland Transport dated 9  
April 2009**

**Meeting Date: 16 June 2020**

**Attachment No: 3**



09 April 2009

Andrew Bourne  
Regional Director (Central)  
Queensland Transport Services Division  
PO Box 5096  
CENTRAL QUEENSLAND MAIL CENTRE 4702

Rockhampton Office  
232 Bolsover St, Rockhampton  
Gracemere Office  
1 Ranger St, Gracemere  
Mount Morgan Office  
32 Hall St, Mount Morgan  
Yeppoon Office  
70 Anzac Parade, Yeppoon

Our Ref: 355  
Your Ref:  
Enquiries: 3412 5444  
Telephone: 4931 5444  
Facsimile: 1300 22 55 79  
Email: Tania.Laverty@rrc.qld.gov.au

Dear Sir

**ROCKHAMPTON REGIONAL COUNCIL MANAGED QUEENSLAND  
TRANSPORT BOATING INFRASTRUCTURE**

Staff from Council's Infrastructure Services Group confirmed that the boating infrastructure listed as an attachment to your correspondence *Boating infrastructure management: continuation of management arrangements* dated 20 January 2009 is correct and complete.

Your letter also indicated your desire for Council to establish a Local Law for the management of Rockhampton Regional Council (RRC) managed Queensland Transport owned infrastructure.

Currently RRC has a continuing local law which regulates the use of and conduct on the Derby Street Jetty – Local Law 57 – Fisherman's Jetty. I am currently undertaking a project to review and consolidate RRC local laws. This local law will be reviewed in due course.

I have been in contact with your office to explore suitable alternatives for the regulation of such infrastructure. I will continue to work with your office to establish a suitable regulation regime over the coming months.

Yours sincerely

A handwritten signature in cursive script, appearing to read "T. Laverty".

Tania Laverty  
Strategic Manager Policy & Research

Rockhampton Regional Council, PO Box 1860, Rockhampton Q 4700 | Phone 1300 22 55 77 | Fax 1300 22 55 79  
Email enquiries@rrc.qld.gov.au | Web www.rockhamptonregion.qld.gov.au

Boating infrastructure – at 01 January 2009  
Rockhampton Regional Council

QT-owned facilities managed and controlled by council

Facility ID	Facility Name	Facility Location	Facility Type	Facility Manager	Maintenance Contribution
LV11	Keppel Sands, Limpus Avenue, upstream	North bank of Pumpkin Creek	Boat ramp	Rockhampton Regional Council	100.00%
LV12	Nerimbera, St Christopher's Chapel Road	Fitzroy River near St Christopher's Chapel Road.	Boat ramp	Rockhampton Regional Council	100.00%
LV15	Keppel Sands, Limpus Avenue, downstream	North Bank of Pumpkin Creek	Boat ramp	Rockhampton Regional Council	100.00%
LV16	Keppel Sands, Taylor Street	Musa Heads - Keppel Bay	Boat ramp	Rockhampton Regional Council	100.00%
LV21	Coorooman Creek (Svendsen Road) Boat Ramp	North bank of Coorooman Creek, Emu Park	Boat ramp	Rockhampton Regional Council	100.00%
LV31	Emu Park, Hill Street	Emu Point	Boat ramp	Rockhampton Regional Council	100.00%
LV41	Mulambin, Yeppoon - Emu Park Road	Causeway Lake	Boat ramp	Rockhampton Regional Council	100.00%
LV61	Yeppoon, Emu Park Road - Fig Tree Creek	Yeppoon - near Beak bridge	Boat ramp	Rockhampton Regional Council	100.00%
LV66	Corbetts Landing, Corbetts Landing Road	Waterpark Creek	Boat ramp	Rockhampton Regional Council	100.00%
LV67	Stannage Bay, Banksia Road	Thirsty Sound at the end of Banksia Road.	Boat ramp	Rockhampton Regional Council	100.00%
RK11	Rockhampton, Reaney Street	North bank of Fitzroy River	Boat ramp	Rockhampton Regional Council	100.00%
RK21	Rockhampton, Larcombe Street	North bank of Fitzroy River barrage	Boat ramp	Rockhampton Regional Council	100.00%
RK31	Rockhampton - Ski Gardens via Huct Street	South bank of Fitzroy River	Boat ramp	Rockhampton Regional Council	100.00%
RK41	Rockhampton, Derby Street	South bank of Fitzroy River	Jetty	Rockhampton Regional Council	100.00%

Non QT-owned facilities with QT maintenance only agreements

Facility ID	Facility Name	Facility Location	Facility Type	Facility Owner	Facility Manager	Maintenance Contribution
MM10	Mount Morgan, Dee River	South Side of Dee River Dam	Boat ramp	Rockhampton Regional Council	Rockhampton Regional Council	100.00%

## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

**Letter from Department of Transport  
and Main Roads dated 30 June 2014**

**Meeting Date: 16 June 2020**

**Attachment No: 4**



30 June 2014

Mr Justin Commons  
Acting Chief Executive Officer  
Livingstone Shire Council  
PO Box 2292 QLD 4703

Department of  
Transport and Main Roads

Dear Mr Commons,

I am writing to advise you that the *Transport Infrastructure (Public Marine Facilities) Regulation 2011* (the Regulation) was amended on 29 May 2014.

The purpose of this amendment was to freshly list all state-owned public marine facilities, such as boat ramps, floating walkways, pontoons and jetties currently being managed by you as the local managing authority either through an existing Order-in-Council or under the Regulation. This is to ensure that the list is current considering that new facilities have been constructed and in some cases older ones removed and in other cases management by council has changed post de-amalgamation of some councils.

The amendment updates Schedule 1 and inserts a new Schedule 1A into the Regulation to ensure management appointments and the ending of management appointments are recorded, with the plan number and facility location of state-owned public marine facilities specified.

As facility manager you continue to be responsible for:

- regular monitoring, day to day maintenance and early preventive maintenance of the facility
- management of the use and activities on the facility, including the provision of local laws
- legal liability (refer to the legislation extracts attached).

To assist in your management of the facility, I have enclosed a copy of the latest *Terms and Conditions for the Management and Control of a Public Marine Facility*, an extract of pertinent legislation, a copy of Schedule 1 of the Regulation which lists all of the state-owned public marine facilities and their appointed managers and copies of the L-plans listed in the Regulation relevant to your management.

If you have any queries about your role as facility manager please contact your Department of Transport and Main Roads district office.

Yours sincerely

A handwritten signature in black ink, appearing to read "J. Pasieczny".

Jurgen Pasieczny  
Program Director (Statewide Programs)

Program Delivery & Operations  
State Program Office  
Floor 17 Brisbane City - 313 Adelaide Street  
313 Adelaide Street Brisbane City Queensland 4000  
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**TERMS AND CONDITIONS  
FOR THE  
MANAGEMENT AND CONTROL OF A PUBLIC MARINE FACILITY**

1. These terms and conditions shall be read in conjunction with the requirements of the *Transport Infrastructure Act 1994* (the Act) and the *Transport Infrastructure (Public Marine Facilities) Regulation 2011* (the Regulation) as amended from time to time. Where any difference or doubt arises, the Act and Regulation shall prevail. Section and subsection numbers quoted below are correct at 29 May 2014 but may vary with future amendments to the legislation.

**Definitions:**

- (i) *The Authority means a council, port authority or other person which is appointed or has agreed to be appointed manager of the public marine facility under the Transport Infrastructure (Public Marine Facilities) Regulation 2011.*
  - (ii) *public marine facility means public marine transport infrastructure*
  - (iii) *public marine transport infrastructure means state-owned or state-controlled transport infrastructure relating to Queensland waters, other than port or miscellaneous transport infrastructure*
  - (iv) *practical completion means completion of works of the facility when:*
    - b) *an inspection is carried out by the Department of Transport and Main Roads or its representative and the works are found to be satisfactory*
    - c) *the works are complete except for minor defects:*
      - (i) *which do not prevent the works being used for their stated purpose*
      - (ii) *which the state determines there are reasonable grounds for not promptly rectifying.*
  - (v) *the state means the State of Queensland acting through the Department of Transport and Main Roads*
2. Attention is drawn to the requirements, as amended from time to time, of:
- a. *Transport Infrastructure Act 1994*
    - 459 – Appointment of manager of public marine facility
    - 460 – Manager's responsibility for maintenance and injuries
    - 462 – Management by local government (making of local laws)
    - 463 – Management by port authority
    - 464 – Management by another person
    - 465 – Exercise of managers powers to be consistent with conditions
    - 466 – Fees
    - 467 – When a manager may resign
    - 469 – Regulation prevails over actions taken by a manager under this part
    - 519 – Transitional – Appointment as manager under the Act applies where management of facility was vested by Order in Council prior to the Act
  - b. *Transport Infrastructure (Public Marine Facilities) Regulation 2011*
    - Division 1 – Management
      - 5 – Manager appointed
      - 6 – Condition of appointment
      - 7 – Manager's responsibilities for managing public marine facility
    - Division 2 – Use of, and safety at, certain public marine facilities
      - 8 – Application of Division 2 (applies only to boat ramps and landings)
      - 9 – Using boat ramp or landing – penalties for misuse – load limits and signage

Version dated: 29 May 2014

Transport and Main Roads, Terms and Conditions for the management and control of a public marine facility

3. The Authority shall from the date of practical completion:
  - a. manage, control, supervise and administer the public marine facility as if it were appointed manager under the regulation
  - b. maintain the public marine facility (see the Act, Section 460 (1) and the Regulation, Section 7)
  - c. meet the costs of:
    - (v) management, control, supervision and administration of the public marine facility
    - (vi) maintenance of the public marine facility subject to clause 7 of these Terms and Conditions (see the Regulation, Section 7 (1) (d)).
4. The Authority shall (under the head of power provided by the Act, Section 462, 463 or 464) make local laws/exercise its power for the management and control of the public marine facility, and the conduct of persons thereon, which local laws/powers shall require (but not be limited to requiring) that:
  - a. If a boat ramp, it shall be available at all times for use by the public without charge for launching and retrieving of trailer-borne private recreational vessels.
  - b. If a landing, it shall be available at all times for use by the public without charge for the embarking and disembarking operations of private recreational vessels. The maximum staying time shall be determined and displayed on or near the landing.
  - c. If a landing, and it provides a queuing facility for an associated boat ramp, it shall be available at all times for use by the public for launching and retrieving trailer-borne private recreational vessels at the associated boat ramp.
  - d. A boat ramp or landing shall not be used for any other purpose except with the express permission of the Authority obtained beforehand. In particular, boat ramps and landings shall not be used by cranes without prior permission or above prescribed load limits.
  - e. The local laws shall refer to (and may extend) the acts prohibited under the Regulation, Sections 8 and 9 (Use of, and safety at, certain public marine facilities).
  - f. The manager shall determine whether a landing is to be accessible by vehicles and shall pass a local law to that effect and display the ban or maximum load by notice on or near the landing in accordance with the Regulation, Section 9(9) (Use of, and safety at, certain public marine facilities).
  - g. The manager shall erect a sign stating the maximum load to be applied to a boat ramp. The maximum load shall be in accordance with the Regulation, Section 9(7) (Use of, and safety at, certain public marine facilities).
5. The Authority may (and is hereby authorised to) enter into agreements with third parties for the non-exclusive use of the public marine facility for commercial or other purposes, provided that:
  - a. If the public marine facility is a boat ramp the Authority shall not enter into an agreement for, or otherwise authorise or permit the use of the boat ramp for the loading or unloading of barges or for the taking on or discharge of cargo.
  - b. The Authority shall not enter into an agreement for the non-private usage of any public marine facility unless the approval in writing of the Director-General, Department of Transport and Main Roads (or delegate) is first obtained.
  - c. The said Director-General (or delegate) shall not approve the entering into of an agreement if, in his opinion, the entering into of the agreement would unreasonably impede or disturb the recreational use of the public marine facility.
  - d. The Authority may, as part of any such agreement with third parties, issue licences and charge fees. A portion of such fees may, as part of the Department of Transport and Main Roads approval conditions, be set aside for structural maintenance or eventual facility replacement.
6. The local laws made in accordance with clause 4 of these Terms and Conditions may provide for the imposition of fees for parking in a parking area provided by the Authority for use in conjunction with the public marine facility.

7. The Authority shall be entitled to claim and receive from the Department of Transport and Main Roads reimbursement of the cost to the Authority of maintaining the public marine facility, provided that:
- a. the expenditure was incurred while local laws made in accordance with clause 4 of these Terms and Conditions were in force.
  - b. the prior approval of the Department of Transport and Main Roads was obtained in relation to that expenditure.
  - c. the maintenance was of a structural nature necessary to repair or prolong the life of the public marine facility or to render it safe and effective for its purpose.  
Note: Reimbursable maintenance on the public marine facility does not include cleaning, the removal of silt, debris or algal growth or the operational cost associated with lighting or water supply.
  - d. the Authority has certified that the expenditure was actually incurred in relation only to the maintenance of the public marine facility and that no other claim has been made in respect of that expenditure.
  - e. the proportion of the maintenance cost incurred by the Authority to be reimbursed by the Department of Transport and Main Roads shall be as agreed in writing between the Authority and the Department of Transport and Main Roads.

