



ORDINARY MEETING

AGENDA

17 MARCH 2020

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 17 March 2020 commencing at 9.00am for transaction of the enclosed business.

Brett Bacon
ACTING CHIEF EXECUTIVE OFFICER
11 March 2020

Next Meeting Date: 21.04.20

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.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	3
2	ATTENDANCE.....	3
3	LEAVE OF ABSENCE / APOLOGIES	4
	NIL	4
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	5
5	DECLARATION OF INTEREST IN MATTERS ON THE AGENDA.....	6
6	PUBLIC FORUMS/DEPUTATIONS	7
	NIL	7
7	BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS	8
7.1	BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING	8
7.2	LIFTING MATTER LAYING ON THE TABLE – NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - LIGHT SPILL	33
8	PRESENTATION OF PETITIONS.....	34
	NIL	34
9	MAYORAL MINUTE	35
9.1	MAYORAL MINUTE - YEPPON SENIOR CITIZENS	35
9.2	MAYORAL MINUTE - BUSHFIRE RATES RELIEF	38
10	COUNCILLOR/DELEGATE REPORTS	39
	NIL	39
11	AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE REPORTS.....	40
	NIL	40
12	REPORTS.....	41
12.1	DEVELOPMENT APPLICATION D-278-2019 FOR A MATERIAL CHANGE OF USE FOR A SHOP (BOOKSHOP) AT 72 QUEEN STREET, YEPPON.....	41
12.2	REQUEST FOR A FEE REDUCTION FOR A DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A TRANSPORT DEPOT AT 85A VENTURE ROAD, CAWARRAL.....	76
12.3	PROPOSED MOTION TO THE 2020 NATIONAL GENERAL ASSEMBLY (AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION).....	82
12.4	OPERATIONAL PLAN 2019-2020 Q2 PROGRESS REPORT	87

12.5	MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 29 FEBRUARY 2020	101
12.6	AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 2 MARCH 2020	123
12.7	INFRASTRUCTURE INVESTMENT PROGRAM - LAND TRANSPORT INFRASTRUCTURE PROJECTS	126
12.8	REEF STREET, ZILZIE - EXCESSIVE LIGHT SPILL FROM STREET LIGHT	132
12.9	HARTLEY STREET PEDESTRIAN CROSSING FACILITIES	141
13	QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS	158
13.1	NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - LIGHT SPILL.....	158
14	URGENT BUSINESS/QUESTIONS	161
15	CLOSED SESSION	162
16.1	APPLICATION FOR HARDSHIP CONSIDERATION	
16.2	PAINT POT GALLERY ACCOMMODATION	
16	CONFIDENTIAL REPORTS.....	163
16.1	APPLICATION FOR HARDSHIP CONSIDERATION	163
16.2	PAINT POT GALLERY ACCOMMODATION	164
17	CLOSURE OF MEETING.....	165

1 OPENING

Acknowledgement of Country

"I would like to take this opportunity to respectfully acknowledge the Darumbal People. The traditional custodians and elders past, present and emerging of the land on which this meeting is taking place today."

2 ATTENDANCE

Members Present:

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

Officers in Attendance:

Mr Brett Bacon – Acting Chief Executive Officer
Mr David 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 3 March 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 [↓](#)

Responsible Officer: Brett Bacon - Acting Chief Executive Officer

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Ordinary Council Meeting is presented for Councillors' information.

OFFICER'S RECOMMENDATION

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

7.1 - BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

Business Outstanding Table

Meeting Date: 17 March 2020

Attachment No: 1

Item	Date	Report Title	Resolution	Responsible Officer	Comments
1.	07 February 2017	Outstanding Policy Documents	<p>THAT the following policies be adopted:</p> <ol style="list-style-type: none"> 1. Encroachment on Public Land Policy; 2. Equal Employment Opportunity Policy; 3. Failure to Renew Licence Response Policy; 4. Telecommunications Facilities on Council Land Policy; and 5. Unlicensed Premises Response Policy. <p>With policies 4, 5 and 6 to be further reviewed.</p>	Governance Officer	<p>12 Jun 2019</p> <p>One Policy presented to Council Meeting for adoption in May 2019. Two policies remain outstanding.</p>
2.	17 July 2018	Draft Fig Tree Creek Masterplan	<p>THAT Council endorse the Fig Tree Creek Master Plan for further public consultation and integration into the Council's Strategic Planning Framework.</p>	Coordinator Natural Resource Management	<p>16 Jan 2020</p> <p>Received funding for a co-design project to involve the community in consultation and potentially some volunteering opportunities. The grant was an in-kind professional services offer from Healthy Land and Water. Officer to have meeting with Stakeholders and report will be forthcoming following that meeting.</p>
3.	18 September 2018	Opening of Road – Gunder Road, The Caves (C)	<p>THAT Council authorise the Chief Executive Officer to commence negotiations with the owners of Lot 69 RP891987 to open new road as shown on Drawing No. 17-112-04.</p>	Policy and Planning Officer	<p>06 Feb 2020</p> <p>Messages left for alternative landowner to contact Council to discuss progress.</p>
4.	16 October 2018	Potential Sale of Lots 2 and 3 - The Gateway Business and Industry Park	<p>THAT Council:</p> <ol style="list-style-type: none"> 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; 	Executive Director Livability and Wellbeing	<p>05 Mar 2020</p> <p>Settlement anticipated 31/3/2020</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p>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;</p> <p>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;</p> <p>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 Queensland <i>Local Government Regulation 2012</i> and Livingstone Shire Council's Procurement Policy;</p>		

Item	Date	Report Title	Resolution	Responsible Officer	Comments
5.	01 April 2019	Palm Creek Park, Cawarral	THAT Council resolves to accept trusteeship of Reserve for Park and Environmental Purposes – Lot 7 on Survey Plan 167135.	Principal Property Officer	17 Jan 2020 Action currently being taken by the Department of Natural Resources, Mines and Energy to excise the area from the reserve which is required by the Cawarral Rural Fire Brigade. On completion of this action the amended reserve will be placed under trusteeship of Council.
6.	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	10 Feb 2020 No progress, still awaiting draft contract from RRC. 10 Dec 2019 The draft of the Recyclables Processing Contract is coming into the final stages. Specification, schedules, conditions etc have been put together by Rockhampton Regional Council together with their Tender Contract team. Once they have finalised, they will send out to the four (4) Councils for review. This is to happen in the new year.
7.	06/08/19	Livingstone Planning Scheme 2018 - Proposed Second Amendment	THAT Council resolve to: 1. make amendments to the <i>Livingstone Planning Scheme 2018</i> in accordance with the changes identified in Attachment One; and	Strategic Planning Officer	6 March 2020 Amendments to the <i>Livingstone Planning Scheme 2018</i> are being advanced in accordance with the statutory

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			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> .		<i>requirements of the Planning Act 2016 and the Minister's Guidelines and Rules July 2017. Supporting material to support the amendment is near completion and the amendment will be progressed to the State in the near term.</i>
8.	13/08/19	Queensland Government - Building Our Regions - Round 5 (C)	<p>THAT Council resolve to submit applications to Round 5 of the Queensland Government Building Our Regions Program for the following projects in this priority order:</p> <ol style="list-style-type: none"> 1. Keppel Bay Sailing Club Convention Centre, noting no financial contribution will be required by Council. 2. Solar electricity generation and storage Construction Project at the Yeppoon Sewage Treatment Plant. 3. Planning Project to progress preliminary investigations for the Causeway Lake Revitalisation and Development Project. 	<i>Executive Director Liveability and Wellbeing</i>	<p>19 Nov 2019</p> <p><i>Application for Causeway Lake Revitalisation Project submitted 18 September 2019.</i></p>
9.	17/09/19	Management Arrangements – Keppel Sands Caravan Park (C)	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> 1) to authorise Council officers to determine a remuneration framework which reflects the level of work involved in the management of the Keppel Sands Caravan Park and provides reward for effort; and 2) to authorise Council officers to invite expressions of interest from parties interested in becoming managers of the park. 	<i>Principal Property Officer</i>	<p>17 Jan 2020</p> <p><i>Tender process which closed on 30 October 2019 was unsuccessful.</i></p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			3) Bring a report back to Council prior to new managers being engaged.		
10.	17/09/19	Former Catholic Church Building – Marlborough (C)	<p>THAT Council resolve:</p> <p>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</p> <p>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.</p>	Principal Property Officer	<p>07 Feb 2020</p> <p>A local agent is marketing this property for sale by tender. Tenders close at 5pm on 6 March 2020.</p>
11.	17/09/19	Mobile Black Spot Program – Round 5 Funding (C)	THAT Council resolves to provide no offer for co-contribution to support the providers submission for blackspot funding for this round, however Council will be prepared to give in-kind support where possible.	Chief Technology Officer	
12.	05/11/19	Acquisition of Land (C)	THAT Council resolve to proceed in accordance with Option Three, as outlined in the body of the report.	Executive Director Liveability and Wellbeing	<p>5 Mar 2020</p> <p>Contract for purchase has been signed and due diligence is being undertaken. This item is being managed under item 36 and will be removed from business outstanding.</p>
13.	12/11/2019	Petition from Yeppoon Senior Citizens requesting a permanent venue	THAT the petition requesting a permanent venue be received.	Executive Director Liveability and Wellbeing	

Item	Date	Report Title	Resolution	Responsible Officer	Comments
14.	19/11/19	Petition Requesting a Recreational Arena in Yeppoon	THAT the petition requesting a recreational arena in Yeppoon be received.	Executive Director Liveability and Wellbeing	05 Dec 2019 <i>Petitioner has declined invitation for deputation. CEO has requested that ED Liveability and Wellbeing progress request.</i>
15.	19/11/19	Request for fee and Infrastructure Charges to be waived for a Development Application for a Material Change of Use for a Club, Tourist park (two (2) cabins, five (5) dorms and eight (8) camping sites), Educational establishment and Caretaker's ac...	THAT Council: 1. Resolves to waive all application fees, infrastructure charges and any other related Council charges in respect to the proposed application. 2. Consider any future request to negotiate these charges, upon their merits, subject to a future resolution of Council.	Principal Planning Officer	5 Mar 2020 <i>A letter to the landowners is to be sent by 6/3/2020 advising of Council's determination of fees as per the resolution.</i>
16.	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	06 Feb 2020 <i>Counter offer received from landowner - currently being considered.</i>
17.	19/11/19	Enquiry of The Gateway Business	THAT Council resolve to provide a twelve-month non-exclusive Licence Agreement to the proponent, at a rental amount as prescribed	Project Support Officer	05 Mar 2020

Item	Date	Report Title	Resolution	Responsible Officer	Comments
		and Industry Park Proposed Lot 24 (C)	under the non-exclusive Licence Agreement to, over part of Lot 5001 on Survey Plan 296924 at The Gateway Business and Industry Park.		<i>Council has prepared the draft Licence Agreement for part of Lot 5001 on Survey Plan 296924 at The Gateway Business and Industry Park.</i> <i>The Licence Agreement is currently being reviewed by the Licensee.</i>
18.	03/12/19	Petition Requesting Implementation of Traffic Safety Measures on Pacific Heights Road, Pacific Heights	Council Resolution THAT the petition requesting the implementation of traffic safety measures on Pacific Heights Road, Pacific Heights Road be received.	<i>Executive Director Infrastructure Services</i>	10 Mar 2020 <i>Report was presented at a briefing session on 9 March 2020.</i>
19.	03/12/19	Review of Caretaker Period Policy	Council Resolution THAT Council resolve to adopt the amended Caretaker Period Policy.	<i>Coordinator Governance</i>	
20.	03/12/19	LIVINGSTONE PLANNING SCHEME 2018 - PROPOSED PLANNING SCHEME AMENDMENTS	Council Resolution 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.	<i>Principal Strategic Planner</i>	6 Mar 2020 <i>Amendments to the Livingstone Planning Scheme 2018 are being advanced in accordance with the statutory requirements of the Planning Act 2016 and the Minister's Guidelines and Rules July 2017.</i> <i>Notice has been received from the Department of State Development, Manufacturing, Infrastructure and Planning on 5 March 2020 that the amendment process timeframe has been paused and</i>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
					that the Department has determined that it requires additional information. The information sought is a 'fit-for-purpose' Risk Assessment for the site to demonstrate that there is an acceptable or tolerable level of risk for future development given its location in an Erosion Prone Area.
21.	03/12/19	Notice of Motion - Councillor Glenda Mather - Light Spill	<p>Procedural Motion</p> <p>That pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending a further inspection and to return to a future Council Meeting.</p>	Executive Director Infrastructure	<p>11 Feb 2020</p> <p>Council officer contacted Ergon to obtain timing for next round of replacement of lanterns to LED. Ergon advised that Council's next round will be due in 2020/21. Ergon have subsequently been contacted to advise the cost of a 'one off' replacement and the timing of such work. Awaiting a response from Ergon.</p>
22.	03/12/19	PROPOSED TRUSTEE LEASE TO NBN CO LIMITED OVER PART OF LOT 50 ON SURVEY PLAN 207050 - KEPPEL SANDS (C)	<p>Council Resolution</p> <p>THAT Council resolve:</p> <p>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;</p> <p>2. pursuant to section 236(2) of the Local Government Regulation 2012 to apply section 236(1)(c)(vi) of the Local Government</p>	Principal Property Officer	<p>16 January 2020</p> <p>Negotiations with NBN Co on the terms of the Trustee Lease are close to finalisation. On completion of negotiations the draft lease agreement will be forwarded to the Department of Natural Resources, Mines and Energy for approval.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p>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</p> <p>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 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.</p>		
23.	03/12/19	MANAGEMENT ARRANGEMENTS - KEPPEL SANDS CARAVAN PARK (C)	<p>Council Resolution</p> <p>THAT Council resolve:</p> <p>1) to authorise Council Officers to undertake a further Invitation to Tender seeking submissions from parties interested in becoming managers of the Keppel Sands Caravan Park; and</p> <p>2) to delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the Local Government Act 2009, to appoint new managers for the Keppel Sands Caravan Park and the terms and conditions under which they are appointed.</p>	Principal Property Officer	<p>5 Mar 2020</p> <p>Letter of acceptance sent to the preferred tenderer on 7 February 2020.</p> <p>On 9 February 2020, the tenderer advised that due to a change in circumstances they would be unable to accept the contract.</p> <p>A further report on this matter was presented at Council meeting on 18 February 2020.</p>
24.	03/12/19	Potential Sale of Council Land in Hidden Valley to an Adjoining Property Owner	<p>Council Resolution</p> <p>THAT Council resolve:</p> <p>1. that the exception mentioned in section 236(1)(c)(iv) of the Local Government</p>	Project Support Officer	<p>5 Mar 2020</p> <p>Council accepted the offer presented for the sale of Lot 11 on Survey Plan 220788.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
		(C)	<p>Regulation 2012 may apply in its dealing over 4 Cassam Street, Hidden Valley described as Lot 11 on Survey Plan 220788;</p> <p>2. pursuant to section 236(2) of the Local Government Regulation 2012 to apply section 236(1)(c)(iv) of the Local Government Regulation 2012 in its dealing over 4 Cassam Street, Hidden Valley described as Lot 11 on Survey Plan 220788; and</p> <p>3. accept the offer outlined in this report for the sale of Lot 11 on Survey Plan 220788, delegating authority to the Chief Executive Officer to finalise negotiations with the purchaser and execute a contract of sale.</p>		<p><i>Settlement occurred on 28 February 2020.</i></p> <p><i>No further action required.</i></p>
25.	19/12/19	Mayoral Minute - Land Zoning Review Kinka Beach	<p>Council Resolution</p> <p>PROCEDURAL MOTION</p> <p>That pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending further discussion and to return to a future Council Meeting.</p>	Manager Liveability	<p>16 Jan 2020</p> <p><i>This matter to be discussed at a future date.</i></p>
26.	19/12/19	Capricorn Coast Memorial Parkland Management (C)	<p>Council Resolution</p> <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>	Manager Community Wellbeing	<p>5 Mar 2020</p> <p><i>Landscape plans being reviewed. Final documentation needs to be collated before Tender documents can be ascertained.</i></p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<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> <p>(a) using the modern burial system (crypt burial system) for formal lawn and informal lawn burials;</p> <p>(b) provision of ashes garden(s);</p> <p>(c) provision of columbarium(s); and</p> <p>(d) the establishment of a pet cemetery;</p> <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>		<i>Currently being worked on with Project Team.</i>
27.	21/01/2020	Water Consumption Matter (C)	<p>COUNCIL RESOLUTION</p> <p>THAT Council resolve to provide delegated authority to the Chief Executive Officer to negotiate on behalf of Council for settlement of this matter, as per the particulars outlined in option 3 of the Officer's Report and advice provided by Council's legal representatives.</p>	Coordinator Revenue	<p>25 Feb 2020</p> <p><i>Further negotiations undertaken. Awaiting CEO direction.</i></p>
28.	21/01/2020	Paint Pot Gallery Accommodation	<p>COUNCIL RESOLUTION</p> <p>THAT Council resolve:</p>	Project Officer	5 Mar 2020

Item	Date	Report Title	Resolution	Responsible Officer	Comments
		(C)	<ol style="list-style-type: none"> 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 Capricorn Coast Society of Arts Incorporated over part of the building located on Lot 2 on Registered Plan 620460; 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 Capricorn Coast Society of Arts Incorporated over part of the building located on Lot 2 on Registered Plan 620460; and to provide a two (2) year lease to the Capricorn Coast Society of Arts Incorporated over part of the building located on Lot 2 on Registered Plan 620460 for the operation of the Paint Pot Gallery on the terms contained in this report. 		<p><i>The lease has been executed by both parties and is now in place.</i></p> <p><i>This action is complete.</i></p>
29.	21/01/2020	Mayoral Minute - Maryvale Rural Fire Brigade	<p>COUNCIL RESOLUTION</p> <p>THAT Council resolves to send the correspondence from the Maryvale Rural Fire Brigade (as contained within Attachment One) to the Livingstone Local Disaster Management Group to be included as an agenda item to be</p>	Manager Community Wellbeing	<p>5 Mar 2020</p> <p><i>Tabled at the LDMG meeting to be reviewed by the Fire Management Group and reported to LDMG</i></p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			investigated through the Queensland Disaster Management Arrangements.		
30.	21/01/2020	Mayoral Minute - Disaster Recovery Assistance	COUNCIL RESOLUTION THAT Council prepare a report identifying rural roads and other supporting infrastructure in consultation with rural brigades that would improve access and firefighting capabilities for rural brigades and that consideration be given to expending the one million dollars being provided by the Federal Government as part of the bush fire recovery and resilience effort to those roads and assets.	Manager Community Wellbeing	5 Mar 2020 <i>Report tabled at Ordinary Council Meeting 18 February 2020. 7 priority roads were endorsed by Council. Program of works sent to QLDRA for approval</i>
31.	04/02/2020	Proposed Tourist Park at 176 Cobraball Road Bondoola	COUNCIL RESOLUTION THAT Council; <ul style="list-style-type: none"> (1) not waive or reduce the development application fees for the Tourist park development at 176 Cobraball Road, Bondoola, known as Savannah Park; and (2) postpone the decision to waive or reduce the Infrastructure Charges until the internal review of Infrastructure Charges is completed. 	Coordinator of Development and Assessment	5 Mar 2020 <i>The landowners have been advised of the council resolution by email and are preparing a development application accordingly.</i>
32.	04/02/2020	Notice of Motion - Councillor Adam Belot - Bangalee Beach Access Consultation.	COUNCIL RESOLUTION THAT Livingstone Shire Council undertake meaningful community consultation with the Bangalee community and (any other key	Executive Director Infrastructure	4 Mar 2020 <i>Public consultation commenced seeking input from interested stakeholders</i>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			stakeholders) to determine their level of support for 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.		<i>regarding 4WD access. Survey closes 22 March 2020.</i>
33.	04/02/2020	Questions on Notice - Councillor Glenda Mather - Great Keppel Island Revitalisation Project	COUNCIL RESOLUTION THAT the 'Questions on Notice' be received and a report providing a response to the questions be brought to a future Council meeting.	<i>Acting Chief Executive Officer</i>	05 Feb 2020 Assigned to Acting CEO for response.
34.	04/02/2020	Potential Sale of Lot 18 on Survey Plan 296924 at The Gateway Business and Industry Park (C)	COUNCIL RESOLUTION THAT Council accept the offer, as detailed in the below report, to sell Lot 18 on SP296924, known as 6 Macadamia Drive, Hidden Valley,	<i>Project Support Officer</i>	5 Mar 2020 <i>Council accepted the offer for the sale of Lot 18 on Survey Plan 296924 at The Gateway Business and Industry Park.</i> <i>The contract has been executed by both parties and settlement is due to take effect on 16 March 2020.</i>
35.	04/02/2020	Properties Eligible for Sale of Land for Rate Arrears (C)	COUNCIL RESOLUTION THAT (a) pursuant to section 140(2) of the Local Government Regulation 2012 Council proceed with action to sell the land	<i>Coordinator Revenue</i>	28 Feb 2020 <i>NOITS Notification & titles provided to Solicitor.</i> <i>Awaiting letters for CEO to sign.</i>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p>listed below, and also detailed in attachment 1 to the report for overdue rates and charges; and</p> <p>(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 <i>Local Government Regulation 2012</i> to effect sale of the land (including, for avoidance of doubt, the power to end sale procedures).</p> <p>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 132462 – L11 SP 226589 143633 – L142 SP 203612 132798 – L7 SP 112046 302419 – L52 SP 237553 134330 – L178 RP 610896 127596 – L71 RP 604123</p>		
36.	04/02/2020	ACQUISITION OF LAND (C)	<p>COUNCIL RESOLUTION</p> <p>THAT Council resolves to proceed in accordance with Option One, as detailed within the body of this report.</p>		<p>10 Mar 2020</p> <p>Contract executed 4 February 2020 and due diligence is currently being undertaken.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
37.	18/02/2020	Question without Notice - Councillor Mather – Light Spill	<p>The Mayor accepted the following question without notice from Councillor Glenda Mather and requested a response come back to a future Council meeting:</p> <ul style="list-style-type: none"> Is a shade able to be installed in the interim while waiting for the LED replacement program to be rolled out in the area? 	Executive Director Infrastructure	<p>5 Mar 2020</p> <p>Response to be provided to Council at Ordinary meeting on 17 March 2020</p>
38.	18/02/2020	Drink Container Recycling at Community Events	<p>THAT Council purchase an additional twenty (20) bottle chute bin lid tops at a cost of \$1,586.20 (inc GST).</p>	Manager Water and Waste Operations	<p>9 Mar 2020</p> <p>Lids have been ordered and response letter has been forwarded to Emu Park Lions Club to advise.</p>
39.	18/02/2020	Question Without Notice - Councillor Mather – Security of Drink Container Bin Lids	<p>The Mayor accepted the following question without notice from Councillor Glenda Mather and requested a response come back to a future Council meeting:</p> <ul style="list-style-type: none"> What security measures can be taken to prevent future bins (with the lids) being stolen at events? 	Manager Water and Waste Operations	
40.	18/02/2020	Notice of Motion - Councillor Mather - Overgrown Vegetation	<p>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.</p>	Executive Director Liveability and Wellbeing	<p>5 Mar 2020</p> <p>Open Spaces are currently monitoring the area for the vegetation to dry enough to get machinery in there. Regular contact with customer is occurring.</p>
41.	18/02/2020	Notice of Motion - Councillor Belot - Legal Advice	<p>THAT, in order to promote transparency and accountability, Council delegate to the CEO as Custodian of Council Documents, the responsibility to ensure that any</p>	Chief Executive Officer	

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			information/legal advice sought (verbal and or otherwise) on behalf of Councillors, be documented and held in safe custody, as per statutory responsibilities under section 13(3)(e) <i>Local Government Act 2009</i> , and thus allow for Councillor's to access such information, in accordance with section 170A <i>Local Government Act 2009</i> .		
42.	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) <i>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</i></p> <p>2) <i>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;</i></p>	Property Officer	<p>24 Feb 2020</p> <p><i>On 12 February 2020, a draft of the trustee lease was sent to the Department of Natural Resources, Mines and Energy for review and approval. Once approval is received the lease may be signed by the lessee and by Council.</i></p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p>(a) <i>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</i></p> <p>(b) <i>Keppel Coast Arts Council Incorporated for a term of 5 years for operation of the Artship;</i></p> <p>2) that the exception mentioned in section 236(1)(b)(ii) of the <i>Local Government Regulation 2012</i> may apply in its dealing 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>		

Item	Date	Report Title	Resolution	Responsible Officer	Comments
43.	18/02/2020	PROPOSED TRUSTEE LEASE TO THE YEPPON INLET ASSOCIATION INCORPORATED (C)	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> 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; 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 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. 	Principal Property Officer	<p>05 Mar 2020</p> <p><i>Negotiations are ongoing with the Yeppoon Inlet Association on the issue of a Trustee Lease. A draft lease agreement is currently being prepared.</i></p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
44.	18/02/2020	MANAGEMENT ARRANGEMENTS - KEPPEL SANDS CARAVAN PARK (C)	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> 1) that because of the specialised nature of the services that are sought for the management of the Keppel Sands Caravan Park, it would be impracticable or disadvantageous for Council to invite a further tender in accordance with section 235(b) of the <i>Local Government Regulation 2012</i>; 2) to authorise Council officers to negotiate with parties who may enquire or have enquired in relation to the management of the park; and 3) to delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the Local Government Act 2009, to appoint new managers for the Keppel Sands Caravan Park and the terms and conditions under which they are appointed. 	Principal Property Officer	<p>05 Mar 2020</p> <p>Council has advertised seeking applications from people interested in managing the park. A number of submissions have been received and are currently being assessed by Council officers.</p>
45.	18/02/2020	Mayoral Minute - Senior Citizens	<p>THAT Council</p> <ol style="list-style-type: none"> 1) Commit to exploring all funding avenues for the establishment and delivery of a dedicated Senior Citizens Centre that will be able to provide for the social and recreational 	Manager Community Wellbeing	<p>05 Mar 2020</p> <p>Investigations of uses of Capricorn Coast Recreational Centre and working with all users to assist the senior citizens with utilisation of the area.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p>needs of this important and valued community group; and</p> <p>2) Make the vacant area at the Cordingley Street Basketball Facility (located on the same side of the building as the Alternate Learning Centre) available to Yeppoon Senior Citizens as an interim home for their primary use until such time that a more permanent facility that will provide for growth of the organisation is established.</p>		
46.	03/03/2020	Delegation of Powers to the Chief Executive Officer – Transport Infrastructure Act 1994 and Transport Infrastructure (Public Marine Facilities) Regulation 2011	THAT as per section 257 of the <i>Local Government Act 2009</i> , Council resolves to delegate the powers from the <i>Transport Infrastructure Act 1994 (the Act)</i> and <i>Transport Infrastructure (Public Marine Facilities) Regulation 2011 (the Regulation)</i> as detailed in this report to the Chief Executive Officer.	Governance Project Officer	
47.	03/03/2020	Request for Renewal of Lease - Marlborough Rural Fire Brigade	<p>THAT Council resolve:</p> <p>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;</p>	Principal Property Officer	<p>5 Mar 2020</p> <p>Council officers will liaise with the Public Safety Business Agency on the issue of the new lease.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p>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 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</p> <p>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.</p>		
48.	03/03/2020	Notice of Motion - Councillor Mather - Parking at the Lagoon	<p>THAT in order to create better awareness to improve the parking requirements at the lagoon, Council add the words "Nose in Only" to the existing signs where angle parking currently exists.</p> <p>Further, given the lack of appropriate signage causing motorists to use their own discretion, resulting in a fine in many cases, Council agree to reimburse the penalties incurred in these instances.</p> <p>In addition, until such time the additional wording is added to the existing signs, no further fines be imposed, but appropriate warning notices only be placed on</p>	<i>Executive Director Liveability and Wellbeing</i>	<p>5 Mar 2020</p> <p><i>Process of adding "Nose In" to all angle parking signs at Lagoon. Reimbursement of paid fines being administered</i></p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			windcreens where vehicles continue to reverse in.		
49.	03/03/2020	NOTICE OF MOTION COUNCILLOR MATHER UPGRADE TOOKERS ROAD	<ul style="list-style-type: none"> - That due to the dust impacts on residents at the southern end of Tooker's Road, Council place the upgrading of this section in the 2020-21 Budget for consideration. 	Executive Director Liveability and Wellbeing	<p>5 Mar 2020</p> <p>Costings and supporting information provided to Chief Financial Officer on 05/03/2020 for inclusion in 2020/21 budget workshop discussions.</p>

**7.2 LIFTING MATTER LAYING ON THE TABLE – NOTICE OF MOTION -
COUNCILLOR GLENDA MATHER - LIGHT SPILL****File No:** CR2.13.24**Attachments:** Nil**Responsible Officer:** Brett Bacon - Acting Chief Executive Officer

SUMMARY

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

OFFICER'S RECOMMENDATION

THAT Council resolve that the report *Notice of Motion - Councillor Mather – light spill*, which is currently 'laying on the table' within the Business Outstanding Table awaiting return to a Council meeting, be lifted from the table to be dealt with later in this meeting.

BACKGROUND

At Council's Ordinary meeting on 3 December 2019, Councillor Glenda Mather proposed the following Notice of Motion:

"THAT Council take the necessary action, with the relevant authority if necessary, to place a light shade over the street light opposite 35 Reef Street, Zilzie, due to the excessive light spill into the homes of five residents in that vicinity affected by this ongoing intrusion. Further, Council treat this matter as a priority due to the adverse impacts on health and quality of life."

In response to the Notice of Motion, Council resolved:

'That pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending a further inspection and to return to a future Council Meeting.'

COMMENTARY

In accordance with the resolution of Council, the matter which was laid upon the Council table at its Ordinary meeting of 3 December 2019 is now brought back for discussion and consideration.

8 PRESENTATION OF PETITIONS

Nil

9 MAYORAL MINUTE

9.1 MAYORAL MINUTE - YEPPOON SENIOR CITIZENS

File No: CR2.13.24

Attachments: 1. Senior Citizens Letter - Parking [↓](#)

Responsible Officer: Bill Ludwig - Mayor

SUMMARY

In response to a request from Yeppoon Senior Citizens to receive extended parking permits for their members, I put forward the following Mayoral Minute. Please refer to the attached correspondence from the Senior Citizens noting that the function is for 3 hours on Thursday the 19th March. This is an interim measure in consideration of the Senior Citizens being displaced from their usual venue of the Town Hall (which has no parking restrictions) due to the elections. As the Senior Citizens are valued members of the community and many have mobility restrictions, it would be a further impost upon them to require them to move their vehicles to an alternate parking space after two hours. This is a common sense and pragmatic solution to this issue which has virtually no revenue impact whatsoever on Council.

RECOMMENDATION

THAT Council

- 1) Accedes to give the Yeppoon Senior Citizens a grace period for parking on 19 March 2020 for the time period inclusive of 8am to 12pm; and
- 2) Provides printed passes for display in vehicles.

9.1 - MAYORAL MINUTE - YEPPOON SENIOR CITIZENS

Senior Citizens Letter - Parking

Meeting Date: 17 March 2020

Attachment No: 1

Hi Bill

As per our conversation this morning I am inquiring about parking tickets for our three hour Music function that we will be having at the Sailing Club Commodore Room on Thursday 19th. March.

If you would like to send me what is required on the ticket I will print it out and make them up for my members as we will require them again on Thursday 18th. June and Thursday 17th. September if Sailing Club is still not under construction.

Bill I really need these tickets, our last Function went down from 72 to 38 in attendance and that means no revenue for us to pay the Sailing Club \$5.50 a head for a morning I am giving for free.

Thank you.

Shirley.

