



ORDINARY MEETING

AGENDA

19 MAY 2020

Your attendance is required at an Ordinary meeting of Council to be held in the Yeppoon Town Hall, 25 Normanby Street, Yeppoon on 19 May 2020 commencing at 9.00am for transaction of the enclosed business.

Brett Bacon
ACTING CHIEF EXECUTIVE OFFICER
14 May 2020

Next Meeting Date: 16.06.20

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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1 OPENING

Acknowledgement of Country

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

Opening Prayer

Pastor Warcon of the 360 Church Yeppoon is scheduled to deliver an opening prayer.

2 ATTENDANCE

Members Present:

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

Officers in Attendance:

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

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Minutes of the Ordinary Meeting held 21 April 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 LIFTING MATTERS LAYING ON THE TABLE - COUNCILLOR MATHER - LAMBERTON STREET

File No: GV13.4.4

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 – Lamberton Street*, 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 21 April 2020, Councillor Mather proposed the following Notice of Motion:

THAT Council undertake the necessary procedures to:

- (a) Arrange for an appropriate fire break to be constructed on Council's land behind the houses in Lamberton Street, Yeppoon with the intention of providing maximum fire from the front; and*
- (b) Liaise with the northern property owner to No. 31 Lamberton Street, seeking their co-operation to also provide a fire break on their side where vegetation is substantially impacting the common boundary fence; and*
- (c) Identify and resolve the cause of the upstream water being diverted into No. 31.*

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 discussion 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 21 April 2020 is now brought back for discussion and consideration.

7.2 LIFTING MATTERS LAYING ON THE TABLE - MAYORAL MINUTE – LAND ZONING REVIEW KINKA BEACH

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Brett Bacon - Acting Chief Executive Officer
Author: Nicole Robertson - Coordinator Executive Support

SUMMARY

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

OFFICER'S RECOMMENDATION

THAT Council resolve the report titled *Mayoral Minute – Land Zoning Review Kinka Beach*, 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 the Special Council Meeting held on 19 December 2019, former Mayor Bill Ludwig proposed the following motion via a Mayoral Minute:

THAT Council call for expressions of interest, from suitably qualified planning consultants, to undertake an assessment of the area of land shown in the attachment to this report to determine its suitability for zonings other than rural, including Emerging Community Zone.

In response to the Mayoral Minute, 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 further discussion and to return to a future Council Meeting.

COMMENTARY

In accordance with the resolution of Council, the Mayoral Minute which was laid upon the Council table at its Special Meeting of 19 December 2019 is now brought back for discussion and consideration.

PREVIOUS DECISIONS

At its Special meeting of 19 December 2019, 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 further discussion and to return to a future Council Meeting.

BUDGET IMPLICATIONS

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

LEGISLATIVE CONTEXT

There are no legislative requirements 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

The risks associated with the consideration of these matters are primarily reputational, which may arise if Council allows these items to linger without appropriate attention.

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

Following the motion to lift the matter from the table it will be presented for Council's consideration.

7.3 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING**File No:** GV13.4.1**Attachments:** 1. Business Outstanding [↓](#)**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 Meetings, as at 11 May 2020, is presented for Councillors' information.

OFFICER'S RECOMMENDATION

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

7.3 - BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

Business Outstanding

Meeting Date: 19 May 2020

Attachment No: 1

Item	Date	Report Title	Resolution	Responsible Officer	Comments
1.	17 July 2018	Draft Fig Tree Creek Masterplan	THAT Council endorse the Fig Tree Creek Master Plan for further public consultation and integration into the Council's Strategic Planning Framework.	Coordinator Natural Resource Management	8 May 2020 Co-design training scheduled to be delivered to relevant internal stakeholders 21-28 May 2020 - Report to Council 7 July 2020.
2.	18 September 2018	Opening of Road – Gunder Road, The Caves (C)	THAT Council authorise the Chief Executive Officer to commence negotiations with the owners of Lot 69 RP891987 to open new road as shown on Drawing No. 17-112-04.	Policy and Planning Officer	22 Apr 2020 Action not proceeding.
3.	16 October 2018	Potential Sale of Lots 2 and 3 - The Gateway Business and Industry Park (C)	THAT Council: 1. reconfirms its previous decision on 1 May 2018, to sell Lots 2 and 3, known as 3 and 5 Pineapple Drive, Hidden Valley, within Stage One of The Gateway Business and Industry Park, at the nominated offer and acknowledges the new entity (purchaser) listed in this report; 2. confirms its preparedness to accept the option two payment terms and conditions for Lots 2 and 3, outlined in this report, and if deemed acceptable to the purchaser through further negotiation; 3. confirms in lieu of discounting infrastructure charges, it would favourably consider entering into an infrastructure agreement for the deferred payment of infrastructure charges, in accordance with the general terms prescribed by Council's <i>Development Incentive Policy for Reconfiguring a Lot</i> , based on the terms outlined in this report; and if deemed acceptable to the purchaser through further negotiations; 4. authorises the Chief Executive Officer to finalise negotiations with the purchaser, taking into consideration the terms and conditions outlined in this report, and execute a contract of sale for	Executive Director Liveability and Wellbeing	15 Apr 2020 Settlement extension requested and granted. Anticipate settlement by the end of April 2020.