Transport Infrastructure (Public Marine Facilities) Regulation 2011

Schedule 1

Manager	Public marine facility
	pontoon at Dungeness Road, Dungeness (Herbert River) as shown on Plan No. L-4-61-4A
Ipswich City Council	boat ramp at Richardson Park, Goodna (south bank of Brisbane River) as shown on Plan No. L-1-148-1
Isaac Regional Council	boat ramp at Waverley Creek, St Lawrence (north bank of Bund Creek) as shown on Plan No. L-3-20-3
	boat ramp at Colonial Drive, Clairview as shown on Plan No. L-3-20-1
	boat ramp at Carmila Beach Road, Carmila (south bank at mouth of Carmila Creek) as shown on Plan No. L-3-20-2A
Livingstone Shire Council	boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, upstream ramp) as shown on Plan No. L-3-77-1B
	boat ramp at Limpus Avenue, Keppel Sands (north bank of Pumpkin Creek, downstream ramp) as shown on Plan No. L-3-77-1B
	boat ramp at St Christophers Chapel Road, Nerimbera as shown on Plan No. L-3-77-10B
	boat ramp at Taylor Street, Keppel Sands as shown on Plan No. L-3-77-11
	boat ramp at Svendsen Road, Zilzie (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2A
	floating walkway at Svendsen Road, Zilzie (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2A

Transport Infrastructure (Public Marine Facilities) Regulation 2011

Schedule 1

Manager	Public marine facility
	boat ramp at Hill Street, Emu Park as shown on Plan No. L-3-77-3
	boat ramp at Resada Esplanade, Mulambin (Causeway Lake) as shown on Plan No. L-3-77-4A
	boat ramp at Emu Park Road, Yeppoon (Fig Tree Creek) as shown on Plan No. L-3-77-7
	boat ramp at Corbetts Landing Road, Corbetts Landing as shown on Plan No. L-3-77-8B
	boat ramp at Banksia Road, Stanage Bay as shown on Plan No. L-3-77-9B
Lockhart River Aboriginal Shire Council	boat ramp near Lockhart River Community (north bank of Claudie River) as shown on Plan No. L-5-220-3
Lockyer Valley Regional Council	boat ramp at Whites Road, Laidley (Lake Dyer) as shown on Plan No. L-2-239-1
Logan City Council	boat ramp at Tansey Park, Tanah Merah (north bank of Logan River) as shown on Plan No. L-1-240-2
	boat ramp at Henderson Road, Logan Reserve as shown on Plan No. L-1-13-1A
	boat ramp near Pacific Highway, Beenleigh (south bank of Logan River) as shown on Plan No. L-1-240-1A
	boat ramp at Albert Street, Waterford (south bank of Logan River) as shown on Plan No. L-1-160-25A
	boat ramp at Federation Drive, Bethania (southern side of Logan River) as shown on Plan No. L-1-160-28

## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

**Letter from Department of Transport  
and Main Roads dated 21 November  
2019**

**Meeting Date: 16 June 2020**

**Attachment No: 5**





Enquiries Raphael Jadin

21 November 2019

Ms Chris Murdoch  
Chief Executive Officer  
Livingstone Shire Council  
PO Box 2292  
Yeppoon QLD 4703

Department of  
Transport and Main Roads

Dear Ms Murdoch

I am pleased to advise that construction of the new recreational boating facility at Banksia Road, Stanage Bay reached practical completion on 22 October 2019. Council is now the appointed manager of the new boat ramp, floating walkway and breakwater. Council is responsible for the management and control of the facility. This appointment is formal and will be followed up in due course by an entry in the schedule to the *Transport Infrastructure (Public Marine Facilities) Regulation 2011*.

As facility manager council is now responsible for:

- regular monitoring of the new facility
- cleaning and day to day maintenance of the facility
- undertaking preventative maintenance
- management of the use of, and activities on, the facility
- legal liability for accident and injury in accordance with the regulation and the *Transport Infrastructure Act 1994*
- issue of limited commercial permits with written consent from the Department of Transport and Main Roads.

To assist in council's management of the facility, I have enclosed a copy of the latest *Terms and Conditions for the Management and Control of a Public Marine Facility* and legislation extracts.

If you require further information about council's role as facility manager please contact Mr Raphael Jadin, Principal Advisor (Boating Infrastructure) on 3066 7292. Mr Jadin will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roger Priest'.

Roger Priest

Manager (Boating Infrastructure)

Program Delivery And Operations  
Program Management And Delivery  
Floor 17 Brisbane City - 313 Adelaide Street  
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ABN 39 407 690 291

## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

### **Deed of Agreement dated 7 January 2019 - Thompson Point Boat Ramp**

**Meeting Date: 16 June 2020**

**Attachment No: 6**

DEED OF AGREEMENT  
DEPARTMENT OF TRANSPORT AND MAIN ROADS &  
LIVINGSTONE SHIRE COUNCIL

Thompson Point boat ramp access road  
and informal car-trailer park

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DEED OF AGREEMENT

between

STATE OF QUEENSLAND

acting through Department of Transport and Main Roads

and

LIVINGSTONE SHIRE COUNCIL

about

land tenure changes for  
and  
grant funding for construction of  
an access road and car-trailer park  
K&J 81.2  
Thompson Point boat ramp

<p>DEED OF AGREEMENT DEPARTMENT OF TRANSPORT AND MAIN ROADS &amp; LIVINGSTONE SHIRE COUNCIL</p>	<p>Thompson Point boat ramp access road and informal car-trailer park</p>
<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>	<p>Thompson Point boat ramp access road and informal car-trailer park</p>
<p>Between:</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>and:</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>RECITALS</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>A. TMR wishes to arrange land tenure changes to facilitate construction of an access road to a planned TMR boat ramp at Thompson Point.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>B. TMR wishes to provide LSC with funding for the construction of a gravel access road to the boat ramp and informal gravel car-trailer parking area.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>C. LSC wishes to receive funding from TMR and arrange for construction of the access road to the boat ramp and an informal car-trailer parking area.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>THE PARTIES AGREE AS FOLLOWS -</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>1. INTERPRETATION</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>In this Deed, unless the context otherwise requires or the contrary intention appears, the following terms will have the below meanings respectively assigned to them:</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>"Access Road" means a gravel surfaced road connecting the public road network to the car-trailer parking area and boat ramp as depicted in the appendix to this Deed.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>"Car-trailer park" means an informal gravel surface parking area of approximately 2,400 square metres to accommodate up to fifty car-trailer units, with the parking area worked in and around existing significant-sized trees.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>"Commencement Date" means the date on which the last party to this Deed executes this Deed.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>"Deed" means this document.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>"Expiry Date" means 31 December 2019, unless otherwise extended through written agreement between the Parties.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>"Funds" means the supply of grant funding by TMR to LSC for the construction of the Access Road, Car-trailer park, fencing, and closure of the existing road through Lot 22 on CP903532.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>
<p>"Parties" means LSC and TMR, their employees, duly authorised agents, successors and assigns.</p>	<p>DEED OF AGREEMENT The STATE OF QUEENSLAND acting through the Department of Transport and Main Roads</p>

DEED OF AGREEMENT DEPARTMENT OF TRANSPORT AND MAIN ROADS & LYONSSTONE SHIRE COUNCIL	Thompson Point boat ramp access road and informal car-trailer park
<p><b>3. GENERAL PROVISIONS</b></p> <p>3.1 TMR agrees to arrange land tenure changes necessary to facilitate the Project and to fund costs associated with land tenure changes.</p> <p>3.2 TMR agrees to provide the Funds to LSC to financially assist LSC with the Access Road construction, construction of the Car-trailer park, construction of fencing, and closure of the existing road through Lot 22 on CP903532, all mentioned as part of the Project.</p> <p>3.3 LSC will assume full responsibility for the Access Road construction and agrees that the Access Road, upon practical and final completion, will meet and comply with relevant Australian Standards, relevant road construction standards, and will meet statutory obligations imposed by state and Commonwealth law. LSC will obtain any Statutory Approvals required for Access Road and Car-trailer park construction.</p> <p>3.4 LSC will assume full responsibility for construction, maintenance and management of the Car-trailer park.</p> <p>3.5 LSC will assume full responsibility for fencing construction mentioned as part of the Project.</p> <p>3.6 LSC will assume full responsibility for closing off the road passing through Lot 22 on CP903532.</p> <p>3.7 On completion of the Project, LSC will be the trustee of the road reserve lots and the owner of improvements on them. While rural fencing will be fully funded by TMR, its ownership will be subject to standard Queensland legislation on dividing fences – an issue solely for LSC and the freehold owner of Lot 22 on CP903532.</p> <p>3.8 TMR will not be held at any time to owe any duties, liabilities, obligations or responsibilities with respect to the construction, maintenance and management of the Access Road, Car-trailer park, and fencing installed as part of the Project.</p> <p>3.9 LSC will utilise the Funds only for the Access Road survey, design, construction, and matters related directly thereto, Car-trailer park construction, fencing construction, and closure of the road through Lot 22 on CP903532.</p> <p>3.10 Subject to the terms and conditions of this Deed, TMR will provide the Funds to LSC on the basis that:</p> <ul style="list-style-type: none"> <li>LSC will pay Access Road construction costs, Car-trailer park construction costs, fencing costs, and road closure costs using the Funds.</li> <li>LSC will invoice TMR for an initial amount of \$150,000 (no GST) after the Commencement Date.</li> <li>LSC may incur costs up to a total of \$165,000 and invoice TMR for such additional costs on completion of the items it is responsible for as part of the Project.</li> </ul> <p>3.11 Should LSC determine that its costs will increase to more than \$165,000, LSC will notify TMR at the earliest opportunity and other seek concurrence of TMR for further TMR funding by variation to this Deed or fund the cost above \$165,000 from LSC sources.</p>	
<p>3.12 LSC will keep and maintain records and accounts (including receipts and invoices) in accordance with accounting principles generally applied in commercial practice as required by law and as necessary to provide a complete record and explanation of:</p> <ul style="list-style-type: none"> <li>expenditure of the Funds for the approved purpose</li> <li>other expenditure on the construction (including any in-kind contributions)</li> <li>implementation and progress of the construction items.</li> </ul> <p>3.13 TMR may require LSC to provide documents deemed necessary to demonstrate the appropriate management and use of the Funds.</p> <p>3.14 If LSC:</p> <ul style="list-style-type: none"> <li>expends the Funds for a purpose different to items agreed in this Deed without the prior written consent of TMR, or</li> <li>fails to expend the Funds by the Expiry Date and does not act to extend the Expiry Date, or</li> <li>abandons the construction of any of the items agreed in this Deed, or</li> <li>fails to complete the Project due to frustration or other reason,</li> </ul> <p>then this Deed will be terminated and LSC will be required to repay the Funds to TMR within three months after the termination and TMR will be discharged from all its contractual obligations under this Deed and may institute proceedings to recover the monies so paid as a liquidated debt.</p> <p>3.15 The amount of any Funds to be repaid under the preceding subclause is to be determined based on the expenditure LSC has incurred for the construction items agreed in this Deed before the abandonment or non-completion.</p> <p>3.16 Should the actual total costs of the LSC construction items agreed in this Deed be less than the Funds paid by TMR to LSC, or where works have ceased and any or all the agreed construction items will not be completed, residual Funds will be returned to TMR within three months after the completion or cessation of works.</p> <p>3.17 LSC agrees to become the appointed facility manager for the new boat launching facility on completion by TMR of the boat ramp and floating walkway works. This appointment will be in accordance with the Transport Infrastructure (Public Marine Facilities) Regulation 2011 and the associated Terms and Conditions for the Management and Control of a Public Marine Facility.</p>	
<p><b>4. ACKNOWLEDGEMENT</b></p> <p>LSC will consult with TMR prior to making any public announcement or advertisement in any medium in relation to this Deed or the new boat launching facility.</p>	
<p><b>5. GST</b></p> <p>5.1 All amounts in this Deed are exclusive of GST and all invoices from LSC to TMR will be exclusive of GST.</p> <p>5.2 The Funds provided by TMR are a 'GST-exclusive' consideration within the meaning of A New Tax System (Goods and Services Tax) Act 1999 (Cth).</p>	

6 OF 10

5 OF 10

DEED OF AGREEMENT  
DEPARTMENT OF TRANSPORT AND MAIN ROADS &  
LIVINGSTONE SHIRE COUNCIL

Thompson Point boat ramp access road  
and informal car-trailer park

## 10. COUNTERPARTS

This Deed may be signed in counterparts with the same effect as if the signatures to each counterpart were on the same instrument.

## 11. ENTIRETY OF AGREEMENT

The Parties agree that this Deed constitutes the entirety of the agreement between the Parties.

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DEED OF AGREEMENT  
DEPARTMENT OF TRANSPORT AND MAIN ROADS &  
LIVINGSTONE SHIRE COUNCIL

Thompson Point boat ramp access road  
and informal car-trailer park

5.3 The State does not consider the Funds to be 'a supply for consideration' nor does it gain any asset by offering these Funds.