Shirley Veach
President

9.2 MAYORAL MINUTE - BUSHFIRE RATES RELIEF

File No: RV25.5.2
Attachments: Nil
Responsible Officer: Bill Ludwig - Mayor

SUMMARY

In response to the Media Release by NSW Government for Council Rates Relief for Bushfire affected communities, I put forward the following Mayoral Minute.

RECOMMENDATION

THAT Council

1. Writes to the Queensland Premier requesting that Queensland adopt a Policy, similar to that of New South Wales (relating to its 3rd and 4th quarter rating periods of the 19/20 financial year), to cover the full costs of council rates for the period 1 January to 30 June 2020 for residents and farmers who have lost their homes, and business owners whose properties have been destroyed beyond repair by bushfires; and
2. 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.

<u>Lot and Plan</u>	<u>Assessment Number</u>
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

10 COUNCILLOR/DELEGATE REPORTS


Nil

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

Nil

12 REPORTS

12.1 DEVELOPMENT APPLICATION D-278-2019 FOR A MATERIAL CHANGE OF USE FOR A SHOP (BOOKSHOP) AT 72 QUEEN STREET, YEPPON

File No: D-278-2019
Attachments: 1. [Plans](#) 
Responsible Officer: Melissa Warwick - Principal Strategic Planner
 David Battese - Manager Liveability
 David Mazzaferri - Acting Executive Director - Liveability & Wellbeing
Author: Tessa Horgan - Planning Officer

SUMMARY

Applicant: Home Support Association Inc
Real Property Address: Lot 2 on RP602470
Area of Site: 1,012 square metres
Planning Scheme: Livingstone Planning Scheme 2018
Planning Scheme Zone: Medium density residential zone
Planning Scheme Precinct: Commercial Transition Precinct (Major Centre Commercial Transition Precinct)
Planning Scheme Overlays: OM01 Acid Sulfate Soils - Land below twenty (20) metres Australian Height Datum
 OM15 Drainage Problem Area
 OM20 Road Hierarchy (CBD Collector)
Existing Development: Offices
Level of Assessment: Impact assessable
Submissions: Nil
Referral matters: Nil
Infrastructure Charge Area: Charge Area 1
Application progress:

<i>Application received:</i>	22 November 2019
<i>Application properly made:</i>	4 December 2019
<i>Development control unit meeting:</i>	27 November 2019
<i>Confirmation notice issued:</i>	5 December 2019
<i>Information Request Not Required:</i>	11 December 2019
<i>Public pre-notification period:</i>	13 January to 5 February 2020
<i>Notice of commencement received:</i>	13 January 2020
<i>Notice of compliance received:</i>	10 February 2020
<i>Decision period commenced:</i>	11 February 2020
<i>Statutory determination date:</i>	18 March 2020

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for a Material Change of Use for a Shop (Bookshop), made by HOME SUPPORT ASSOCIATION INC C/- GRANT SEARLES, on Lot 2 on RP602470, and located at 72 Queen Street, Yeppoon, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the commencement of use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the issue of the commencement of use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.6.1 Plumbing and Drainage Works; and
 - 1.6.2 Building Works.
- 1.7 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

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>
Site Plan	SKD 19-044, Drawing Number WD01	6 November 2019
Proposed Plan	SKD 19-044, Drawing Number WD02	6 November 2019
Elevations 1/2	SKD 19-044, Drawing Number WD03	6 November 2019
Elevations 2/2	SKD 19-044, Drawing Number WD04	6 November 2019

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Building Works.

3.0 PLUMBING AND DRAINAGE WORKS

- 3.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the site.
- 3.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Plumbing and Drainage Act, Council's Plumbing and Drainage Policies* and the provisions of a Development Permit for Plumbing and Drainage Works.
- 3.3 The development must be connected to Council's reticulated sewerage and water networks.
- 3.4 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 3.5 A sewerage trade waste permit must be obtained for the discharge of any non-domestic waste into Council's reticulated sewerage network.

4.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 4.1 All roof and allotment runoff must drain so as to demonstrate lawful discharge in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 4.2 All roof and allotment runoff water must not adversely affect the upstream or downstream land when compared to pre-development conditions or cause an actionable nuisance or damage infrastructure.

5.0 SITE WORKS

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

6.0 STORMWATER WORKS

- 6.1 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual* and *Capricorn Municipal Development Guidelines*.
- 6.2 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.

7.0 ASSET MANAGEMENT

- 7.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 7.2 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

8.0 ENVIRONMENTAL

- 8.1 An Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas

- are permanently stabilised (for example, turfed, hydromulched, concreted, and landscaped). The prepared Erosion Control and Stormwater Control Management.
- 8.2 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Queen Street.
- 8.3 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed 5dB(A) (decibels) above the background ambient noise level, measured at the boundaries of the subject site.
- 8.4 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*'.
- 8.5 A waste storage area must be kept in a clean, tidy condition and screened from view of the street and adjoining public places.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander Partnerships website <https://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. Works in proximity to Council Infrastructure

Any construction works proposed in the vicinity of Council's existing water supply and sewerage infrastructure must not adversely affect the integrity of the infrastructure. Any restoration works required on the existing water supply and sewerage infrastructure, caused by the construction of the proposed development must be borne by the applicant.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for a Shop (Bookshop), made by HOME SUPPORT ASSOCIATION INC C/- GRANT SEARLES, on Lot 2 on RP602470, and located at 72 Queen Street, Yeppoon, Council resolves to not issue an Infrastructure Charges Notice due to the credit owing for the existing use.

BACKGROUND

The property holds a Development Permit for a Material Change of Use for Offices (D-421-2010) and a Development Permit for Operational Works for Roadworks, Landscaping,

Access and Parking Works, Water and Sewerage Infrastructure (D-391-2011). Both applications were assessed and approved under the superseded *Livingstone Planning Scheme 2005*. There is a related Plumbing and Drainage Permit (P-440-2012/PLUMB) for Offices and two (2) Building Permits (B-196-214 and B-35-2018) for a Storage Shed and Commercial Alterations (Notice of Engagement received). The current application was publicly notified. No submissions were received.

COMMENTARY

Proposal

The proposal is for the shop (bookshop, identified as the Yellow Door Bookshop) established within two (2) of the three (3) tenancies located within the subject site. The proposed shop is sited at the front of the offices and has a gross floor area of 134.8 square metres. The remaining area of the existing office building, being 151.3 square metres will continue to be used by Home Support Association Inc. The uses are related. The development is in an existing building which was approved in under Development Application D-421-2010 for a Material Change of Use for Offices.

Site And Locality

The subject site is located in the Medium density residential zone, Commercial Transition Precinct (Major Centre Commercial Transition Precinct), and is 1,012 square metres in area. The as constructed building for which the Shop is sited within is situated between approximately 8.25 metres Australian Height Datum and 8.5 metres Australian Height Datum.

The existing lot has been improved with an office use under the Development permit, D-421-2020. The front tenancies have been used for the purposes of a bookstore since 2010.

The site is located within an established urban area and is connected to all essential infrastructure networks.

Council's Planning Officer undertook a site visit on 15 January 2020 whereby the property was viewed from the Queen Street frontage. The site inspection confirmed that the public notification sign was compliant with the siting and design conditions, as per Part 1 of the *Development Assessment Rules* under the *Planning Act 2016*.

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	
72 Queen Street, Yeppoon Lot 2 on RP602470	<p>Development Application D-421-2010 for a Material Change of Use for Offices (Impact assessable) – Approved with conditions on 4 July 2011</p> <p>Building Permit B-2289-2011 for Office Building – Approved with conditions on 16 February 2012</p> <p>Development Application D-391-2011 for Operational Works for Roadworks, Landscaping, Access and Parking Works, Water and Sewerage Infrastructure – Approved with conditions on 14 February 2012</p> <p>Plumbing and Drainage Permit P-440-2012/PLUMB for Offices – Approved with conditions on 9 May 2012</p> <p>Building Permit B-196-2014 for Storage Shed – Approved with conditions on 7 March 2014</p>

	Building Permit B-35-2018 for Commercial Alterations – Lodged on 23 January 2018 with Notice of Engagement Received
Applications/development permits on adjoining properties	
68-70 Queen Street, Yeppoon Lot 904 on Y1711 (to the east)	Plumbing and Drainage Permit P-113-2016/PLUMB for Disconnecting Traps – Approved with conditions on 18 April 2016 Plumbing and Drainage Permit P-293-2017/PLUMB for Commercial Alterations and Additions – Approved with conditions on 21 November 2017
71 John Street, Yeppoon Lot 3 on RP602470 (to the south)	Development Permit D-111-2011 for a Material Change of Use for a Shop (personal grooming services) – Modified approval on 30 November 2011 Development Permit D-428-2011 for Operational Works for Roadworks – Approved with conditions on 30 January 2012
73 John Street, Yeppoon Lot 45 on SP101358 (to the south)	Council has no records of applications over this subject site. Despite this, the subject lot contains Multiple dwellings.
74 Queen Street, Yeppoon Lot 1 on RP602470 (to the east)	Vacant land Building Permit B-841-2015 for Demolition of cyclone damaged dwelling (Class 1a) – Approved with conditions on 9 September 2015

The subject site is identified as being within the Flood hazard area – Level 1 – Queensland floodplain assessment overlay, and Local Government flood mapping area. Under the *Livingstone Planning Scheme 2018*, the site is not mapped as a flood prone area and affords adequate drainage towards the south. Overall, the siting of the Shop within the existing office building, will not compromise the achievement of the mapped State interest.

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 located in the Urban Infill places on Strategic Framework Map SFM-02 – Yeppoon and Surrounds.

The following elements from the strategic framework are all relevant to the assessment of

the proposed shop (bookshop) –

- Settlement pattern (Urban infill places);
- Community identity and diversity theme; and
- Natural resources and economic development theme.

The performance assessment of the proposal demonstrates that the development will not compromise the Strategic Framework. The proposed Shop (bookshop) can be suitably justified against the Urban infill places theme and the overall Strategic outcomes of the Framework. The proposed Shop (bookshop), within the Urban infill places theme, is adjacent to the Major centre of Yeppoon and provides opportunities for employment and the provision of goods and services, which supports disadvantaged persons within the local community.

Medium density residential zone

The proposal complies with the various requirements of the Medium density residential zone code.

Development works code

The purpose of the Development works code is:

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

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

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

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

Performance outcomes	Acceptable outcomes	Assessment response
Access and parking		
PO1 The development is provided with an on-site parking and movement system designed and constructed to: <ul style="list-style-type: none"> (a) be integrated with the site layout including: <ul style="list-style-type: none"> (i) direct access to a road providing an appropriate level of service required to accommodate traffic generated by the use; (ii) having appropriately designed footpath crossovers; (iii) provision for safe pedestrian movement between public footpath and facility entry points; (b) accommodate sufficient manoeuvring room for the safe entry and exit of all modes of transport generated by the use (including refuse collection vehicles, trucks, buses and the like as relevant to the development); (c) accommodate sufficient parking for the expected number and type of vehicles generated by the use; (d) facilitate non-discriminatory accessibility; (e) provide for safe and efficient loading and unloading of goods; (f) allow for vehicle queuing necessary for the use; (g) provide for passenger set down and pick up necessary for the use (including public transport needs); (h) facilitate public access to the foreshore and public open space networks; (i) provide a safe environment; (j) be compatible with the character and amenity of the area; and (k) make a positive aesthetic contribution to the streetscape character of the setting, particularly if involving multi-level parking. 	AO1.1 The development is provided with sufficient on-site vehicle parking and queuing space in accordance with the standards relevant to the use in compliance with Table 9.3.2.4.3.	AO1.1 - Complies The Shop is serviced by seven (7) carparks, including one (1) disability carpark. In accordance with Table 9.3.2.4.3, the Shop is able to comply with the parking requirements.
	AO1.2 For development other than a use	AO1.2 - Complies

Performance outcomes	Acceptable outcomes	Assessment response																				
	<p>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><tr><td>Roadside stall</td></tr><tr><td>Special activities</td></tr><tr><td>Landing</td></tr><tr><td>Major electricity infrastructure</td></tr><tr><td>Substation</td></tr><tr><td>Telecommunications facility</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	Roadside stall	Special activities	Landing	Major electricity infrastructure	Substation	Telecommunications facility	
Accommodation activities																						
Caretaker’s accommodation																						
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Special activities																						
Landing																						
Major electricity infrastructure																						
Substation																						
Telecommunications facility																						
	<p>AO1.3</p> <p>A solid, good quality brick, timber or masonry screen fence having a minimum height of 1.8 metres is provided between the car parking area of development (other than a use within the accommodation activities group being for long-term accommodation) where adjoining a sensitive land use located within the residential category zone or the township zone.</p>	<p>AO1.3 - Complies</p> <p>An existing 1.8 metre high colourbond fence screens the as constructed building from adjoining allotments.</p>																				

Performance outcomes	Acceptable outcomes	Assessment response
PO2 Access driveways are designed and sited: <ul style="list-style-type: none"> (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. 	AO2.1 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.	AO2.1 – Not applicable The proposed Shop (bookshop) will achieve access from the existing access driveway. Therefore, street trees and public infrastructure will not be affected by the proposed development.
	AO2.2 The access driveway of the development is not constructed over an access point to infrastructure under the control of a regulatory authority, including storm water pits, water meters, water hydrants and telephone pits.	AO2.2 - Complies The as constructed driveway is not sited over access points for infrastructure networks identified in the acceptable outcome.
	AO2.3 The access driveway of the development does not enter the road carriageway at the location of an existing traffic island, speed control device, car parking bay, pedestrian crossing, bus stop or other infrastructure within the road carriageway.	AO2.3 - Complies There are no traffic islands and the like in close proximity to the existing access driveway.
	AO2.4 The access driveway of the development is not located within: <ul style="list-style-type: none"> (a) two (2) metres of any adjoining property access driveway (excluding shared property accesses at the property line); and (b) one (1) metre of any public infrastructure such as a street sign, power pole, street light, manhole, stormwater gully pit or other Council asset; (c) the closest half of the road frontage to a road intersection for any corner lot. 	AO2.4 - Complies The access driveway is able to achieve the requirements under the acceptable outcome.
	AO2.5 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: <ul style="list-style-type: none"> (a) <i>Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains;</i> 	AO2.5 - Complies The existing access driveway is compliant with the relevant <i>Standard Drawing CMDG-R-042 Commercial Driveway Slab (Type A) Two Way Access.</i>

Performance outcomes	Acceptable outcomes	Assessment response
	(b) <i>Standard Drawing CMDG-R-041 Residential Driveway Slab and Tracks;</i> (c) <i>Standard Drawing CMDG-R-042 Commercial Driveway Slab (Type A) Two Way Access;</i> (d) <i>Standard Drawing CMDG-R-043 Commercial Driveway Slab (Type B) Two Way Access.</i>	
	AO2.6 Where adjoining a state-controlled road or Key Resource Area transport route, the development provides: (a) a single site access driveway; (b) the access driveway to the lowest order road to which the site has frontage; (c) an access driveway which enables vehicles to enter and exit the site in a forward direction.	AO2.6 - Not applicable The development does not adjoin a state-controlled road or Key Resource Area.
Energy supply		
PO9 An energy supply is provided in a manner which: (a) is safe; and (b) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; and (c) does not compromise other infrastructure.	AO9.1 The development is provided with an energy supply in accordance with the requirements of Table 9.3.2.4.7.	AO9.1 - Complies The development is within an existing building, which has an existing connection to reticulated grid electricity supply.
	AO9.2 If the development requires the provision of reticulated grid electricity supply in accordance with Table 9.3.2.4.7 or if the development is to be provided with a reticulated grid electricity supply, the reticulated grid electricity supply infrastructure is provided in accordance with the requirements of the relevant energy supply authority.	AO9.2 - Complies The development is within an existing building, which has an existing connection to reticulated grid electricity supply.
	AO9.3 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.	AO9.3 - Complies The development is within an existing building, which has an existing connection to reticulated grid electricity supply.
Sewage and waste water treatment and disposal		
PO10 The development is provided with sewage and wastewater treatment and disposal	AO10.1 The development is provided with sewage and waste water treatment and disposal infrastructure in accordance with the requirements of	AO10.1 - Complies The development is within an existing building, which has connection to reticulated

Performance outcomes	Acceptable outcomes	Assessment response
<p>infrastructure which:</p> <ul style="list-style-type: none"> (a) treats and disposes all generated sewage and waste water in a manner that protects public health and avoids environmental harm; (b) where practicable, is integrated with the existing public sewerage networks; (c) where practicable, facilitates the orderly provision of future public sewerage networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained. 	Table 9.3.2.4.6.	sewerage.
	<p>AO10.2</p> <p>If the development requires the provision of reticulated sewerage in accordance with Table 9.3.2.4.6 or if the development is to be provided with reticulated sewerage, the reticulated sewerage is provided in accordance with the current version of the Capricorn Municipal Development Guidelines.</p>	<p>AO10.2 - Complies</p> <p>The development is within an existing building, which has connection to reticulated sewerage.</p>
	<p>AO10.3</p> <p>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.</p>	<p>AO10.3 – Not applicable</p> <p>The development is within an existing building, which has connection to reticulated sewerage.</p>
Roof and allotment drainage		
<p>PO11</p> <p>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.</p>	<p>AO11.1</p> <p>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).</p>	<p>PO11 – Complies</p> <p>Appropriate roof and allotment drainage will be conditioned as per the recommendation.</p>
Telecommunications		
<p>PO12</p> <p>The development is provided with telecommunications infrastructure or equipment which:</p> <ul style="list-style-type: none"> (a) is sufficient to support the needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing 	<p>AO12.1</p> <p>The development is provided with telecommunications infrastructure or equipment in accordance with the requirements of Table 9.3.2.4.7.</p>	<p>AO12.1 - Complies</p> <p>The development is within an existing building, which has an existing connection to telecommunications infrastructure.</p>

Performance outcomes	Acceptable outcomes	Assessment response
public telecommunication networks; and (c) is designed and constructed to be safe, operationally reliable and easily maintained.		
	AO12.2 If the development requires the provision of reticulated telecommunications infrastructure in accordance with Table 9.3.2.4.7 or if the development is to be provided with a reticulated telecommunications infrastructure, the reticulated telecommunications infrastructure is provided in accordance with the requirements of the relevant telecommunications supply authority.	AO12.2 - Complies The development is within an existing building, which has an existing connection to telecommunications infrastructure.
	AO12.3 If the development requires on-site telecommunications equipment in accordance with Table 9.3.2.4.7, the telecommunications equipment is sufficient to enable contact in normal circumstances with the each of the following nearest emergency services: (a) ambulance station; (b) police station; (c) fire brigade; and (d) state emergency service facility.	AO12.3 – Not applicable The development is within an existing building, which has an existing connection to telecommunications infrastructure.
Water supply		
PO13 The development is provided with water supply infrastructure which: (a) is sufficient to support the consumption and emergency needs of the development and the reasonable expectations for the development based on its location; (b) where practicable, is integrated with the existing public water supply networks; (c) where practicable, facilitates the orderly provision of future public water supply networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained.	AO13.1 The development is provided with a water supply in accordance with the requirements of Table 9.3.2.4.6.	AO13.1 - Complies The development is within an existing building, which has existing connection to reticulated municipal water supply.
	AO13.2 If the development requires the provision of reticulated municipal water supply in accordance with Table 9.3.2.4.6 or if the development is to be provided with a reticulated municipal water supply, the	AO13.2 - Complies The development is within an existing building, which has existing connection to reticulated municipal water supply.

Performance outcomes	Acceptable outcomes	Assessment response
	reticulated municipal water supply is provided in accordance with the current version of the Capricorn Municipal Development Guidelines.	
	AO13.3 If the development requires an on-site water supply in accordance with Table 9.3.2.4.6 (and the development is not to be provided with a reticulated municipal water supply in accordance with AO13.2 above), the development is 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.	AO13.3 – Not applicable The development is within an existing building, which has existing connection to reticulated municipal water supply.

Table 9.3.2.4.2 – Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes	Assessment Response
Stormwater management		
PO17 The development: <ul style="list-style-type: none"> (a) collects and discharges stormwater in a manner that does not adversely affect the stability of buildings, structures, infrastructure or land, located on the site or off the site; (b) has a stormwater management system that is designed and constructed to be safe, operationally reliable, and easily maintained; (c) ensures that the stormwater management system and site work does not adversely impact flooding or drainage characteristics of premises which are located up-slope, down-slope, or adjacent to the site; (d) ensures that the stormwater management system and site work does not result in ponding or retention of water in a manner that is likely to result in loss of amenity for sensitive land use, or result in adverse impacts on public health and safety; (e) where practicable, is integrated with existing public stormwater management networks and planned future stormwater management networks; and (f) does not compromise the ability of the stormwater management system for the catchment to ensure that stormwater causes minimal nuisance, danger, and 	AO17.1 An engineer who qualifies as a registered professional engineer of Queensland certifies that the development has a stormwater management system which: <ul style="list-style-type: none"> (a) collects and discharges stormwater to a lawful point of discharge; (b) is compatible with and does not compromise the stormwater management system for the catchment; and (c) is designed and constructed in accordance with the Capricorn Municipal Development Guidelines and any requirements of the stormwater management planning scheme policy contained in schedule 7.13 of the planning scheme. 	PO17 - Complies Appropriate stormwater management will be conditioned, as per the recommendation.

Performance outcomes	Acceptable outcomes	Assessment Response
damage to people, property, infrastructure and the environment due to the quantity of stormwater discharge.		
<p>PO18</p> <p>The development is planned, designed and constructed, and managed to avoid or minimise adverse impacts on environmental values associated with water quality in natural and developed catchments by achieving:</p> <p>(a) identified stormwater quality design objectives for the location; or</p> <p>(b) current best practice environmental management.</p>	<p>AO18.1</p> <p>A site stormwater quality management plan has been prepared by a suitably qualified person and the plan:</p> <p>(a) is consistent with any local area stormwater management planning; and</p> <p>(b) provides for achievable stormwater quality treatment measures which meet the construction phase design objectives identified in Table 9.3.2.4.8 and the post-construction phase design objectives identified in Table 9.3.2.4.9, or current best practice environmental management, reflecting land use constraints, such as:</p> <p>(i) erosive, dispersive, sodic and/or saline soil types;</p> <p>(ii) landscape features (including landform);</p> <p>(iii) acid sulfate soil and management of nutrient of concern;</p> <p>(iv) rainfall erosivity.</p>	<p>AO18.1 - Complies</p> <p>Appropriate stormwater management will be conditioned, as per the recommendation.</p>
	<p>AO18.2</p> <p>An erosion and sediment control plan is prepared by a suitably qualified person, and the plan ensures that the release of sediment-laden stormwater:</p> <p>(a) is avoided for the nominated design storm; and</p> <p>(b) is minimised when the nominated design storm is exceeded by addressing the construction phase design objectives for drainage control, erosion control, sediment control and water quality identified in Table 9.3.2.4.8.</p>	<p>AO18.2 - Complies</p> <p>An Erosion and Sediment Control Plan will be conditioned, as per the recommendation.</p>
	<p>AO18.3</p> <p>Erosion and sediment control practices (including any proprietary erosion and sediment control products) are designed, installed, constructed, operated, monitored and maintained in accordance with the erosion and sediment control plan required by AO18.2.</p>	<p>AO18.3 - Complies</p> <p>An Erosion and Sediment Control Plan will be conditioned, as per the recommendation.</p>
	<p>AO18.4</p> <p>Development incorporates stormwater flow control measures to achieve the design objectives identified in Table 9.3.2.4.8 and</p>	<p>AO18.4 - Complies</p> <p>Appropriate stormwater management will be conditioned, as per the recommendation.</p>

Performance outcomes	Acceptable outcomes	Assessment Response
	identified in Table 9.3.2.4.9, or current best practice environmental management, including management of frequent flows and peak flows.	

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

General development code

The purpose of the General development code is to:

- (1) *to enable an assessment of the suitability of the location, design, siting, operation and other aspects of development that are not zone dependent;*
- (2) *to facilitate the achievement of the overall outcomes sought for development.*

The following is an assessment of the proposal against the specific benchmarks of the General development code, which includes an assessment of the development against the relevant outcomes of the code.

Performance outcomes	Acceptable outcomes	Assessment response
Flood resilience		
PO1 The development is resilient to the adverse impacts of flood events which result in unacceptable risk to health and safety or unacceptable risk of property damage.	AO1.1 The development is resilient to the adverse impacts of a flood by locating the floor level of all building rooms used for habitation or work a minimum of 300 millimetres above the level of a flood event of at least the annual exceedance probability specified in Table SC5.1.1 located in Schedule 5 of the planning scheme.	PO1 - Not applicable The subject site is not located within OM17 Flood hazard area overlay.
Location, design, siting, operation		
PO2 The development is located at a site that is able to accommodate all the buildings, facilities, and operational needs of the use without increasing the likelihood of land use conflict by: <ol style="list-style-type: none"> (a) adversely affecting the amenity of adjoining land use and the surrounding area; (b) adversely affecting the safety, health and wellbeing of occupants of sensitive land use; (c) adversely affecting the operations of adjoining land use; (d) reducing the potential to use adjoining land for its intended purpose; and (e) adversely affecting the safe and effective provision of services to the development. 	AO2.1 The development is located at a site that does not conflict with the minimum separation distances specified in tables SC4.1.1, SC4.1.2, SC4.1.3, and SC4.1.4, located in Schedule 4 of the planning scheme.	PO2 - Not applicable The development is not located within proximity to a rural use, a use with potential as a major source of emissions or an electricity transmission line easement.

Performance outcomes	Acceptable outcomes	Assessment response								
PO3 Development maintains a high level of amenity for adjoining sensitive land use with regard to the generation of unreasonable noise.	AO3.1 Where located within a residential category zone, rural residential zone, or township zone, development does not exceed noise generation levels at the property boundary, interpreted under the provisions of the current version of the <i>Environmental Protection (Noise) Policy</i> as unreasonable, or the following whichever is the lesser: <table><tr><td>Period</td><td>Noise level at property boundary</td></tr><tr><td>0700 to 2000</td><td>Background noise level plus 5 dB(A)</td></tr><tr><td>2000 to 0700</td><td>Background noise level plus 3 dB(A)</td></tr><tr><td colspan="2">Measured as the adjusted maximum sound pressure level Lmax adj T.</td></tr></table>	Period	Noise level at property boundary	0700 to 2000	Background noise level plus 5 dB(A)	2000 to 0700	Background noise level plus 3 dB(A)	Measured as the adjusted maximum sound pressure level Lmax adj T.		PO3 - Complies The site is located within the Medium density residential zone (Major Centre Commercial Transition Precinct) and is adjoined to the east and south by development. The development will be required to comply with <i>Environmental Protection (Noise) Policy</i> as per AO3.1.
Period	Noise level at property boundary									
0700 to 2000	Background noise level plus 5 dB(A)									
2000 to 0700	Background noise level plus 3 dB(A)									
Measured as the adjusted maximum sound pressure level Lmax adj T.										
PO4 Outdoor lighting maintains the amenity of any adjoining residential zoned premises and does not adversely impact the safety for vehicles or pedestrians on the adjoining streets as a result of light emissions, either directly or by reflection.	AO4.1 Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of the current version of the Australian Standard AS4282 — Control of the obtrusive effects of outdoor lighting.	PO4 - Complies Appropriate outdoor lighting will be conditioned as per the recommendation.								
PO5 A refuse container and container storage area is provided in a manner that: (a) maintains the amenity of the surrounding area; (b) is of adequate size to accommodate the expected amount of refuse to be generated by the use; (c) is in a position that is conveniently accessible for collection; and (d) is able to be kept in a clean state at all times.	AO5.1 The development of a use within the accommodation activities group is provided with a refuse container and container storage area that: (a) is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.5 metres; (b) is large enough to accommodate at least one (1) standard issue sized rubbish bin per dwelling. AO5.2 The development of a use (other than a use within the accommodation activities group), is provided with a refuse container and container storage area that: (a) is screened from view from a public place by a solid screen fence, wall or dense vegetation having a minimum height of 1.8 metres; (b) has an imperviously sealed pad, on which to stand the bin(s), and which is drained to an approved waste disposal	AO5.1 – Not applicable The development is not for a use within the accommodation activities group. AO5.2 - Complies A refuse container storage area is proposed within the rear of the building (meeting/kitchenette room), and will not be viewable from the front of the property. An appropriately designed storage area will be conditioned as per the recommendation.								

Performance outcomes	Acceptable outcomes	Assessment response
	<p>system;</p> <p>(c) is within proximity to a hose cock;</p> <p>(d) is large enough to accommodate at one (1) or more industrial bins of a size appropriate to the nature and scale of use; and</p> <p>(e) is not located within three (3) metres of the common property boundary where adjoining a lot within a residential category zone or township zone.</p>	
<p>PO6</p> <p>Personal safety and property security are optimised through the design of buildings and spaces incorporating the following:</p> <p>(a) means of easily identifying the premises;</p> <p>(b) appropriate night lighting;</p> <p>(c) suitably designed and located building entry and exit points;</p> <p>(d) opportunities for surveillance;</p> <p>(e) appropriate plant species for landscaping;</p> <p>(f) clear definition of boundaries between private and public spaces; and</p> <p>(g) any best practice for crime prevention through environmental design.</p>	<p>AO6.1</p> <p>The development contains:</p> <p>(a) appropriately designed and sited numbering which clearly identifies the street address and any individual tenancies or dwelling units at the premises; and</p> <p>(b) appropriately designed and sited signage for way finding and premises identification.</p> <p>AO6.2</p> <p>The development contains lighting that is designed and installed in any public places and community places in accordance with Australian Standard AS1158: Public Lighting Code.</p> <p>AO6.3</p> <p>Other than for controlled and well lit emergency exits, the development has clearly identifiable and well lit entry and exit points which:</p> <p>(a) front a road, public place, or communal place; or</p> <p>(b) are in clear unobstructed view of a road, public place, or communal place; or</p> <p>(c) front a well-defined, unobstructed and appropriately lit pathway which connects to a road, public place, or communal place.</p> <p>AO6.4</p> <p>Building entrances facing onto roads, public places or communal places:</p> <p>(a) do not incorporate recesses of sufficient size to conceal a person; or</p> <p>(b) where the recess is of sufficient size to conceal a person it:</p> <p>(i) is well lit; and</p> <p>(ii) is:</p> <p>(A) gated with restricted access; or</p> <p>(B) has strategically placed mirrors.</p>	<p>PO6 – Complies</p> <p>The proposal is located within an existing building. The design of the existing building allows for adequate personal safety and property security.</p>

Performance outcomes	Acceptable outcomes	Assessment response
	AO6.5 Any movement corridor (walkways, laneways, pathways, tunnels, stairways, cycleways and the like) within a site or between sites do not exceed two-hundred (200) metres in length.	
	AO6.6 Any movement corridor (walkways, laneways, pathways, tunnels, stairways, cycleways and the like) having blind corners involving a change in direction of seventy-five (75) degrees or more are provided with design elements that maximise the ability to sense the presence of danger around the corner such as one of or a combination of the following: (a) a mirror to allow viewing around the blind corner; or (b) use of permeable material for the building or structure at the blind corner; or (c) reduction of the height of the building or structure at the blind corner to a height allowing for an unobstructed view; or (d) inclusion of a barrier extending out from the blind corridor with the barrier being permeable or having a height allowing for an unobstructed view; or (e) use of night lighting fixed at locations which can cast shadow of persons or objects into view; or (f) other effective design elements.	
	AO6.7 For vehicle parking areas, the planting of vegetation involves species that have clear trunks up to a height of two (2) metres or that have low ground covers less than one (1) metre in height.	
	AO6.8 The development has clearly defined boundaries between private and public space by use of one or more of the following elements: (a) fencing; or (b) changes in surface finishes; or landscape treatments.	
Location, design, siting, operation		
PO7 The safety, efficiency, effectiveness and operation of the transport network servicing the site and surrounding area or any identified future components of the transport network, are not	AO7.1 Non-residential development, which commonly generates greater than ten (10) vehicle trips per day, does not have direct access to a road that is classified in the road hierarchy as a local residential access street or a	AO7.1 - Complies The property has direct access to Queen Street, a CBD Collector road. The safety, efficiency, effectiveness and operation of the transport network servicing the site and surrounding area will not be

Performance outcomes	Acceptable outcomes	Assessment response
compromised by the development.	residential access place. A07.2 A traffic impact assessment report is prepared by an engineer who qualifies as a registered professional engineer of Queensland and the traffic impact assessment report satisfies Council that the safety, efficiency, effectiveness and operation of components of the transport network servicing the site and surrounding area or any identified strategic future components of the transport network, are not compromised by the development.	compromised by the change of use, which is considered minor in scale.
PO8 Development that generates use by a high quantity of people or frequent use by people is located at a highly accessible premises: (a) which is convenient for people needing to use the premises; and (b) which: (i) contains public transport facilities, or (ii) is in proximity to current or future public transport facilities; or (iii) is in proximity to current or future high order transport routes; and (c) which provides for the efficient travel of emergency vehicles; and (d) which can minimise adverse impacts on local amenity.	No acceptable outcome is nominated.	PO8 - Complies The subject site is located on Queen Street, a highly accessible CBD Collector road.
PO9 Development that requires frequent use of heavy haulage vehicles, bulk freight of goods, or the transportation of dangerous or hazardous goods, liquids, materials and the like, is located at premises able to effectively utilise major transport facilities and routes, and other high order components of the transport network.	No acceptable outcome is nominated.	PO9 - Not applicable The development does not require frequent use of heavy haulage vehicles, bulk freight of goods, or the transportation of dangerous or hazardous goods, liquids, materials and the like.
PO10 Development occurs on sites that are safe from contaminants that may cause harm to people or property.	No acceptable outcome is nominated.	PO10 – Complies The subject site is safe from contaminants that may cause harm to people or property.
PO11 The development does not significantly adversely affect valued natural environment and	No acceptable outcome is nominated.	PO11 - Complies The development does not significantly adversely affect valued natural environment and landscape

Performance outcomes	Acceptable outcomes	Assessment response
landscape features of the site and surrounds including but not limited to the following: (a) large tracts of established native vegetation; or (b) inland and coastal waterways and wetlands; or (c) riparian vegetation; or (d) biodiversity corridors; or (e) visually prominent mainland and island mountains, hills, ridges, headlands, dunes, beaches; or (f) important urban green break areas; or (g) cultural heritage features.		features of the site and surrounds.