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			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;		
4.	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	<p>11 May 2020</p> <p>The Draft Recyclables Processing Tender has been completed by RRC for review by all four (4) Councils. The four (4) Councils have agreed on an open-book accounting methodology for costing the supply of the recyclables processing services.</p> <p>RRC have engaged the services of a Townsville based Lawyer (Helix Legal) to provide legal opinion. This Lawyer was selected as they have recent experience with this subject – being legal expertise for Cairns Regional Council for their new MRF contract. All four (4) Councils will contribute to the costs of this legal opinion.</p>
5.	06/08/19	Livingstone Planning Scheme 2018 - Proposed Second Amendment	<p>THAT Council resolve to:</p> <ol style="list-style-type: none"> 1. make amendments to the <i>Livingstone Planning Scheme 2018</i> in accordance with the changes identified in Attachment One; and 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>. 	Strategic Planning Officer	<p>15 Apr 2020</p> <p>State Government has stopped the time period and requested Council provide further information to justify compliance of State interests. Growth Management will further investigate avenues for providing information requested.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
6.	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>6 May 2020</p> <p>Currently in the hands of the agent.</p>
7.	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	<p>8 May 2020</p> <p>Survey plan received - sent to owner for signing.</p>
8.	19/11/19	Enquiry of The Gateway Business and Industry Park Proposed Lot 24 (C)	THAT Council resolve to provide a twelve-month non-exclusive Licence Agreement to the proponent, at a rental amount as prescribed under the non-exclusive Licence Agreement to, over part of Lot 5001 on Survey Plan 296924 at The Gateway Business and Industry Park.	Project Support Officer	<p>14 Apr 2020</p> <p>Council has prepared the draft Licence Agreement for part of Lot 5001 on Survey Plan 296924 at The Gateway Business and Industry Park. The Licence Agreement is currently being reviewed by the Licensee.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
9.	03/12/19	LIVINGSTONE PLANNING SCHEME 2018 - PROPOSED PLANNING SCHEME AMENDMENTS	<p>THAT Council resolve to:</p> <p>1) Make amendments to the Livingstone Planning Scheme 2018 in accordance with the changes identified in Attachment 1; and</p> <p>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.</p>	Principal Strategic Planner	<p>15 Apr 2020</p> <p>Internal review of document changes being undertaken and endeavouring to send amendment information to State by end of May 2020 for State interest review.</p>
10.	03/12/19	PROPOSED TRUSTEE LEASE TO NBN CO LIMITED OVER PART OF LOT 50 ON SURVEY PLAN 207050 - KEPPEL SANDS (C)	<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 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>	Principal Property Officer	<p>06 May 2020</p> <p>Negotiations are still ongoing with NBN.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
11.	19/12/19	Mayoral Minute - Land Zoning Review Kinka Beach	<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>	Acting Chief Executive Officer	<p>05 May 2020</p> <p>Matter to be presented at the Ordinary Council meeting on 19 May 2020 to be lifted from the table and considered.</p> <p>05 Mar 2020</p> <p>Due to this being a Planning Scheme amendment matter cannot be considered by Council during Caretaker Period. Matter will be brought back to new Council for consideration</p>
12.	19/12/19	Capricorn Coast Memorial Parkland Management (C)	<p>THAT Council resolve to authorise Council officers to invite expressions of interest from parties interested in the provision and management of the following components of the Capricorn Coast Memorial Parkland:</p> <p>(1) provision of burials and inurnment of ashes in accordance with the Capricorn Coast Memorial Parkland Landscape Key Plan 2: Burial Plot Layout, including:</p> <ul style="list-style-type: none"> a. using the modern burial system (crypt burial system) for formal lawn and informal lawn burials; b. provision of ashes garden(s); c. provision of columbarium(s); and d. the establishment of a pet cemetery; <p>(2) horticultural and general maintenance of the site;</p> <p>(3) general operation (including opening hours) of the site;</p> <p>(4) development of a chapel; and</p> <p>(5) development of a crematorium.</p>	Manager Infrastructure Projects	<p>6 May 2020</p> <p>The scope of work and budget required to complete the project are currently being reviewed with the ELT. A number of issues relating to how the facility will be managed and operated when the facility is completed are being examined and costed, and will be reported to an ELT meeting at the end of May.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