## 6. DISPUTE RESOLUTION

6.1 If a breach of any terms or conditions of the Deed by any Party arises, the Party claiming the breach by the other Party will, within a reasonable time, give the breaching Party notice in writing stating the nature of the alleged breach and steps required to rectify the breach.

6.2 On giving of the notice of breach pursuant to the preceding clause, the subject Parties will nominate, within a reasonable time, a representative, for amicable resolution of the dispute. The subject Parties may, by mutual consent, agree to hold meetings or take any steps including the appointment of a mutually agreed third party mediator in an attempt to resolve the dispute in a timely manner.

6.3 In the event the Parties are unable to amicably resolve any dispute after compliance with the preceding sub-clauses, the subject Parties will appoint a third-party arbitrator to resolve the dispute in a timely manner.

## 7. VARIATION OF DEED

7.1 This Deed may be varied at any time by a variation, agreement or further Deed in writing executed by both Parties.

7.2 No variation, modification and waiver of any provisions of this Deed will be of any effect unless it is in writing and signed by the Parties and in the case of waiver, by the Party giving it.

## 8. TERMINATION

8.1 The Deed may be terminated by TMR if LSC fails to carry out the construction of Items agreed in this Deed or LSC otherwise breaches this Deed, by providing twenty-eight days written notice to LSC.

8.2 Nothing in this Deed will render TMR liable for any consequential losses incurred by LSC by reason of the termination of this Deed.

8.3 This Deed may be terminated by LSC if TMR fails to carry the construction of the boat ramp and floating walkway or fails to arrange land tenure changes required for the Access Road construction, and for the dedication of road reserve parcels with LSC as trustee.

8.4 Termination of the Deed will not relieve either Party of any obligation under this Deed that is expressed to continue after termination or is otherwise required to continue.

## 9. COSTS

The Parties agree to meet their own administrative and legal costs relating to implementation of this Deed.

7 OF 10

8 OF 10



Thompson Point boat ramp access road  
and informal car-trailer park

DEED OF AGREEMENT  
DEPARTMENT OF TRANSPORT AND MAIN ROADS &  
LIVINGSTONE SHIRE COUNCIL

## 12. EXECUTED AS A DEED

SIGNED for and on behalf of the STATE OF  
QUEENSLAND acting through Department of  
Transport and Main Roads

by Paul Steelhouse  
Director (Natural Disaster & Marine Infrastructure)  
Program Management & Delivery

who is a duly authorised officer  
this 22nd day of November 2018

In the presence of:

*Roger Priest*  
(signature of witness)

ROGER PRIEST  
(print full name of witness)

SIGNED for and on behalf  
of LIVINGSTONE SHIRE COUNCIL

by Dan Toon  
Executive Director  
(position)

being duly authorised in this behalf

this 7th day of January 2019

In the presence of:

*Kat Graves*  
(signature of witness)

KAT GRAVES  
(print full name of witness)

## 13. APPENDIX



## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

### **Photos of boats moored at Coorooman Creek floating walkway**

**Meeting Date: 16 June 2020**

**Attachment No: 7**



Something needs to be done about these people using the coorooman ramp as a parking lot. 4 boats trying to come and go this arvo at low water when we got back and these inco... See more

## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

**Letter to Department of Transport and  
Main Roads dated 30 November 2016  
and 18 October 2017**

**Meeting Date: 16 June 2020**

**Attachment No: 8**



30 November 2016

Our ref:  
Enquiries:  
Telephone:

CP5,4,4 sl:n  
Michael Prior  
4913 5000

Department of Transport and Main Roads  
Boating Infrastructure  
Program Delivery and Operations  
Infrastructure Management and Delivery Division  
GPO Box 1549  
BRISBANE QLD 4000

Email: [boatinginfrastructure@tmr.qld.gov.au](mailto:boatinginfrastructure@tmr.qld.gov.au)

Attention: Katrina O'Malley-Jones (GHD)

Dear Madam,

**RE: 2016 Queensland Recreational Boating Facility Demand Forecasting Study**

With reference to your company's email correspondence dated 11<sup>th</sup> November 2016 regarding the above matter and your corresponding request for feedback on draft recommendations as provided in said correspondence.

Council has reviewed the priority recommendations for the selected facilities within Livingstone Shire as provided and offer the following suggestions for your records and consideration:

**Priority 1 Sites**

**Nerimbera (Fitzroy River)**

- Concept as detailed is generally supported at this site, however, Council questions the demand driver for the concept extent in light of the additional proposals upstream on the Fitzroy River as detailed in the Rockhampton Regional Council (RRC) adopted *Rockhampton Recreational Fishing Development Strategy*
- Council would consider a joint venture approach with RRC at this site
- Council support a demand Priority Rating of 2 for this site
- Concept would benefit by including a rigging & de-rigging zone and option of incorporating single car bays
- Funding of land based upgrades as per concept of works would fall to Council. Likewise, sealing of the gravel access road.
- Such proposals will be required to be included in Council's forward works program competing against other Council projects, for scarce budget resources, based on prioritisation of providing maximised benefit to the Shire's community.

PO Box 2292 Yeppoon Qld 4703  
Phone 07 4913 5000 or 1300 790 919

[www.livingstone.qld.gov.au](http://www.livingstone.qld.gov.au)  
[enquiries@livingstone.qld.gov.au](mailto:enquiries@livingstone.qld.gov.au)

ABN 95 399 253 048

Corbetts Landing (Water Park Ck)

- Council supports Priority 1 Rating for this site
- Improved ramp design is supported at this site as existing ramp profile is low and prone to mud- accretion
- Supported inclusion of pontoon & in-part aligned with creek flow, however, Council has concerns regarding the pontoon's vulnerability during regular flooding
- Council support formalised parking concept as detailed excluding bitumen sealing due to vulnerability and probable stripping of the seal during flooding events
- Council would support the upgrading of the existing retaining wall structure supporting the open parking area at this site
- Concept would benefit by including a rigging & de-rigging zone – possibly adjacent entrance/exit point
- Funding of land based upgrades as per concept of works would fall to Council. Such proposals will have to compete for budget funding in Council's forward works program.

The bitumen sealing of the existing gravel access road is not a Council priority

Thompson Point (Fitzroy River)

- Improved ramp design is supported at this site as existing historical ramp-base construction is basic, irregular and has vertical alignment issues
- Inclusion of pontoon supported, however, alignment may conflict with major river-flood flows – option of in-part aligned with river flow (similar to Corbetts pontoon concept)
- Council would consider a joint venture approach with RRC at this site
- Council support formalised parking concept as detailed excluding bitumen sealing due to exposure to major river-flood flows and facility being at end of 12k of gravel road that will likely remain gravel for at least the design life of the ramp facility
- Concept ramp location is in current road reserve, however, it is noted carparking proposal locates on USL. Council prefers siting land-based ramp infrastructure on road reserve or on land where land tenure issues have been resolved by the State.
- Funding of land based upgrades as per concept of works would fall to Council. Such proposals will have to compete for budget funding in Council's forward works program.

Priority 2 sites

Stanage Bay (Thirsty Sound)

- Concept as detailed is supported at this site as existing ramp facility is subject to wind and tide
- Council supports a demand Priority Rating of 1 for this site
- Concept carparking proposal as detailed locates on USL & State land. Council prefers siting land-based ramp infrastructure on road reserve or on land where land tenure issues have been resolved by the State. In this case, Council requests the State deliver the required land for carparking as road reserve.
- Funding of land based upgrades as per concept of works would fall to Council – such proposals will have to compete for budget funding in Council's forward works program.



**Priority 3 sites**

**Coorooman Ck (Cawarral Ck)**

- Concept ramp upgrade as detailed at this site is located in recently declared Council maintained community park area (Category B) and would not be supported
- The proposal of navigational aids to the creek's outlet are supported; as also advocated by the Keppel Sands Coast Guard as a priority (P1)
- The priority 3 option to add additional future lanes and a pontoon may be better positioned directly up-stream of the existing ramp – maximum of 2 lanes
- Additional priority 3 considerations may also include the possible location of a similar facility on the south bank of Coorooman / Cawarral Ck adjacent Keppel Sands
- Carpark extensions are currently under construction with practical completion expected this year

**Priority 4 sites**

**Causeway Lake (Kinka Beach)**

- Concept proposal is supported for further long-term assessment
- The proposal of a marina in the location of the sand dam / tidal prism, as constructed in 1988 to stabilise severe erosion along Kinka Beach, may have merit as it would also maintain a stable tidal prism and subsequent outlet channel.

If you have any further queries relating to this matter, please contact Council's Manager Infrastructure Operations, Mr Michael Prior on (07) 4939 5000.

Yours faithfully



**Dan Toon**

**Director**

**INFRASTRUCTURE SERVICES**



18 October 2017

Our ref: CP5.4.4 slnn  
Enquiries: Michael Prior  
Telephone: 4913 5000

Department of Transport and Main Roads  
Boating Infrastructure  
Program Delivery and Operations  
Infrastructure Management and Delivery Division  
GPO Box 1549  
BRISBANE QLD 4000

Email: [boatinginfrastructure@tmr.qld.gov.au](mailto:boatinginfrastructure@tmr.qld.gov.au)

Attention: Katrina O'Malley-Jones (GHD)

Dear Katrina

**RE: 2016 Queensland Recreational Boating Facility Demand Forecasting Study – Regional Report**

I refer to your email correspondence dated 5 October 2017 regarding the above matter and to your corresponding request for feedback on draft recommendations as provided in the mentioned correspondence.

Council has reviewed the draft priority recommendations for the selected facilities within Livingstone Shire as provided and offer the following suggestions for your records and consideration:

**Priority 1 Sites**

**Rosslyn Bay Boat Harbour (RBBH)**

- Council is aware of the Transport and Main Roads (TMR) parking upgrade proposal for this site and supports the proposal and the Priority 1 Rating.

**Thompson Point Road (Fitzroy River)** – Council previously provided comments regarding this site as detailed in correspondence dated 11 November 2016. Those comments are still applicable and reiterated.

- Improved ramp design is supported at this site as existing historical ramp-base construction is basic, irregular and has vertical alignment issues;
- Inclusion of pontoon supported, however, alignment may conflict with major river-flood flows – option of in-part aligned with river flow (similar to Corbett's pontoon concept);
- Council would consider a joint venture approach with RRC at this site;
- Council support formalised parking concept as detailed excluding bitumen sealing due to exposure to major river-flood flows and facility being at the end of 12km of unsealed road that will likely remain unsealed for at least the design life of the ramp facility;

PO Box 2292 Yeppoon Qld 4703  
Phone 07 4913 5000 or 1300 790 919

[www.livingstone.qld.gov.au](http://www.livingstone.qld.gov.au)  
[enquiries@livingstone.qld.gov.au](mailto:enquiries@livingstone.qld.gov.au)

ABN 95 399 253 048

Katrina O'Malley-Jones (GHD)

2

18 October 2017

- Concept ramp location is in current road reserve, however, it is noted the car parking proposal locates on USL. Council prefers siting land-based ramp infrastructure on road reserve or on land where land tenure issues have been resolved by the State;
- Funding of land based upgrades as per concept of works would fall to Council. Such proposals will have to compete for budget funding in Council's forward works program.

**Stanage Bay (Thirsty Sound)** – Council previously provided comments regarding this site as detailed in correspondence dated 11 November 2016. Those comments are still applicable and the following additional comments are included for further consideration:

- **Concept as detailed is supported** at this site as existing ramp facility is subject to wind and tide impacts;
- The pontoon should be designed for higher lateral loads from deep-draught vessels utilizing the pontoon for short re-provisioning periods
- Consideration for having the pontoon accessible for tender vessels at low tide or at least the maximum range of tides
- Council supports a demand Priority Rating of 1 for this site;
- Rock quarrying at Council-owned or Council-leased quarries only to be carried out by Council or Council-approved local contractors;
- Council requests that tender evaluations include a suitable weighting for Livingstone Shire-based contractors;
- Concept car parking proposal as detailed locates on USL & State land. Council prefers siting land-based ramp infrastructure on road reserve or on land where land tenure issues have been resolved by the State. In this case, Council requests the State deliver the required land for car parking as road reserve;
- Funding of land based upgrades as per concept of works would fall to Council – such proposals will have to compete for budget funding in Council's forward works program.

#### **Priority 2 sites**

##### **Option A – Rosslyn Bay Boat Harbour expansion**

Council supports the provision of additional recreational boating facilities on the Capricorn Coast for all-tide access to open water. However, Council would like to see further investigation of the immediate, potentially staged and ultimate development options for both RBBH and The Causeway sites. For example, the \$19m cost associated with the RBBH Option A may offer better strategic benefit if these funds were targeted at a staged and scalable development of a long-term recreational marine precinct at the centrally located site of The Causeway. Rosslyn Bay is constrained and Option A is not expandable or scalable. Even so, Council supports options of improvements to the efficient use of the existing ramps/pontoons within RBBH.

##### **Option B - Causeway Lake, Scenic Highway**

Council supports the principle of a staged and scalable development at The Causeway site that provides a broad range of marine-centric services and products, whilst addressing some of the limiting aspects of the current arrangements at the RBBH site. For instance, the existing slipway/boat-yard at RBBH is limited in craft serviceability and the facility location is at odds with the nearby higher-value residential product.