As evident from the above assessment, the proposal complies with the various requirements of the General development code.

PUBLIC NOTIFICATION

The proposal was the subject of public notification between 13 January 2020 and 5 February 2020, in accordance with the requirements of the *Development Assessment Rules 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*. Under the Resolution, an Office (approved under the Development Permit D-421-2010 for Offices) and Shop use incurs the same charge, that being “70.00 per m² of Gross floor Area (GFA) plus \$10.00 per impervious m² for stormwater”. Given this and that the development is not increasing the gross floor area or impervious area, the development is not subject to an Infrastructure Charge.

STATEMENT OF REASONS

The development application for a **Development Permit for a Material Change of Use for a Shop (Bookshop)** is approved as per this Decision Notice (approval) D-278-2019.

1. REASONS OF THE DECISION

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

- (i) The development does not comply with Strategic Outcomes 6 and 8 of the Settlement Pattern theme of the Strategic Framework. With regard to Strategic Outcome 6, the proposed Shop use is not within an industrial, centre or specific use place, as identified on the strategic framework maps SFM-01 to SFM-04. The Shop use being located in the Medium density residential zone, is considered an expansion of existing centres into adjoining residential zones, which should not occur within the life of the Planning Scheme.
- (ii) Despite the non-compliance, the Shop is sited within the Major Centre Commercial Transition Precinct within the Medium density residential zone, which is adjacent to Major centre zoned allotments. There is a mixture of different land uses (offering employment growth) in the vicinity and the locality is transitioning into uses that are not residential in nature.

The site currently has an approved office use. Development Application D-421-2010 for a Material Change of Use for Offices (Impact assessable) was approved with conditions on 4 July 2011. The proposal to formalise and existing bookshop in part of the existing building with a key relationship to the office activities support the proposal. The narrow definition of bookshop assists also in the fact that the proposal is not for all shop uses.

In addition, a Development Permit for a Material Change of Use for a Shop (personal grooming services) has been approved under the Development Permit D-111-2011 on the adjoining lot

to the south, Lot 3 on RP602470, which is currently zoned as Medium density residential and outside of the Major centre commercial transition precinct. Several other non-retail uses are also approved and established in existing buildings in the area bounded by Queen Street, Arthur Street, John Street and Morris Street. This includes lawyers, dentists and government agencies. Other professional services along Queen Street include a physiotherapist.

- (iii) The development does not comply with Specific Outcome 6 of the Urban Infill Places theme of the Strategic Framework as the Shop use is not a preferred use within the Medium density residential zone.
- (iv) Despite the non-compliance, the Shop is located within the Major Centre Commercial Transition Precinct and the development complies with the setback and built form provisions outlined in the Zone code. The site currently has an approved office use. Development Application D-421-2010 for a Material Change of Use for Offices (Impact assessable) was approved with conditions on 4 July 2011.
- (v) The development does not comply with Specific Outcome 7 of the Urban Infill Places theme of the Strategic Framework as a Shop is not a preferred non-residential activity use (small-scale offices, health care services and limited community activities) within the Major Centre Commercial Transition Precinct.
- (vi) Despite the non-compliance, the Shop use benefits disadvantaged persons of the community through training and upskilling, and occurs within an existing building. Therefore, the Shop can be somewhat justified as a community activity. The site currently has an approved office use. Development Application D-421-2010 for a Material Change of Use for Offices (Impact assessable) was approved with conditions on 4 July 2011.
- (vii) The development complies with all Overall Outcomes and Specific Outcomes within the Medium density residential zone, Development works code and General development code.
- (viii) The development does not compromise the achievement of the state interest – natural hazards, risk and resilience outlined in the State Planning Policy.
- (ix) 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 aspects of the assessment benchmarks.

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

- The common material for the development application;
- The assessment benchmarks identified in section 2 of this notice;
- The relevant matters identified in section 4 of this notice; and
- The matters prescribed by regulation identified in section 6 of this notice.

2. ASSESSMENT BENCHMARKS

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Strategic Framework – <ul style="list-style-type: none"> ▪ Settlement pattern theme (Urban Infill Places) ▪ Community identity and diversity theme ▪ Natural resources and economic development theme Medium density residential zone code Development works code General development code	<i>Livingstone Planning Scheme 2018</i> , Version 2, in effect 25 June 2018
Part E: State interest policies and assessment benchmarks (Planning for natural hazards, risk and resilience)	<i>State Planning Policy, July 2017</i>

3. COMPLIANCE WITH BENCHMARKS

The development meets the overall outcomes for the Medium density residential zone, Development works code and General development codes, despite not complying with a number of Specific Outcomes of the Strategic Framework, as follows:

Benchmark reference	Reasons for the approval despite non-compliance with benchmark
Strategic Framework Settlement Pattern Theme – Strategic Outcomes 6 and 13	As per the reasons set out in the findings on material questions of fact in section 1 of this notice.
Strategic Framework Settlement Pattern Theme – Urban Infill Places – Specific Outcomes, 6 and 7	As per the reasons set out in the findings on material questions of fact in section 1 of this notice.

4. RELEVANT MATTERS

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

Other relevant matters pursuant to section 45 (5) (b) that the assessment was carried out against	Benchmark reference
Any development approval for, and any lawful use of, the premises or adjacent premises.	The relevant 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.
Submissions provided on the application	No submissions were received for this application.
The Local Government Infrastructure Plan	In respect of trunk infrastructure provisions and charging for development.

5. MATTERS RAISED IN SUBMISSIONS

There were no submissions received for this application.

6. MATTERS PRESCRIBED BY REGULATION

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

- (i) The State Planning Policy – Part E;
- (ii) The Strategic Framework – Settlement Pattern Theme (Urban Infill Places), Community Identity and Diversity Theme, and Natural Resources and Economic Development Theme, Medium density residential zone code, General development code and Development works code in the *Livingstone Planning Scheme 2018*;
- (iii) The land, the subject of the application, is improved by Offices (Development Permits D-421-2010 and D-391-2011);
- (iv) The Development Permit for a Material Change of Use for a Shop (personal grooming services) on adjoining Lot 3 on RP602470, at 71 John Street, Yeppoon, in terms of commensurate and consistent development; and

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

PREVIOUS DECISIONS

The site currently has an approved office use. Development Application D-421-2010 for a Material Change of Use for Offices (Impact assessable) was approved with conditions on 4 July 2011.

It is also noted that Council has previously approved a development application for a Shop on the adjoining lot, Lot 3 on RP602470, to the south of the subject site. The decision is as follows;

- Development Permit D-111-2011 for a Material Change of Use for a Shop (personal grooming services)

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

BUDGET IMPLICATIONS

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

LEGISLATIVE CONTEXT

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

LEGAL IMPLICATIONS

The legal implications of deciding this development application favorably or unfavorably is the risk of appeal from the developer (should Council refuse the development application). These potential legal implications also bring unknown budget implications.

STAFFING IMPLICATIONS

No staffing implications have been identified in the assessment.

RISK ASSESSMENT

The risks associated with this assessment have been appropriately addressed in the body of this report. Specifically, the risk of appeal to any decision made by Council and any financial/budget implications such action may have. It should be noted that these risks are difficult to quantify at the assessment stage.

CORPORATE/OPERATIONAL PLAN

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

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

The proposed development is for a Shop (Bookshop), identified as the Yellow Door Bookshop. Despite a number of non-compliances against the Strategic Framework, the

subject Shop (Bookshop) is considered ancillary to the approved office use in the premises under the Development Application, D-421-2010.

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

In response to the above, the assessment of this application concludes that the proposed development, subject to conditions, is not likely to conflict with Council's Strategic Outcomes. Furthermore, there are considered to be circumstances that favour Council exercising its discretion to approve the application in this instance, even though the application is not consistent with some Strategic/Specific Outcomes, however is still able to satisfy the Medium density residential zone, General development code and Development works code under the *Livingstone Planning Scheme 2018*, as detailed above in the assessment.

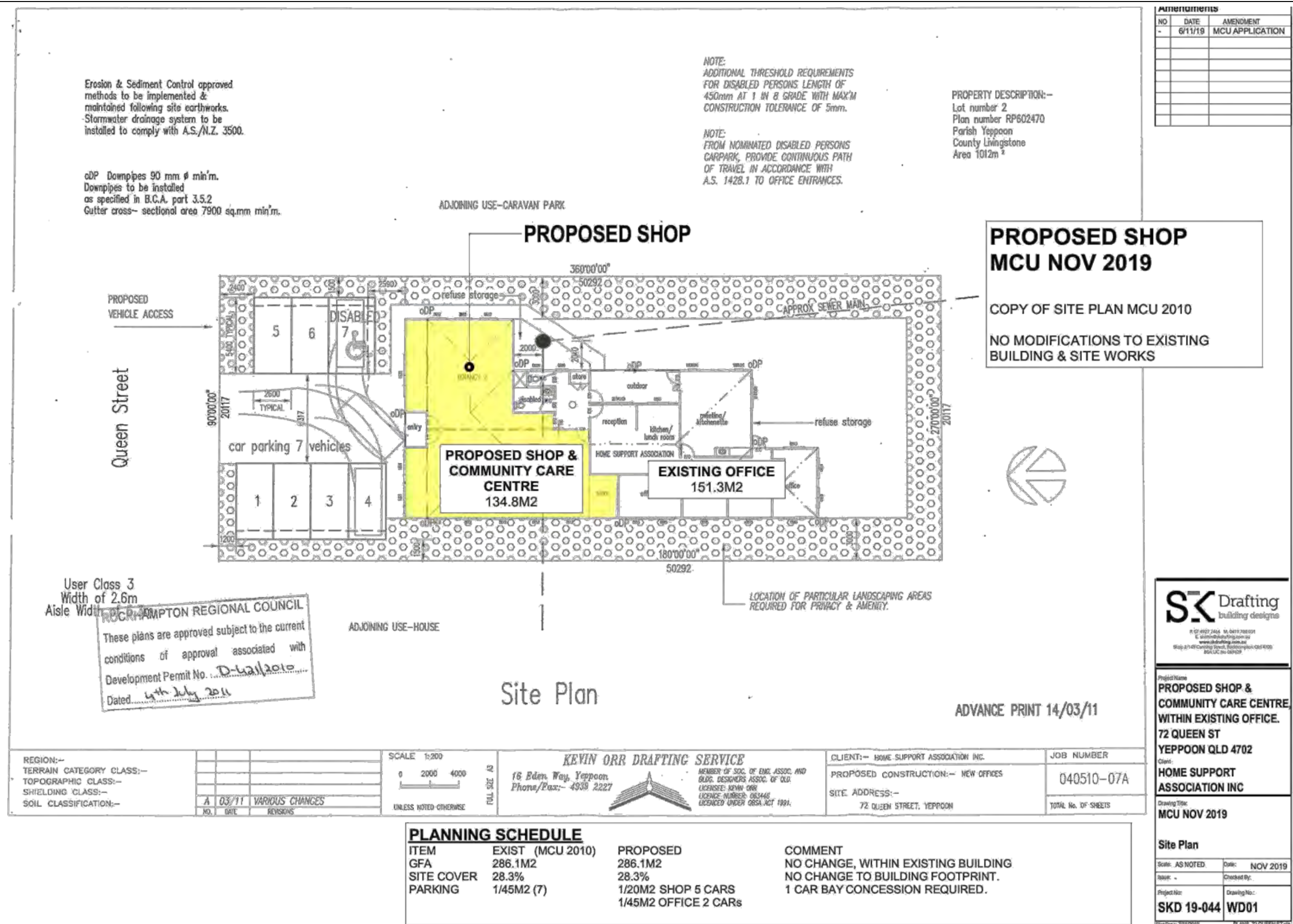
Having regard to all of the above, it is recommended Council, from a land use perspective, consider the proposed development favourably as, pursuant to Section 60(2)(b) of the *Planning Act 2016*. Therefore, the proposal is supported, subject to reasonable and relevant conditions.

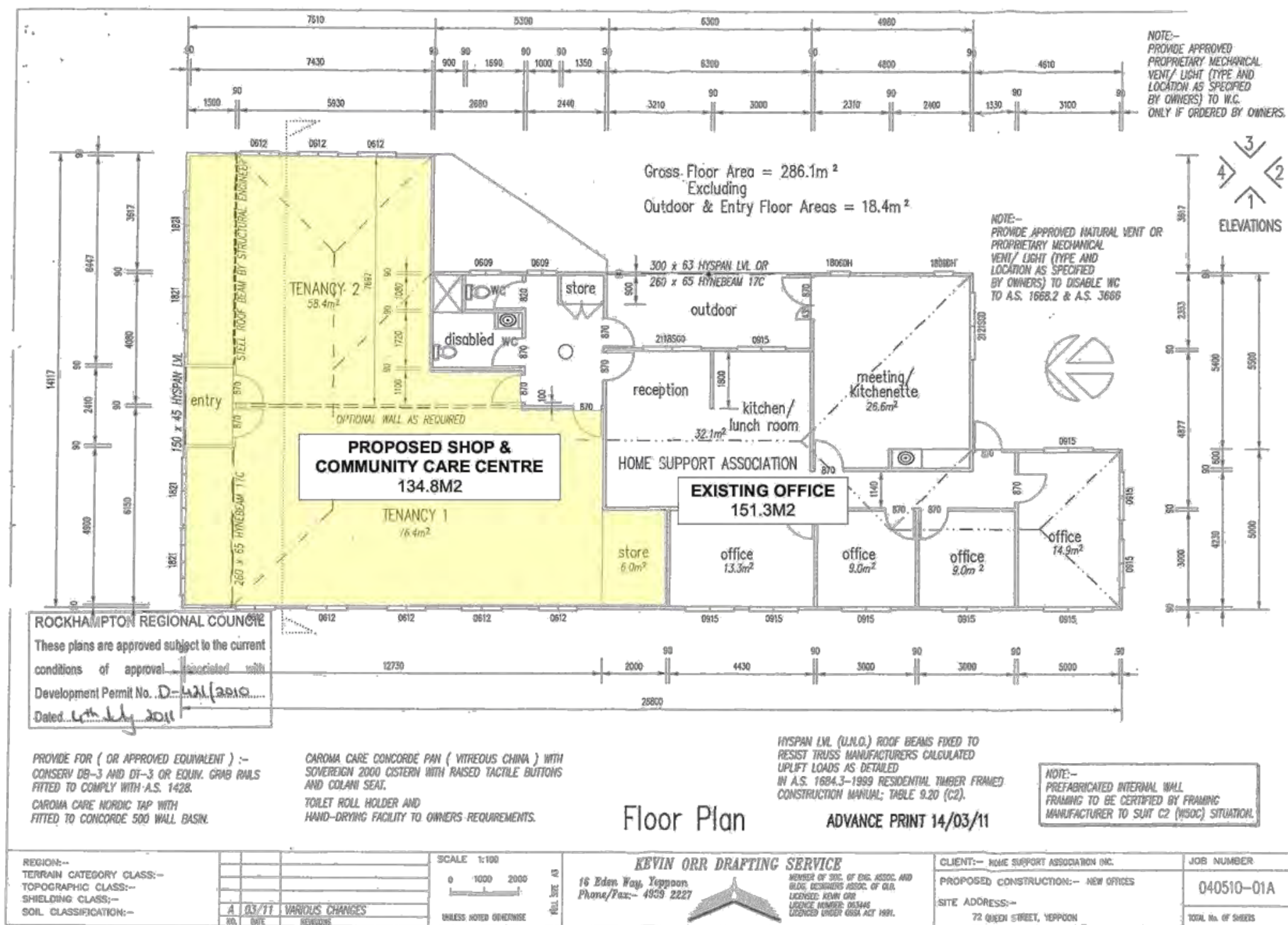
**12.1 - DEVELOPMENT APPLICATION
D-278-2019 FOR A MATERIAL CHANGE
OF USE FOR A SHOP (BOOKSHOP) AT
72 QUEEN STREET, YEPPPOON**

Plans

Meeting Date: 17 March 2020

Attachment No: 1





PROPOSED SHOP MCU NOV 2019

COPY OF FLOOR PLAN MCU 2010

NO MODIFICATIONS TO EXISTING
BUILDING

SK Drafting
building designs

R 07 4937 7446 M 0619 708001
E 0619 708001
www.skdrafting.com.au
Shop 2/149 Centing Street, Rockhampton QLD 4700
BSA LIC No 000029

Project Name
**PROPOSED SHOP &
COMMUNITY CARE CENTRE
WITHIN EXISTING OFFICE.
72 QUEEN ST
YEPPOON QLD 4702**

Client:
**HOME SUPPORT
ASSOCIATION INC**

Drawing Title:
MCU NOV 2019

PROPOSED PLAN

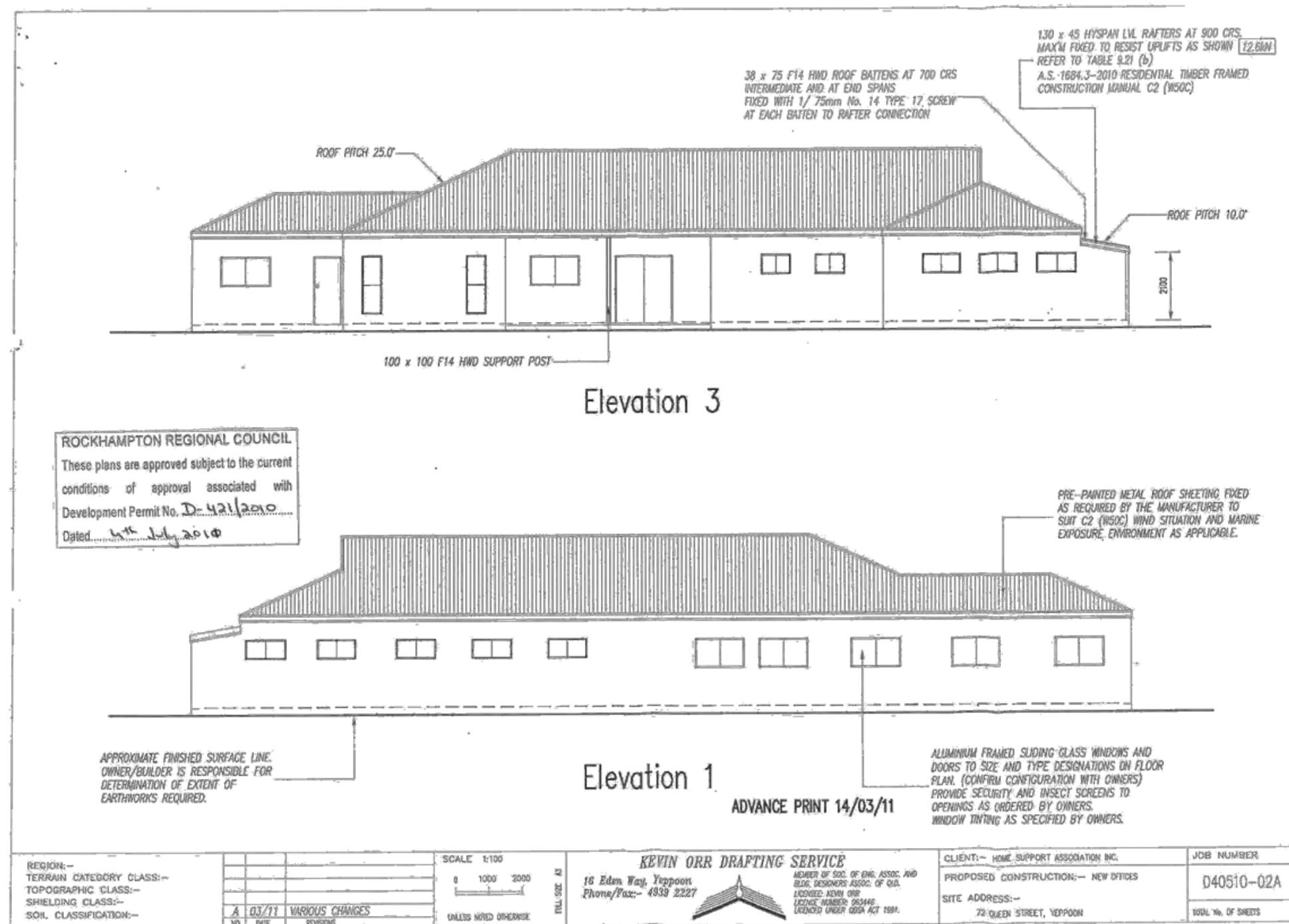
Scale: AS NOTED Date: NOV 2019

Issue: - Checked By:

Project No: Drawing No:

SKD 19-044 WD02

Plot Date: 27/11/2019 PLAN: 72 QUEEN ST.dgn



PROPOSED SHOP MCU NOV 2019

COPY OF ELEVATIONS MCU 2010

NO MODIFICATIONS TO EXISTING
BUILDING

Amendments		
NO	DATE	AMENDMENT
-	6/11/19	MCU APPLICATION

SK Drafting
building designs
R 07 4927 7446 M 0479 708101
E 0479 708101
www.skdrafting.com.au
Shop 2/149 Centring Street, Rockhampton QLD 4702
BRL/UC No 000029

Project Name
**PROPOSED SHOP &
COMMUNITY CARE CENTRE
WITHIN EXISTING OFFICE.
72 QUEEN ST
YEPPOON QLD 4702**
Client:
**HOME SUPPORT
ASSOCIATION INC**

Drawing Title:
MCU NOV 2019

ELEVATIONS 1/2

Scale: AS NOTED Date: NOV 2019

Drawn: - Checked By:

Project No: **SKD 19-044** Drawing No.: **WD03**

Plot Date: 27/11/2019 Plot Name: 72 QUEEN ST.dgn

ROCKHAMPTON REGIONAL COUNCIL
These plans are approved subject to the current conditions of approval associated with Development Permit No. D-421/2019
Dated 14 July 2019

AIR CONDITIONING UNITS SUPPLIED BY OWNERS, BUILDER TO CONFIRM OPENINGS FOR A.C. UNITS WITH OWNERS.

ROOF PITCH 25.0°

SELECTED CLADDING TO GABLE FACE TO OWNERS REQUIREMENTS

PRE-PAINTED METAL FASCIA'S AND CUTTERS (COLOUR TO OWNERS REQUIREMENTS) WITH DOWNPIPES DISCHARGING TO EITHER ROADSIDE KERBS, STORAGE TANKS OR TO UNDERGROUND DRAINAGE LINES AS DIRECTED. DO NOT DISCHARGE ROOF WATER WHERE IT MAY FLOW ONTO ADJACENT PROPERTY.

Elevation 4

ROOF OVERHANG NIL ALL ROUND AS SHOWN ON FLOOR PLAN

APPROXIMATE FINISHED SURFACE LINE. OWNER/BUILDER IS RESPONSIBLE FOR DETERMINATION OF EXTENT OF EARTHWORKS REQUIRED.

Elevation 2

ADVANCE PRINT 14/03/11

REGION:-		SCALE 1:100	KEVIN ORR DRAFTING SERVICE MEMBER OF SOC. OF ENG. ASSOC. AND BLDG. DESIGNERS ASSOC. OF QLD. LICENSED KEVIN ORR LICENSE NUMBER: 163448 LICENSED TRADER BSA ACT 1991.	CLIENT:- HOME SUPPORT ASSOCIATION INC.	JOB NUMBER
TERRAIN CATEGORY CLASS:-		0 1000 2000		PROPOSED CONSTRUCTION:- NEW OFFICES	040510-03A
TOPOGRAPHIC CLASS:-		UNLESS NOTED OTHERWISE		SITE ADDRESS:-	TOTAL No. OF SHEETS
SHIELDING CLASS:-				72 QUEEN STREET, YEPPOON	
SOIL CLASSIFICATION:-					

PROPOSED SHOP MCU NOV 2019

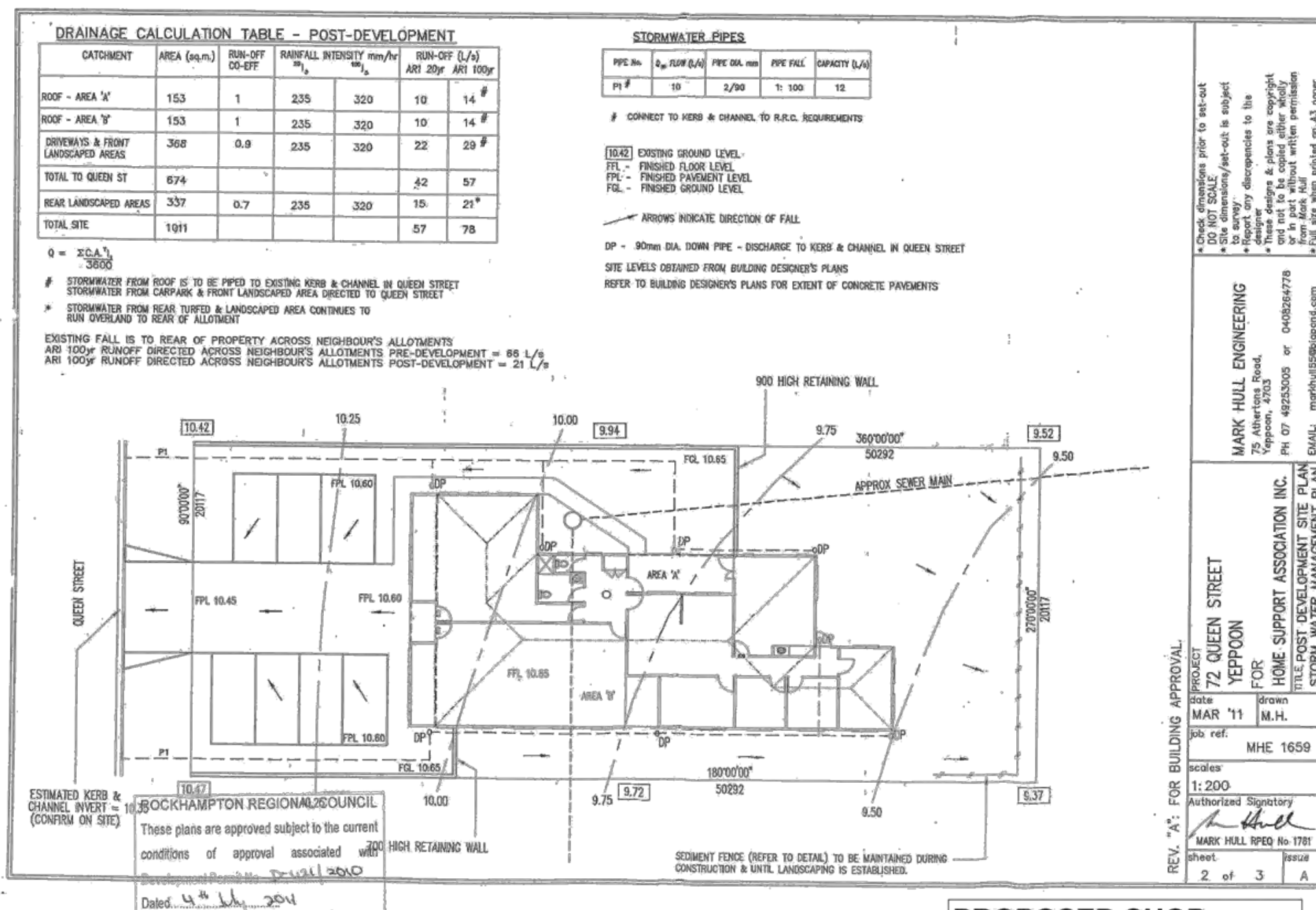
COPY OF ELEVATIONS MCU 2010

NO MODIFICATIONS TO EXISTING
BUILDING

Amendments		
NO	DATE	AMENDMENT
-	6/11/19	MCU APPLICATION

SK Drafting
building designs
R 07 4927 7466 M 0479 708 001
E 0479 708 001
www.skdrafting.com.au
Shop 2/149 Centring Street, Rockhampton QLD 4702
BSA LIC No 509029

Project Name	
PROPOSED SHOP & COMMUNITY CARE CENTRE WITHIN EXISTING OFFICE.	
72 QUEEN ST YEPPOON QLD 4702	
Client:	
HOME SUPPORT ASSOCIATION INC	
Drawing Title:	
MCU NOV 2019	
ELEVATIONS 2/2	
Scale: AS NOTED	Date: NOV 2019
Drawn: -	Checked By: -
Project No:	Drawing No:
SKD 19-044	WD04
Plot Date: 27/11/2019	Filename: 72 QUEEN ST.dgn



Amendments		
NO	DATE	AMENDMENT
-	6/11/19	MCU APPLICATION

SK Drafting building designs R 07 4927 7446 M 0419 708001 E 0408264778 www.skdrafting.com.au Shop 2/141 Centex Street, Rockhampton QLD 4702 BSA LIC No. 509029	
Project Name:	PROPOSED SHOP & COMMUNITY CARE CENTRE WITHIN EXISTING OFFICE.
Client:	HOME SUPPORT ASSOCIATION INC
Drawing Title:	MCU NOV 2019
Scale:	AS NOTED
Date:	NOV 2019
Issue:	-
Checked By:	-
Project No:	MHE 1659
Drawing No:	WD05
Per Date:	27/11/2019
Per Name:	PLAN 72 QUEEN ST.dwg

12.2 REQUEST FOR A FEE REDUCTION FOR A DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A TRANSPORT DEPOT AT 85A VENTURE ROAD, CAWARRAL

File No: D-37-2020

Attachments: 1. Site Area Plan [↓](#)

Responsible Officer: Melissa Warwick - Principal Strategic Planner
David Battese - Manager Liveability
David Mazzaferri - Acting Executive Director - Liveability & Wellbeing

Author: Tammy Wardrop - Principal Planning Officer

SUMMARY

This report discusses a request for fee reduction for a development application for a Development Permit for a Material Change of Use for a Transport depot at 85A Venture Road, Cawarral.