13.	04/02/2020	Notice of Motion - Councillor Adam Belot - Bangalee Beach Access Consultation.	<p>THAT Livingstone Shire Council undertake meaningful community consultation with the Bangalee community and (any other key stakeholders) to determine their level of support for the following in relation to vehicle access onto Farnborough Beach</p> <p>1/ Do you support Council investigating a viable additional and/or alternate northern vehicle beach access point accessing onto Farnborough Beach.</p>	Executive Director Infrastructure	<p>7 May 2020</p> <p>Results of survey provided to Councillors by Marketing and Engagement. Infrastructure is currently preparing a further report for the June briefing session in relation to investigation of alternative access options.</p>
14.	04/02/2020	Questions on Notice - Councillor Glenda Mather - Great Keppel Island Revitalisation Project	THAT the 'Questions on Notice' be received and a report providing a response to the questions be brought to a future Council meeting.	Acting Executive Director Infrastructure	<p>14 Apr 2020</p> <p>The Queensland Government Project Officer has indicated Council will shortly be in receipt of correspondence addressing the questions raised.</p>
15.	04/02/2020	Potential Sale of Lot 18 on Survey Plan 296924 at The Gateway Business and Industry Park (C)	THAT Council accept the offer, as detailed in the below report, to sell Lot 18 on SP296924, known as 6 Macadamia Drive, Hidden Valley.	Project Support Officer	<p>5 May 2020</p> <p>Property has settled. No further action required.</p>
16.	04/02/2020	Properties Eligible for Sale of Land for Rate Arrears (C)	<p>THAT</p> <p>(a) pursuant to section 140(2) of the Local Government Regulation 2012 Council proceed with action to sell the land listed below, and also detailed in attachment 1 to the report for overdue rates and charges; and</p>	Coordinator Revenue	<p>15 Apr 2020</p> <p>Notices of Intention to Sell issued. No further action for a minimum of three months.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<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>		
17.	04/02/2020	ACQUISITION OF LAND (C)	THAT Council resolves to proceed in accordance with Option One, as detailed within the body of this report.	Manager Infrastructure Projects	<p>6 May 2020.</p> <p><i>A specialist contamination consultant is being engaged to prepare a Contamination Due Diligence Report which addresses the risks, constraints and options associated with remediating the contamination, and outlines the procedures, timeframes and costs necessary to either fully or partially remediate the site.</i></p> <p><i>This report is due in early June.</i></p>
18.	18/02/2020	Question Without Notice - Councillor Mather – Security of	The Mayor accepted the following question without notice from Councillor Glenda Mather and requested a response come back to a future Council meeting:	Manager Water and Waste Operations	<p>7 May 2020</p> <p><i>A report will be presented at the Ordinary Council meeting on 19 May 2020.</i></p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
		Drink Container Bin Lids	<ul style="list-style-type: none"> What security measures can be taken to prevent future bins (with the lids) being stolen at events? 		
19.	18/02/2020	Notice of Motion - Councillor Mather - Overgrown Vegetation	THAT pursuant to s2.19.1(d) and s2.19.6 of Livingstone Shire Council's Meeting Procedures Policy the matter lay on the table pending an officers report to return to a Council Meeting.	Executive Director Liveability and Wellbeing	<p>7 May 2020</p> <p>Officers still investigating on a regular basis and keeping in contact with Customer and to date the vegetation is still too wet to clear. Customer has also been advised to contact Open Spaces Officer if they feel the area is dry enough to clear - to engage in onsite inspection.</p>