Katrina O'Malley-Jones (GHD)

3

18 October 2017

The Causeway site offers a long-term vision for recreational boating and support services for all-tide, open-water access for the Capricorn Coast:

- Centrally located marine precinct;
- Expandable and scalable project site;
- Compliments the Causeway Lake Master Plan/Recreational Precinct.

However, further investigation is needed into the following areas:

- Optimum positioning of the facility/breakwalls
- Lake's current tidal prism volume is not sufficient enough to contest longshore volumes; Consideration of a wide trapezoidal channel design to increase tidal prism volume to provide for self-flushing and resultant stable outlet channel;
- Land tenures for the site will need State resolution;
- Combination of sand-bag construction practices where appropriate;

#### Option C - Shellys Beach, Emu Park

This site was investigated as a preliminary site in the 2012 joint TMR & Council (RRC) study into potential sites along the southern region of the Capricorn Coast. The majority of the 2012 study group members did not believe this site was viable or met the evaluation criteria with concerns including issues such as minimal available land other than foreshore and long access route through residential housing. It was decided that this site would not to be considered further in the 2012 study. Council does not support the Shelly's Beach concept and lists the following areas of concern:

- Popular long-time community beach
- Longshore transport and siltation issues
- Minor access network entrance issues as the linking section of Connor Street to Keppel Street is of steep grade and the current land tenure is 'road closure'.

#### Priority 3 sites

Corbetts Landing (Water Park Ck) – Council previously provided comments regarding this site as detailed in correspondence dated 11 November 2016. Those comments are still applicable.

- Council supports Priority 3 Rating for this site
- Improved ramp design is supported at this site as existing ramp profile is low and prone to mud- accretion
- **Supported inclusion of pontoon & in-part** aligned with creek flow, however, Council has concerns regarding the pontoon's vulnerability during regular flooding
- Council support formalised parking concept as detailed excluding bitumen sealing due to vulnerability and probable stripping of the seal during flooding events
- Council would support the upgrading of the existing retaining wall structure supporting the open parking area at this site
- Concept would benefit by including a rigging & de-rigging zone – possibly adjacent entrance/exit point
- Funding of land based upgrades as per concept of works would fall to Council. Such proposals will have to compete for budget funding in Council's forward works program.

The bitumen sealing of the existing gravel access road is not a Council priority

Katrina O'Malley-Jones (GHD)

4

18 October 2017

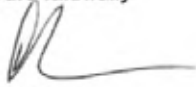
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**Priority 4 sites**

Refer to above comments in relation to non-support for Shellys Beach site and preference for a strategic approach to Rosslyn Bay and The Causeway sites.

If you have any further queries relating to this matter, please contact Council's Manager Infrastructure Operations, Mr Michael Prior, on (07) 4939 5000.

Yours faithfully



Dan Toon  
Director – Infrastructure Services

## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

### **Terms and Conditions for the Management and Control of a Public Marine Facility**

**Meeting Date: 16 June 2020**

**Attachment No: 9**



**TERMS AND CONDITIONS  
FOR THE  
MANAGEMENT AND CONTROL OF A PUBLIC MARINE FACILITY**

1. These terms and conditions shall be read in conjunction with the requirements of the *Transport Infrastructure Act 1994* (the Act) and the *Transport Infrastructure (Public Marine Facilities) Regulation 2011* (the Regulation) as amended from time to time. Where any difference or doubt arises, the Act and Regulation shall prevail. Section and subsection numbers quoted below are correct at 1 November 2019 but may vary with future amendments to the legislation.

Definitions:

- (i) *The Authority* means a council, port authority or other person which is appointed or has agreed to be appointed manager of the public marine facility under the *Transport Infrastructure (Public Marine Facilities) Regulation 2011*.
  - (ii) *public marine facility* means public marine transport infrastructure
  - (iii) *public marine transport infrastructure* means state-owned or state-controlled transport infrastructure relating to Queensland waters, other than port or miscellaneous transport infrastructure
  - (iv) *practical completion* means completion of works of the facility when:
    - a) an inspection is carried out by the Department of Transport and Main Roads or the Gold Coast Waterways Authority or its representative and the works are found to be satisfactory
    - b) the works are complete except for minor defects:
      - (i) which do not prevent the works being used for their stated purpose
      - (ii) which the state determines there are reasonable grounds for not promptly rectifying.
  - (v) *the state* means the State of Queensland acting through the Department of Transport and Main Roads or the Gold Coast Waterways Authority or a wholly owned government corporation
2. Attention is drawn to the requirements, as amended from time to time, of:
- a. *Transport Infrastructure Act 1994*
    - 459 – appointment of manager of public marine facility
    - 460 – manager's responsibility for maintenance and injuries
    - 462 – management by local government (making of local laws)
    - 463 – management by port authority
    - 464 – management by another person
    - 465 – exercise of managers powers to be consistent with conditions
    - 466 – fees
    - 467 – when a manager may resign
    - 469 – regulation prevails over actions taken by a manager under this part
    - 519 – transitional – appointment as manager under the Act applies where management of facility was vested by Order in Council prior to the Act.
  - b. *Transport Infrastructure (Public Marine Facilities) Regulation 2011*
    - Division 1 – Management
      - 5 – manager
      - 6 – condition of appointment
      - 7 – manager's responsibilities for managing public marine facility
      - 7A – ending appointment
    - Division 2 – use of, and safety at, certain public marine facilities
      - 8 – application of Division 2 (applies only to boat ramps and landings)
      - 9 – using boat ramp or landing – penalties for misuse – load limits and signage.

Version dated: 1 November 2019

*Terms and Conditions for the management and control of a public marine facility*

3. The Authority shall from the date of practical completion:
  - a. manage, control, supervise and administer the public marine facility as if it were appointed manager under the regulation
  - b. maintain the public marine facility (see the Act, Section 460 (1) and the Regulation, Section 7)
  - c. meet the costs of:
    - (v) management, control, supervision and administration of the public marine facility
    - (vi) maintenance of the public marine facility subject to clause 7 of these Terms and Conditions (see the Regulation, Section 7 (1) (d)).
4. The Authority shall (under the head of power provided by the Act, Section 462, 463 or 464) make local laws/exercise its power for the management and control of the public marine facility, and the conduct of persons thereon, which local laws/powers shall require (but not be limited to requiring) that:
  - a. if a boat ramp, it shall be available at all times for use by the public without charge for launching and retrieving of trailer-borne private recreational vessels
  - b. if a landing, it shall be available at all times for use by the public without charge for the embarking and disembarking operations of private recreational vessels. The maximum staying time shall be determined and displayed on or near the landing
  - c. if a landing, and it provides a queuing facility for an associated boat ramp, it shall be available at all times for use by the public for launching and retrieving trailer-borne private recreational vessels at the associated boat ramp
  - d. a boat ramp or landing shall not be used for any other purpose except with the express permission of the Authority obtained beforehand. In particular, boat ramps and landings shall not be used by cranes without prior permission or above prescribed load limits
  - e. the local laws shall refer to (and may extend) the acts prohibited under the Regulation, Sections 8 and 9 (Use of, and safety at, certain public marine facilities)
  - f. the manager shall determine whether a landing is to be accessible by vehicles and shall pass a local law/notice to that effect and display the ban or maximum load by notice on or near the landing in accordance with the Regulation, Section 9(9) (Use of, and safety at, certain public marine facilities)
  - g. the manager shall erect a sign stating the maximum load to be applied to a boat ramp. The maximum load shall be in accordance with the Regulation, Section 9(7) (Use of, and safety at, certain public marine facilities)
5. The Authority may (and is hereby authorised to) enter into agreements with third parties for the non-exclusive use of the public marine facility for commercial or other purposes, provided that:
  - a. if the public marine facility is a boat ramp the Authority shall not enter into an agreement for, or otherwise authorise or permit the use of the boat ramp for the loading or unloading of barges or for the taking on or discharge of cargo
  - b. the Authority shall not enter into an agreement for the non-private usage of any public marine facility unless the approval in writing of the Director-General, Department of Transport and Main Roads (or delegate) is first obtained
  - c. the said Director-General (or delegate) shall not approve the entering into of an agreement if, in his opinion, the entering into of the agreement would unreasonably impede or disturb the recreational use of the public marine facility
  - d. the Authority may, as part of any such agreement with third parties, issue licences and charge fees. A portion of such fees may, as part of the approval conditions, be set aside for structural maintenance or eventual facility replacement.
6. The local laws/powers made in accordance with clause 4 of these Terms and Conditions may provide for the imposition of fees for parking in a parking area provided by the Authority for use in conjunction with the public marine facility.

7. The Authority shall be entitled to claim and receive from the state reimbursement of the cost to the Authority of maintaining the public marine facility, provided that:
  - a. the expenditure was incurred while local laws/powers made in accordance with clause 4 of these Terms and Conditions were in force
  - b. the prior approval of the state was obtained in relation to that expenditure
  - c. the maintenance was of a structural nature necessary to repair or prolong the life of the public marine facility or to render it safe and effective for its purpose  
Note: Reimbursable maintenance on the public marine facility does not include cleaning, the removal of silt, debris or algal growth or the operational cost associated with lighting or water supply
  - d. the Authority has certified that the expenditure was actually incurred in relation only to the maintenance of the public marine facility and that no other claim has been made in respect of that expenditure
  - e. the proportion of the maintenance cost incurred by the Authority to be reimbursed by the state shall be as agreed in writing between the Authority and the state.

## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

**Email from Department of Transport  
and Main Roads dated 1 June 2015 and  
Council's response of 4 June 2015**

**Meeting Date: 16 June 2020**

**Attachment No: 10**

**From:** David R Stockwell [mailto:David.R.Stockwell@tmr.qld.gov.au]  
**Sent:** Monday, 1 June 2015 3:11 PM  
**To:** Stephen Linnane  
**Subject:** Svendsen road Boat Ramp (LV21) widening, Zilzie

Dear Mr Linnane,

I would be grateful for a letter to the Dept. of Transport and Main Roads which addresses the points below. Below the horizontal line is the scope of works.

RE: managers advice for the reconstruction and widening of the Svendsen road Boat Ramp (LV21) widening, Zilzie in accordance with the Code for self-assessable development for tidal work.

In accordance with the Code for self-assessable development for tidal work, or works completely or partly within a coastal management district, DEHP, December 2014, the manager has reviewed the scope of works for the proposed upgrade by the constructing authority, the Department of Transport and Main Roads (TMR) for:

- boat ramp at Svendsen Road, Zilzie (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2A at coordinates 23.2994205 150.769242E.
- floating walkway at Svendsen Road, Zilzie (north bank of Coorooman Creek) as shown on Plan No. L-3-77-2A Road at coordinates 23.2994205 150.769242E

Please indicate your response to the following:

- Livingstone Shire Council has no objection to the location, type and extent of works on the road corridor of Svendsen.
- Livingstone Shire Council has no objection to the demolition works required in preparation for the works.
- Livingstone Shire Council confirms that it will continue to manage the upgraded facility upon its completion.

Should you require any further information please contact me in this regard.

---

#### Scope of Works

This project involves the upgrade of the existing boat ramp located on the Road Reserve (Svendsen Road) Council Road and adjacent to. The construct will consist of two of 4m wide lanes from the connecting slab / key beam level to LAT-0.5m. The boat ramp works will include rock protection and tow extension as required.

#### Boat ramp widening

- Demolish existing downstream side shoulder of the ramp.
- Extend the existing reinforced concrete connection slab to the new two lanes. This slab will be poured with a key beam for ramp widening.
- Construct two of 4m wide lanes from the connecting slab / key beam level to LAT-0.5m.
- Construct a new shoulder to the downstream edge of the ramp. Grouted shoulder to be extended beyond MSL as determined at the site and at top tie in to the existing creek bank. Grouted shoulders will have a 0.6m x 0.6m concrete footing below the existing ground level.
- Construct a rock toe protection works if required.

The proposed works are part of the \$50 million Marine Infrastructure Commitment (2012-2015) of the State Government. The works can be completed in accordance with the DEHP Self-assessable code for tidal works.

Regards

David Stockwell PhD(ANU) CPPM  
Environmental Officer (Corridor Management & Operations) | Fitzroy Region / Emerald Office  
Program Delivery & Operations | Department of Transport and Main Roads  
Ground Floor | Emerald TMR Complex - Main Building | 83 Esmond Street | Emerald Qld 4720  
PO Box 5096 | Red Hill Rockhampton Qld 4701  
P: (07) 49838724 | F: (07) 49838722  
M: 0448836905  
E: [dstock@tmr.qld.gov.au](mailto:dstock@tmr.qld.gov.au)  
W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)





04 June 2015

File Reference: CP 5.4.4; PR 21.2.3  
Enquires: Stephen Linnane  
Telephone: 07 4913 5000 or 1300 790 919  
Fax: 07 4936 4776  
Email: enquires@livingstone.qld.gov.au

Department of Transport and Main Roads  
Program Delivery & Operations  
Emerald TMR Complex – Main Building  
PO Box 5096 Red Hill  
ROCKHAMPTON QLD 4701

Attention: David Stockwell

Dear Sir,

**RE: MANAGING AUTHORITY ADVICE, COOROOMAN CREEK BOAT RAMP (LV21) –  
WIDENING UPGRADE PROJECT – ADJACENT LOT 1 ON SP182278, ZILZIE**

Reference is made to your email correspondence dated 1<sup>st</sup> June 2015 in relation to the  
above matter.