OFFICER'S RECOMMENDATION

THAT Council resolve to accept an application fee of \$38,260.00 for a development application for a Development Permit for a Material Change of Use for a Transport depot over land at 85A Venture Road, Cawarral, described as Lot 25 on SP251105.

BACKGROUND

Council commenced compliance investigations over the site in September 2018 following information received that suggested vegetation on the site had been cleared and the site was being used as a transport depot for mining equipment. A drive by inspection was undertaken by officers in December 2018 confirming a number of trucks and machinery on the site. Council made contact with the property owner and commenced compliance action.

A meeting was held with Comiskey Mining Services Compliance Manager, Aaron Brown and Council officers on 29 May 2019 and subsequent advice to the applicant indicated a Development Permit for a Material Change of Use was required based on the current operations.

The applicant engaged Gideon Town Planning as consultants and a pre-lodgement meeting was held 21 August 2019. A Show Cause Notice was issued 19 December 2019 following ongoing contact with the applicant's consultant, requesting a development application to be lodged with Council. The development application was received by Council 14 February 2020.

COMMENTARY

A development application for a Development Permit for a Material Change of Use for a Transport depot has been made over Lot 25 on SP251105, located at 85A Venture Road, Cawarral. The development is proposed over an area of 4.08943 hectares inclusive of the internal access driveway.

The fee in accordance with the Livingstone Shire Council Fees and Charges 2019/20 is a 'per application' fee plus a 'per 100 square metres site area or part thereof' charge. The calculated fee for the development application totals \$76,520.00 which includes a base fee of \$1,673.00 plus \$183.00 per 100 square metres site area or part thereof based on the site area of 4.08943 hectares.

The applicant purports that the site area has little impact on the assessment of the development application itself and suggests a more reasonable fee to be \$25,506.66 which equates to one third of the calculated application fee.

Previous fee reductions applied

Council has considered and applied fee reductions over the past year on the following development applications:

- D-33-2019 for a Material Change of Use for an Extractive industry (Marlborough Road, Marlborough) – the fee was reduced from \$48,530.00 to \$20,000.00.
- D-276-2019 for Reconfiguring a Lot (three lots into seventy-two lots) (School Road/Coughlan Street, Yeppoon) – the fee was reduced from \$39,113.00 to \$18,805.00.
- D-22-2018 for Reconfiguring a Lot (one lot into thirty-four lots and two balance lots) – change to development application which resulted in additional lots – the fee was reduced from \$13,520.00 to \$6,760.00.
- D-63-2015 for a Change Application for Reconfiguring a Lot (one lot into thirty-five lots) (Tanby Road, Taroomball) – the fee was reduced from \$43,680.00 to \$4,761.00.

Council considered and denied fee reductions over the past year on the following development applications:

- D-174-2015 for a Change Application for a Development Permit for a Material Change of Use for an Extractive industry (Etna Creek Road, Etna Creek)
- D-23-2018 for a Change Application for a Development Permit for Reconfiguring a Lot (six lots into fifty-one lots) (Kinka Beach)
- D-245-2007 for a Change Application for a Development Permit for a Preliminary Approval to Override the Planning Scheme - Material Change of Use - Comprehensive Development and Preliminary Approval - Reconfiguration of a Lot (195 Lots)

Given the substantial compliance investigation undertaken by Planning, Building, Plumbing and Compliance Officers prior to lodgement of the development application, Officers believe a more reasonable fee reduction to be fifty (50) percent of the calculated application fee, equating to \$38,260.00.

PREVIOUS DECISIONS

There are no previous decisions specifically relevant to this request however it is noted that Council has resolved to reduce application fees for other various developments including those listed above.

BUDGET IMPLICATIONS

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

However, in relation to this proposed application, officers consider that the fee of \$38,260.00 is adequate to cover the cost of the development assessment.

LEGISLATIVE CONTEXT

The development application has been made pursuant to the *Planning Act 2016*.

LEGAL IMPLICATIONS

Legal implications are not applicable to the determination of a fee reduction.

STAFFING IMPLICATIONS

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

RISK ASSESSMENT

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

CORPORATE/OPERATIONAL PLAN

The Corporate Plan Reference for this matter is Strategy GO4: Provide transparent and accountable decision making reflecting positive leadership to the community.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

The development application is impact assessable and may be supported where the application can demonstrate how it can be considered a preferred use within the Rural Zone in accordance with the statements included in the Purpose and Overall outcomes of the Planning Scheme. This will include assessment against the Strategic Framework. Therefore, it is recommended to apply a fee reduction of fifty (50) percent and reduce the application fee to \$38,260.00. This will afford sufficient officer time (combined over various units) to process, assess and decide the application.

Officers consider that the fee of \$38,260.00 is adequate to cover the cost of the development assessment and will not result in Council being left exposed to financial liability and subsequently recommend the fee for the application.

**12.2 - REQUEST FOR A FEE
REDUCTION FOR A DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A TRANSPORT
DEPOT AT 85A VENTURE ROAD,
CAWARRAL**

Site Area Plan

Meeting Date: 17 March 2020

Attachment No: 1



CONCEPT ONLY

AREA SCHEDULE



PROPOSED SITE LOCATION AREA: 40894.3 m²

NOTE:
ALL BOUNDARIES AND
DIMENSIONS ARE
APPROXIMATES

AS BUILT

Drawing title:
LOCATION PLAN

SK-002

26
SP251105



project: **DEPOT**
location: CAWARRAL, OLD 4702
client: -

REVISIONS

REV	DESCRIPTION	DATE
1	PRELIMINARY	31/10/2019
2	PRELIMINARY	8/11/2019
3	PRELIMINARY	19/12/2019
4	PRELIMINARY	14/02/2020

PRELIMINARY SKETCH PLANS:
If the drawings are labelled and issued 'preliminary', below, they are not suitable for Building Application, tender or construction purposes.
The intent of preliminary sketch plans are only for presenting the concept for the specific project to the client as requested in the title sheet.

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design + architecture
044 966 2924
design@designarchitecture.com.au

ISSUED FOR
PRELIMINARY

scale	date	rev
As indicated	FEB 20	5

**12.3 PROPOSED MOTION TO THE 2020 NATIONAL GENERAL ASSEMBLY
(AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION)**

File No: GV13.3.1

Attachments: 1. Letter from the Australian Local Government Association [↓](#)

Responsible Officer: Brett Bacon - Acting Chief Executive Officer

Author: Andrea Ellis - Chief Financial Officer

SUMMARY

The Australian Local Government Association is now calling for Notices of Motions for National General Assembly 2020.

This reports puts forward a proposed motion for the National General Assembly which is centred on the Australian Defence Force contributing to general rates revenue from acquired parcels that were previously rateable properties.

RECOMMENDATION

THAT Council resolve to put forward the following motion to the 2020 National General Assembly:

That the Department of Defence be required to pay rates to the relevant Local Government authority on land owned by the department that was previously privately owned to reduce the financial pressure on the balance of the rateable properties within local government areas.

BACKGROUND

The National General Assembly of Local Government is held annually and provides a platform for Local Government to address national issues and advocate to the federal government on critical issues facing local government.

The National General Assembly of Local Government for 2020 is being held from 14 to 17 June and the Australian Local Government Association is now calling for Notices of Motion. The theme for the 2020 National General Assembly of Local Government is '*Working Together for our Communities*' acknowledging the need to come together with other partners, including the Federal Government, to deliver for communities. The criteria for motions to be eligible for inclusion is listed below. Motions must be submitted by no later than 11.59pm on 27 March 2020.

To be eligible for inclusion in the National General Assembly Business Papers, and subsequent debate on the floor of the National General Assembly, motions must meet the following criteria:

- 1) be relevant to the work of Local Government Nationally;
- 2) not be focussed on a specific location or region – unless the project has national implications. Council will be asked to justify why the motion has strategic importance and should be discussed at a national conference;
- 3) be consistent with the themes of the National General Assembly;
- 4) complement or build on the policy objectives of your state and territory local government association;
- 5) be submitted by a council which is a financial member of their state or territory local government association;
- 6) propose a clear action and outcome (id est, call on the Australian Government to do something); and

- 7) not be advanced on behalf of external third parties that may seek to use the National General Assembly to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

COMMENTARY

The proposed recommendation draws upon the submission made by Council to the Senate Inquiry impact of Defence training activities and facilitates on rural and regional community. The motion is to be submitted in the following format:

Motion (*max 150 words*)

That National General Assembly calls on the Federal Governments to require the Department of Defence to pay applicable rates and charges to the relevant Local Government Council on land owned by the department that was previously privately owned to reduce the financial pressure on the balance of the rateable properties within local government areas.

National Objective (*Why is this a national issue and why should this be debated at the National General Assembly – max 200 words*)

Local Governments recognise the opportunities from military training exercises and established bases, however there is a need to ensure the social, economic and infrastructure impacts on communities are understood. Public facilities and infrastructure need to be upgraded to a standard that can cope with the current, as well as the future increased military activity while also protecting and benefiting the community. The existing and future financial pressure on local government areas by the lack of rates revenue from acquired properties must be accounted for and offset both financially and through the long-term investment in the host council are to benefit the local economy and community.

Summary of Key Arguments (*Background information and supporting arguments – max 300 words*)

It is estimated that in its current form the Defence force exercises inject in excess of \$10,000,000 into the regional economy every year, of which the Livingstone Shire council community, only benefits marginally. Council has not received rates revenue on up to 23.7 per cent of the Shire's land mass occupied by the Shoalwater Bay Military Training Area for the last fifty-five (55) years, since the base was established in 1965. This equates to an estimated loss of rates revenue for the training area to Council and the Capricorn Coast region community of approximately \$32,000,000, which could be up to \$50,000,000 taking into consideration the potential lost opportunity costs and investment in the region. The Shoalwater Bay Military Training Area Expansion project has already resulted in an estimated \$878,000 in lost rates and charges due to Australian Defence Force property acquisitions and now occupies 33.1 per cent of the Shire's land mass. It is estimated that the full annual impact will exceed \$1,000,000 which equal a three to four per cent rate increase on the balance of properties, in addition to forecast rate increases.

Combined investment and contributions to Council and the local community could assist in offsetting losses as well as encouraging growth within local industry in order to support the Shoalwater Bay Military Training Area expansion.

PREVIOUS DECISIONS

There are no previous decisions in relation to the 2020 call for notice of motions. Council has successfully made submissions to the Senate Inquiry impact of Defence training activities and facilitates on rural and regional community

BUDGET IMPLICATIONS

There are no budget implications associated with the consideration of this matter.

LEGISLATIVE CONTEXT

There is no legislative context associated with the consideration of this matter.

LEGAL IMPLICATIONS

There are no legal implications associated with the consideration of this matter.

STAFFING IMPLICATIONS

There are no staffing implications associated with the consideration of this matter.

RISK ASSESSMENT

No are no know risks associated with the consideration of this matter.

CORPORATE/OPERATIONAL PLAN

Strategy GO4 of Council's Corporate Plan states: '*Provide transparent and accountable decision making reflecting positive leadership to the community.*'

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

The proposed recommendation draws upon the submission made by Council to the Senate Inquiry impact of Defence training activities and facilitates on rural and regional community for consideration at the National General Assembly in 2020.

12.3 - PROPOSED MOTION TO THE 2020 NATIONAL GENERAL ASSEMBLY (AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION)

Letter from the Australian Local Government Association

Meeting Date: 17 March 2020

Attachment No: 1



File No:	GR144-1
Doc No:	9163504
11 DEC 2019	
Action Officer:	CEO TASKING MAYOR PA
Retention:	Yrs Box

4 December 2019

Livingstone Shire Council
PO Box 2292
YEPPOON QLD 4703

Dear Mayor, Councillors and CEO (please distribute accordingly)

The Australian Local Government Association (ALGA) is now calling for Notices of Motions for National General Assembly 2020 (NGA).

The NGA provides a platform for Local Government to address national issues and advocate to the federal government on critical issues facing our sector.

The theme for the 2020 NGA is *'Working Together for our Communities'*. This theme acknowledges the need to come together and with other partners, including the Federal Government, to deliver for our communities.

ALGA received significant feedback on the motions process and topics from the 2018 and 2019 NGA. In response to the feedback received, ALGA has prepared a discussion paper that explores data that identifies critical areas local government needs to consider now and into the future.

To inform the submission of motions, please read the discussion paper (included with this letter) and ensure motions meet the identified criteria.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;
2. be consistent with the themes of the NGA;
3. complement or build on the policy objectives of your state and territory local government association;
4. be from a council which is a financial member of their state or territory local government association;
5. propose a clear action and outcome; and
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be lodged online at alga.asn.au no later than 11:59pm on Friday 27 March 2020.

Any administrative inquiries can be directed to ALGA by calling 02 6122 9400.

A handwritten signature in black ink, appearing to read "Adrian Beresford-Wylie".

Adrian Beresford-Wylie
ALGA CEO

12.4 OPERATIONAL PLAN 2019-2020 Q2 PROGRESS REPORT**File No:** CM4.6.2**Attachments:** 1. **Operational Plan Performance Report December 2019** [↓](#)**Responsible Officer:** Rodney Chapman - Coordinator Governance
Andrea Ellis - Chief Financial Officer**Author:** Tanya Callaghan - Support Services Officer**SUMMARY**

The 2019-2020 Operational Plan progress report for Quarter 2 as at 31 December 2019 is presented, pursuant to Section 174(3) of the Local Government Regulation 2012.

OFFICER'S RECOMMENDATION

THAT Council notes the 2019-2020 Operational Plan Performance Report December 2019.

BACKGROUND

The *Local Government Act 2009* requires Council to adopt an operational plan each year. The Operational Plan 2019-20 forms an important part of Council's strategic planning process and sets out the work Council plans to deliver towards achievement of the Corporate Plan 2014-2020.

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

The 2019-20 Operational Plan provides the detail of the key programs and identified outcomes to be achieved against the Corporate Plan for the 2019-20 financial year.

COMMENTARY

The Operational Plan Performance Report December 2019 defines 102 significant activities that Council plans to undertake during the year. Table 1 details the status of planned activities for the quarter ending 31 December 2019.

The attached Operational Plan Quarter Performance Report December 2019 provides a status update and comment summarizing overall progress for each of the 102 significant activities in quarter two. Operational KPI's are tracked and reported cumulatively on progression of work result (%) during each quarter towards respective annual targets.

Of the 102 significant activities, 80 are either complete or on track, 18 require monitoring but still expected to be delivered, and four (4) require directed attention.

The four (4) that require further attention are:

- AM 1.5: Asset audit and creation of asset management plan for all ICT assets
- AM3.3: Water recycling system augmentation
- GO2.1: Environmental Health Policy and Delegations Review.
- GO3.5: Project governance framework is embedded across the organisation.

Table 1

Status	Assets	Environment	Economy	Community	Governance
Complete	0	0	0	0	2
On Track	15	13	3	11	36
Emergent	4	1	3	2	8
Needs Attention	2	0	0	0	2
On Hold	0	0	0	0	0

PREVIOUS DECISIONS

The 2019-20 Operational Plan was adopted by Council on 11 July 2019.

BUDGET IMPLICATIONS

The Operational Plan 2019-20 is funded from the 2019-20 Annual Budget.

LEGISLATIVE CONTEXT

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

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

(3) The Chief Executive Officer must present a written assessment of the Local Government's progress towards implementing the Annual Operational Plan at the meetings of the Local government held at regular intervals of not more than 3 months.

LEGAL IMPLICATIONS

There are no legal implications associated with this matter.

STAFFING IMPLICATIONS

Activities listed in the Operational Plan 2019-20 are managed by the responsible Council areas. The status and comments for each activity in the attached report are provided by the relevant area. Although the delivery of the plan itself is dependent on staff resources and some significant activities relate to people issues, there are no direct impacts on staff resulting from this report.

RISK ASSESSMENT

The risk of not delivering against Council's Operational Plan is that Council does not achieve the commitments set out in the longer term corporate plans. Each significant activity has associated risks which are managed by the relevant area.

The current Operational Plan, and Corporate Plan presently do not align with the Community Plan. There are several projects in progress to facilitate the alignment and consistency of all key planning documents as part of the 2020-21 budget process.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy GO2: Develop strategic plans and policies to address local and regional issues and guide service provision.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

Quarterly reporting against the 2019-20 Operational Plan is a statutory requirement and informs Council and the community on the performance of Council against yearly programs and activities in line with the Corporate Plan 2014-20.

12.4 - OPERATIONAL PLAN 2019-2020 Q2 PROGRESS REPORT

Operational Plan Performance Report December 2019

Meeting Date: 17 March 2020

Attachment No: 1

Assets Goal: Reliable, durable, cost effective infrastructure and Council assets which meet the needs and aspirations of the communities of Livingstone Shire.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
AM1 Develop an innovative and integrated framework for long term, cost effective asset management.							
AM1.1: Annual review of Asset Management Plans.	I	100% reviewed (Roads, Water and Sewer, Fleet and Buildings) and updated as required.	20%	Review of Roads commenced and scheduled for completion in the next quarter	30%	Roads modelling under review, footpath modelling completed, Stormwater modelling under development. Roads AMP draft expected February 2020. Water and Sewer AMP's awaiting completion of Valuation, Buildings and Fleet review yet to commence. AMP progress discussed at January AM Steering Committee meeting.	On Track
AM1.2: Development of operational works program for roads and drainage infrastructure.	I	100% completed and entered in to budget.	25%	Grading program currently in use. Long term resurfacing program being developed	50%	Grading program currently in use. Long term resurfacing program has been developed and usage commenced.	On Track
AM1.3: Regularly inspect roads and drainage infrastructure and prioritise maintenance works.	I	100% as per adopted inspection frequency.	25%	Inspection program on track	50%	Inspection program on track.	On Track
AM1.4: Organisational Asset Management.	ORG	Asset management strategy implemented.	20%	Scope of works for preparation of a Strategic Asset Management Plan developed, advertised and consultant appointed.	40%	Initial meetings held with the consultant, SAMP Framework provided and workshop to be scheduled for SAMP discussion in February 2020. Framework structure has been presented to AM Steering Committee for feedback.	Emergency
AM1.5: Asset Audit and Creation of Asset Management Plan for all ICT Assets.	ICT	100% complete by 30 June 2020.	20%	Mobile assets nearing completion, work continuing	0%	Resources will be redirected to ensure timely completion of project	Needs Attention
AM2 Identify infrastructure and assets requirements through community consultation and technical expertise.							
AM2.1: Capital Projects 2019/20 to 2020/21 relevant to Construction and Maintenance Unit are identified and submitted for inclusion in Corporate project register.	I	100% complete prior to budget adoption.	20%	Projects forwarded to PMO as identified. 2020/21 Projects reviewed and project documentation commenced.	50%	Projects forwarded to PMO as identified. 2020/21 Projects reviewed and required project documentation completed. Preliminary 2020/21 program available.	On Track
AM2.2: Inspect assets 'to be contributed' at hold points identified in development Decision Notice.	I	100% of inspections complete	20%	On target to meet KPI for the year	50%	On target to meet KPI for the year.	On Track
AM2.3: Development of Strategic Asset Management Plan for LSC.	I	100% complete by 30 June 2020.	20%	Scope of works developed, advertised and consultant appointed.	40%	Initial meetings held with the consultant, SAMP Framework provided and workshop to be scheduled for SAMP discussion in February 2020. Framework structure has been presented to AM Steering Committee for feedback.	Emergency
AM3 Design and implement practical infrastructure solutions.							
AM3.1: Engineering Designs completed for projects in the Forward Works Program.	I	10 completed and construction ready per annum.	20%	10 projects currently in various stages of completion.	50%	13 projects currently in various stages of completion.	On Track
AM3.2: Yepoon Sewage Treatment Plant upgrade.	I	100% complete by 30 June 2020.	95%	Practical Completion awarded 12 August 2019 3 month testing program currently underway On track for completion by December 2019	99%	Practical Completion awarded 12 August 19 3 month testing program completed successfully in December 19 Outstanding defects currently being addressed by Dawner - to be completed by end January 2020	On Track

Assets Goal: Reliable, durable, cost effective infrastructure and Council assets which meet the needs and aspirations of the communities of Livingstone Shire.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
AM3.3: Water Recycling System Augmentation.	I	100% complete by 30 June 2020. (NOTE: Completion date in funding agreement is November 2020, not June 2020)	5%	Currently finalising design for tender of pipelines, pumps & reservoir Project to be completed by November 2020 in accordance with funding agreement, not June 2020	10%	Pipeline design completed ready for issue for construction tender Reservoir PPR and specifications prepared ready for issue for D&C tender Project to be completed by end 2020 in accordance with funding agreement.	Needs Attention
AM4 Operate, maintain and use Council assets to deliver efficient and cost effective service to the community.							
AM4.1: Plant Replacement - Annual asset renewals program achieved in accordance with replacement guidelines.	I	90% achieved in accordance with replacement thresholds.	25%	Maintenance program on track	50%	Maintenance program on track.	On Track
AM4.2: Deliver annual road and stormwater maintenance program.	I	100% complete within budget.	25%	100% of samples taken have been compliant with Drinking Water Quality Management Plan.	50%	Whilst maintenance program is on track, expenditure in Rural Operations may exceed budget by 10%. This is largely due to this being the first year for the last 10 to 15 years that no NDRA funding has been available.	On Track
AM4.3: Provision of safe water supply.	I	98% of samples taken to be compliant with Drinking Water Quality Management Plan.	25%	100% of Sewerage Treatment Plant discharges have complied with environmental authority requirements.	50%	100% of samples taken have been compliant with Drinking Water Quality Management Plan.	On Track
AM4.4: Provision of safe water supply.	I	95% of Sewerage Treatment Plant discharges to comply with environmental authority requirements.	24%	Trade waste approvals for 95% of relevant businesses completed.	50%	100% of Sewerage Treatment Plant discharges have complied with environmental authority requirements.	On Track
AM4.5: Management of trade waste discharges to sewer.	I	Trade waste approvals for 100% of relevant businesses.	25%	Capital program progressing with identified changes being nominated and approved via PM methodology	50%	All trade waste discharges either have an approval in place or being processed.	On Track
AM4.6: Deliver Capital Program.	ORG	Allocated Capital projects delivered within +/- 5% of total projects adopted/revised budget. 100% compliance with funding agreement.	0%	17 projects completed year-to-date, none within the +/- 5% of the Adopted Budget	14%	4 out of 29 Projects completed this year within +/- 5% of the 2021 Revised Budget	On Track
AM4.7: Delivery of Facilities Maintenance Program.	I	95% of maintenance requirements delivered.	25%	Currently on track to achieve 100% of Mica Requirements.	50%	Maintenance program on track.	On Track
AM4.8: Issue tenures in accordance with relevant legislation.	LW	100% of tenures issued in accordance with relevant legislation.	100%		100%		On Track
AM4.9: Address breaches of Council issued tenures within identified timeframes.	LW	100% of breaches of Council issued tenures within identified timeframes.	100%		100%		On Track
AM4.10: Emu Park Sewage Treatment Plant upgrade.	I	100% complete by 30 June 2020.	25%	Scope of works being prepared. On track for delivery June 2020.	50%	Scope of works is complete and procurement documents are being prepared.	On Track

Environment Goal: An environment which is valued and sustainable, and maintains a balance between the natural and built forms for the benefit of current and future generations.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
EN1 Apply environmentally responsible land use planning to balance environmental and development outcomes.							
EN1.1: Development Applications responded to within business rules timeframes.	I	95% of referrals received responded to.	25%	Staff illnesses and annual leave periods have affected productivity but still on target to meet KPI by EOY.	100%	Programme on track - Stage 4 has been finalised and Stages 5 and 6 being progressed by consultants (Elhas Urban)	On Track
EN1.2: A Coastal Hazard Adaptation Strategy is developed through the QCoast2100 programme to address the potential impacts of coastal hazards.	LW	Percentage of compliance with funding agreement	100%	Programme on track - Stage Three completed and Stage Four being completed with final data gathering regarding asset valuations being collated. Stage Four set for final completion by end October 2019. Stage Five underway. Council to be presented with findings of a Briefing Session on 9 December 2019 or the first available session in 2020.	100%	Programme on track - Stage 4 has been finalised and Stages 5 and 6 being progressed by consultants (Elhas Urban) in accordance with adopted project plan	On Track
EN1.3: Identify and prioritise rolling amendments to Livingstone Planning Scheme 2018 and report to Council to advance amendment process.	LW	100% of identified amendments advancing through the process.	100%	Reported to council on planning scheme amendments for Lagoon Place Options analysis and received a resolution to advance other required amendments which are being progressed	100%	Draft amendment for Lagoon place site forwarded to Dept of Planning for review. Other package of amendment currently being finalised for sending to the state for review.	On Track
EN2 Recognise and understand the various eco-systems of the Shire to encourage their sustainable use and appreciation through appropriate accessibility.							
EN2.1: Provide information and public education material to recognise, understand and utilise ecosystems of the Shire sustainably.	LW	2 events delivered - Habitat Stepping Stones and support Sustainable Living event.	100%	Habitat Stepping Stones programme ongoing. Support Sustainable Living event conducted October 2019	100%	Habitat Stepping Stones programme ongoing. Planned public workshop for pandanus protection in March	On Track
EN2.2: Pest and vector services are client connected and outcome driven.	LW	100% of pest weed contracts completed within contractual time frames, 100% of pest and vector related customer request responses initiated within two (2) business days.	100%	Inclusive of Transport and Main Roads pest weed contract applicable to all quarters	100%	Required contractual works undertaken in accordance with Main Roads contract and all customer requests responded to within 2 business days as demonstrated in crystal reporting	On Track
EN2.3: Vector breeding locations identified and managed to reduce potential impacts on the community.	LW	100% of permanent vector control sites monitored weekly and twenty (20) vector surveys undertaken each month between 1 October 2019 and 31 May 2020.	100%	To be continued into the Second Quarter	100%	All vector control sites have been monitored weekly and 20 vector surveys conducted monthly to date.	On Track

Environment Goal: An environment which is valued and sustainable, and maintains a balance between the natural and built forms for the benefit of current and future generations.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
EN3 Minimise impact on the natural environment through effective waste management and pollution control policies and programs.							
EN3.1: Waste and Recycling service delivered across the shire.	I	98% of bins for new services provided <=4 days of receipt of customer request and 100% of missed services rectified <=2 days.	25%	Continually meeting this target	48%	Percent of new bins delivered <= 4days – 84.2% Percent of missed bins serviced <= 2days – 87%.	On Track
EN3.2: Implementation of Waste Reduction and Recycling Plan.	I	2 community education / awareness activities delivered.	25%	1. Sustainability Expo - Recycling stall at this event to talk about the correct items to place in the recycling wheeler bin. 2. Community Centre Information Session: Recycling Tips 3. Recycling talk with Yepoon State High School Parliamentary Group on initiating recycling in the school.	50%	No additional activities delivered in the second quarter.	On Track
EN3.3: Support effective waste management and pollution control programs.	LW	2 events delivered - Clean Up Australia Day Event/ Erosion and Sediment Control training.	50%	September - Reef Clean-up	50%	March - Upcoming Australia Day Clean-up	On Track
EN4 Actively participate in conservation and enhancement programs to ensure the preservation of natural assets and identifiable built form.							
EN4.1: Minimal impact on environment of all construction and maintenance activities.	I	100% with zero breaches.	25%	No breaches in first quarter	50%	No breaches in second quarter.	On Track
EN4.2: Climate Change mitigation strategies adopted and embedded into Council's mainstream operations.	LW	100% completion of Organisational (LSC) Carbon Strategy.	100%	Draft Carbon Strategy prepared and will be presented to Council Briefing Session in November 2019.	75%	Draft Strategy was presented to Council in November 2019	On Track
EN4.3: Biodiversity Strategy.	LW	25% complete by 30 June 2020.	0%	Not yet commenced.	10%	Commenced with internal project planning and research into best practice	On Track
EN5 Proactively advocate to government on matters which impact on the health, wellbeing and sustainability of our Shire's natural environment.							
EN5.1: Advocate to other levels of government on matters which impact sustainability of the natural environment.	LW	100% response to government policy and regulatory reviews.	100%	As required.	100%	Tracking of all required tasks and responses through ECM, Info Council actions and team meeting minutes	On Track
EN5.2: Identify and prioritise rolling amendments to Livingstone Planning Scheme 2018 and report to Council to advance amendment processes.	LW	100% of identified amendments advancing through the process.	100%	Reported to council on planning scheme amendments for Lagoon Place Options analysis and received a resolution to advance other required amendments which are being progressed	100%	Amendment for Lagoon place site forwarded to Dept of Planning for review Other package of amendment currently being finalised for sending to the state for review	On Track

Economy Goal: A diverse, strong, innovative and sustainable local economy providing employment and business opportunities for current and future generations.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
EC1 Identify and capitalise on economic opportunities for the benefit of the community.							
EC1.1: Implement Invest Capricorn Coast Region Economic Development Plan.	LW	95% of year two (2) actions implemented, 4 quarterly workshops held and attendance numbers recorded.	25%	Business training workshops and programmes were delivered successfully. Council in conjunction with the Australian Small Business Advisory Service hosted five small businesses at a digital marketing workshop held in August 2019.	50%	Business training workshops and programmes were delivered successfully, and Council hosted a business lunch with Trade and Investment Commissioner for Taiwan. Speaking Styles, public speaking course promoted by Council and hosted at the Hub.	On Track
EC2 Facilitate, encourage and enable the establishment of businesses and industries and the retention, growth and diversification of existing businesses and industries in suitable locations.							
EC2.1: The Gateway Business and Industry Park.	LW	3 land sales achieved in Stages 1 and 2.	100%	Three contracts of sale were executed for Lots 2, 3 and 5 within Stage One of The Gateway Business and Industry Park.	100%	Council achieved two land sales in December 2019.	On Track
EC2.2: Investment Attraction Programme.	LW	100% complete by 30 June 2020.	10%	Progress on track for completion 30 June 2020.	40%	Investment brochure nearing finalisation.	On Track
EC3 Promote Livingstone Shire as a desirable destination for investment, business, industry, tourism and living.							
EC3.1: Develop, implement and review three (3) specific marketing plans (new/revised) each quarter which promote Council services, tourism and the economy.	LW	3 marketing plans developed, implemented or reviewed each quarter which promote Council services, tourism and the economy.	100%	The Gateway Business and Industry Park Marketing Plan and Investment Attraction Plan are completed with implementation pending. Invest Capricorn Coast region Events Strategy has been completed with implementation pending.	66%	Current plans being delivered, including review of billboard promotion.	On Track
EC3.2: Capricorn Enterprise funding agreement established and yearly actions implemented.	LW	100% of year one (1) actions complete by 30 June 2020.	100%	100 percent of actions of year one on track for completion.	40%	Investment brochure nearing finalisation.	On Track
EC4 Establish initiative including partnerships with both government and the private sector to create enterprises and undertake projects that generate jobs, wealth creation opportunities and sustainable economic growth.							
EC4.1: Implement Capricorn Coast Smart Region Strategy.	LW	70% of actions achieved (noting many of these are reliant on funding and other Council Units).	15%	Partnerships with State and Federal Government and small business have been achieved through the Startup onRamp programme and new businesses are currently under development or have launched and achieved contracts.	50%	Startup Onramp programme attendees continue to meet. Innovation Unconference held in early November weekend event attracted over thirty-five (35) participants. Yeppoon Town Centre Smart Projects ninety (90) per cent completed.	On Track