20.	18/02/2020	Proposed Trustee Lease to Capricorn Tourism and Economic Development Limited (C)	<p>THAT Council resolve:</p> <p>1) to rescind Resolution 12.3 of its Ordinary Meeting on 16 October 2018, which resolved to:</p> <p>1) apply the exception mentioned in Section 236(1)(b)(ii) of the Local Government Regulation 2012 to its dealings with Capricorn Tourism and Economic Development Limited and Keppel Coast Arts Council Incorporated for issue of Trustee Leases over land currently described as Lot 2 on Survey Plan 104438, Merv Anderson Park Yeppoon, and</p> <p>2) provide Trustee Leases over land currently described reserve for Recreation, Public Boat Ramp,</p>	Property Officer	<p>6 May 2020</p> <p>It is anticipated this will be finalised in the next fortnight.</p> <p>15 Apr 2020</p> <p>Lease has been signed, executed by both parties and will be registered shortly.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p><i>Jetties and Landing Place over Lot 2 on Survey Plan 104438 to:</i></p> <p><i>(a) Capricorn Tourism and Economic Development Limited for a term of 20 years for operation of the Capricorn Coast Visitor Information Centre and Shell World; and</i></p> <p><i>(b) 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
21.	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>06 Apr 2020</p> <p>Draft lease agreement expected to be given to Yeppoon Inlet Association in the coming months.</p>
22.	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 	Principal Property Officer	<p>15 Apr 2020</p> <p>Due to the impact of the Covid 19 crisis of the Manager's for the Park, they indicated that they will be prepared to continue as Managers of the Park until February 2021.</p> <p>Chief Executive Officer approval has been given for this.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
			<p>235(b) of the <i>Local Government Regulation 2012</i>;</p> <p>2) to authorise Council officers to negotiate with parties who may enquire or have enquired in relation to the management of the park; and</p> <p>3) to delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the <i>Local Government Act 2009</i>, to appoint new managers for the Keppel Sands Caravan Park and the terms and conditions under which they are appointed.</p>		
23.	18/02/2020	Mayoral Minute - Senior Citizens	<p>THAT Council</p> <p>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 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>	Manager Community Wellbeing	<p>8 May 2020</p> <p><i>A meeting was held with the relevant representatives of Yeppoon Senior Citizens. The meeting occurred 8 May 2020 as requested and discussion was held around the senior citizens return on a temporary basis to the Town Hall under a booking regime and Councils commitment to find a suitable location to facilitate the social and recreational needs of the senior citizens.</i></p> <p><i>At the meeting it was agreed that on return to the Town Hall the senior citizens would have a permanent booking for 1st and 3rd Thursday of each month, the storage arrangement for the shed at rear of hall would remain and further consideration to options around on-site and on-street parking would be undertaken to enable access to hall during the booking time (08.30 – 12.00). The</i></p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments
					requirement for a third booking for a social event may also be relevant however due to various unknowns (type of social gathering, times etc) it was agreed this booking would remain random and the senior citizens as a group would make this booking on an as needs basis. It is understood as a result of the meeting that further report at this time was not required and Council officers would continue operationally investigating all option and funding opportunities relevant to addressing the Mayoral Minute.
24.	03/03/2020	Request for Renewal of Lease - Marlborough Rural Fire Brigade	<p>THAT Council resolve:</p> <ol style="list-style-type: none"> 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; 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 3. to provide a ten (10) year lease to the State of Queensland (represented by Public Safety Business Agency) on behalf of the 	Principal Property Officer	<p>6 May 2020</p> <p>Draft lease received. Council will commence negotiations to finalise the lease.</p>