In accordance with Part A, AO2 of the Department of Environment & Heritage Protection  
Code for self-assessable development for tidal works, or works completely or partly within a  
coastal management district, December 2014; the following response is provided for your  
records:

- Council, as the managing authority, has reviewed the scope of works for the  
proposed widening upgrade of the existing Coorooman Creek facility as provided by  
the constructing authority, the Department of Transport & Main Roads;
- Council, as the relevant local government, has no objection to the location, type and  
extent of works (including the required demolition works) on the road reserve corridor  
of Svendsen Road, Zilzie (adjacent Lot 1 on CP182278);
- Council confirms its commitment to continue to manage the upgraded facility upon  
the completion of the proposed works.

If you have any further queries relating to this matter, please contact Council officer, Mr  
Stephen Linnane on the abovementioned telephone number.

Yours faithfully

  
Dan Toon  
Director  
Infrastructure Services

PO Box 2292 Yeppoon Qld 4703  
Phone 07 4913 5000 or 1300 790 919

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[enquires@livingstone.qld.gov.au](mailto:enquires@livingstone.qld.gov.au)

AEN 95 399 253 048



## **12.10 - MANAGEMENT OF PUBLIC MARINE FACILITIES**

### **Letter from Department of Transport and Main Roads dated 3 February 2020**

**Meeting Date: 16 June 2020**

**Attachment No: 11**



3 February 2020

Department of  
Transport and Main Roads

Ms Chris Murdoch  
Chief Executive Officer  
Livingstone Shire Council  
PO Box 2292  
Yeppoon QLD 4703

Dear Ms Murdoch

I write about Livingstone Shire Council (LSC) providing formal consent to undertake the appointed manager role for public marine facilities. Management appointment is provided for under the *Transport Infrastructure Act 1994* and its *Transport Infrastructure (Public Marine Facilities) Regulation 2011*. Such consent may take many forms, the most usual being a council submitting a funding application to TMR. Consent may also be via an email exchange, a letter, a deed of agreement, or similar mechanism.

As these records need confirmation/consolidation, the Department of Transport and Main Roads (TMR) from time to time writes to all councils listing their current appointments. This was last done for LSC by writing to your acting CEO Mr Justin Commons on 30 June 2014 (copy enclosed). The listing on that date included:

- the two boat ramps at Limpus Avenue Keppel Sands
- the boat ramp at Taylor Street Keppel Sands
- the boat ramp and floating walkway at Coorooman Creek
- the boat ramp at Hill Street, Emu Park
- the boat ramp at Causeway Lake Mulambin
- the boat ramp in Figtree Creek Yeppoon
- the boat ramp at Corbetts Landing
- the boat ramp at Stanage Bay
- the boat ramp at Nerimbera.

Council was invited to query any aspect of its management appointments but did not do so.

Ordinarily, consent by councils for management of a public marine facility is recorded before the new facility or upgrade is included on TMR's program of works. The process of constructing and managing recreational boating infrastructure and the associated landside infrastructure (access, car parks, toilets and so on) has been a partnership between TMR and councils for many years and was first formalised in a Memorandum of Understanding between TMR and the Local Government Association of Queensland (LGAQ) in 2004.

Since the TMR letter to LSC of 30 June 2014 several projects have been instigated, some requiring new or varied management appointments.

For the proposed new boat ramp and floating walkway at Thompson Point the LGAQ partnership agencies (LSC and TMR) have formalised agreement for appointment of LSC as manager in a deed of agreement. No further action is required in respect of Thompson Point.

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Email [FitzroyDistrict@tmr.qld.gov.au](mailto:FitzroyDistrict@tmr.qld.gov.au)

For the proposed upgrade to the boat launching facility at Corbetts Landing the LGAQ partnership agencies (LSC and TMR) have not yet formalised the necessary appointment consent. LSC's appointment as manager of the existing facility remains in place. See the enclosed LSC letter of 18 October 2017 supporting the upgrade.

The proposed Corbetts Landing upgrade to two lanes plus addition of a floating walkway (see enclosed drawing) will require amendment of the current appointment to reflect the proposed design. The existing single lane will be supplemented by a new second lane at a different orientation, with the floating walkway resting on this new second ramp. Formalised consent by LSC to manage the whole of the proposed upgraded Corbetts Landing facility is required to ensure the project can proceed as scheduled (completion late 2020).

The recently completed upgrade to the boat launching facility at Stanage Bay has seen both LGAQ partnership agencies' (LSC and TMR) initial support for the project. See the enclosed letter from LSC dated 18 October 2017. TMR proposed rebuilding of the boat ramp in 2015 owing to its poor condition, which had been advised by LSC officers. LSC, per 2016 Deputy Mayor Cr Graham Scott, proposed the inclusion of floating infrastructure and protection for it (breakwater). Cr Scott's proposal was to provide a landing place in the LSC area for boats transiting the Queensland coast between Rosslyn Bay and Mackay. He was supported by the Mayor and other councillors at the 19 August 2016 demand forecasting meeting held at Yeppoon.

Both LGAQ partnership agencies (TMR and LSC) have not yet formally recorded the consent of LSC to become the appointed manager for the additional facility components at Stanage Bay. LSC's appointment as ramp manager remains in place.

TMR requests LSC to formalise its consent in writing to become the appointed manager for the whole of the upgraded Stanage Bay boat launching facility including the breakwater and floating walkway.

TMR's minimum need for appointed manager visits to places like Stanage Bay is a single joint condition assessment each year. For day to day issues, LSC may wish to engage the Coastguard unit at Stanage Bay or other local entity.

In relation to Coorooman Creek, the initial appointment for the floating walkway was to Rockhampton Regional Council (RRC). LSC is welcome to confirm the transferred appointment from RRC to LSC, which was formally advised to LSC in the TMR letter of 30 June 2014 mentioned above.

Please see Annex A which summarises issues raised recently by your officers about management appointment for recreational boating infrastructure.

If you require further information please contact Mr Roger Priest, Manager (Boating Infrastructure) by email at [roger.priest@tmr.qld.gov.au](mailto:roger.priest@tmr.qld.gov.au) or on 3066 3781. Mr Priest will be pleased to assist.

I look forward to your response.

Yours sincerely



Dave Grosse  
Regional Director (Central Queensland)

Enc (2)

# **Annex A – boating facilities management appointment – issues and discussion**

## **Abbreviations:**

LSC – Livingstone Shire Council

LGAQ – Local Government Association of Queensland

TMR – Department of Transport and Main Roads

MOU – Memorandum of Understanding

Legislation – *Transport Infrastructure Act 1994* and *Transport Infrastructure (Public Marine Facilities) Regulation 2011*

Regulation – *Transport Infrastructure (Public Marine Facilities) Regulation 201*

Terms and Conditions - *Terms and Conditions for the Management and Control of a Public Marine Facility (an agreement under the Regulation)*

Issue	Discussion
How are TMR-owned boating facilities constructed and managed?	<ul style="list-style-type: none"><li>• Since the 1970's most new recreational boating facilities have been by partnership agreement between TMR and councils, with TMR funding and owning the in-water components and councils providing the land-side components. This arrangement doesn't preclude councils providing boating facilities independently – and many councils have done so, but not LSC to date.</li><li>• The 1970's partnership arrangements were first formalised in a 2004 MOU between Queensland Transport (predecessor to TMR) and LGAQ (on behalf of councils). Subsequent editions of the MOU require TMR and councils to work together to provide recreational boating infrastructure.</li><li>• Following agreement about management, early management appointments were formalised by publishing in the Government Gazette. 1990's appointments, following agreement, were formalised by letter then appended to various regulations updates. Since 2001, appointments have, following agreement and completion of works, been by letter with a follow-up listing in the <i>Transport Infrastructure (Public Marine Facilities) Regulation</i>.</li></ul>

Issue	Discussion
Is there any protocol enforcing the LGAQ partnership MOU with TMR?	<ul style="list-style-type: none"> <li>There is nothing forcing the MOU arrangements. However, TMR doesn't commence new facility or additional component upgrade projects without the prior understanding that councils will undertake any essential landside components and act as the appointed manager. Such agreement is normally well documented, but occasionally requires backtracking to formalise.</li> </ul>
Are there occasions of TMR boating infrastructure capital works that don't require council agreement regarding management?	<ul style="list-style-type: none"> <li>When TMR upgrades or improves an existing boating facility there is no need for the existing appointment of a council as manager to be altered. This is the case for replacement of a pontoon module, rebuilding and/or widening of a boat ramp, and the like. TMR advises the appointed manager of its intention to carry out such upgrades – and council management obligations are suspended for those parts of the site temporarily in the contractor's control. Management obligations revert automatically to council on departure of the contractor from site. Council representatives are invited to the contract 'practical completion' site meeting to ensure the council is satisfied from a safety perspective.</li> </ul>
Are there any TMR-owned boating facilities (outside state boat harbours) without an appointed manager?	<ul style="list-style-type: none"> <li>There are no TMR-owned boating facilities in Queensland outside the eight state-managed state boat harbours without an appointment manager. Therefore, the administrative oversight by TMR and LSC to formalise agreement about management of the expanded components of the Stanage Bay boat launching facility is critical for rectification.</li> </ul>
Can TMR act as the manager for facilities outside the eight state-managed state boat harbours?	<ul style="list-style-type: none"> <li>There is no legislative provision for TMR to act as manager for public marine facilities outside the eight state-managed state boat harbours.</li> <li>The managing entity needs to be capable of making local laws or their equivalent (for instance port orders inside a port area).</li> <li>TMR cannot pass or enforce local laws.</li> <li>TMR acts as manager of the public marine facilities within the eight state-managed state boat harbours – and the Legislation provides for this.</li> </ul>

Issue	Discussion
<p>What are the normal processes for appointment of a council as facility manager?</p>	<ul style="list-style-type: none"> <li>• The LGAQ partners (TMR and councils) agree prior to works commencement that the council consents to becoming the appointed manager.</li> <li>• Agreement may be by email, by letter, by funding bid application, by deed of agreement, by council resolution, and the like.</li> <li>• Council officers attend the works 'practical completion' contract site meeting but may elect not to do so. In the case of Stanage Bay, LSC officers attended the works 'practical completion' contract site meeting.</li> <li>• 'Practical completion' marks the commencement of council management appointment obligations.</li> <li>• TMR issues a formal letter of appointment pending the next update to the <i>Transport Infrastructure (Public Marine Facilities) Regulation</i>.</li> <li>• In due course, TMR arranges an update to the appointment listings in the Regulation.</li> </ul>
<p>For Stanage Bay, have TMR and LSC as joint LGAQ partners formalised agreement for LSC to become appointed facility manager for the additional components (breakwater and floating walkway)?</p>	<ul style="list-style-type: none"> <li>• Not yet. Given that LSC proposed the inclusion of floating infrastructure at Stanage Bay, and wave protection for it, there was a joint assumption by TMR and LSC officers that LSC and TMR either had or would formalise the necessary LSC consent. Unfortunately, action to document was not taken prior to works completion and remains an outstanding administrative action. Rectification of that oversight is part of the need for this correspondence.</li> </ul>
<p>Is appointment of a council as manager for jetties, pontoons and floating walkways any different from appointment for boat ramps?</p>	<ul style="list-style-type: none"> <li>• There is no difference in appointed manager duties and tasks for jetties, pontoons and floating walkways compared to boat ramps.</li> <li>• The same Legislation and appointment Terms and Conditions apply to all types of recreational boating infrastructure.</li> <li>• Where floating walkways have been added to existing boat ramps round the state, every council has agreed to extend management appointment to the additional component of the boating facility.</li> </ul>



Issue	Discussion
<p>What is the history leading to installation of a pontoon floating walkway and its breakwater at Stanage Bay?</p>	<ul style="list-style-type: none"> <li>• From 2015, TMR proposed to rebuild the boat ramp at Stanage Bay as it was in poor condition. The ramp is owned by TMR and managed by LSC. LSC, at officer level, supported the proposed ramp rebuild.</li> <li>• During a meeting held in council chambers at Yeppoon on 19 August 2016 to assist consultant GHD with a statewide demand forecasting study, LSC's Deputy Mayor at the time Cr Graham Scott, with the support of Mayor Ludwig and other councillors present, proposed the inclusion of floating infrastructure to be included along with TMR's proposed ramp rebuild. Cr Scott advised that the purpose was to provide a stopping and landing place in the LSC area for boats cruising up or down the long stretch of coast between Rosslyn Bay and Mackay.</li> <li>• The LSC proposal was taken up by consultant GHD. GHD's written-up recommendations were fed back to LSC for comment. In late 2016 LSC confirmed by letter its support for the Stanage Bay boating facility pontoon. Those recommendations were published in December 2016.</li> <li>• In mid-2017, an update to the demand study took place and LSC was formally asked by GHD for feedback on the update. LSC, by letter, requested removal from the study recommendations of a proposal for a new boating facility at Keppel Street, Shellys Beach, Emu Park but endorsed the balance of the revised recommendations and provided comment on each of them. The 2017 LSC letter is enclosed with this correspondence. The LSC-supported recommendations included a pontoon as part of the Stanage Bay boat ramp upgrade (and pontoons at Corbetts Landing and Thompson Point).</li> <li>• TMR proceeded with the Stanage Bay project on the assumptions that LSC would continue to manage the boat launching facility including the LSC-proposed additions to it, and that formalisation of the pontoon (in the form of a floating walkway) management would be an administrative action. TMR has since formally apologised for making this assumption about Stanage Bay and agrees that full and due process is required to formalise and record LSC consent to manage the whole of the upgraded facility in addition to its continuing appointment as Stanage Bay boat ramp manager.</li> </ul>