Community Goal: Diverse and unique communities that are connected with the larger community in the common pursuit of an engaged, supportive, inclusive, creative and confident Shire.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
CO1 Facilitate, encourage and enable self-sustainable community associations and volunteer groups to pursue their diverse aspirations.							
CO1.1: Volunteering Programmes enhancement.	LW	9 programmes per annum.	100%	Formalised community groups and working towards supporting and growing. LSC Community Volunteer programmes: 4 existing, 5 new and 1 programme on hold due to State Gov requirements (Total 9).	100%	Formalised community groups and working towards supporting and growing. LSC Community Volunteer programmes: 4 existing, 5 new and 1 programme on hold due to State Gov requirements (Total 9).	On Track
CO2 Facilitate programs and support local social, cultural, artistic and community building initiatives.							
CO2.1: Active and healthy library spaces	LW	10% increase in membership and 12 events / activities per annum.	25%	328 new memberships have been processed and the library has delivered ninety-one (91) events in this reporting period.	50%	Percentage is calculated at the conclusion of the reporting year. 272 new memberships and 66 events were held during the Q2 reporting period.	On Track
CO2.2: Delivery of community development programmes which build the capacity of Livingstone's community.	LW	100% compliance with Service Contracts (Community Centre, Livingstone Loop, ParentLink) and 100% adherence to funding agreements.	100%	Compliant with all funding	100%	Compliant with all funding as per 2019/20 Work Plan and Q2 Milestone. Report lodged with Department of Communities	On Track
CO2.3: Strengthening Family Connections comply with performance measures and reporting requirements of funding agreement.	LW	100% compliance.	100%	Compliant with funding	70%	Compliant with all aspects for funding, however are under the reporting outcomes due to staff vacancies. Vacancies have now filled.	On Track
CO2.4: Yeppoon Place Making Strategy Year 2 initiatives implemented.	LW	90% of actions achieved by 30 June 2020.	15%	Highlights include masterplanning for James Street, and adaption of the Anzac Parade roundabout.	15%	Ongoing masterplanning for James Street. Expressions of interest for coastal sculptures and the Lagoon pool columns. Mill Gallery preliminary design and stakeholder negotiations	Overweight
CO2.6: Local law requirements promoted through educational activities.	LW	1 Dog in the park day conducted (micro-chipping) and community education and awareness activity.	0%	Scheduled for third quarter	0%	Scheduled for third quarter no actions undertaken to date	On Track
CO3 Provide community facilities and services to encourage an enable participation in active and healthy lifestyles.							
CO3.1: Open spaces maintained in accordance identified community standards.	LW	100% of park maintenance service standards achieved and 100% of works up to date.	100%	All captured under Survey 123 all compliant	100%	All captured under Survey 123 all compliant	On Track

Community Goal: Diverse and unique communities that are connected with the larger community in the common pursuit of an engaged, supportive, inclusive, creative and confident Shire.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
CO4 Promote and encourage community health and wellbeing through programs addressing environmental health, community safety issues, social cohesion and inclusiveness.							
CO4.1: Building and plumbing compliance activities are undertaken in accordance with Council's Risk Based Land Use Compliance Policy.	LW	100% of Building and Plumbing Compliance complaints risk rated in accordance with Council's Risk Based Land Use Compliance Policy. 5% of notifiable plumbing works (Form 4) audits are completed per annum.	100%	Inclusive of five per cent Form 4 audits	100%	All complaints risk rated in accordance with the land use risk based compliance policy and measured through weekly building, plumbing and planning compliance meetings. 6 notifiable plumbing works audits undertaken out of 120 received for the period = 5%	On Track
CO4.2: Building and plumbing compliance services are client connected and outcome driven.	LW	100% of customer request responses initiated within two (2) business days.	100%		80%	Building 72% and Plumbing 90% (average of building and plumbing stats)	On Track
CO4.3: Environmental health services comply with statutory requirements.	LW	100% of food licence/permit applications completed in accordance with legislative requirements.	100%		100%	8 food licences were lodged and completed in accordance with the food act	On Track
CO4.4: Environmental health annual inspections (non public).	LW	95% of inspections completed per annum.	100%	Food Businesses	39%	29 Annual inspections - 16% of 183 licences (includes ERA, PERS, food) 43 inspections Q1 which is 23% so cumulative total is 39%	Delayed
CO4.5: Local law services comply with statutory requirements.	LW	100% of Local Law licence renewals completed within legislative or policy timeframes and 100% of licence/permit applications processed within ten (10) days.	100%		50%	8 Applications Q2 period - 50% (4) not within 10 days - 20 Local Law Licence Renewals (ROAD, SPEC) - 1 is still outstanding this large amount due to Smart Parking - Not done NUIS files -	On Track
CO4.6: Reconciliation Action Plan.	LW	100% complete by 30 June 2020.	80%	Expected to be finalised by 30 June 2020	80%	Expected to be finalised by 30 June 2020 - due to staff changes new Community Development Officer employed and will focus on the Plan	On Track
CO5 Facilitate the provision of programmes, activities and facilities which create opportunities for the Shire's youth to develop skills and pursue endeavours to equip them for life and enable them to make a valued contribution to the community.							
CO5.1: Delivery of community development programmes which build the capacity of Livingstone's community.	LW	100% compliance with Youth Services contract.	80%	Currently looking at Case Management numbers	80%	Currently looking at Case Management numbers	On Track

Governance Goal: An efficient, progressive, transparent and financially sustainable organisation which is responsive to the needs of the community through sound decision making and leadership.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
GO1 Inform and empower the community through ongoing engagement and communication.							
GO1.1: Management of Council's after hours call-centre provides.	LW	95% of compliance with contract deliverables for After Hours provider.	100%	No issues with after hours provider	100%	No issues with Peak Services and lower than usual number of calls over the Christmas shutdown period which can be attributed to increased social media campaigns	On Track
GO1.2: Prompt handling of call-centre phone calls.	LW	Average Handling Times in Call Centre to be under 340 seconds.	100%	average handling times for this reporting period were 252 seconds	100%	Average Handle Time for Q2 - 241.5 seconds	On Track
GO1.3: Implementation and review of the objectives from Council's Events Attraction Strategy.	LW	100 % percentage of actions within Council's Events Attraction Strategy identified for year one (1) implemented.	0%	Event Strategy has been developed and adopted by Council. Will be officially launched on the 24 October 2019	50%	Events Strategy was launched late 2019 and the goals/objectives identified within it are beginning to form part of operational tasks - for example sponsorship has had changes made to the criteria, payment model and for smaller amounts, the application process has been streamlined.	On Track
GO1.4: Get Ready Get Resilient Day	LW	1 event hosted.	0%	scheduled for Second Quarter	100%	Get Ready Day conducted Bms Park Tsunami and Storm Surge Day November 2019	On Track
GO1.5: Ensure provision of quality innovative customer service to internal and external customers.	ORG	10% reduction in long term customer service requests.	10%	Quarter one - 19 Service requests noted as under investigation long term this is a 10% reduction from Q4 in 18/19 plan review	-36%	374 Customer Service Requests noted as Under Investigation Long Term (Period 2014 - current). 122 logged in the Q2 reporting period, compared to 43 in previous quarter.	On Track
GO2 Develop strategic plans and policies to address local and regional issues and guide service provision.							
GO2.1: Environmental Health Policy and Delegations Review.	LW	100% complete by 30 June 2020.	0%	Scheduled for Second and Third Quarter	0%	On schedule for completion by 30 June 2020	Needs Attention
GO2.2: Development of Corporate Plan 2020-2030.	F&E	Corporate Plan adopted by 30 June 2020.	25%	Project has progressed in line with the draft outcomes of the Community Plan, the 10-year Corporate Plan is expected to be completed in May 2020.	25%	Project has progressed in line with the draft outcomes of the Community Plan, the 10-year Corporate Plan is expected to be completed in May 2020.	On Track
GO2.3: Development of a Governance Framework.	F&E	Governance Framework completed by 30 June 2020.	0%	Framework is on track to be completed during Q3.	25%	Project commenced, framework is on track to be completed during Q4.	On Track
GO2.4: Climate Change Policy	LW	25% complete by 30 June 2020.	0%	scheduled to commence third Quarter	0%	Scheduled to commence third Quarter	On Track
GO3 Pursue financial sustainability through effective use of the Council's resources and assets and prudent management of risk.							
GO3.1: Council formally reviews the budget during the financial year.	F&E	Budget reviewed at least three (3) times per annum.	50%	The Quarter 1 Budget Review (20Q1) was adopted by Council on 22/10/2019	50%	The Quarter 2 Budget Review (20Q2) is on track to be presented to Council in February 2020 for adoption.	On Track
GO3.2: Sustainable Financial position maintained.	F&E	Long Term Strategic Financial Plan reviewed (100%).	50%	Financial assumptions were reviewed as part of the Quarter 1 Budget Review. Preparation in Q1 to undertake long term price modelling to achieve full cost pricing for water and sewerage significant business activities.	60%	Consultant engaged to undertake water & sewerage business unit price reviews, initial data has been provided to consultant	On Track
GO3.3: 2018-19 financial audit completed on program, with unmodified audit opinion.	F&E	Unqualified external audit opinion on General Purpose Financial Statements (100%).	100%	Audited Financial Statements signed 10/10/19	100%	Audited Financial Statements signed 10/10/19	Complete
GO3.4: Procurement Compliance.	F&E	95% policy compliant.	95%	Monthly education and training sessions implemented. Non-compliance report provided monthly to ELT for review and follow-up.	96%	Monthly education and training sessions continuing. Non-compliance report provided monthly to ELT for review and follow-up.	On Track
GO3.5: Project governance framework is embedded across the organisation.	F&E	Project Portfolio Management system and reporting (100% compliance for all organisational projects), education and training sessions held bimonthly.	5%	Portfolio reporting, project management training sessions have not been undertaken this financial year due to a vacancy in PMO role whilst it is being recruited for. The Community of Practice for Project Management has continued.	5%	PMO does not commence work until 3 February.	Needs Attention

Governance Goal: An efficient, progressive, transparent and financially sustainable organisation which is responsive to the needs of the community through sound decision making and leadership.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
G03.6: Outstanding rates and charges management.	F&E	<5% bi-annually rates outstanding as a percentage of rates levied, prior to six monthly rates billing.	18%	5% prior to 1st half year Rates and Water billing: 17% Sept 1819, 25% year complete	10.70%	Q2 result slightly lower than the comparable period in 2018-19 (10.78% Dec 1819). Next Levy to issue 05.02.20.	Emergent
G03.7: Research, design, develop and implement a Performance management and review process.	PC	50% complete by 30 June 2020.	45%	The new templates are being trialled in OCEO, Open Spaces, Construction and Liveability.	75%	Has been rolled out to all of OCEO with the exception of IT, all of Infrastructure, Liveability & Open Spaces. Remaining business units to adopt by end Feb 2020.	On Track
G03.8: Research and implement a Leadership Development Program.	PC	100% complete by 30 June 2020.	25%	Leadership tips are being circulated. P&C are considering the best approaches for leadership development programs	40%	Leadership Development requirements will be discussed with the ELT in Quarter 3 giving consideration to the requirements of Merit.	Emergent
G03.9: Develop a comprehensive learning and development calendar.	PC	100% of staff compliant with position requirements.	65%	Learning calendar is live on the People and Culture Intranet page. Courses are added based on L&D Framework.	70%	Calendar is updated on a 6 monthly basis. PSA is now in place for compliance training. Capability Matrix should be developed as a part of Merit which will allow gap analysis to inform L&D requirements.	On Track
G03.10: Manage Council's budget in alignment with financial sustainability ratios.	ORG	Operating Surplus Ratio, Net Financial Liabilities Ratio and Asset Sustainability Ratio are equal to or better than the adopted / revised budget.	25%	The Operating Surplus Ratio was favourable when compared to the YTD adopted budget ratio as at 30 September 2019. The Net Financial Liabilities Ratio and Asset Sustainability Ratio were both outside of the 2019-20 adopted budget ratio benchmarks. The Net Financial Liabilities Ratio is expected to move closer towards the adopted budget position in Quarter 3 of 2019-20, once the next round of bi-annual rates notices are levied.	50%	The Operating Surplus Ratio was favourable when compared to the YTD Quarter 1 Revised Budget Ratio as at 31 December 2019. The Net Financial Liabilities Ratio was outside of the YTD Quarter 1 Revised Budget benchmark as at 31 December 2019. It is expected the Net Financial Liabilities Ratio will move closer towards the Quarter 1 Revised Budget Ratio following the second bi-annual levy of general rates during the March 2020 Quarter. The Asset Sustainability Ratio was outside of the target benchmark of 96% as at 31 December 2019 due to the large proportion of new assets not requiring renewal at this stage.	On Track
G03.11: Provide a safe work environment for employees and encourage a proactive approach to Work Health and Safety.	ORG	10% reduction in Lost Time Injuries / Days lost by 30 June 2020.	25%	LTIFR Employees Only for June 2019 was 15.87. Target for 2019-20 = 14.29. September Quarter moving average frequency rate 15.77	50%	December moving average frequency rate 16.63. The Safety Team has implemented a proactive approach to managing work related injuries through the Rehabilitation and Return to Work Program, which has seen zero Lost Time Injuries for this quarter.	Emergent
G03.12: Develop an LSC Workforce Plan and identify key strategies and actions.	PC	Workforce Plan completed by 30 June 2020.	50%	Workforce Plan has been published. Now implementing strategies identified in the areas of focus.	55%	Workforce Planning committees meeting to further develop strategies in Quarter 3.	On Track

Governance Goal: An efficient, progressive, transparent and financially sustainable organisation which is responsive to the needs of the community through sound decision making and leadership.							
Action	Responsible Person	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
GO4 Provide transparent and accountable decision making reflecting positive leadership to the community.							
GO4.1: Ensuring legislative timetables are met for Council Meeting and Minutes.	OCEO	100% compliant with legislative requirements.	100%		100%	A register is maintained to ensure all steps in the process are completed. Documents and emails are dated and therefore can be audited for compliance. Register will be updated to include dates for completion in relation to the publishing of Agendas and Minutes.	On Track
GO4.2: Delegations and Authorisations Registers are current.	FBE	Annual review of CEO delegations 100% complete, public register 100% maintained and all staff have the required delegations to perform their roles (100%).	50%	Annual review of CEO delegations was adopted by Council on 20 August 2019. Council is transitioning to a new software application to manage delegations and authorisations as part of the transition to the LGAG delegation service.	70%	Transitioning of delegations to the new software has progressed and authorisation transitioning to commence next quarter.	On Track
GO4.3: Local Disaster Management Group meetings.	LW	4 meetings held.	25%	Meeting held on 22 Aug 2019	100%	Meeting held on 21 Nov 2019. Additional x 17 meetings held due to Cobwebb fire activation.	On Track
GO4.4: IT Transformation Project	ICT	Project 25% complete in line with Project Plan by 30 June 2020.	25%	Work progressing appropriately	50%	Procurement process underway and progressing appropriately	On Track
GO4.5: Enterprise Risk Management Capability Advancement.	FBE	ERM Capability Advancement completed by 30 June 2020.	25%	Project planning has commenced for the Risk Management Maturity Advancement project.	25%	Project to commence by 30 June 2020.	On Track
GO4.6: Formalise Integrated Planning and Reporting Framework.	FBE	Integrated Planning and Reporting Framework completed by 30 June 2020.	0%	This project is not due to commence until Q2 and is on track for completion in Q3.	25%	Drafting of framework has commenced.	On Track
GO5 Deliver customer focused and responsive services efficiently and effectively.							
GO5.1: Service Delivery Programme of Work.	FBE	100% complete in line with programme timeline.	25%	On track with programme of work.	50%	On track with programme of work.	On Track
GO5.2: Validate Council can continue business operations in the unlikely event of an event impacting the organisation.	FBE	Annual test of Business Continuity Plans. Business Continuity Plans reviewed annually in line with the Business Continuity Management Framework.	0%	Progression of the 3-5 day BCP subplans not due to commence until Q3.	0%	Progression of the 3-5 day BCP subplans not due to commence until Q3.	On Track
GO5.3: Provide fit for purpose access to ICT Infrastructure.	ICT	Website and e-service availability >=98%, Network availability >=95%.	100%	Complete			On Track
GO5.4: Implement an electronic Workplace Health and Safety System.	PC	50% complete by 30 June 2020.	75%	Skytrust is being implemented for all staff to access.	100%	Skytrust went live 6/01/20. All nominated persons now have access to input incident data into Skytrust. Training and assistance is in place by the safety team for persons needing support.	On Track
GO5.5: Workplace Health and Safety Compliance.	ORG	35% compliance achieved.	100%	On track, no incidents in P&C team, regular take 5's completed.	35%	Outstanding audit items have been reviewed and plans in place to meet compliance in January 2021.	On Track
GO5.6: Implement a comprehensive health and wellbeing strategy covering physical health, mental health, diet and sun safety.	PC	90% completed to schedule per quarter.	50%	Regular initiatives being provided for staff. Mental Health First Aid scheduled for early 2020 with 22 participants booked in.	100%	Health assessments conducted and new assessments have been introduced, such as Audiometric Testing, Lung Function Capacity Testing, Face Fit Testing.	On Track
GO5.7: Management of Council's After Hours provider.	LW	Percentage of compliance with contract deliverables for After Hours provider.	100%	No issues with after hours provider	100%	No issues with Peak Services and lower than usual number of calls over the Christmas shutdown period which can be attributed to increased social media campaigns	On Track
GO5.8: Quality Assurance Audits - Liveability and Wellbeing.	LW	Two (2). 100% completed.		Scheduled for Second and Third Quarter	100%	Internal assurance reviews completed for Lodgement of Development application and Intingement Process	On Track
GO5.9: Building and Plumbing - compliance with legislative timetables.	LW	100% of building and plumbing approvals determined within ten (10) business days from the commencement of the decision stage.	100%			Building = 90% and Plumbing = 100%	On Track
GO5.10: Assessment building and plumbing service quality.	LW	12 peer reviews of approvals per annum.	100%	Both Building and Plumbing have sent twelve (12) Random Applications off to Rockhampton Regional Council for review - Plumbing have been completed and Building being currently undertaken		Both Building and Plumbing have sent three (3) Random Applications off to Rockhampton Regional Council for review - Plumbing have been completed and Building being currently undertaken	On Track

Governance Goal: An efficient, progressive, transparent and financially sustainable organisation which is responsive to the needs of the community through sound decision making and leadership.							
Action	Responsible Portfolio	Performance Measure	Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Status
GO5.11: Building and plumbing services are client connected and outcome driven.	LW	100% of customer request responses initiated within two (2) days, 95% customer satisfaction.	100%			Building = 73% and Plumbing = 98%	On Track
GO5.12: Development assessment services are client connected and outcome driven.	LW	85% customer satisfaction and 100% of customer request responses initiated within two (2) business days.	95%	thirteen (13) of the twenty-one (21) Customer Requests which were not responded to within the two business days related to requests which were escalated from building to planning, re-opened by Customer Service or for Duty Planner appointments which were further than 2 days in advance.		100 % for Customer satisfaction survey responses and 93% for Customer Requests	On Track
GO5.13: Development assessment services comply with statutory requirements.	LW	85% of development approvals determined within twenty-five (25) business days and 100% of development applications considered by the Development Control Unit within five (5) business days.	77% and 99%		76% and 96%	76% of DAs determined within 25 business days and 96% of DAs considered by DCU unit within 5 Business days	On Track
GO5.14: Undertake development compliance services.	LW	100% of Development Compliance complaints risk rated in accordance with Council's Risk Based Land Use Compliance Policy.	100%	Customer requests are risk rated upon allocation to a development compliance officer or planning officer for initial investigation. This is recorded in a 'Filenote' against the request which includes the risk rating matrix and requires a justification.	100%	All Development compliance customer requests are considered and risk rated at fortnightly development compliance meetings.	On Track
GO5.15: Environmental Health compliance activities are undertaken.	LW	100% of Development Compliance complaints risk rated in accordance with Council's Risk Based Land Use Compliance Policy.	100%		100%	All Development compliance customer requests are considered and risk rated at fortnightly development compliance meetings.	On Track
GO5.16: Local Law services comply with statutory requirements.	LW	100% of customer request responses initiated within two (2) days	100%		96%	652 customer requests for Local Laws - 30 were not actioned within 2 business days	On Track
GO5.17: Infrastructure - Quality Assurance Certification.	I	100% complete.	100%	QA Recertification achieved July 2019	100%	No issues. Surveillance audit scheduled for February 2020	On Track
GO5.18: Development assessment services comply with statutory requirements.	ORG	Cultural Values Assessment completed.	25%	Culture profile completed with COP. External CVA on hold, will be considered further in 2020 in consultation with ELT.	25%	Culture profile completed with COP. External CVA on hold, will be considered further in 2020 in consultation with ELT.	At Risk
GO5.19: Implement the most current version of InfoCouncil to support compliance for Council meetings and decision making.	OCEO	100% complete by 30 June 2020.	30%	Testing to be complete by end of Q3 with implementation in Q4	40%	Testing has commenced. Implementation still expected to be completed in Q4.	At Risk
GO5.20: Review of Arts and Cultural Strategic Plan.	LW	50% complete by 30 June 2020.	10%	Have started to collate information from key stakeholders	20%	Capricorn Coast Events Strategy was launched late in 2019 and the Arts and Cultural Strategic Plan will now be scheduled for review prior to June 2020 and approval later in 2020.	At Risk
GO5.21: Livingstone Whole of Community Plan.	LW	100% complete by 30 June 2020.	90%	Community Plan in Draft to be presented to Council Briefing Session.	100%	Community Plan adopted by Livingstone Shire Council early December	Complete

12.5 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 29 FEBRUARY 2020**File No:** FM12.14.1**Attachments:** 1. **Monthly Finance Report - February 2020**[↓](#)**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Damien Cross - Coordinator - Accounting Services
Rachel Jackson - Coordinator Procurement

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the period ending 29 February 2020 by the Chief Financial Officer.

RECOMMENDATION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 29 February 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 29 February 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.

Council finance officers have been simplifying the presentation of this report over recent months to enhance the readability and relevance of the information.

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 ahead of the year to date 20Q2 budget position by approximately 1%, mostly due to a favourable variance in the operating grants budget line. This variance is mostly due to the receipt of funding from the Queensland Reconstruction

Authority for day labour costs incurred by Council in relation to the March-April 2017 Natural Disaster Event and \$1.3 million in Immediate Financial Support for Bushfire Affected Communities funding from Commonwealth Government. To comply with accounting standards, once the Queensland Reconstruction authority have considered Council's program of works for spending the \$1.3 million in Immediate Financial Support, this revenue may need to be recognised as unearned revenue until such time that the funds are spent.

Operating Expenditure

Year to date operating expenditure is below the year to date 20Q2 revised budget by approximately 5%, which excludes approximately \$9.7 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 into the month of February for the fortnight ending Sunday 1 March 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	\$2,986	\$2,569	\$3,832	77.9%
Urban Maintenance	\$1,526	\$1,583	\$2,271	67.2%

Note: Actual results exclude purchase order commitments.

Council's Infrastructure Portfolio are anticipating that the total annual rural maintenance 20Q2 budget of \$3.8 million will likely be exceeded by up to 5% due to recent wet weather 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. A detailed listing of capital grants received to date in comparison to the 20Q2 revised budget is provided as part of Attachment 2 to this report.

The 20Q2 revised capital revenue budget for developer contributions is \$2 million. Total year to date developer's contributions are approximately \$1.63 million. The monthly budget phasing of developers 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 \$14.6 million. There is approximately \$7.1 million of capital expenditure commitments at month end that predominately relates to work to be undertaken over the balance of the 2019-20 financial year.

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 \$41 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 held with the Queensland Treasury Corporation is scheduled to occur in March 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 \$3.4 million, which is 4.5% of rates levied. (February 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.

- 43% of overdue balances are under management; this reflects 578 assessments out of all 17,590 rateable assessments (3%).
- There are 108 current proposals to pay totalling \$209,125 (January: \$104,458).
- There are 101 assessments (January: 108) under long-term arrangements (agreements to pay) with a total of \$542,339 with varying settlement periods.
- Following the Cobraball Bush Fire event in November 2019 and the recent Christmas period, referrals and legal action are currently on hold for those affected suburbs and will be delicately monitored by Council officers.
- Council's debt collection agency is currently managing 369 assessments (January: 393), representing \$1,452,348 (January: \$1,362,529). Compared to February 2019, there are twelve (12) more assessments under a debt management arrangement; and there is an increase in the total value under management by \$135,559.

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:

Open	
1040T	Invitation to Tender - Appleton Creek Bridge
Contract	
1036T	Invitation to Tender Provide Contract Cleaning Services

PREVIOUS DECISIONS

Council adopted the 2019-20 Adopted Budget on 11 July 2019, the 20Q1 revised budget on 22 October 2019 and the 20Q2 revised budget on 4 February 2020.

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/OPERATIONAL PLAN

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

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

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

CONCLUSION

The financial report provides information about Council's financial performance and position for the period ending 29 February 2020.

12.5 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 29 FEBRUARY 2020

Monthly Finance Report - February 2020

Meeting Date: 17 March 2020

Attachment No: 1



Livingstone
SHIRE COUNCIL

**Monthly Financial Report
for period ending
29/02/2020**

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 29 February 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	\$21,562	\$25,351	\$3,789	18%	✓
Operating Revenue	\$87,828	\$81,350	\$82,432	\$1,082	1%	✓
Operating Expenditure	-\$89,894	-\$59,789	-\$57,082	\$2,707	-5%	✓
Capital Works Expenditure	\$41,887	\$25,912	\$14,624	-\$11,288	-44%	✓
Closing Cash & Cash Equivalents	\$27,250	\$16,479	\$40,993	\$22,514	122%	✓
Total Borrowings	\$75,530	\$78,697	\$78,698	\$0	0%	✓

Commentary

Year to date operating revenue is ahead of the year to date 20Q2 budget position mostly due to a favourable variance in the operating grants budget line. This variance is mostly due to the receipt of funding from the Queensland Reconstruction Authority for day labour costs incurred by Council in relation to the March-April 2017 Natural Disaster Event and \$1.3 million in Immediate Financial Support for Bushfire-Affected Communities funding from Commonwealth Government. To comply with accounting standards, once the Queensland Reconstruction authority have considered Council's program of works for spending the \$1.3 million in Immediate Financial Support, this revenue may need to be recognised as unearned revenue until such time that the funds are spent.

At end of February, Council has almost reached its second cash high point for the financial year, with General Rates & Utility Charges and 2019-20 Q2 water consumption notices due on 11 March 2020. The recognition of this operating revenue and steady incoming stream of cash payments for these from ratepayers is a major factor in Council's closing cash balances being ahead of the 20Q2 budget. Also contributing to this favourable closing cash position is total capital works expenditure being behind the YTD 20Q2 budget position. Refer to Attachment 2 of this report for a detailed project-by-project analysis of capital expenditure.

Year to date operating expenditure is below the year to date 20Q2 revised budget by approximately 5%, which excludes approximately \$9.7 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 into the month of February for the fortnight ending Sunday 1 March 2020. Depreciation expenditure and finance costs are in close proximity to budget.