Item	Date	Report Title	Resolution	Responsible Officer	Comments																																
			Marlborough Rural Fire Brigade, at a nominal rent amount of \$1 per annum, over part of Lot 12 on Survey Plan 270260.																																		
25.	17/03/2020	Mayoral Minute - Bushfire Rates Relief	<p>1. THAT Council 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.</p> <p>2. THAT, in the event that the request to the State Government is denied, Council grant a hardship concession to the owners of the fifteen (15) properties identified below, who lost their homes during the Cobraball fire, by way of rebate for all of the rates and charges payable to Council for the rating period from 1 January 2020 to 30 June 2020.</p> <table><thead><tr><th>Lot and Plan Number</th><th>Assessment</th></tr></thead><tbody><tr><td>Lot 5 on RP615216</td><td>139321</td></tr><tr><td>Lot 1 on RP608134</td><td>139446</td></tr><tr><td>Lot 2 on RP614862</td><td>139457</td></tr><tr><td>Lot 2 on RP614695</td><td>137379</td></tr><tr><td>Lot 1 on RP614695</td><td>137378</td></tr><tr><td>Lot 1 on RP602818</td><td>137377</td></tr><tr><td>Lot 3 on RP602798</td><td>137374</td></tr><tr><td>Lot 2 on RP616174</td><td>137372</td></tr><tr><td>Lot 2 on SP286143</td><td>143077</td></tr><tr><td>Lot 2 on RP602413</td><td>137410</td></tr><tr><td>Lot 40 on RP843061</td><td>137275</td></tr><tr><td>Lot 39 on RP843061</td><td>137274</td></tr><tr><td>Lot 1 on SP201920</td><td>143738</td></tr><tr><td>Lot 2 on RP812798</td><td>137325</td></tr><tr><td>Lot 207 on LIV40670</td><td>139281</td></tr></tbody></table>	Lot and Plan Number	Assessment	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 207 on LIV40670	139281	Mayor EA and Chief Financial Officer	15 Apr 2020 Letter sent to Hon. Stirling Hinchcliffe on 15/04/2020.
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Item	Date	Report Title	Resolution	Responsible Officer	Comments
26.	17/03/2020	Hartley Street Pedestrian Crossing Facilities	THAT Council resolve to include the project to improve pedestrian safety along Hartley Street, Emu Park, identified as options 1 and 5 in this report, in the 2020/21 budget deliberations.	Manager Engineering Services	07 May 2020 No further action. Pending adoption of 2020/21 budget. 5 May 2020 Business Case prepared and submitted to ELT for budget approval to construct in 2020/2021 financial year.
27.	16/04/2020	Appointment of Chair to the Local Disaster Management Group	THAT Council appoint the Mayor, Councillor Ireland, as Chairperson and Councillor Mather as Deputy Chairperson of the Livingstone Shire Local Disaster Management Group as per section 10 of the Disaster Management Regulation 2014.	Acting Executive Director Liveability and Wellbeing	7 May 2020 Letter of appointment sent to Commissioner Queensland Fire and Emergency Service. Letter received in acknowledgment. Cr Ireland is officially appointed as Chair, Cr Mather and Cr Belot as Deputy Chairs of the Livingstone Local Disaster Management Group
28.	16/04/2020	Determination of Standing Committees or Portfolios	THAT Council resolves to proceed with a Councillor Portfolio framework and in due course consider and adopt an appropriate Councillor Portfolio Policy and suitable designation of Portfolio responsibilities to respective Councillors.	Coordinator Governance	11 May 2020 Further report to be presented to a Council meeting.
29.	16/04/2020	Determination As To Whether Elected Members Will Be Subject To PAYG Withholding Tax	THAT Council notes the resolution made on 3 January 2014 to resolve to become an eligible governing body subject to Section 446-5 of Schedule 1 of the Taxation Administration Act 1953 effective on 1 January 2014.	Chief Financial Officer	11 May 2020 No further action required. Resolution maintains the previous decision made by council.
30.	16/04/2020	Notice of Motion - Councillor Glenda Mather - Lamberton Street	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 discussion and return to a future Council Meeting.	Acting Chief Executive Officer	11 May 2020 Report to be presented to the Council meeting on 19 May 2020.