Issue	Discussion
<p>Will TMR honour its obligation (in the Terms and Conditions document) to fund all structural repairs to all parts of all boating facilities subject to management appointment? And how does this occur?</p>	<ul style="list-style-type: none"> <li>Appointed managers are responsible for all maintenance (both routine and structural) under the <i>Transport Infrastructure (Public Marine Facilities) Regulation</i>.</li> <li>Appointed managers are entitled to a full refund for structural maintenance and council costs for each agreed structural maintenance project, provided that an estimate has been approved prior to council commencing the structural maintenance works.</li> <li>Councils may not claim refund for non-structural or routine maintenance or for other costs associated with management appointment.</li> <li>TMR has for several decades honoured refund of costs for structural repair to all boating infrastructure that is the subject of a management appointment, or, at TMR discretion and with advice to the appointed manager, has arranged and funded the structural repair direct.</li> <li>When councils arrange the structural maintenance, they send an invoice to TMR on completion of the structural repair work. The invoice is adjusted for any minor variation from the initial estimate.</li> <li>TMR has never failed to honour a valid claim for refund.</li> <li>When councils agree to a TMR offer/advice for TMR to directly arrange the structural repair, no further council resources are required other than an inspection on completion of the structural repair works to ensure that council officers are satisfied with the repairs from a safety aspect.</li> <li>TMR, in relation to structural repairs at Coorooman Creek, has – after receiving advice from LSC that structural repair is necessary – advised in each case that TMR will attend to it directly. This is an indication of the support TMR provides to smaller councils on a case by case basis.</li> <li>TMR often takes similar action (direct repair by TMR) for other councils, especially smaller ones like LSC and especially for ones where specialist coastal engineering knowledge may be required. TMR intends helping LSC in this way as often as possible in the future. However, the underlying obligation of the council to undertake the structural repair as appointed manager, and be refunded in full, is not diminished. Larger councils like Redland City, Townsville City and Brisbane City generally proceed with structural repairs direct, after seeking TMR concurrence to the estimate.</li> </ul>

Issue	Discussion
Routine and day to day maintenance obligations?	<ul style="list-style-type: none"> <li>Appointed managers arrange and fund all non-structural maintenance and inspections.</li> <li>This includes ramp cleaning, silt removal from boat ramps and the like.</li> <li>However, in at least two exceptional cases, siltation has – through poor design – become excessive and TMR has agreed on a case basis to assist the subject councils with costs. In both cases, TMR has in subsequent years redesigned and rebuilt the ramps to reduce siltation to normal levels.</li> </ul>
Condition assessments?	<ul style="list-style-type: none"> <li>The TMR minimum expectation is that councils conduct at least one facility condition assessment per year.</li> <li>TMR officers conduct one 'owner's assessment' each year and always offer to conduct this as a joint inspection with a council officer.</li> <li>More frequent condition assessments are a matter for council discretion. For instance, in more northern tropical areas only one inspection/clean-up is needed during the dry season, but one is needed more frequently during the wet season to remove debris and silt from tropical stream outflows. One would expect in the LSC area, Corbetts Landing, being in a mangrove lined stream with muddy banks, to require more frequent visits compared to say Stanage Bay or Coorooman Creek.</li> </ul>
Is Stanage Bay any different to Coorooman Creek?	<ul style="list-style-type: none"> <li>There is no difference between the responsibilities for Coorooman Creek and Stanage Bay. TMR will either refund council for structural maintenance at each facility or liaise with council for TMR to attend to structural repairs without assistance from council (other than initial advice of the defect and a final inspection). This will be the same for Thompson Point and for Corbetts Landing.</li> </ul>
Would TMR vary the standard Terms and Conditions of appointment for a particular facility or council?	<ul style="list-style-type: none"> <li>The document <i>Terms and Conditions for the Management and Control of a Public Marine Facility</i> is a statewide document applying to all managers of all TMR-owned boating infrastructure in Queensland. It is an agreement made pursuant to the provision of the Regulation.</li> <li>Yes. It is possible to amend the Terms and Conditions document. This would best be done by the proposing council(s) seeking LGAQ coordination of the change so that all councils are treated equally.</li> </ul>

Issue	Discussion
Liability and resources?	<ul style="list-style-type: none"> <li>TMR acknowledges that both LGAQ partners (councils and TMR) take on increased liability and resource demand with every item of new boating infrastructure. This increase is an unavoidable consequence of increasing population, more people with boats, and changing community expectations. Boats are now expected 'dry access' and improved safety from crocodile attack through the installation of floating walkways or pontoons throughout Queensland.</li> <li>For LSC consideration, TMR officers suggest council approaching the Stanage Bay Coastguard unit to report regularly on status of the boating facility – and by arrangement to attend to minor items like pressure cleaning to reduce ramp slipperiness.</li> </ul>
Can TMR issue a commercial use permit for a boat ramp?	<ul style="list-style-type: none"> <li>The Legislation provides for TMR to give consent to appointed managers to issue commercial use permits for a boat ramp (or other boating infrastructure).</li> <li>There is no provision for TMR to issue a commercial use permit direct (except in the eight state-managed state boat harbours).</li> <li>These legislative restrictions mean that for a boat ramp (or other element of a boating facility) the appointment of a council as facility manager is essential for the facility to operate normally as a community asset.</li> </ul>
For structural repairs arranged by council, does the refund to council from TMR include council costs?	<ul style="list-style-type: none"> <li>TMR refunds the full costs of structural repairs arranged by council to include all valid costs directly associated with approved repair work. This does not include inspections for condition or response to community complaints. But does include direct oversight costs of engaging a repair contractor and visits to site to oversee and conclude the contractor's work. Such costs will have been the subject of inclusion in an estimate provided by council to TMR prior to proceeding with the repair work.</li> </ul>
Can councils use internal labour to effect structural repairs?	<ul style="list-style-type: none"> <li>Councils can use internal council labour to effect structural repairs and are entitled to a refund provided the proposed cost estimate has been pre-approved by TMR.</li> </ul>

Issue	Discussion
Can councils claim a refund for overhead costs associated with regular inspections or day to day maintenance?	<ul style="list-style-type: none"> <li>In accordance with the Regulation, councils appointed as managers are responsible for all maintenance, with a refund applicable for structural maintenance provided an estimate (including council proposed costs) is approved by TMR prior to start of structural repair work.</li> <li>The Legislation and Terms and Conditions do not provide for refund of councils' administrative costs or the costs of inspections and routine maintenance. Meeting such day to day costs is a community service obligation and fulfilment of the LGAQ/TMR partnership arrangement.</li> </ul>
How does TMR work with councils appointed as managers?	<ul style="list-style-type: none"> <li>TMR tries, within its resources and legislative constraints, to assist councils in every way possible and in as generous a manner as possible.</li> <li>A fundamental requirement of the LGAQ partnership arrangement is that councils and TMR work cooperatively to provide recreational boating infrastructure to the community.</li> <li>TMR regards good communication with its appointed boating facility managers as critical to successful delivery of these joint LGAQ and community service obligations.</li> <li>TMR has had an excellent and cooperative working arrangement with LSC since the 1970's and wishes to continue this exemplary cooperation.</li> </ul>
Does TMR have a solution to a recent complaint that the Stanage Bay upgraded boat ramp is unsuited to a particular island barge by virtue of the resting piles being too high up the ramp?	<ul style="list-style-type: none"> <li>TMR is currently investigating installation of one or more additional piles for small island barges to rest on at different heights of the tide. This resolution will enable the small barges to rest on piles (or secure to them, depending on wind/current direction) while accessing the boat ramp. The extra pile(s) will remove any need for the small barges to physically contact the nearby floating walkway, which has been designed to assist trailer boat launching and retrieval and not for berthing impact loads from larger vessels.</li> </ul>
What is TMR doing about repeated damage from waves to the floating walkway at Coorooman Creek?	<ul style="list-style-type: none"> <li>TMR has arranged for the original walkway supplier for Coorooman Creek to replace all modules.</li> <li>TMR is thereby meeting its obligation to fund structural repairs, and at the same time relieving LSC of costs associated with oversight of the repairs.</li> </ul>

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30 June 2014

Mr Justin Commons  
Acting Chief Executive Officer  
Livingstone Shire Council  
PO Box 2292 QLD 4703

Department of  
Transport and Main Roads

Dear Mr Commons,

I am writing to advise you that the *Transport Infrastructure (Public Marine Facilities) Regulation 2011* (the Regulation) was amended on 29 May 2014.

The purpose of this amendment was to freshly list all state-owned public marine facilities, such as boat ramps, floating walkways, pontoons and jetties currently being managed by you as the local managing authority either through an existing Order-in-Council or under the Regulation. This is to ensure that the list is current considering that new facilities have been constructed and in some cases older ones removed and in other cases management by council has changed post de-amalgamation of some councils.

The amendment updates Schedule 1 and inserts a new Schedule 1A into the Regulation to ensure management appointments and the ending of management appointments are recorded, with the plan number and facility location of state-owned public marine facilities specified.

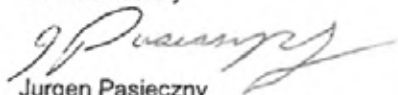
As facility manager you continue to be responsible for:

- regular monitoring, day to day maintenance and early preventive maintenance of the facility
- management of the use and activities on the facility, including the provision of local laws
- legal liability (refer to the legislation extracts attached).

To assist in your management of the facility, I have enclosed a copy of the latest *Terms and Conditions for the Management and Control of a Public Marine Facility*, an extract of pertinent legislation, a copy of Schedule 1 of the Regulation which lists all of the state-owned public marine facilities and their appointed managers and copies of the L-plans listed in the Regulation relevant to your management.

If you have any queries about your role as facility manager please contact your Department of Transport and Main Roads district office.

Yours sincerely

  
Jurgen Pasieczny  
Program Director (Statewide Programs)

Program Delivery & Operations  
State Program Office  
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18 October 2017

Our ref: CPS.4.4 stnn  
Enquiries: Michael Prior  
Telephone: 4913 5000

Department of Transport and Main Roads  
Boating Infrastructure  
Program Delivery and Operations  
Infrastructure Management and Delivery Division  
GPO Box 1549  
BRISBANE QLD 4000

Email: [boatinginfrastructure@tmr.qld.gov.au](mailto:boatinginfrastructure@tmr.qld.gov.au)

Attention: Katrina O'Malley-Jones (GHD)

Dear Katrina

**RE: 2016 Queensland Recreational Boating Facility Demand Forecasting Study – Regional Report**

I refer to your email correspondence dated 5 October 2017 regarding the above matter and to your corresponding request for feedback on draft recommendations as provided in the mentioned correspondence.

Council has reviewed the draft priority recommendations for the selected facilities within Livingstone Shire as provided and offer the following suggestions for your records and consideration:

**Priority 1 Sites**

**Rosslyn Bay Boat Harbour (RBBH)**

- Council is aware of the Transport and Main Roads (TMR) parking upgrade proposal for this site and supports the proposal and the Priority 1 Rating.

**Thompson Point Road (Fitzroy River)** – Council previously provided comments regarding this site as detailed in correspondence dated 11 November 2016. Those comments are still applicable and reiterated.

- Improved ramp design is supported at this site as existing historical ramp-base construction is basic, irregular and has vertical alignment issues;
- Inclusion of pontoon supported, however, alignment may conflict with major river-flood flows – option of in-part aligned with river flow (similar to Corbett's pontoon concept);
- Council would consider a joint venture approach with RRC at this site;
- Council support formalised parking concept as detailed excluding bitumen sealing due to exposure to major river-flood flows and facility being at the end of 12km of unsealed road that will likely remain unsealed for at least the design life of the ramp facility;

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ABN 95 399 253 048

Katrina O'Malley-Jones (GHD)

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18 October 2017

- Concept ramp location is in current road reserve, however, it is noted the car parking proposal locates on USL. Council prefers siting land-based ramp infrastructure on road reserve or on land where land tenure issues have been resolved by the State;
- Funding of land based upgrades as per concept of works would fall to Council. Such proposals will have to compete for budget funding in Council's forward works program.