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%	✗

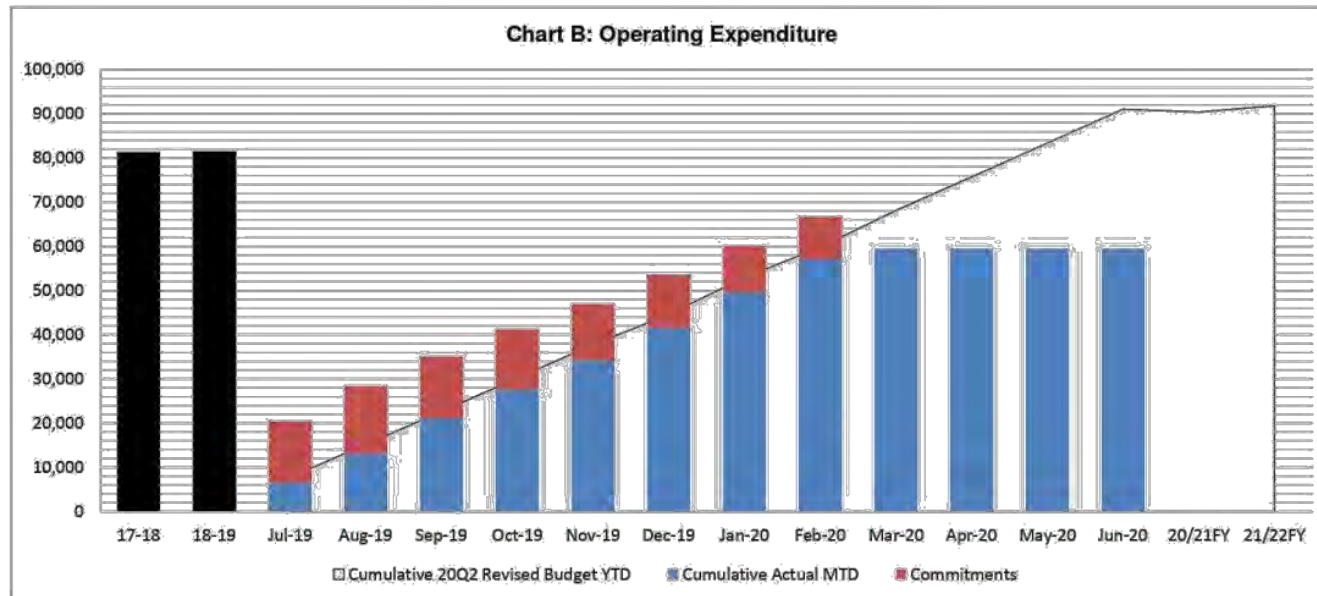
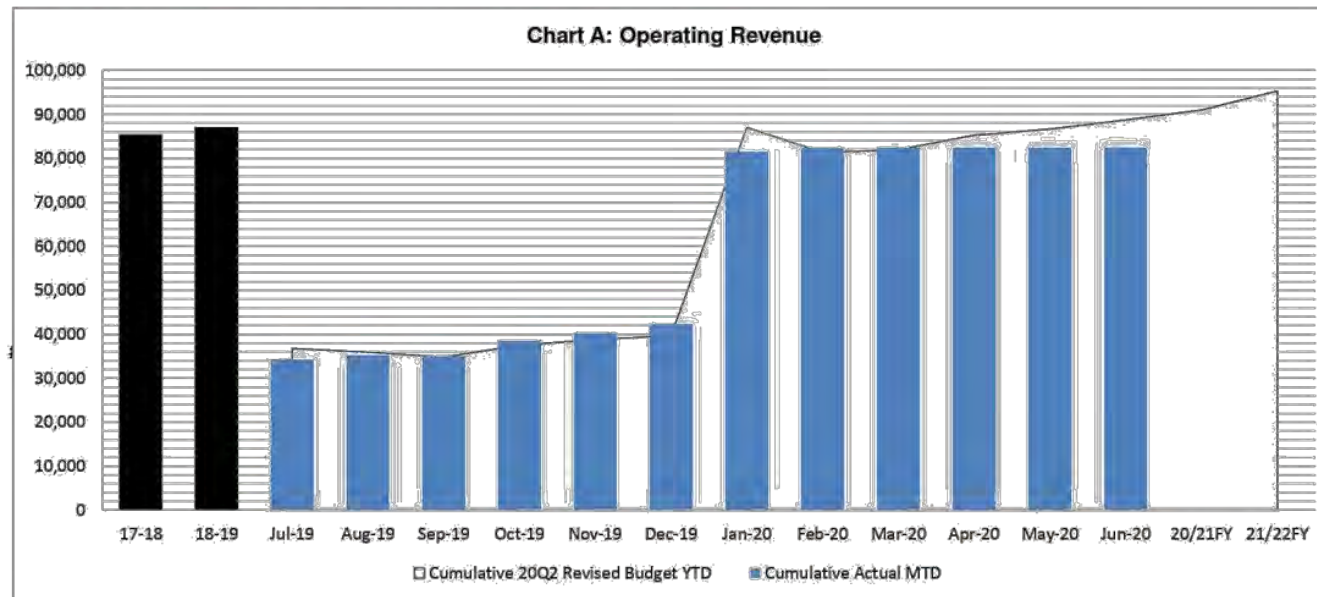
2. Key Performance Indicators

Key Financial Highlights and Overview				
Financial Sustainability Ratios & Measures of Financial Sustainability	Quarter 2 Revised Budget (\$000's)	YTD Actuals (\$000's)	Status	Target
Operating Performance				
Operating Surplus Ratio (%)	-2.4%	30.8%	✓	Between 0 - 10% (on average over the long term)
Operating Efficiency Ratio (%)	97.7%	144.4%	✓	Between 100% - 110%
Fiscal Flexibility				
Net Financial Liabilities Ratio (%)	62.7%	16.3%	✓	Less than 60% (on average over the long term)
Council Controlled Revenue Ratio (%)	92.0%	92.2%	✓	Greater than 60%
Interest Cover Ratio (Times)	4.5%	3.2%	✓	Between 0 - 10%
Asset Sustainability				
Asset Sustainability Ratio (%)	55.6%	22.0%	✗	Greater than 90% (on average over the long term)
Longer Term Financial Sustainability - Debt to Asset Ratio (%)	7.2%	7.4%	✓	Less than or equal to 10%
Liquidity				
Ability to pay our Bills - Current Ratio (Times)	3.3	6.5	✓	Greater than 2 times
Cash Balance (\$M's)	\$27.3	\$41.0	✓	Greater than or equal to \$20M
Cash Balance - Cash Capacity in Months	3.4	8.3	✓	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)

	1920 Q2 Budget	Year-to-date			Full year
		Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
Revenues					
Rates & Utility Charges	72,093	71,970	(123)	0%	74,900
User Fees & Charges	3,276	3,288	12	0%	4,904
Operating Grants	3,313	5,075	1,763	53%	6,858
Interest	416	438	21	5%	772
Sales Revenue	1,590	940	(650)	-41%	(625)
Other	663	722	59	9%	1,020
Total operating revenues	81,350	82,432	1,082	1%	87,828
Expenses					
Employee Benefits	(21,510)	(20,553)	957	-4%	(32,158)
Materials & Services	(19,977)	(18,063)	1,913	-10%	(30,267)
Depreciation	(14,928)	(14,934)	(6)	0%	(22,400)
Finance Costs	(2,663)	(2,667)	(5)	0%	(3,995)
Other	(712)	(864)	(152)	21%	(1,072)
Less: Total operating expenses	(59,789)	(57,082)	2,707	-5%	(89,894)
Net operating result	21,562	25,351	3,789	18%	(2,066)
Capital Income					
Capital Grants	6,357	3,631	(2,726)	-43%	10,595
Developer Contributions	1,571	1,628	57	4%	2,000
Other Capital Income	0	774	774	0%	0
Less: Restoration Provision Capital Expense	(97)	0	97	-100%	(146)
Net Capital Income	7,831	6,034	(1,797)	-23%	12,449
Total comprehensive income	29,392	31,384	1,992	7%	10,383

B: Monthly summary of assets and liabilities report

	1920 Q2 Budget	Year-to-date			Full year
		Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
Assets					
Cash and cash equivalents	18,479	40,993	22,514	122%	27,250
Inventory	990	468	(522)	-53%	4,419
Receivables:					
Trade & Other Receivables	35,144	30,871	(4,273)	-12%	8,609
Land - for resale	6,514	17,703	11,189	172%	3,812
Infrastructure:					
PPE	987,229	935,971	(51,258)	-5%	1,002,243
Capital WIP	-	39,758	39,758	0%	-
Other assets	620	4	(616)	-99%	1,031
Total Assets	1,048,975	1,065,768	16,793	2%	1,047,365
Liabilities					
Employee benefits	3,255	9,257	6,002	184%	3,011
Trade creditors and accruals	1,072	1,272	200	19%	4,330
Borrowings:					
Short-term	3,327	3,328	0	0%	5,270
Long-term	75,370	75,370	0	0%	70,260
Other liabilities	12,452	10,440	(2,012)	-16%	13,502
Total Liabilities	95,476	99,667	4,190	4%	96,373
Current assets	55,232	86,227	30,995	56%	41,310
Current liabilities	7,654	13,297	5,643	74%	12,611
Non-current assets	993,743	979,541	(14,202)	-1%	1,006,055
Non-current liabilities	87,822	86,370	(1,452)	-2%	83,762
Net community assets	953,499	966,101	12,602	1%	950,991

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)
Operating Cashflows					
<i>Cash inflows from operations</i>					
Rates & utility charges	48,147	46,842	(1,305)	-3%	77,855
User fees and charges	3,018	3,379	361	12%	5,018
Operating grants	5,256	5,000	(256)	-5%	6,837
Interest	651	438	(213)	-33%	777
Other	1,183	1,901	717	61%	0
Proceeds from sale of land inventory	1,016	1,016	(0)	0%	7,908
Total operating cash inflows	59,271	58,575	(696)	-1%	98,394
<i>Cash outflows from operations</i>					
Employee entitlements	(21,332)	(20,580)	752	-4%	(38,489)
Payments to suppliers	(23,741)	(19,383)	4,357	-18%	(33,948)
Borrowing costs & bank charges	(2,139)	(1,988)	151	-7%	(3,845)
Other operating cash outflows	(200)	0	200	-100%	(300)
Payments for land inventory	0	(12)	(12)	0%	(88)
Total operating cash outflows	(47,411)	(41,963)	5,448	-11%	(76,669)
Net cash flows from operations	11,860	16,612	4,753	40%	21,725
<i>Investing cash flows</i>					
Proceeds on disposal of assets	0	651	651	0%	0
Capital grants & infrastructure charges	8,278	5,732	(2,546)	-31%	12,595
Acquisition of assets	(26,279)	(19,303)	6,976	-27%	(41,799)
Other investing activities	0	0	0	0%	(30)
Net investing cash flows	(18,001)	(12,920)	5,081	-28%	(29,234)
<i>Financing cash flows</i>					
Repayments on borrowings	(2,500)	(2,458)	42	-2%	(4,999)
Net financing cash flows	(2,500)	(2,458)	42	-2%	(4,999)
Net combined cash flows	(8,641)	1,235	9,876	-114%	(12,508)
Add: Opening cash balance	27,119	39,758	12,639	47%	39,758
Closing cash balance	18,478	40,993	22,515	122%	27,250

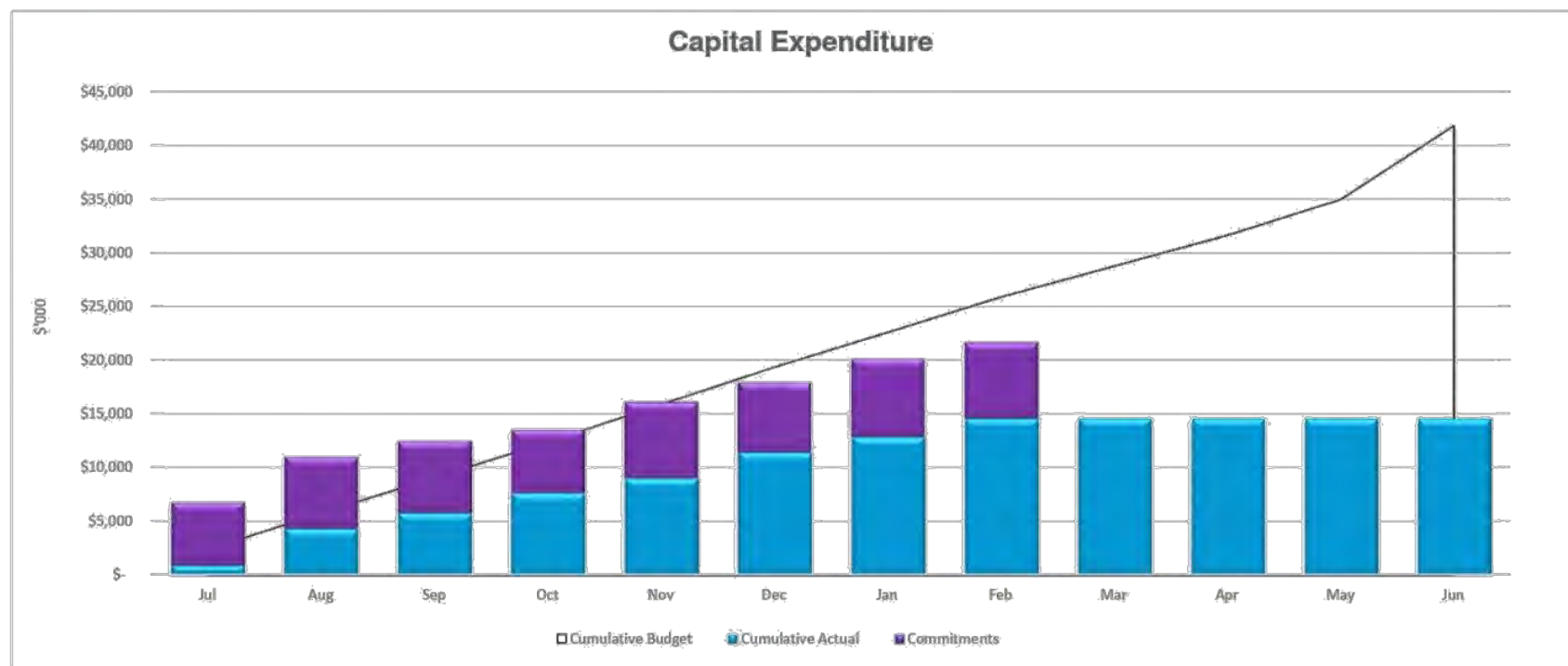
D.1: Monthly summary capital revenue and expenditure report by category (all projects)

	Year-to-date				Full year
	1920 Q2 Budget	Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
Renewal of existing assets					
Capital grants and contributions	(417)	(480)	(64)	15%	(625)
Renewal expenditure	6,748	3,280	(3,467)	-51%	12,444
New assets/upgrade of existing assets					
Capital grants and contributions	(5,940)	(3,568)	2,372	-40%	(9,970)
New/upgrade expenditure	19,164	11,343	(7,821)	-41%	29,442
Total					
Capital grants and contributions	(6,357)	(4,048)	2,309	-36%	(10,595)
Renewal, upgrade and acquisition	25,912	14,624	(11,288)	-44%	41,887

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

	Year-to-date				Full year
	1920 Q2 Budget	Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
Land					
Renewal, new/upgrade	125	299	174	139%	155
Buildings					
Capital grants and contributions	(600)	(500)	100	-17%	(1,025)
Renewal, new/upgrade	2,265	343	(1,922)	-85%	2,643
Plant & Equipment					
Capital grants and contributions	(43)	(33)	11	-25%	(43)
Renewal, new/upgrade	981	1,057	76	8%	2,672
Roads & Drainage					
Capital grants and contributions	(1,552)	(2,568)	(1,016)	66%	(3,237)
Renewal, new/upgrade	9,636	6,739	(2,898)	-30%	15,826
Bridges					
Renewal, new/upgrade	65	14	(51)	-78%	68
Water					
Renewal, upgrade and acquisition	3,487	1,018	(2,469)	-71%	4,561
Sewerage					
Capital grants and contributions	(1,587)	(140)	1,447	-91%	(2,427)
Renewal, upgrade and acquisition	4,772	2,792	(1,980)	-41%	8,029
Site Improvements					
Capital grants and contributions	(2,575)	(807)	1,768	-69%	(3,863)
Renewal, upgrade and acquisition	4,155	2,308	(1,847)	-44%	6,726
Land Development					
Renewal, upgrade and acquisition	51	26	25	-49%	88
Information Communication Technology					
Renewal, upgrade and acquisition	373	26	347	-93%	1,120

Table D.3 Capital Expenditure

Capital Expenditure for the Period Ending
29/02/2020

	20Q2 Budget (\$'000)	YTD 20Q2 Budget (\$'000)	YTD Actual (\$'000)	YTD Variance (\$'000)	YTD Variance %
Capitalised goods and services	38,729	\$ 23,958	12,273	11,686	-49%
Capitalised employee costs	3,158	\$ 1,954	2,325	372	19%
Total	41,887	25,912	14,598	11,314	

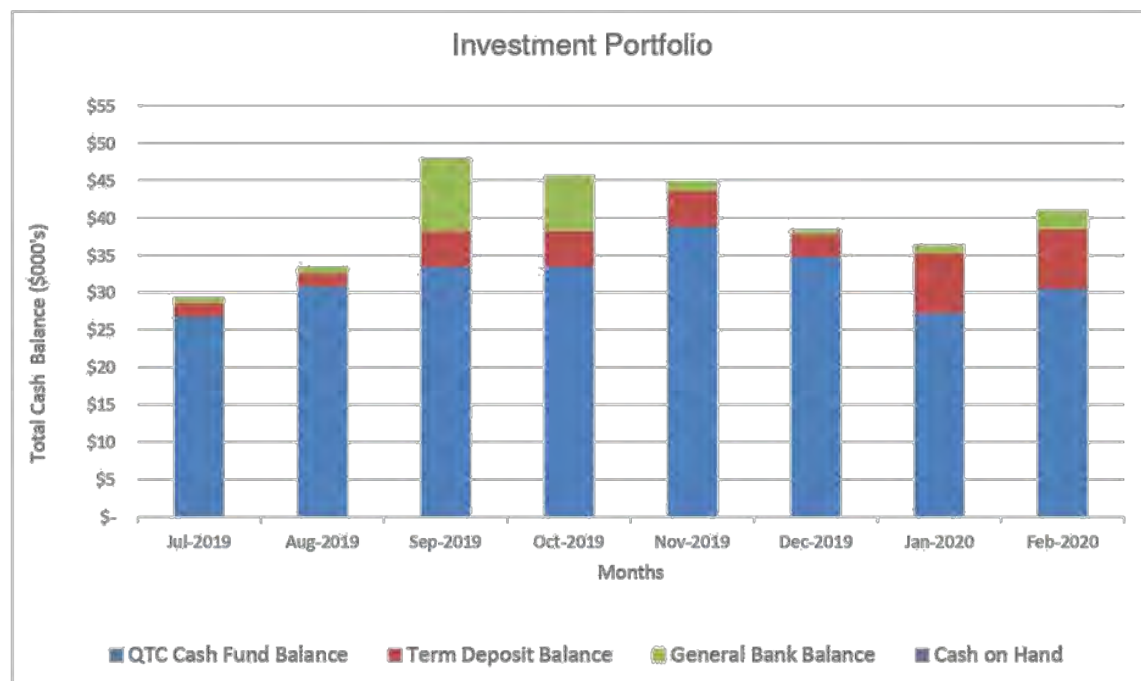
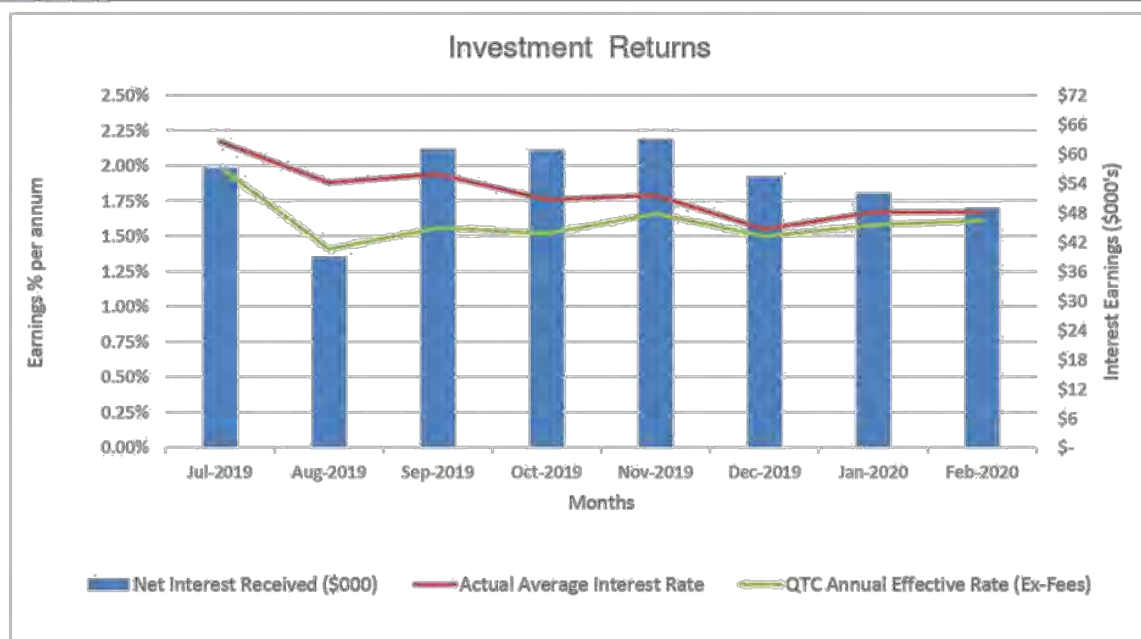
D.4: Summary capital expenditure report by project (>\$800,000)

	Project Dates				Project Costs YTD FY19/20				Project Life Costs	
	% Project Complete	Planned Start Date	Planned Completion Date	WIP B/F from PY	Actual	Commitments	Total Project Costs	2019-2020 Q2 Budget	Project LTD Costs	Project Life Budget
Capricorn Coast New Cemetery										
580906 Capricorn Coast Cemetery - Initial Planning	0%	-	-	10	0	0	0	0	10	
988058 Capricorn Coast Cemetery - Roadworks	100%	-	-	3,010	0	0	0	0	3,010	
988173 Capricorn Coast Cemetery - Internal works	7%	02/07/2019	30/06/2020	502	55	213	268	852	558	
1110324 Capricorn Coast Cemetery - Internal R&D works	100%	-	-	2,146	3	10	12	0	2,149	
Subtotal				5,668	58	222	281	852	5,726	6,850
Emu Park Village & Foreshore Revitalisation										
1097725 Emu Park Village & Foreshore - Emu Park Foreshore	0%	-	-	75	10	0	10	0	85	
1100767 Emu Park Village & Foreshore	100%	15/08/2018	17/02/2020	2,087	1,704	221	1,924	1,738	3,791	
1101161 Emu Park Village & Foreshore - CWA Rotunda Emu Park	0%	-	-	2	0	0	0	0	2	
1105254 Emu Park Village & Foreshore - Kerr 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	8	8	0	232	
1108479 Emu Park Village & Foreshore - Water Main Replacement Emu Street	100%	-	-	141	0	0	0	0	141	
Subtotal				3,359	1,715	227	1,942	1,738	5,074	5,520
1115392 ICT Strategy	0%	01/07/2019	-	4	0	0	0	1,120	4	2,120
CP440 Fleet Renewal Program	38%	02/07/2019	30/06/2020	0	913	922	1,836	2,383	913	2,383
Road & Drainage										
CP422 Gravel Resheet Annual Program	44%	02/07/2019	30/06/2020	76	568	20	588	1,300	644	1,300
1017252 Matthew Flinders Drive - Scenic Highway to Gregory Street	25%	06/01/2020	02/07/2020	7	257	670	926	1,500	264	1,500
1066885 Frangipani Drive Extension & Taranganba School Bus Setdown	0%	01/07/2020	20/10/2020	318	0	0	0	920	318	1,520
1114438 Adelaide Pk Road - St Brendan's Gate 1 to Gate 2	82%	09/09/2019	24/03/2020	2	1,226	277	1,503	1,300	1,228	1,300
1108378 Barmarjee Rd-Oaks Village - Neil's Road	45%	18/11/2019	29/04/2020	4	309	296	606	880	313	880
1113798 Whitman St - Morris to Arthur Streets	0%	02/03/2020	09/06/2020	18	18	1	19	625	36	635
Subtotal				425	2,378	1,264	3,642	6,525	2,803	7,135
Major Projects										
1115553 Coode Bay Pool- W4Q Round 3	5%	04/09/2019	31/10/2020	0	40	31	71	1,200	40	1,200
959072 Sewer Treatment Plant Yepoon - Augmentation Design & Construction	99%	22/03/2018	31/03/2020	14,167	2,279	362	2,641	2,444	16,436	16,601
1110846 Yepoon Water Recycling Augmentation	20%	03/07/2019	18/12/2020	10	67	338	405	1,900	77	1,900
Subtotal				14,167	2,386	731	3,117	5,544	16,553	19,701
Water and Waste Operations										
1100809 Yepoon Landfill entry works - Planning and Design	5%	06/04/2020	07/09/2020	0	82	0	82	2,000	82	2,000
1116575 Reservoir West Emu Park	5%	01/07/2019	31/12/2020	0	6	5	11	2,200	6	2,200
1085688 Arthur St Yepoon Trunk Sewer	0%	27/08/2020	07/10/2020	6	16	1	17	919	22	919
Subtotal				6	105	6	110	5,119	111	5,119

E.1: 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	14,756	(3,321)	-18%	9,660	10,368	708	7%	6,193	6,473	280	5%	40,970	40,373	(597)	-1%	74,900	71,970	(2,930)	-4%
User fees & charges	231	213	(17)	-8%	190	176	(14)	-7%	1,881	938	(943)	-50%	2,603	1,961	(642)	-25%	4,904	3,288	(1,616)	-33%
Operating grants	0	0	0	0%	0	0	0	0%	0	1	1	0%	6,858	5,075	(1,783)	-26%	6,858	5,075	(1,783)	-26%
Interest	31	0	(31)	-100%	16	0	(16)	-100%	11	0	(11)	-100%	714	438	(276)	-39%	772	438	(334)	-43%
Sales revenue	140	42	(98)	-70%	98	72	(26)	-27%	0	0	0	0%	(863)	826	1,690	-196%	(625)	940	1,565	-250%
Other	(0)	40	40	0%	(0)	6	6	-257%	205	78	(123)	-61%	814	604	(210)	-26%	1,020	722	(298)	-29%
Total operating revenues	18,478	15,051	(3,427)	-19%	9,964	10,616	652	7%	8,290	7,489	(797)	-10%	51,096	49,277	(1,819)	-4%	87,828	82,433	(5,395)	-6%
Expenses																				
Employee benefits	(2,340)	(1,382)	958	-41%	(1,384)	(792)	593	-43%	(394)	(194)	199	-51%	(28,040)	(18,186)	9,855	-35%	(32,158)	(20,553)	11,605	-36%
Materials & services	(8,630)	(5,196)	3,444	-40%	(3,170)	(1,939)	1,237	-39%	(5,535)	(2,470)	3,065	-55%	(12,934)	(8,476)	4,458	-34%	(30,267)	(18,063)	12,204	-40%
Depreciation	(4,138)	(2,758)	1,380	-33%	(2,317)	(1,544)	773	-33%	(635)	(423)	212	-33%	(15,310)	(10,210)	5,101	-33%	(22,400)	(14,934)	7,466	-33%
Interest	(548)	(370)	179	-33%	(682)	(459)	223	-33%	(578)	(390)	188	-33%	(2,188)	(1,449)	738	-34%	(3,995)	(2,667)	1,328	-33%
Other	(0)	(6)	(6)	0%	0	(206)	(206)	0%	(10)	(17)	(7)	70%	(1,062)	(636)	427	-40%	(1,072)	(864)	208	-19%
Less: Total operating expenses	(15,656)	(9,700)	5,956	-36%	(7,553)	(4,933)	2,620	-35%	(7,151)	(3,494)	3,657	-51%	(59,534)	(38,955)	20,579	-35%	(69,894)	(57,062)	32,812	-37%
Net operating result	2,821	5,350	2,529	90%	2,412	5,683	3,272	136%	1,139	3,995	2,860	252%	(8,438)	10,322	18,760	-222%	(2,066)	25,351	27,417	-1327%

E.2: Business Unit summary of assets and liabilities report										
	Water	Sewerage	Waste	Council	Year-to-date				Full year	
	1920 Q2 Budget	Actual	Variance	Variance %	1920 Q2 Budget	Actual	Variance	Variance %	1920 Q2 Budget	
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)	
Assets										
Cash and cash equivalents	12,261	4,924	9,667	14,142	18,479	40,993	22,514	122%	17,630	
Inventory	0	0	0	468	990	468	(522)	-53%	3,485	
Trade & Other Receivables	6,310	4,043	2,639	17,879	35,144	30,871	(4,273)	0%	8,335	
Land - for resale	0	0	0	17,703	6,514	17,703	11,189	172%	2,923	
Infrastructure:	0	0	0	0	0	0	0	0%	0	
PPE	192,885	115,806	8,801	618,480	987,229	935,971	(51,258)	-5%	995,051	
Capital WIP	1,587	17,092	82	20,997	0	39,758	39,758	0%	0	
Other assets	0	(0)	0	4	620	4	(616)	0%	930	
Total Assets	213,042	141,864	21,189	689,673	1,048,975	1,065,768	16,793	2%	1,028,354	
Liabilities										
Employee benefits	650	646	426	7,535	3,255	9,257	6,002	184%	4,782	
Trade creditors and accruals	50	50	57	1,116	1,072	1,272	200	19%	3,487	
Borrowings:										
Short-term	491	568	477	1,791	3,327	3,328	0	0%	5,270	
Long-term	9,225	15,281	9,739	41,126	75,370	75,370	0	0%	70,260	
Other liabilities	0	0	9,893	547	12,452	10,440	(2,012)	-16%	11,659	
Total Liabilities	10,415	16,545	20,592	52,115	95,476	99,667	4,190	4%	95,458	
Current assets	18,570	8,967	12,306	46,384	55,232	86,227	30,995	56%	30,380	
Current liabilities	1,172	1,245	960	9,920	7,654	13,297	5,643	74%	13,539	
Non-current assets	194,472	132,898	8,883	643,289	993,743	979,541	(14,202)	-1%	997,974	
Non-current liabilities	9,244	15,300	19,632	42,194	87,822	86,370	(1,452)	-2%	81,919	
Net community assets	202,627	125,319	597	637,558	953,499	966,101	12,602	1%	932,896	

Table E.3 Investment and Borrowings

Investment Returns for the Period Ending
29/02/2020

Total cash held at 29 February 2020 was \$40993 (\$'000)

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 1.61% p.a (net of administration fee) with the QTC and Council's three (3) term deposits earnings rates range between 1.80% and 1.90% p.a.

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 daily basis to earn higher interest. The interest returns are monitored regularly by Council Finance team staff 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

Debt Position	\$'000
Total Debt held as at 1 July 2019	80,530
Budgeted new borrowings in 2019-20	-
Capitalised interest & administrative charges	2,590
Total debt service payments made YTD	- 4,422
Total Debt held as at 29 February 2020	78,698

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 29 February 2020 the weighted average interest rate of all Council debt is 4.35%.