**Stanage Bay (Thirsty Sound)** – Council previously provided comments regarding this site as detailed in correspondence dated 11 November 2016. Those comments are still applicable and the following additional comments are included for further consideration:

- Concept as detailed is supported at this site as existing ramp facility is subject to wind and tide impacts;
- The pontoon should be designed for higher lateral loads from deep-draught vessels utilizing the pontoon for short re-provisioning periods
- Consideration for having the pontoon accessible for tender vessels at low tide or at least the maximum range of tides
- Council supports a demand Priority Rating of 1 for this site;
- Rock quarrying at Council-owned or Council-leased quarries only to be carried out by Council or Council-approved local contractors;
- Council requests that tender evaluations include a suitable weighting for Livingstone Shire-based contractors;
- Concept car parking proposal as detailed locates on USL & State land. Council prefers siting land-based ramp infrastructure on road reserve or on land where land tenure issues have been resolved by the State. In this case, Council requests the State deliver the required land for car parking as road reserve;
- Funding of land based upgrades as per concept of works would fall to Council – such proposals will have to compete for budget funding in Council's forward works program.

#### **Priority 2 sites**

##### **Option A – Rosslyn Bay Boat Harbour expansion**

Council supports the provision of additional recreational boating facilities on the Capricorn Coast for all-tide access to open water. However, Council would like to see further investigation of the immediate, potentially staged and ultimate development options for both RBBH and The Causeway sites. For example, the \$19m cost associated with the RBBH Option A may offer better strategic benefit if these funds were targeted at a staged and scalable development of a long-term recreational marine precinct at the centrally located site of The Causeway. Rosslyn Bay is constrained and Option A is not expandable or scalable. Even so, Council supports options of improvements to the efficient use of the existing ramps/pontoons within RBBH.

##### **Option B - Causeway Lake, Scenic Highway**

Council supports the principle of a staged and scalable development at The Causeway site that provides a broad range of marine-centric services and products, whilst addressing some of the limiting aspects of the current arrangements at the RBBH site. For instance, the existing slipway/boat-yard at RBBH is limited in craft serviceability and the facility location is at odds with the nearby higher-value residential product.

Katrina O'Malley-Jones (GHD)

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18 October 2017

The Causeway site offers a long-term vision for recreational boating and support services for all-tide, open-water access for the Capricorn Coast:

- Centrally located marine precinct;
- Expandable and scalable project site;
- Compliments the Causeway Lake Master Plan/Recreational Precinct.

However, further investigation is needed into the following areas:

- Optimum positioning of the facility/breakwalls
- Lake's current tidal prism volume is not sufficient enough to contest longshore volumes; Consideration of a wide trapezoidal channel design to increase tidal prism volume to provide for self-flushing and resultant stable outlet channel;
- Land tenures for the site will need State resolution;
- Combination of sand-bag construction practices where appropriate;

#### **Option C - Shellys Beach, Emu Park**

This site was investigated as a preliminary site in the 2012 joint TMR & Council (RRC) study into potential sites along the southern region of the Capricorn Coast. The majority of the 2012 study group members did not believe this site was viable or met the evaluation criteria with concerns including issues such as minimal available land other than foreshore and long access route through residential housing. It was decided that this site would not to be considered further in the 2012 study. Council does not support the Shelly's Beach concept and lists the following areas of concern:

- Popular long-time community beach
- Longshore transport and siltation issues
- Minor access network entrance issues as the linking section of Connor Street to Keppel Street is of steep grade and the current land tenure is 'road closure'.

#### **Priority 3 sites**

Corbetts Landing (Water Park Ck) – Council previously provided comments regarding this site as detailed in correspondence dated 11 November 2016. Those comments are still applicable.

- Council supports Priority 3 Rating for this site
- Improved ramp design is supported at this site as existing ramp profile is low and prone to mud- accretion
- Supported inclusion of pontoon & in-part aligned with creek flow, however, Council has concerns regarding the pontoon's vulnerability during regular flooding
- Council support formalised parking concept as detailed excluding bitumen sealing due to vulnerability and probable stripping of the seal during flooding events
- Council would support the upgrading of the existing retaining wall structure supporting the open parking area at this site
- Concept would benefit by including a rigging & de-rigging zone – possibly adjacent entrance/exit point
- Funding of land based upgrades as per concept of works would fall to Council. Such proposals will have to compete for budget funding in Council's forward works program.

The bitumen sealing of the existing gravel access road is not a Council priority

Katrina O'Malley-Jones (GHD)

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18 October 2017

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**Priority 4 sites**

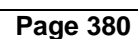
Refer to above comments in relation to non-support for Shellys Beach site and preference for a strategic approach to Rosslyn Bay and The Causeway sites.

If you have any further queries relating to this matter, please contact Council's Manager Infrastructure Operations, Mr Michael Prior, on (07) 4939 5000.

Yours faithfully



Dan Toon  
**Director – Infrastructure Services**



**12.11 REGIONAL ARTS DEVELOPMENT FUND ROUND THREE 2019/2020**

**File No:** GS15.2.5

**Attachments:** Nil

**Responsible Officer:** Trish Weir - Manager Customer Engagement & Communications  
David Mazzaferri - Acting Executive Director - Liveability & Wellbeing

**Author:** Julie Bickley - Coordinator Library, Arts & Culture

**SUMMARY**

*Two applications were received for Round Three of the 2019/2020 Regional Arts Development Fund which closed on 27 March 2020 with a total amount of \$29,730 requested. Budget available is \$26,978.*

*The Regional Arts Development Fund Assessment panel assessed the applications and nominated that two applicants met the programme criteria and recommended they be funded the amount of \$26,978.*

**OFFICER'S RECOMMENDATION**

THAT in accordance with the recommendation of the Livingstone Shire Regional Arts Development Fund Assessment Panel, the following grant applications be funded from the Regional Arts Development Fund.

Name	Purpose of Grant	\$Total Project Expenses	\$ Grant Requested	\$ Grant Recommended
Ms Vilma Laucyte	Towards costs of recording her second music album.	\$16,800	\$9,130	\$8,030
Keppel Coast Arts	Towards costs of presenting a series of workshops in the New Gallery (Old Post Office Building).	\$32,840	\$20,600	\$18,948

**BACKGROUND**

The Regional Arts Development Fund is a partnership between state and local governments which invests in quality arts and cultural experiences across Queensland based on locally determined priorities. The Regional Arts Development Fund 2019/2020 promotes the significance and value of arts, culture and heritage as the key to:

- 1) Supporting diversity and inclusivity;
- 2) Growing stronger regions; and
- 3) Provide training, education and employment opportunities for Queensland artists and local communities.

The budget available for the 2019/2020 rounds of Regional Arts Development Fund is \$65,598 (comprising \$35,000 from the State Government Arts Queensland, \$30,000 from Livingstone Shire Council and \$598 carryover from last year). Additionally, the amount of \$4,434 has been returned this financial year from either unused portion of earlier applications or applications not carrying out their project and returning all their funding. Round One expended an amount of \$20,645, Round Two expended an amount of \$16,909



as well as an Out of Rounds Application of \$5,500 which leaves \$26,978 for the balance of the financial year.

### **COMMENTARY**

Two (2) applications were received for Round Three of the 2019/2020 Regional Arts Development Fund which closed on the 27 March 2020.

The Regional Arts Assessment Panel assessed the applications and nominated that two (2) applicants met the programme criteria and are recommended to be funded for the amount of \$26,978.

### **PREVIOUS DECISIONS**

This specific matter has not been the subject of any Council decision. At its meeting of the 3 March 2020, Council resolved to approve Five (5) applications. This request is consistent with previous decisions.

### **ACCESS AND INCLUSION**

RADF rounds are open to all residents in the shire. Each round is advertised and open for approximately one month; submissions are assessed by the RADF Assessment Panel.

### **ENGAGEMENT AND CONSULTATION**

RADF rounds are open to all residents in the shire. Each round is advertised and open for approximately one month; submissions are assessed by the RADF Assessment Panel.

### **BUDGET IMPLICATIONS**

The request can be readily accommodated within the budget allocation for the purposes of the Regional Arts Development Fund.

### **LEGISLATIVE CONTEXT**

There is no legislative context applicable to the administration of the Regional Arts Development Fund.

### **LEGAL IMPLICATIONS**

There are no legal implications associated with administering the Regional Arts Development Fund.

### **STAFFING IMPLICATIONS**

The administration of the Regional Arts Development Fund is managed within existing Council Staff resources.

### **RISK ASSESSMENT**

The principal risk associated with the grant is the misappropriation of money. Strict acquittal processes are established to ensure that all grant money is spent in accordance with its designated purpose.

### **CORPORATE PLAN REFERENCE**

#### ***Thriving Livingstone***

*Community Plan Goal 2.4 - Arts and cultural activities and facilities that strengthen social connections*

*2.4.3 Foster access, collaboration, community connectedness, wellbeing and creativity by supporting arts and cultural activities within the Shire.*

### **CONCLUSION**

The Regional Arts Development Fund Assessment Panel considers that the recommended applications fulfil the criteria for this funding programme and that the proposed projects will offer benefits to the Livingstone Shire.

**13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS****13.1 QUESTIONS ON NOTICE - COUNCILLOR MATHER - FORWARD WORKS FOR DRAINAGE****File No:** GV13.4.4**Attachments:** 1. Questions on Notice - Forward Works for Drainage [↓](#)**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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**SUMMARY**

*Councillor Mather submitted a request to include the attached Questions on Notice at the Council Meeting 16 June 2020.*

**RECOMMENDATION**

THAT the 'Questions on Notice' be received and a report providing a response to the Councillor's questions be presented to a Council meeting.

**BACKGROUND**

The background for the questions on notice are detailed in Attachment One. In the interests of brevity, they have not been repeated within this report.

## **13.1 - QUESTIONS ON NOTICE - COUNCILLOR MATHER - FORWARD WORKS FOR DRAINAGE**

### **Questions on Notice - Forward Works for Drainage**

**Meeting Date: 16 June 2020**

**Attachment No: 1**

PO Box 5186  
Red Hill PO  
Rockhampton Q 4701

23 May 2020

Mr Brett Bacon  
A/Chief Executive officer  
Livingstone Shire Council  
Yeppoon Q 4703

**Question on Notice  
Forward Works for Drainage**

Dear Sir,

Poor drainage in residential areas, particularly in the Emu Park area, is primarily due in my opinion, to either:

- a) undersized pipes or
- b) lack of kerb and channel.

Flooding or repeat damage to property due to either a) or b) will continue until Council:

1. Identifies and maps the many areas affected,
2. Formulates a long term plan and budget estimates to address the various issues, specifying priority areas, and
3. Allocate funding in each budget to progress the plan.

**Question:**

Has Council undertaken any of the above to address these flooding / drainage issues, and if so, please provide councillors with a copy of the relative report/s and respective plans, as well as any works in this regard which have been /will be included in the coming budget.

Many thanks,  
Glenda Mather - councillor

**13.2 QUESTIONS ON NOTICE - COUNCILLOR MATHER - GREAT KEPPEL ISLAND WATER****File No:** GV13.4.4**Attachments:** 1. Questions on Notice - Councillor Mather - Great Keppel Island Water [↓](#)**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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**SUMMARY**

*Councillor Mather submitted a request to include the attached Questions on Notice at the Council Meeting 16 June 2020.*

**RECOMMENDATION**

THAT the 'Questions on Notice' be received and a report providing a response to the Councillor's questions be presented to a Council meeting.

**BACKGROUND**

The background for the questions on notice are detailed in Attachment One. In the interests of brevity, they have not been repeated within this report.

**13.2 - QUESTIONS ON NOTICE -  
COUNCILLOR MATHER - GREAT  
KEPPEL ISLAND WATER**

**Questions on Notice - Councillor  
Mather - Great Keppel Island Water**

**Meeting Date: 16 June 2020**

**Attachment No: 1**



PO Box 5186  
Red Hill PO  
Rockhampton Q 4701  
23May 2020

Mr Brett Bacon  
A/Chief Executive Officer  
Livingstone Shire Council  
Yeppoon Q 4703

**Questions on Notice  
GKI Water - Unanswered Questions**

Dear Sir,

I refer to the State's proposal to provide a water pipeline to GKI. in readiness for a development.

There are many unanswered questions surrounding Council's part in any such service and the expectation of the already approved funding to Council (\$1.8M and \$5M) .

**The following questions are relevant to Council's own plans and decisions going forward.**

- Q1. When the state allocated the \$1.8M and \$5M to Council, what were the stipulations as to where / how this money was to be spent ie what was it's specific purpose?  
Please provide the relative correspondence which sets this out.
- Q2. Provide the details of what infrastructure is required on the mainland.  
Has a preliminary design been carried out? Please supply a map of the service.
- Q3. What costings have been carried out on this expected infrastructure?  
Could these be provided please, with a breakdown.
- Q4. Is the cost of the new Emu Park reservoir included in the state-allocated funding, or in Council's own costings for this infrastructure? What was this estimate alone?
- Q5. Has the cost of the pipe which has already been laid for the new reservoir been charged to a) the allocated (state) funding, or b) a Council (ratepayers) budget?
- Q6. If there is a shortfall of funding in providing this infrastructure, who carries the shortfall on the project? What written assurances have been provided in this regard?
- Q7. Have any funds been deducted from the state funding so far, if so, for what purpose?
- Q8. Any further information is relevant to this issue is encouraged and welcomed.

Many thanks, Glenda Mather - Councillor

**13.3 QUESTIONS ON NOTICE - COUNCILLOR MATHER - MOUNT CHARLTON RESERVOIR****File No:** GV13.4.4**Attachments:** 1. Questions on Notice - Councillor Mather - Mount Charlton Reservoir [↓](#)**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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**SUMMARY**

*Councillor Mather submitted a request to include the attached Questions on Notice at the Council Meeting of 16 June 2020*

**RECOMMENDATION**

THAT the 'Questions on Notice' be received and a report providing a response to the Councillor's questions be presented to a Council meeting.

**BACKGROUND**

The background for the questions on notice are detailed in Attachment One. In the interests of brevity, they have not been repeated within this report.

## **13.3 - QUESTIONS ON NOTICE - COUNCILLOR MATHER - MOUNT CHARLTON RESERVOIR**

### **Questions on Notice - Councillor Mather - Mount Charlton Reservoir**

**Meeting Date: 16 June 2020**

**Attachment No: 1**

PO Box 5186  
Red Hill PO  
Rockhampton Q 4701

23 May 2020

Mr Brett Bacon  
A/Chief Executive Officer  
Livingstone Shire Council  
Yeppoon Q 4703

**Questions on Notice  
Mt Charlton Reservoir**

Dear Sir,

I refer to the ongoing leaks on the Mt Charlton Reservoir which have spanned many years. They have been patched from time to time, but remain leaking.

I am not aware of any short, or medium term plan to address this problem.

- Q1. When was the last inspection carried out to determine the current condition of the structure in relation to these persistent leakages?
- Q2. Who carried out the inspection, and was there a written report with recommendations which include estimates to fix, funding sources, degree of urgency, timelines etc?

If so could members be provided with a copy at the earliest please - given we are in budget deliberations.

- Q3. Has the condition of the access stairs on the reservoir been documented as a safety issue, and what action plan is in place to address this - as per Q2.

**13.4 NOTICE OF MOTION - COUNCILLOR HUTTON - DECLARATION OF UNANIMOUS VOTES****File No:** GV13.4.4**Attachments:** 1. Notice of Motion - Councillor Hutton - Declaration of Unanimous Votes [↓](#)**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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**SUMMARY**

*Councillor Nigel Hutton has indicated his intention to move the following Notice of Motion at the Ordinary Council Meeting of 16 June 2020, as follows:*

**RECOMMENDATION**

THAT Council adopt the following amendment to the Meeting Procedures Policy, section 2.17 Method of Taking Vote:

2.17.5 A vote may be declared unanimous by the Chairperson and recorded in the minutes accordingly, when all Councillors are in attendance and the result of the vote is undivided.

**BACKGROUND**

Councillor Nigel Hutton has indicated his intention to move a Notice of Motion at the Ordinary Council meeting of 16 June 2020. The detail of the Notice of Motion is contained within Attachment One and in the interests of brevity will not be repeated in this report.

**13.4 - NOTICE OF MOTION -  
COUNCILLOR HUTTON -  
DECLARATION OF UNANIMOUS  
VOTES**

**Notice of Motion - Councillor Hutton -  
Declaration of Unanimous Votes**

**Meeting Date: 16 June 2020**

**Attachment No: 1**



The Acting Chief Executive Officer  
Livingstone Shire Council  
Lagoon Place, Yeppoon Q 4703

Monday, 1<sup>st</sup> June 2020

**Notice of Motion  
Declaration of unanimous votes**

Dear Brett,

I hereby request consideration of this motion at the next meeting of council and give notice of my intention to move the following:

**“That Council adopt the following amendment to the Meeting Procedures Policy, section 2.17**

**Method of Taking Vote:**

**2.17.5 A vote may be declared unanimous by the Chairperson and recorded in the minutes accordingly, when all councillors are in attendance and the result of the vote is undivided.**

**Background:**

Livingstone prides itself on its transparency in providing accurate and explanatory information to residents and ratepayers to inform them of the decision making process and outcomes. Under the current ‘Meeting Procedures Policy’ of Livingstone, section 2.20.4 ‘The minutes of a Meeting must include: (5) Whether a Motion or Amendment is carried or lost’. This policy makes no reference to the declaration of a unanimous vote, nor provides a definition to explain the ambiguous grounds in which this may previously been declared. It has been the practice of Livingstone to declare a unanimous decision, and this amendment would ensure clarity to residents and ratepayers without creating additional burden.

I would encourage Livingstone Shire Council to ensure this ambiguity is removed, and provide confidence in the reporting of council decisions as true and accurate without requiring elucidation.

**13.5 NOTICE OF MOTION - COUNCILLOR MATHER - INSTALLATION OF BOUNDARY SIGNS****File No:** GV13.4.4**Attachments:** 1. Notice of Motion - Cr Mather - Installation of Boundary Signs [↓](#)**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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**SUMMARY**

*Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the Ordinary Council Meeting of 16 June, as follows:*

**RECOMMENDATION**

THAT Council arrange the order of appropriate signage which will be placed at all five boundary locations between Livingstone Shire Council, and Rockhampton Regional Council, namely:

- Ramsay Creek at Rockyview
- Ramsay Creek on Belmont Road
- North of Ogmore
- Access 7-8 Rockhampton/Yeppoon Road
- Hartington St Nerimbera,

and an appropriate message be placed on the reverse side of the signs, acknowledging exiting motorists (eg drive safely).

Further, once preliminary design and wording has been finalised, the signage be placed before Council for approval and adoption.

**BACKGROUND**

Councillor Glenda Mather has indicated her intention to move a Notice of Motion at the Ordinary Council meeting of 16 June 2020. The detail of the Notice of Motion is contained within Attachment One and in the interests of brevity will not be repeated in this report.

**13.5 - NOTICE OF MOTION -  
COUNCILLOR MATHER -  
INSTALLATION OF BOUNDARY SIGNS**

**Notice of Motion - Cr Mather -  
Installation of Boundary Signs**

**Meeting Date: 16 June 2020**

**Attachment No: 1**

PO Box 5186  
Red Hill PO  
Rockhampton Q 4701  
4 June 2020

Mr Brett Bacon  
A/Chief Executive Officer  
Livingstone Shire Council  
Yeppoon Q 4703

**Notice of Motion**  
**Installation of Boundary Signage**

Dear Sir,

I hereby give Notice of my intention to move the following motion at the next Ordinary Meeting of Council set down for Tuesday 16 June 2020:

**"That Council arrange the order of appropriate signage which will be placed at all five boundary locations between Livingstone Shire Council, and Rockhampton Regional Council, namely:**

- Ramsay Creek at Rockyview
- Ramsay Creek on Belmont Road
- North of Ogmoo
- Access 7-8 Rockhampton/Yeppoon Road
- Hartington St Nerimbera,

**and an appropriate message be placed on the reverse side of the signs, acknowledging exiting motorists (eg drive safely).**

**Further, once preliminary design and wording has been finalised, the signage be placed before Council for approval and adoption.**

Background:

Signage identifying our shire boundaries has been a glaring omission from our placemaking. How can one promote or sell our shire when there are no identifying features to state where it begins or ends? This needs to be rectified as a matter of urgent priority.

Many thanks,

Glenda Mather Cllr

**13.6 NOTICE OF MOTION - COUNCILLOR FRIEND - FINANCIAL ASSISTANCE FOR CAPRICORN COAST LANDCARE****File No:** GV13.4.4**Attachments:** 1. Notice of Motion - Cr Friend - Financial Assistance Capricorn Coast Landcare [1](#)**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

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**SUMMARY**

*Councillor Andrea Friend has indicated her intention to move the following Notice of Motion at the Ordinary Council Meeting of 16 June 2020, as follows:*

**RECOMMENDATION**

THAT Council financially assist and support Capricorn Coast Land Care throughout the next financial year. Offering funds to help create a sustainable environment by Delivery of Clean Up Australia Day: community engagement event, media promotion, lower Fig Tree Creek catchment clean up. Rubbish in creek, mangroves, and adjacent residential/ commercial areas. Supplement of minimal wage for Sabrina Burke Envirolink Co-coordinator. Capricorn Coast Land Care have approximately 60 volunteers that undertake cleaning up of our foreshores including an initiative for the cleanup of the Farnborough Beach area. Funds required \$1666.00 every two months.

**BACKGROUND**

Councillor Andrea Friend has indicated her intention to move a Notice of Motion at the Ordinary Council meeting of 16 June 2020. The detail of the Notice of Motion is contained within Attachment One and in the interests of brevity will not be repeated in this report.

**13.6 - NOTICE OF MOTION -  
COUNCILLOR FRIEND - FINANCIAL  
ASSISTANCE FOR CAPRICORN  
COAST LANDCARE**

**Notice of Motion - Cr Friend - Financial  
Assistance Capricorn Coast Landcare**

**Meeting Date: 16 June 2020**

**Attachment No: 1**



Acting Chief Executive Officer  
Livingstone Shire Council  
Yeppoon Q 4703

**Notice of Motion  
Capricorn Coast Land Care  
Financial Assistance Request**

Dear Mr. Bacon,

I wish to submit this Notice of Motion in relation to assistance of funding for Capricorn Coast Land care:

May this be included in the 16<sup>th</sup> June 2020 Agenda Ordinary Council Meeting. I give notice of my intention to move the following:

**‘That Council financially assist and support Capricorn Coast Land Care throughout the next financial year. Offering funds to help create a sustainable environment by Delivery of Clean Up Australia Day: community engagement event, media promotion, lower Fig Tree Creek catchment clean up. Rubbish in creek, mangroves, and adjacent residential/ commercial areas. Supplement of minimal wage for Sabrina Burke Envirolink Co-coordinator. Capricorn Coast Land Care have approximately 60 volunteers that undertake cleaning up of our foreshores including an initiative for the cleanup of the Farnborough Beach area. Funds required \$1666.00 every two months’**

**Background:**

Historically Council has provided financial assistance to Capricorn Coast Land care for maintaining a strong community of environmentally based group of volunteers. Historical financial data provided.

Kind Regards

**Councillor Andrea Friend**  
**Livingstone Shire Council**

## **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 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

### **RECOMMENDATION**

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

#### **16.1 2021 AUSTRALIA DAY AWARDS**

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage (Committee members names are mentioned in the report).

#### **16.2 BULK WATER SUPPLY AGREEMENT WITH ROCKHAMPTON REGIONAL COUNCIL**

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

#### **16.3 CONTRACTING EXCEPTIONS - SOLE SUPPLIER REPORT**

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

#### **16.4 POTENTIAL SALE OF LOT 16 - THE GATEWAY BUSINESS AND INDUSTRY PARK**

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council.

## 16 CONFIDENTIAL REPORTS

### 16.1 2021 AUSTRALIA DAY AWARDS

**File No:** Cr2.215

**Attachments:** 1. 2021 Terms of Reference Australia Day Awards Committee

**Responsible Officer:** Trish Weir - Manager Customer Engagement & Communications  
David Mazzaferri - Acting Executive Director - Liveability & Wellbeing

**Author:** Meegan Armstrong - Coordinator Engagement and Events

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage (Committee members names are mentioned in the report ).

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#### SUMMARY

*This report discusses the proposed administration of the 2021 Australia Day Awards regarding five (5) proposed award categories and membership of the Australia Day Awards Advisory Committee.*

**16.2 BULK WATER SUPPLY AGREEMENT WITH ROCKHAMPTON REGIONAL COUNCIL****File No:** WS32.1.1**Attachments:**

1. Extension of bulk water supply agreement to 30 April 2020
2. Extension of bulk water supply agreement to 30 June 2020

**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer**Author:** Scott Casey - Executive Director Infrastructure

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

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**SUMMARY**

*This report outlines the intent to renew the Bulk Water Supply Agreement which Livingstone Shire Council has with Rockhampton Regional Council.*

**16.3 CONTRACTING EXCEPTIONS - SOLE SUPPLIER REPORT****File No:** Procurement Index**Attachments:** Nil**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Naomi Nixon - QA and Compliance Officer

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

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**SUMMARY**

*The Local Government Regulation 2012 provides for an exception for the requirements to obtain quotes or tenders. This report seeks Council resolution to apply the exceptions under section 235 where –*

*(a) the local government resolves it is satisfied that there is only (1) supplier who is reasonably available; or*

*(b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.*



**16.4 POTENTIAL SALE OF LOT 16 - THE GATEWAY BUSINESS AND INDUSTRY PARK****File No:** ED.8.5.5**Attachments:** Nil**Responsible Officer:** Jan Anfruns - Manager Economy and Places  
Brett Bacon - Acting Chief Executive Officer**Author:** Carlyn Hepburn - Project Support Officer

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council.

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**SUMMARY**

*A local business has submitted an offer for Lot 16 within Stage Two of The Gateway Business and Industry Park.*

## **17 CLOSURE OF MEETING**