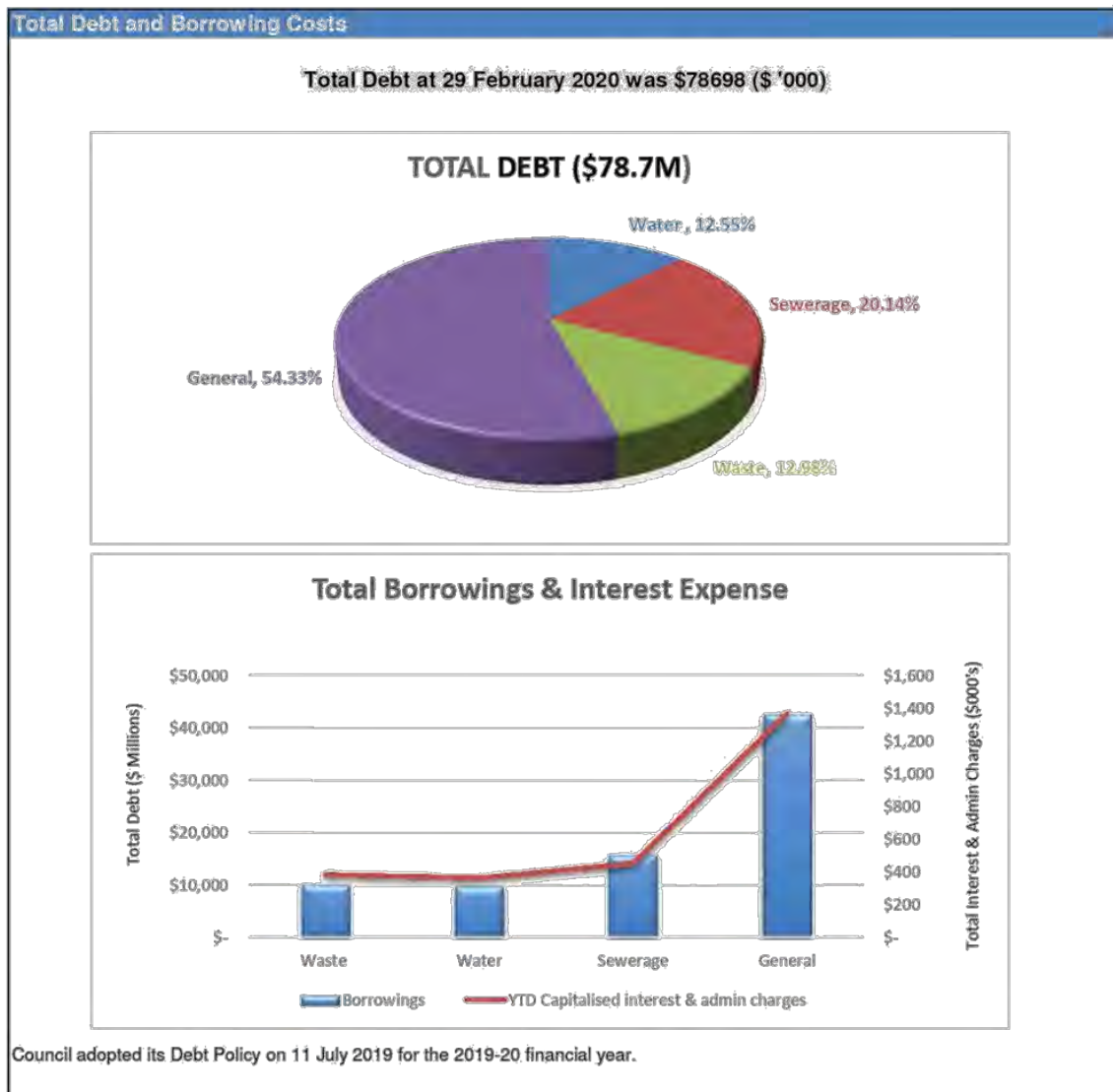
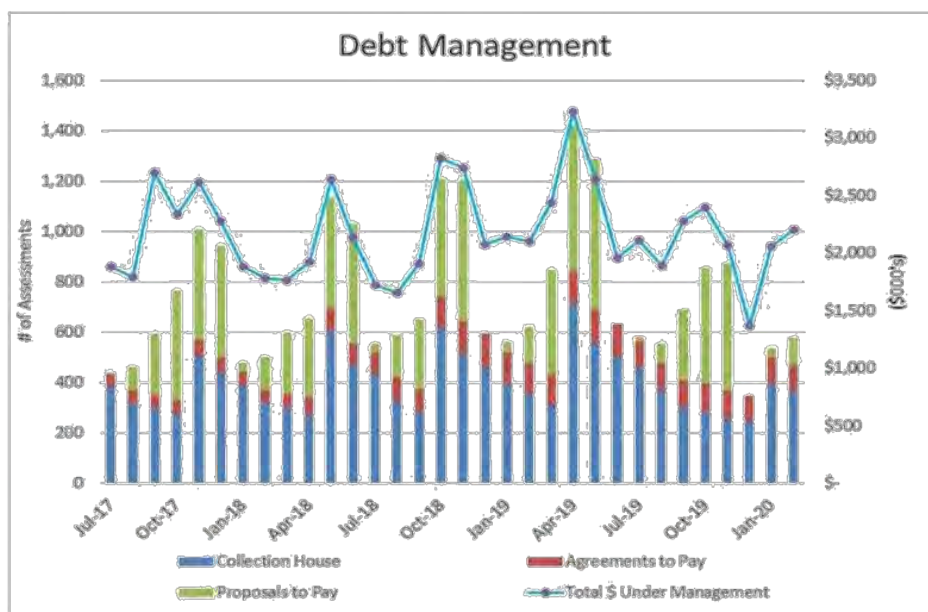
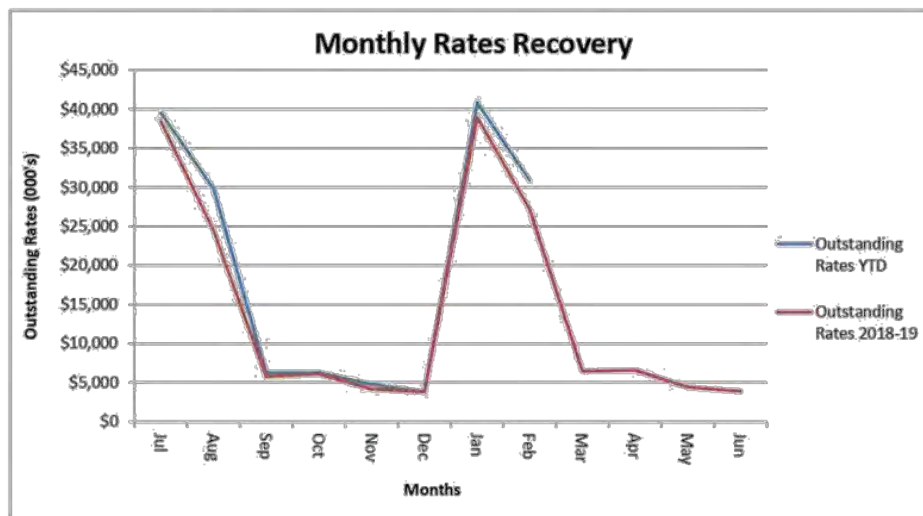


Table E.4: Additional Information

Outstanding Rates

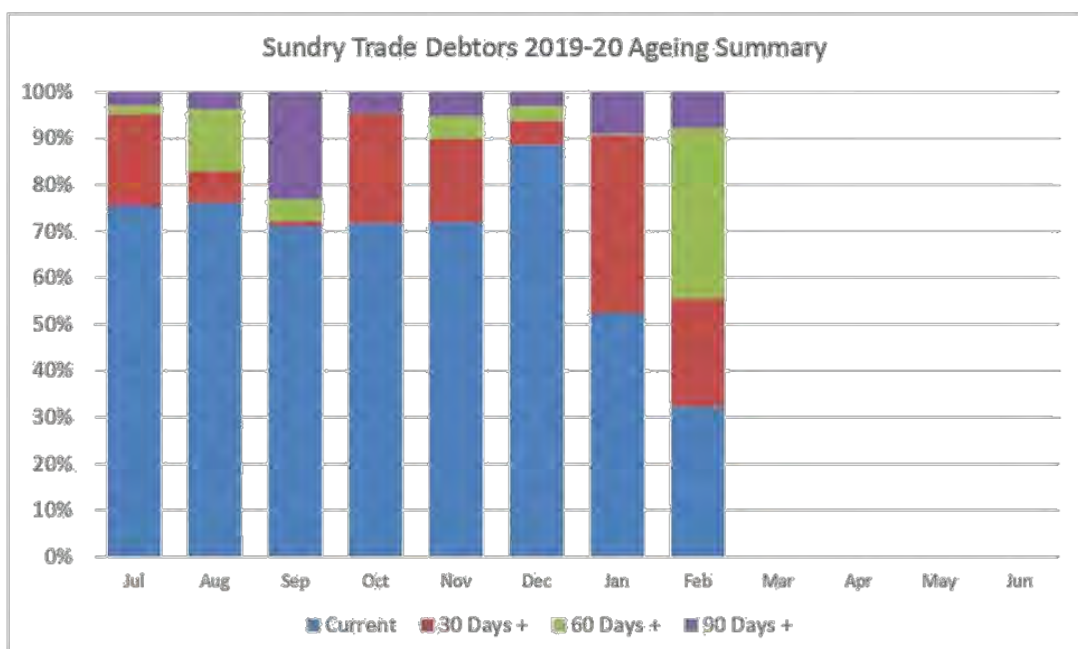
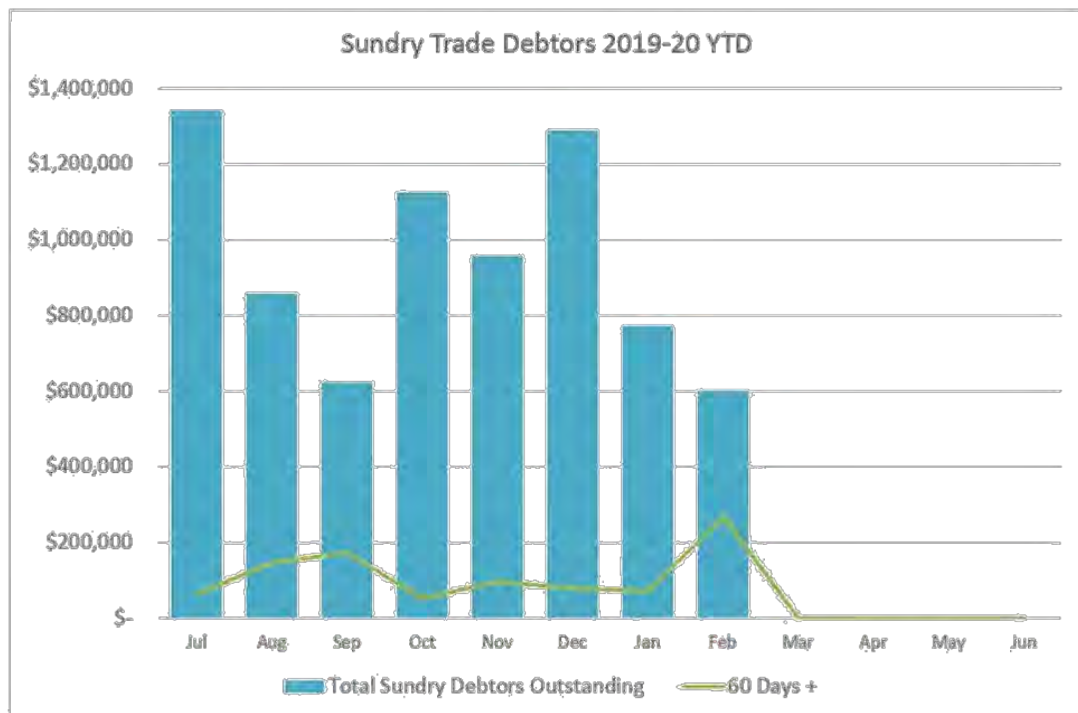
Ageing of Rates Receivable at Month End		
Ageing Period	Arrears (before prepaid rates)	balance deducting % of total eligible for collection
Current	\$29,050,045	94.11%
1 years	\$1,044,016	3.38%
2 years	\$339,088	1.10%
3 years	\$222,909	0.72%
4 years	\$79,780	0.26%
5 years	\$133,506	0.43%
TOTAL	\$30,869,344	100%



Outstanding Sundry Trade Debtors

Total Sundry Trade Debtors Outstanding at Month End:

\$600,764



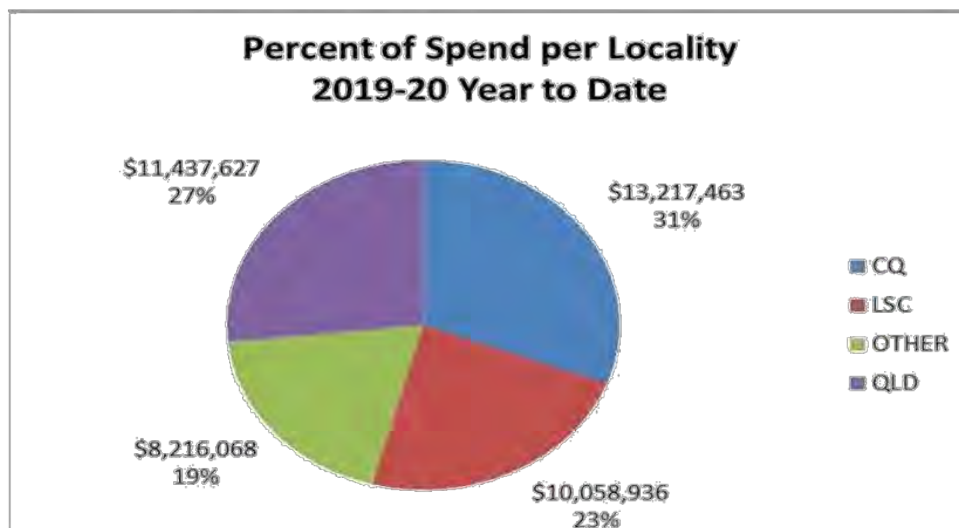
Procurement

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 23% or \$10.1 million and illustrated in the following pie chart.

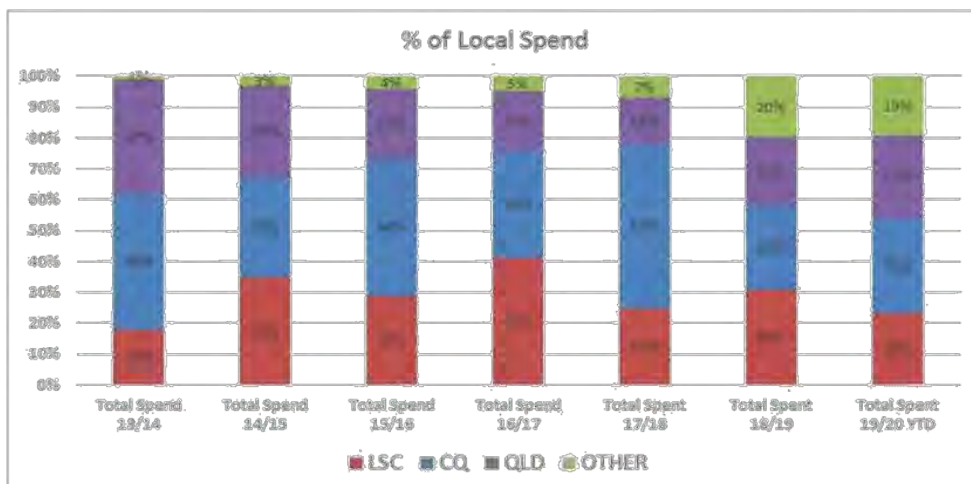
Chart legend:

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.



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 Terms		
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.	$\frac{\text{Cash and cash equivalents}}{\text{Total operating expenses} - \text{Depreciation \& amortisation} - \text{Gross interest expense}} \times 12 \text{ months}$

**12.6 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 2
MARCH 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 2 March 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 ARaBIC and Councillor Portals.

OFFICER'S RECOMMENDATION

THAT the unconfirmed minutes of the Audit, Risk and Business Improvement Committee held on 2 March 2020 be received and the following recommendations contained within those minutes be adopted.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

THAT the minutes of the Audit, Risk and Business Improvement Committee held on 2 December 2019 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 OUTCOMES FROM ANNUAL SELF-ASSESSMENT

THAT the Committee receive this report on the outcomes from the annual self-assessment and provides advice on the recommendations contained within the report.

7.3 2019-20 POSITION PAPER - INTEGRATED BUSINESS SOLUTION PROJECT MERLIN

THAT Council note that the 2019-20 Position Paper: Integrated Business Solution – Project Merlin as supported by ARaBIC.

7.4 CHIEF FINANCIAL OFFICER'S UPDATE

THAT the Committee receive the Chief Financial Officer's update.

7.5 REPORTABLE AND MATERIAL LOSSES

THAT the Audit, Risk and Business Improvement Committee receive the report on reportable and material losses.

7.6 EXTERNAL AUDIT PLAN 2019-20

THAT the Audit, Risk and Business Improvement Committee receive the 2019-20 External Audit Plan.

7.7 EXTERNAL AUDIT UPDATE

THAT the Committee receive the update from the External Auditors.

7.8 UPDATES TO ARaBIC AND INTERNAL AUDIT POLICIES

THAT the draft changes to the Audit, Risk and Business Improvement Committee and Internal Audit Policies and related documents be endorsed for consideration by Council.

7.9 INTERNAL AUDIT REPORT - OPERATIONAL PLAN REPORTING

THAT the Committee receive the Internal Audit report on Operation Plan Reporting.

7.10 INTERNAL AUDIT UPDATE

THAT the Committee receive the report on Internal Audit.

7.11 STATUS OF OPEN AGREED AUDIT ACTIONS

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

7.12 POLICY FRAMEWORK OVERVIEW - UPDATE

THAT the Audit, Risk and Business Improvement Committee receive this report providing an update on the Policy Framework Overview

7.13 CORPORATE RISK REGISTER

THAT the Audit, Risk and Business Improvement Committee receive the report and notes the status of the Corporate Risk Register.

7.14 RISK MANAGEMENT FRAMEWORK

THAT the Audit, Risk and Business Improvement Committee receive this report on Council's Risk Management Framework.

7.15 OPERATIONAL RISK REGISTER - INFORMATION AND COMMUNICATIONS TECHNOLOGY SERVICES

THAT the update of the overview of Operational Risks provided by the Chief Technology Officer be received

7.16 BUSINESS TRANSFORMATION TEAM WORKS PROGRAMME HIGHLIGHTS AND UPDATES

THAT the Audit, Risk and Business Improvement Committee receive this report.

7.17 ARABIC ANNUAL PROGRAM OF WORK FOR 2020

That the Committee endorses:

- 1)the proposed Annual Program of Work for 2020; and
- 2)the proposal to change the date of the 12 October 2020 meeting to 26 October 2020

7.18 APPOINTMENT OF INDEPENDENT CHAIR

THAT the Audit, Risk and Business Improvement Committee recommends that Council appoint Mr Patrick Connor to be Chair of the Committee

7.19 CEO UPDATE OF EMERGING ISSUES

CLOSED SESSION

7.20 EXECUTIVE LEADERSHIP TEAM UPDATE TO THE COMMITTEE

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

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

THAT the Committee receive the Risk Management Report for information.

BACKGROUND

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

COMMENTARY

Not Applicable

PREVIOUS DECISIONS

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

BUDGET IMPLICATIONS

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

LEGISLATIVE CONTEXT

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

LEGAL IMPLICATIONS

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

STAFFING IMPLICATIONS

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

RISK ASSESSMENT

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

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy GO2: Develop strategic plans and policies to address local and regional issues and guide service provision.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

Council 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

**12.7 INFRASTRUCTURE INVESTMENT PROGRAM - LAND TRANSPORT
INFRASTRUCTURE PROJECTS**

File No: ES9.5.1
Attachments: 1. Correspondence from The Hon Michael McCormack dated 6 March 2020 [↓](#)
Responsible Officer: Dan Toon - Executive Director Infrastructure
Author: Jeff Carter - Manager Construction and Maintenance

SUMMARY

This report seeks Council endorsement of ten (10) land transport infrastructure projects to be submitted for consideration for Australian Government funding through the Infrastructure Investment Program.

RECOMMENDATION

That Council resolve to submit the following land transport infrastructure projects for approval for funding pursuant to the Australian Government Infrastructure Investment Program:

- 1) Old Byfield Road / Lake Mary Road intersection upgrade to sealed standard;
- 2) Lake Mary Road Stage 1 upgrade to sealed standard;
- 3) Cobraball Road upgrade to sealed standard;
- 4) Sleipner Road Stage 1 upgrade to sealed standard;
- 5) Dawson Road upgrade isolated unsealed section to sealed standard;
- 6) Mt Chalmers Road upgrade remainder of unsealed road to sealed standard;
- 7) Lake Mary Road Stage 2 upgrade to sealed standard;
- 8) Sleipner Road Stage 2 upgrade to sealed standard;
- 9) Artillery Road upgrade narrow floodway to major culvert;
- 10) Etna Creek Road widen and overlay existing sealed pavement.

BACKGROUND

On 6 March 2020 Council received a request from Deputy Prime Minister, Michael McCormack, seeking assistance in fast-tracking the delivery of land transport projects on local roads.

The request seeks identification of any land transport infrastructure projects that would qualify for an Australian Government contribution and for which construction could commence, or be brought forward, in the next three (3) to six (6) months. This could include new or existing projects and a response is requested by 20 March 2020.

Council's current 2019/20 capital works program and forward works program was perused to identify projects capable of being fast-tracked to meet the Australian Government's requirements.

COMMENTARY

Review of the current and forward works programs, and subsequent discussions between Mayor Bill Ludwig, Acting Chief Executive Officer, Executive Director Infrastructure and Manager Construction and Maintenance, identified ten (10) projects as potentially satisfying the Australian Government's fast tracking requirement due to the existence of significant design work and/or ease of construction. The ten (10) priorities are tabled below:

PROJECT NAME	CHAINAGES	INFRASTRUCTURE PRELIM COSTINGS/COMMENTS
Old Byfield Road and Lake Mary Road unsealed road intersection upgrade to sealed standard	Ch 17.75 to 18.15 km on Old Byfield Rd and Ch0.0 to 0.05km on Lake Mary Rd	Upgrade 400m of Old Byfield Road to sealed standard from end of existing bitumen to 150m past Lake Mary Road intersection and 50m up Lake Mary Road. Estimated cost \$450,000
Lake Mary Road (Stage 1) upgrade to sealed standard.	From Old Byfield Road intersection to chainage 2.0km	Upgrade 2km of unsealed road to a 6.5m wide sealed road. Estimated cost \$1,300,000
Cobraball Road upgrade to sealed standard	Vanderspeck Road to Old Byfield Road (3.2km)	Upgrade 3.2km of unsealed road to a 6.5m wide sealed road, including intersection at Old Byfield Road. Estimated cost \$2,200,000
Sleipner Road (Stage 1) upgrade to sealed standard.	Ch 1.2 to 3.2km	Upgrade 2km of unsealed road to a 6.5m wide sealed road. Estimated cost \$1,200,000
Dawson Road upgrade to sealed standard.	Ch 3.8 to 4.6km	Upgrade 0.8km of unsealed road to a 6.5m wide sealed road. Estimated cost \$500,000
Mt Chalmers Road upgrade to sealed standard.	Ch2.8 to 4.3km	Upgrade 1.5km of unsealed road to a 6.5m wide sealed road. Estimated cost \$1,200,000
Lake Mary Road (Stage 2) upgrade to sealed standard.	Ch2.4 to 3.5km	Upgrade 1.1km of unsealed road to a 6.5m wide sealed road. Estimated cost \$700,000
Sleipner Road (Stage 2) upgrade to sealed standard.	Ch3.2 to 5.8km	Upgrade 2.6km of unsealed road to a 6.5m wide sealed road. Estimated cost \$1,700,000
Artillery Road culvert upgrade	Ch1.75 to 2.15km	Upgrade narrow floodway to major culvert and straighten road. Estimated cost \$1,200,000
Etna Creek Road upgrade	Ch1.9 to 8.0km	Widen and overlay existing sealed pavement. Estimated cost \$4,500,000

The estimated total (which will require further investigation and refinement) is \$14,950,000

It is noted that further projects were considered for nomination and not prioritised:-

- Limestone Creek Road (widen and overlay Adelaide Park Road to Neils Road)
- Todds Rd – Ingrey Rd construct new road (unlikely to be delivered in timeframes)

PREVIOUS DECISIONS

A previous nomination of similar projects was approved by Council at its Ordinary meeting on 18 February 2020 in response to \$1,000,000 provided as Category D funding for Bushfire Recovery Exceptional Assistance Immediate Support Package. There is no overlap between the two lists of projects.

BUDGET IMPLICATIONS

In recognition of the likely economic down turn associated with the spread of the coronavirus the Australia Government is providing funds to fast-track critical road projects across Australia thus driving jobs and strengthening the economy.

The ongoing maintenance and on costs associated with the improvements will need to be considered in future budgets.

LEGISLATIVE CONTEXT

Nil

LEGAL IMPLICATIONS

There are no legal implications associated with the consideration of this matter.

STAFFING IMPLICATIONS

With the exception of the Old Byfield Road / Lake Mary Road intersection upgrade, which is nearing final design and programmed to be constructed in May and June of 2020 by a Council crew, current resources do not allow the design, project management and construction of the projects by Council staff in the anticipated timeframes the Australian Government is likely to require. It is anticipated Council will seek the services of a suitably qualified project manager who will undertake all works necessary to outsource the design and construction of the projects. It is anticipated that seven (7) per cent of the project costs would be required, being approximately \$1,000,000, to undertake such work. This cost is included in individual project estimates.

RISK ASSESSMENT

Should all of the Australian Government's funding be required to be spent in a very short time period, ie. 12 months, there is a risk that construction costs will rise and estimates nominated above may be inadequate to complete individual projects. The success of a quick delivery will hinge on the engagement of a suitable qualified and experienced Project Manager.

CORPORATE/OPERATIONAL PLAN

Strategy EN1 of Council's Corporate Plan states: *'Identify and capitalise on economic opportunities for the benefit of the community.'*

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

The Australian Government has requested details for road projects that could be eligible for extraordinary funding and this provides an excellent opportunity to accelerate the Livingstone rural road upgrading program. The ten (10) priorities list in this report are recommended for endorsement by Council and submission to the Department of Infrastructure, Transport and Regional Development by the 20 March 2020 deadline.

12.7 - INFRASTRUCTURE INVESTMENT PROGRAM - LAND TRANSPORT INFRASTRUCTURE PROJECTS

**Correspondence from The Hon Michael
McCormack dated 6 March 2020**

Meeting Date: 17 March 2020

Attachment No: 1

OFFICIAL



The Hon Michael McCormack MP

Deputy Prime Minister
Minister for Infrastructure, Transport and Regional Development
Leader of The Nationals
Federal Member for Riverina

Ref: MS20-000401

Dear Mayors/Councillors

I am writing to seek your assistance in fast-tracking the delivery of land transport infrastructure projects on local roads.

Fast-tracking the delivery of critical road projects across Australia is key to driving jobs, strengthening the economy and getting people home sooner and safer.

Through the Infrastructure Investment Program, the Australian Government assists local governments to upgrade local roads, bridges and intersections. These investments, including through the Roads to Recovery Program, are critical to improving the safety and efficiency of local roads, and contributes to the prosperity and wellbeing of local economies.

I am seeking your assistance in the identification of any Australian Government land transport infrastructure projects for which construction could commence or be brought forward in the next three to six months. This could include new or existing projects with, or that would qualify for, Australian Government contribution. I would appreciate receiving your response in the attached template by 20 March 2020 through my Department at IIP@infrastructure.gov.au. The government will communicate the outcome of the process in due course.

I look forward to continuing to work closely with you to deliver infrastructure needed to ensure the ongoing stable contribution to the Australian economy.

Yours sincerely

Michael McCormack

The Hon Michael McCormack MP

Parliament House Canberra | (02) 6277 7520 | minister.mccormack@infrastructure.gov.au
Suite 2, 11-15 Fitzmaurice Street, Wagga Wagga NSW 2650 | michael.mccormack.mp@aph.gov.au

Document Set ID: 8463903

OFFICIAL

Local Government Land Transport Infrastructure Projects: Potential for Construction to Commence in 3-6 Months

[illegible]

12.8 REEF STREET, ZILZIE - EXCESSIVE LIGHT SPILL FROM STREET LIGHT**File No:** RD28.1.9**Attachments:**

1. Ordinary Council Meeting Report - 3 December 2019 - Notice of Motion - Councillor Glenda Mather - Light Spill [↓](#)
2. Minutes of Ordinary Meeting - 3 December 2019 - Notice of Motion - Councillor Glenda Mather - Light Spill [↓](#)
3. Minutes of Ordinary Meeting - 18 February 2020 - Question Without Notice - Councillor Mather [↓](#)

Responsible Officer: Dan Toon - Executive Director Infrastructure**Author:** Jeff Carter - Manager Construction and Maintenance

SUMMARY

This report addresses a Notice of Motion presented to Council by Councillor Mather and a subsequent Question Without Notice in relation to alleged excessive light spill from a street light opposite 35 Reef Street, Zilzie.

OFFICER'S RECOMMENDATION

THAT the report be received.

BACKGROUND

The following Notice of Motion was presented to the Ordinary Meeting of Council held 3 December 2019 by Councillor Glenda Mather;

That Council take the necessary action, with the relevant authority if necessary, to place a light shade over the street light opposite 35 Reef Street, Zilzie, due to excessive light spill into the homes of five residences in that vicinity affected by this ongoing intrusion.

Further, Council treat this matter as a priority due to the adverse impacts on health and quality of life.

In response to the Notice of Motion, Council resolved:

That pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending a further inspection and to return to a future Council Meeting.

On 18 February 2020, Councillor Mather raised a question without notice in relation to business outstanding item 35 – Light Spill. The Mayor accepted the question without notice from Councillor Mather and requested a response come back to a future Council meeting:

- *Is a shade able to be installed in the interim while waiting for the LED replacement program to be rolled out in the area?*

This report seeks to address these issues.

COMMENTARY

It is estimated that up to 70% of the luminaires which make up Livingstone's street lighting network contain Mercury Vapor bulbs which are no longer produced. Ergon has identified this issue and are rolling out an Ergon funded annual program to replace all Mercury Vapor bulbs with LED luminaires. Ergon have advised that replacement of luminaires in Reef Street, Zilzie will be part of their 2019-20 program, but at this stage are unable to provide any more precise timing.

Council officers made enquiries to Ergon about what costs would be involved in bringing forward replacement of the luminaire at 35 Reef Street, Zilzie and the earliest such works could be undertaken. Ergon estimates that a one off replacement would cost in the order of \$1,500 and would require Council to formally apply for such work which is costed and an offer is sent to Council for formal acceptance. In general, this process takes approximately twelve (12) weeks. Once Council formally accepts the offer, and pays the required costs, Ergon will program the works to be undertaken, usually within another twelve (12) weeks, resulting in works likely being completed six (6) months after the initial request is lodged with Ergon.

Council officers also made enquiries to Ergon about shading of the existing luminaire until replacement with an LED is undertaken. Ergon advised that the only type of shield that they have that suits the MV luminaire currently fits to the back of the light. As the issue is with the customers across the road this shield would not solve the problem.

PREVIOUS DECISIONS

There are no relevant previous decisions.

BUDGET IMPLICATIONS

Approximately \$1,500 would be required from Council's Urban Operation's budget for a one off change of luminaire to LED ahead of the Ergon replacement program.

LEGISLATIVE CONTEXT

Nil

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Insignificant

RISK ASSESSMENT

There is no risk to the general public arising from this matter.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy AM3: Design and implement practical infrastructure solutions.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

The decision to proceed with a one off luminaire change in Reef St, Zilzie would cost Council approximately \$1,500, whilst only bringing forward the change a possible maximum of nine (9) months when compared to the Ergon funded annual change program.

**12.8 - REEF STREET, ZILZIE -
EXCESSIVE LIGHT SPILL FROM
STREET LIGHT**

**Ordinary Council Meeting Report - 3
December 2019 - Notice of Motion -
Councillor Glenda Mather - Light Spill**

Meeting Date: 17 March 2020

Attachment No: 1

ORDINARY MEETING**3 DECEMBER 2019**

13.2 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - LIGHT SPILL**File No:** GC13.4.4**Attachments:** 1. Notice of Motion**Responsible Officer:** Chris Murdoch - Chief Executive Officer**SUMMARY**

Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 3 December 2019, as follows:

RECOMMENDATION

THAT Council take the necessary action, with the relevant authority if necessary, to place a light shade over the street light opposite 35 Reef Street, Zilzie, due to the excessive light spill into the homes of five residents in that vicinity affected by this ongoing intrusion.

Further, Council treat this matter as a priority due to the adverse impacts on health and quality of life.

BACKGROUND

Refer to attached Notice of Motion.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

Chief Executive Officer
Livingstone Shire Council
Yeppoon Q 4703

PO Box 5186
Red Hill PO
Rockhampton Q 4701
25 November 2019

Notice of Motion

Dear Madam CEO,

I hereby give Notice of my intention to move the following motion at the next Ordinary Meeting of Council set down for Tuesday 3 December 2019:

"That Council take the necessary action, with the relevant authority if necessary, to place a light shade over the street light opposite 35 Reef Street Zilzie, due to the excessive light spill into the homes of five residents in that vicinity affected by this on-going intrusion.
Further, Council treat this matter as a priority due to the adverse impacts on health and quality of life."

Background:

This matter was brought to my attention recently after 18 months of Council communications without effect.

I visited the site two days ago, on dark, and confirm the spillage.

The residents have been advised that this particular light model is meant for intersections where wider vision is needed for safety reasons.

One such light is in Hill Street, and has earned a part-shade to prevent spill away from the road itself.

Speaking with some of the affected residents during my visit, it is very clear this light intrusion has affected their health, where half the house is constantly "lit" during the night, causing sleep disturbance and subsequent chronic lethargy. One resident is forced to medicate to induce sleep.

Windows can't be opened for the sea breeze, and heavy curtains are necessary to drown out the light.

According to correspondence, this intrusion has been "dominating their lives for many years" and they want it to stop. This "assault" has been compounded by the lack of assistance from Council over eighteen months. The matter needs to be treated as a priority.

Many thanks, Glenda Mather Ckr

12.8 - REEF STREET, ZILZIE - EXCESSIVE LIGHT SPILL FROM STREET LIGHT

Minutes of Ordinary Meeting - 3 December 2019 - Notice of Motion - Councillor Glenda Mather - Light Spill

Meeting Date: 17 March 2020

Attachment No: 2

ORDINARY MEETING MINUTES

3 DECEMBER 2019

13.2 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - LIGHT SPILL

File No: GC13.4.4

Attachments: 1. Notice of Motion

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 3 December 2019, as follows:

COUNCIL RESOLUTION

THAT Council take the necessary action, with the relevant authority if necessary, to place a light shade over the street light opposite 35 Reef Street, Zilzie, due to the excessive light spill into the homes of five residents in that vicinity affected by this ongoing intrusion.

Further, Council treat this matter as a priority due to the adverse impacts on health and quality of life.

Moved by: Councillor Mather

Seconded by: Councillor Wyatt

PROCEDURAL MOTION

That pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending a further inspection and to return to a future Council Meeting.

Moved by: Mayor Ludwig

Seconded by:

MOTION CARRIED

12.8 - REEF STREET, ZILZIE - EXCESSIVE LIGHT SPILL FROM STREET LIGHT

Minutes of Ordinary Meeting - 18 February 2020 - Question Without Notice - Councillor Mather

Meeting Date: 17 March 2020

Attachment No: 3

ORDINARY MEETING MINUTES

18 FEBRUARY 2020

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS**7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING****File No:** GV13.4.1**Attachments:** 1. **Business Outstanding Table****Responsible Officer:** Brett Bacon - Acting Chief Executive Officer**SUMMARY**

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Ordinary Council Meeting is presented for Councillors' information.

COUNCIL RESOLUTION

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

Moved by: Councillor Kelly**Seconded by:** Councillor Mather**MOTION CARRIED****7.2 QUESTION WITHOUT NOTICE - COUNCILLOR MATHER****Responsible Officer:** Dan Toon - Executive Director Infrastructure**SUMMARY**

Councillor Mather raised a question in relation to business outstanding item 35 - Light Spill .

QUESTION

The Mayor accepted the following question without notice from Councillor Glenda Mather and requested a response come back to a future Council meeting:

- Is a shade able to be installed in the interim while waiting for the LED replacement program to be rolled out in the area?

12.9 HARTLEY STREET PEDESTRIAN CROSSING FACILITIES**File No:** CR2.13.40**Attachments:**

1. [Attachment 1 - Option 1](#)
2. [Attachment 2 - Option 2](#)
3. [Attachment 3 - Option 3](#)
4. [Attachment 4 - Option 4](#)
5. [Attachment 5 - Option 5](#)
6. [Attachment 6 - Preferred Treatment](#)

Responsible Officer: Dan Toon - Executive Director Infrastructure**Author:** Tony Lau - Manager Engineering Services

SUMMARY

On 18 February 2020, a Briefing Session Report was presented to Council outlining five (5) options for improving the pedestrian crossing facilities at Hartley Street, Emu Park. The report provided Council with an update to current dealings with the Department of Transport and Main Roads, who are planning future road upgrades and funding partners for future pathway construction works. It also provided a brief overview of the information Officers intended to present at the community consultation meeting held on 19 February 2020.

The outcome of the community consultation was that, the attendees unanimously agreed that the preferred treatment is Option 1 (Refer Attachment 1) with the addition of "Wig-wag" hazard lighting, and pedestrian fencing to block off the current crossing location.

This report seeks Council support to allocate funds in the 2020/21 capital works budget for construction of the preferred treatment.

OFFICER'S RECOMMENDATION

THAT Council resolve to include the project to improve pedestrian safety along Hartley Street, Emu Park, in the 2020/21 budget deliberations.

BACKGROUND

A number of customer enquiries were received by Council officers regarding safety concerns for pedestrians crossing Hartley Street in Emu Park, particularly for children travelling to and from the Emu Park State School. On 18 February 2020, a briefing session report was presented to Council, outlining five (5) options for improving the pedestrian crossing facilities that officers deemed acceptable and feasible. These were:

Option 1 (Preferred by officers) – Mid-block crossing facility 75m to the south, extension of footpath on eastern side of Hartley Street to connect to existing footpath at Richard Street. Refer Attachment 1.

Option 2 – New crossing on roundabout approach on Hartley Street. Refer Attachment 2.

Option 3 – Staged crossing pedestrian refuge and pedestrian mazes on each approach to the Hartley Street crossing. Refer Attachment 3.

Option 4 – Encourage crossing further to the north on Emu Park Road, Hartley Street. Refer Attachment 4.

Option 5 – "Wig-wag" hazard warning lights which activates only during peak morning and afternoon school zone times. Refer Attachment 5.

Council was also briefed on the progress of concurrent projects and grants controlled by DTMR, those that may have an influence on Council works. These are:

- *Hill Street Cycle Way Project* – DTMR acknowledged Council's request for consideration of walking and cycling safety improvements on Hartley Street and will address these when their project proceeds to the business case stage.

- *Cycle Grants 2020/21 Funding Application* – Application for 50% subsidy has been submitted and results have yet to be announced.

Results from a traffic speed analysis, carried out by Council officers, concluded that the 85th percentile speed (i.e. representative speed value to compare against posted speed limits for compliance) was as follows.

- During school term, including weekends: 65.07km/h
- During school term, excluding weekends: 64.98km/h

Average Annual Daily Traffic (AADT) for this section of Hartley Street was estimated to be 5200veh/day. This data suggested that the current posted speed of 60km/h is appropriate based on current traffic behavior of the drivers and the volumes. However, better compliance in vehicle speeds could be achieved with the provision of additional traffic calming measures.

At the time of the 18 February 2020 report, a community consultation meeting was scheduled for 19 February 2020.

COMMENTARY

A community consultation meeting, hosted by the Mayor and officers from various different teams, was held on 19 February 2020. There were three (3) other Councillors present, along with twenty-one (21) community members (13 adults / 8 children), including representatives from QPS, Men's Shed and the Principal of Emu Park State School. During the meeting, officers presented the five (5) options and provided an opportunity for attendees to participate in a robust discussion to analyze the pros and cons of each. The main topics discussed were:

- Pathway alignment
 - Discussion on the horizontal alignment and some attendees felt that the pathway on the western side of Hartley Street should be further away from the road.
 - Officers advised that the alignment is indicative only at this stage as the drawings show concept designs. The exact alignment may change slightly and may end up further away from the road.
 - Discussion on whether it would be beneficial to extend the existing pathway on the eastern side of Hartley Street to enable pathway users to stay on the eastern side and not have to cross the road.
 - Officers advised that the pathway may be extended in future if warranted. However, it was noted that pathway users enjoy the existing pathway on the western side of the road as there is more room and greater separation from the road.
- Crossing location
 - Discussion on various alternative locations for the pedestrian crossing facilities.
 - Officers advised that various locations were considered as part of the design process and the preferred location (Option 1) was the most appropriate to benefit both vehicular traffic and pathway users.
- Traffic calming
 - Discussion on speed of traffic and concerns that the preferred crossing location is where QPS has recorded highest speeds along that road.
 - Officers explained how the proposed pedestrian crossing facilities will encourage drivers to slow down.
 - Visible built up area with additional signage and line marking.

- Lighting for improved visibility.
- Refuge islands will be raised concrete islands.
- Advanced warning in the form of static and flashing signs.
- Accessibility
 - Discussion on whether the pedestrian crossing facilities will cater for the elderly.
 - Officers advised that the crossing facilities will be designed for compliance with the Disability Discrimination Act and cater for people with mobility aids, prams, and may include an activation system for the flashing advanced warning signs.

In concluding the community consultation meeting, the attendees indicated support for the following.

1. Option 1 (Attachment 1) as the preferred treatment.
2. With the addition of Wig Wag hazard warning lights.
3. With the addition of pedestrian fencing or similar suitable barrier to deter children from crossing at other locations.

Council's design team has since prepared a concept drawing for the preferred treatment, incorporating the above three (3) items. Refer Attachment 6.

PREVIOUS DECISIONS

Council was briefed on potential options to address the safety concerns, including preferred option, during the Council briefing session on 9 September 2019.

Council was briefed on potential funding application to design and construct the preferred option under State Government's Cycle Grants Funds (50% State Contribution) during the Council briefing session on 12 December 2019.

Council resolved to endorse submission of funding application to design and construct the preferred option under State Government's Cycle Grants Funds (50% State Contribution) during the Ordinary Council Meeting on 4 February 2020.

Council was briefed on the latest five alternative treatments in preparation for the community consultation meeting on 18 February 2020.

BUDGET IMPLICATIONS

The final preferred treatment shown in Attachment 6 has an estimated cost of \$208,000 to deliver. This includes detailed design and construction carried out by Council's day labour. Council has submitted an application for 50% subsidy from the Queensland Government through *Cycle Grants*, and if successful this project will only require \$104,000 funding from Council's capital works budget.

LEGISLATIVE CONTEXT

All the proposed works are located within road reserve areas where Council is authorized to undertake works under the Local Government Act.

LEGAL IMPLICATIONS

There are no known legal issues.

STAFFING IMPLICATIONS

Design and construction would be undertaken by Council staff in accordance with relevant QA procedures.

RISK ASSESSMENT

Although the existing crossing facilities may be deemed compliant in accordance with the current road design manuals, codes, and standard, there is a need for Council to provide additional safety measures and improve the crossing facilities to meet community expectations.

By improving the pedestrian crossing facilities Council will substantially lower the risk of harm to pedestrians and cyclists crossing the road, and promote lower traffic speeds.

Should Council not do anything, there is a substantial risk of harm to Council's reputation and loss of trust from the community.

CORPORATE/OPERATIONAL PLAN

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

Livingstone Community Plan Reference: 4.3: Engage with the community as advisors & partners.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

The community consultation meeting resulted in a positive outcome with attendees unanimously supporting Council's preferred treatment, Option 1 (Attachment 1) with the additions of wig-wag hazard warning lights, and pedestrian fencing to block off the current crossing location.

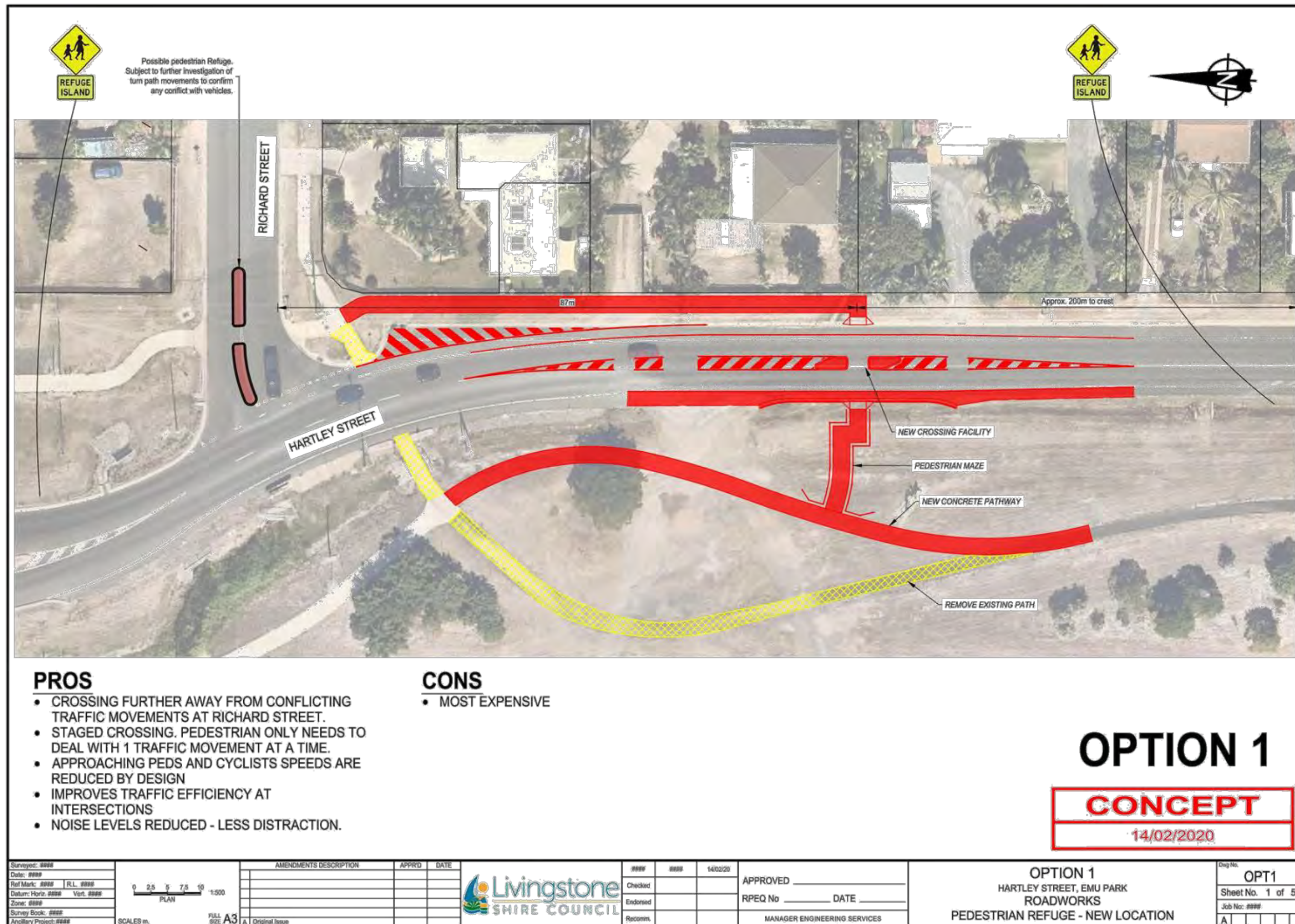
Council and the community agree that there is a need to improve safety for pedestrians and cyclists, particularly children, crossing Hartley Street and should proceed with delivering the project in the 2020/21 financial year.

12.9 - HARTLEY STREET PEDESTRIAN CROSSING FACILITIES

Attachment 1 - Option 1

Meeting Date: 17 March 2020

Attachment No: 1

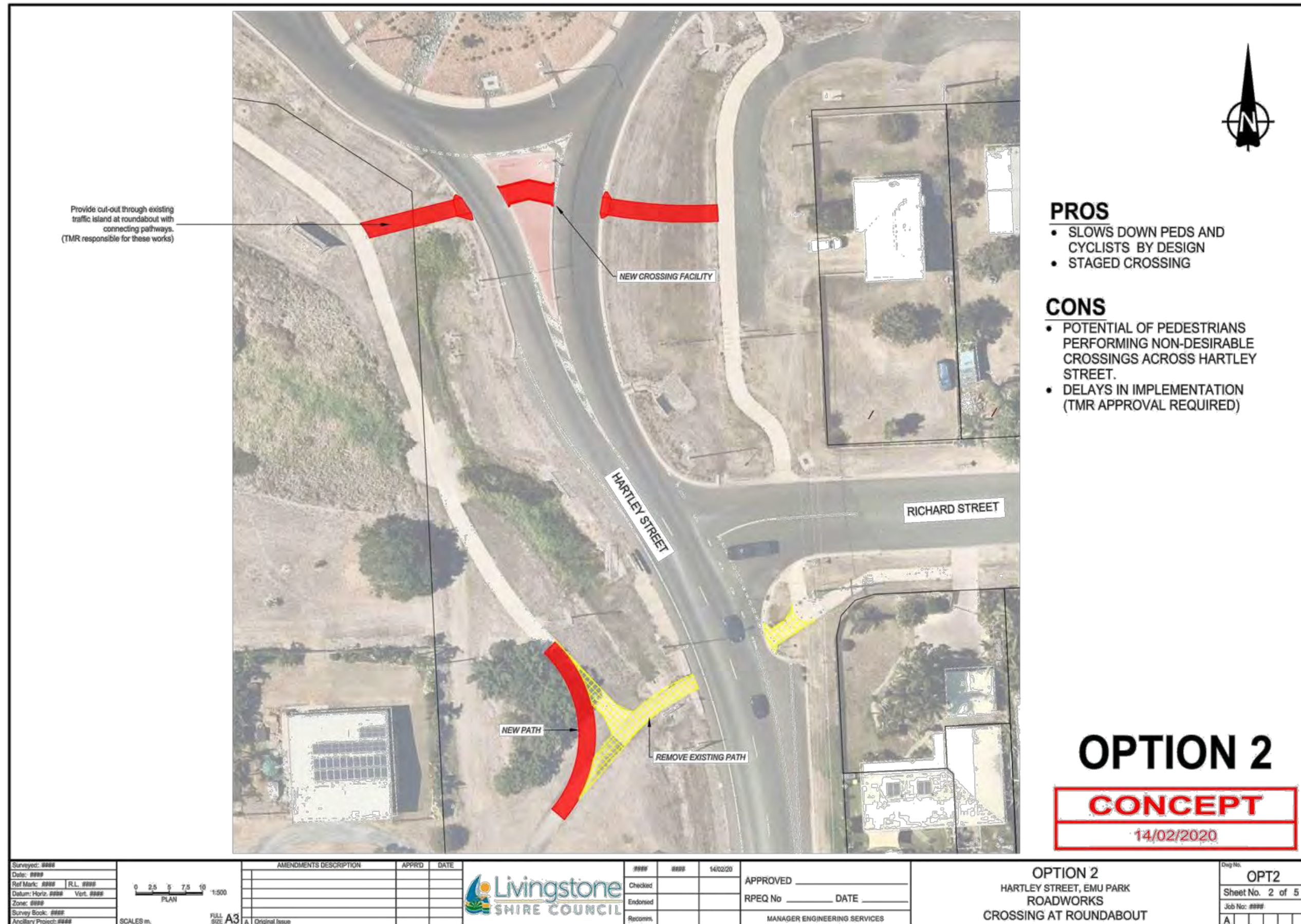


12.9 - HARTLEY STREET PEDESTRIAN CROSSING FACILITIES

Attachment 2 - Option 2

Meeting Date: 17 March 2020

Attachment No: 2

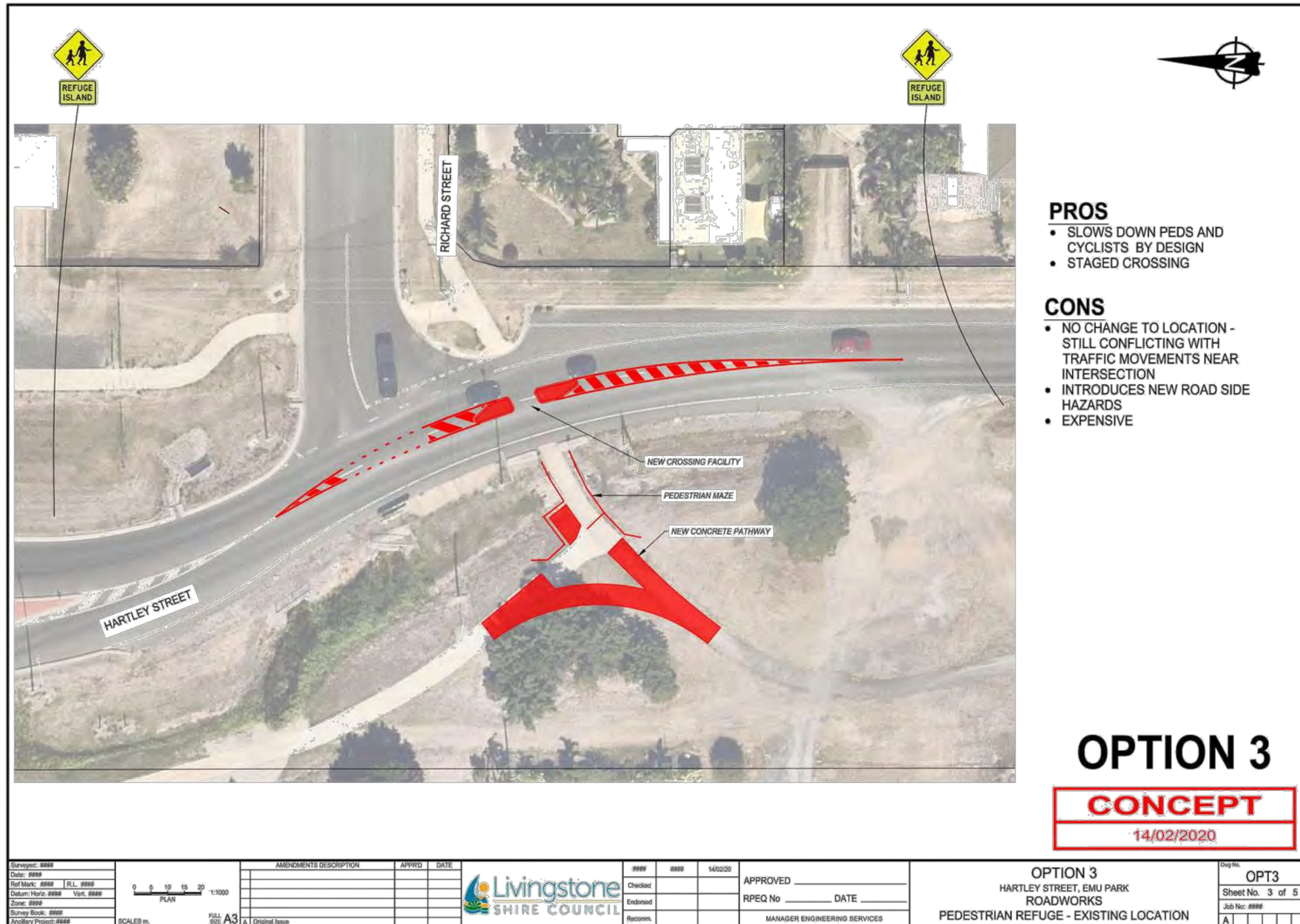


12.9 - HARTLEY STREET PEDESTRIAN CROSSING FACILITIES

Attachment 3 - Option 3

Meeting Date: 17 March 2020

Attachment No: 3

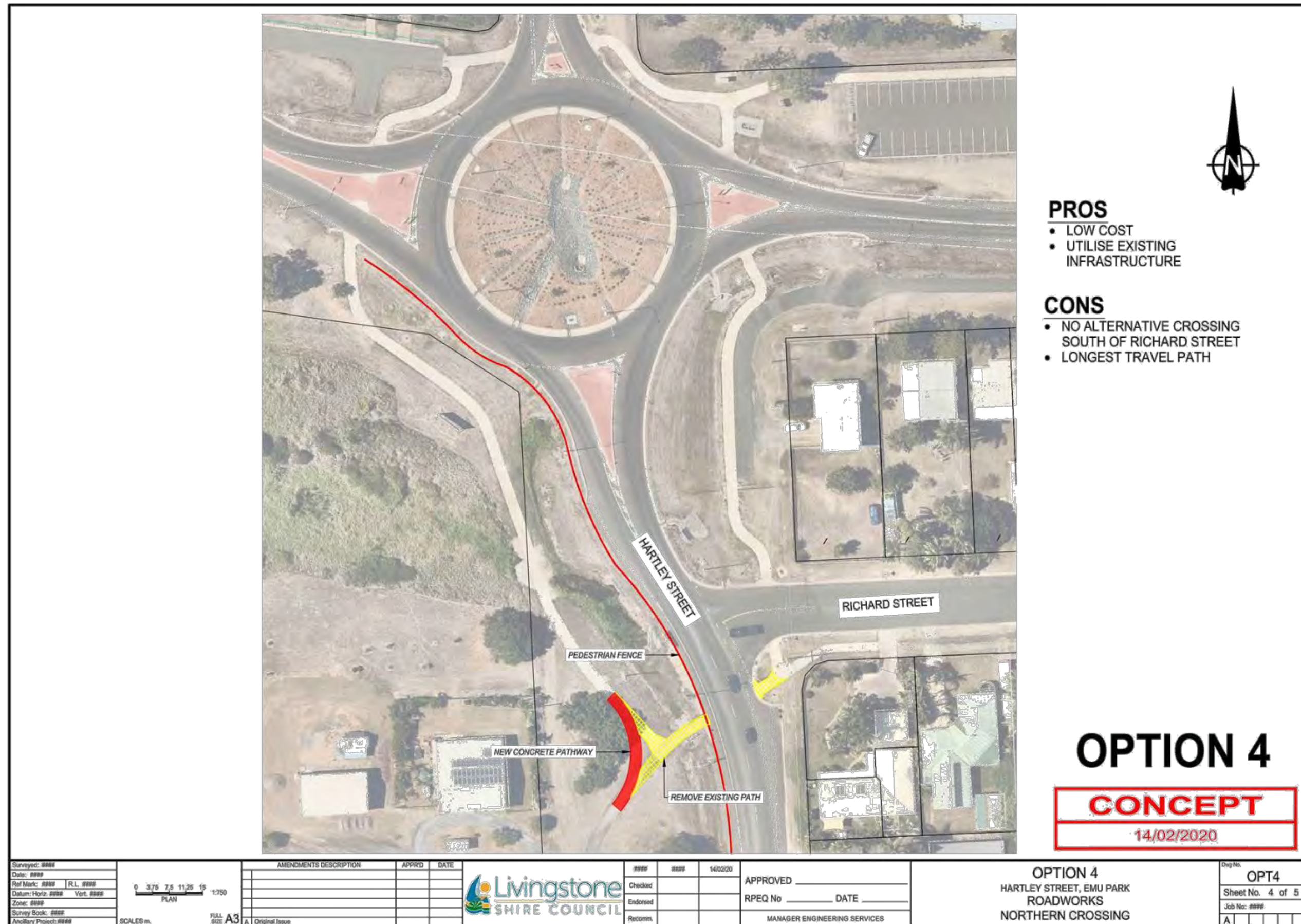


12.9 - HARTLEY STREET PEDESTRIAN CROSSING FACILITIES

Attachment 4 - Option 4

Meeting Date: 17 March 2020

Attachment No: 4

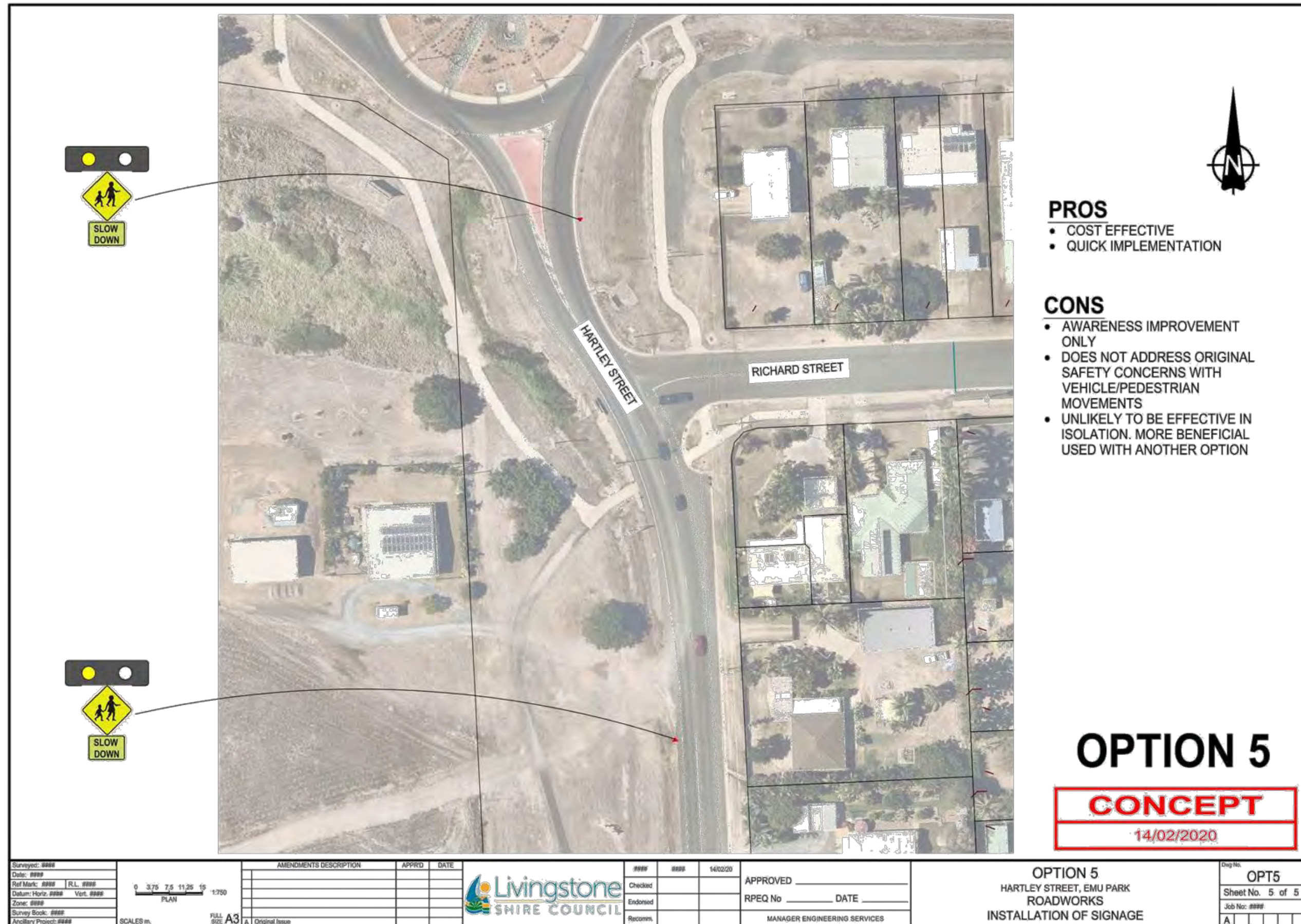


12.9 - HARTLEY STREET PEDESTRIAN CROSSING FACILITIES

Attachment 5 - Option 5

Meeting Date: 17 March 2020

Attachment No: 5

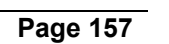


12.9 - HARTLEY STREET PEDESTRIAN CROSSING FACILITIES

Attachment 6 - Preferred Treatment

Meeting Date: 17 March 2020

Attachment No: 6



13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

13.1 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - LIGHT SPILL

File No: GC13.4.4

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

Responsible Officer: Brett Bacon - Acting Chief Executive Officer

SUMMARY

This notice of motion from Councillor Mather was presented at the Council meeting held on 3 December 2019 and it was resolved to 'lay the matter on the table' pending further inspection by officers.

This matter is now due to be lifted from the table to be dealt with. An officers report in relation to this matter is also included in the agenda for consideration.

COUNCILLOR'S RECOMMENDATION

THAT Council take the necessary action, with the relevant authority if necessary, to place a light shade over the street light opposite 35 Reef Street, Zilzie, due to the excessive light spill into the homes of five residents in that vicinity affected by this ongoing intrusion.

Further, Council treat this matter as a priority due to the adverse impacts on health and quality of life.

BACKGROUND

Refer to attached Notice of Motion.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

13.1 - NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - LIGHT SPILL

Notice of Motion

Meeting Date: 17 March 2020

Attachment No: 1

PO Box 5186
Red Hill PO
Rockhampton Q 4701
25 November 2019

Chief Executive Officer
Livingstone Shire Council
Yeppoon Q 4703

Notice of Motion

Dear Madam CEO,

I hereby give Notice of my intention to move the following motion at the next Ordinary Meeting of Council set down for Tuesday 3 December 2019:

"That Council take the necessary action, with the relevant authority if necessary, to place a light shade over the street light opposite 35 Reef Street Zilzie, due to the excessive light spill into the homes of five residents in that vicinity affected by this on-going intrusion.

Further, Council treat this matter as a priority due to the adverse impacts on health and quality of life."

Background:

This matter was brought to my attention recently after 18 months of Council communications without effect.

I visited the site two days ago, on dark, and confirm the spillage.

The residents have been advised that this particular light model is meant for intersections where wider vision is needed for safety reasons.

One such light is in Hill Street, and has earned a part-shade to prevent spill away from the road itself.

Speaking with some of the affected residents during my visit, it is very clear this light intrusion has affected their health, where half the house is constantly "lit" during the night, causing sleep disturbance and subsequent chronic lethargy. One resident is forced to medicate to induce sleep.

Windows can't be opened for the sea breeze, and heavy curtains are necessary to drown out the light.

According to correspondence, this intrusion has been "dominating their lives for many years" and they want it to stop. This "assault" has been compounded by the lack of assistance from Council over eighteen months. The matter needs to be treated as a priority.

Many thanks, Glenda Mather CLr

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 Application for Hardship Consideration

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.

16.2 Paint Pot Gallery Accommodation

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 APPLICATION FOR HARDSHIP CONSIDERATION

File No: FM12.1.9, CR2.13.34

Attachments:

1. Hardship Policy
2. Home Based Business - Brochure

Responsible Officer: Andrea Ellis - Chief Financial Officer

Author: Priscilla Graham - Coordinator Revenue

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

This report is for the briefing of Councillors prior to the matter being dealt with operationally.

The current Financial Hardship Policy outlines specific eligibility criteria for the application of hardship provisions. An application for Hardship has been received where the applicant fits a majority of the eligibility criteria. However, the property does have a home based business and due to this commercial activity does not meet the eligibility criteria of the adopted hardship policy. Council Officers support the application and request special consideration by the Council under the provisions of exceptional circumstances.

16.2 PAINT POT GALLERY ACCOMMODATION**File No:** CP5.9.2-264**Attachments:** 1. Letter to Council from The Paint Pot Gallery
requesting Rental Assistance**Responsible Officer:** David Mazzaferri - Acting Executive Director - Liveability
& Wellbeing**Author:** Elle Wallin - Project Support Officer

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council.

SUMMARY

This report provides information in relation to the provision of accommodation for the Paint Pot Gallery.

17 CLOSURE OF MEETING