8 PRESENTATION OF PETITIONS

Nil

9 MAYORAL MINUTE

9.1 MAYORAL MINUTE - LAND ZONING REVIEW KINKA BEACH

File No: GV13.4.3

Attachments: Nil

Responsible Officer: Brett Bacon - Acting Chief Executive Officer

SUMMARY

This Mayoral Minute was previously presented by the former Mayor, Bill Ludwig at the Special Council meeting held on 19 December 2019. Council resolved to lay the matter on the table and be returned to a future Council meeting.

This matter is now being presented to Council for consideration.

COUNCILLOR RECOMMENDATION

THAT Council call for expressions of interest, from suitably qualified planning consultants, to undertake an assessment of the area of land shown in the attachment to this report to determine its suitability for zonings other than rural, including Emerging Community Zone.

BACKGROUND

At the Special Council Meeting held on 19 December 2019, former Mayor Bill Ludwig proposed the following motion via a Mayoral Minute:

THAT Council call for expressions of interest, from suitably qualified planning consultants, to undertake an assessment of the area of land shown in the attachment to this report to determine its suitability for zonings other than rural, including Emerging Community Zone.

In response to the Mayoral Minute, 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 further discussion and to return to a future Council Meeting.

COMMENTARY

The summary provided in the original Mayoral Minute which was presented to the Special Council meeting on 19 December 2019 is as follows:

This Mayoral Minute seeks to have Council undertake a review of the current rural zoning of an area of land at Kinka Beach being that area of land bounded by Scenic Highway; Kinka Beach Rd (also known as Tanby Rd); Barlow's Sand Quarry; and the boundary of Coolwaters Holiday Park (refer to attachment).

The purpose of the review is to evaluate the suitability of the site for uses other than rural (.e.g rural residential or residential). As the site has access to reticulated sewer and water, is located close to existing residential and rural residential development and is not considered highly suitable for agricultural purposes, it is considered appropriate to identify alternative future use potential.

This review is also considered timely in the context of two development applications over the land, for rural residential uses for parts of the site, that Council officers have been assessing over the last 18months, one of which is now due for determination.

PREVIOUS DECISIONS

At its Special meeting of 19 December 2019, 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 further discussion and to return to a future Council Meeting.

BUDGET IMPLICATIONS

If Council were to undertake the planning exercise contemplated within the mayoral minute, it would need to divert funds from other projects or programmes, as there is no funding allocated within the existing budget.

LEGISLATIVE CONTEXT

There are no legislative requirements associated with the consideration of this matter. However, if Council were of a mind to pursue any change in zoning, that would need to follow the prescribed process, which is managed by the *Planning Act 2016* and its suite of associated supporting documents.

LEGAL IMPLICATIONS

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

STAFFING IMPLICATIONS

If Council were to undertake the planning exercise contemplated within the mayoral minute, it would be accommodated within existing staffing resources. However, that would be at the expense of other projects or programmes.

RISK ASSESSMENT

The risks associated with making 'strategic' decisions in isolation are reputational and financial (associated with market signalling, infrastructure, compromising existing growth corridors, etcetera). Public and private investments are made based upon adopted strategic frameworks and planning schemes and these could be compromised by piecemeal interventions.

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

Following the motion to lift the matter from the table it will be presented for Council's consideration.

9.2 MAYORAL MINUTE - PACIFIC HEIGHTS ROAD

File No: CR2.13.24
Attachments: Nil
Responsible Officer: Andrew Ireland - Mayor

SUMMARY

This Mayoral Minute is presented to Council for consideration in relation to Pacific Heights Road, Yeppoon.

RECOMMENDATION

THAT Council:

- 1) Resolves for Council Officers to prepare a report to Council outlining options and costs for reducing the speed and volume of traffic along Pacific Heights Road, and
 - a) that these options consider the following:
 - Reducing the speed limit to 40kph;
 - Increasing the number of speed signs along Pacific Heights Road to remind motorists of the speed limit
 - The construction of a suitably positioned roundabout along Pacific Heights Road;
 - In conjunction with the Queensland Police Service, the installation of speed cameras along Pacific Heights Road;
 - Installing painted traffic markers/lines for traffic calming; and
 - b) that the report from officers be presented to Council no later than June 2020.

COMMENTARY

Council has received past correspondence from residents of Pacific Heights, Yeppoon in relation to the volume and speed of traffic along Pacific Heights Road. Residents have also expressed concern as to the lack of a footpath along Pacific Heights Road, particularly as it is a direct link to St Benedict's School. It is alleged that children ride and walk along the road rather than along the grassed footpath, thus presenting the potential for dangerous interactions between those children and vehicular traffic. The risk is apparently exacerbated by the previously mentioned volume and speed of traffic during school hours.

A petition containing approximately one hundred and eighty (180) signatures was previously submitted to Council to have these issues adequately addressed.

Councillors and Council officers attended the site on 23rd April 2020 to speak with local residents in relation to this issue. The meeting was constructive, and conducted in a spirit of finding the best solution to mitigate the real, potential, and perceived risks of the current situation.

9.3 MAYORAL MINUTE - PROPOSED BOUNDARY RE-ALIGNMENT BETWEEN LIVINGSTONE SHIRE COUNCIL AND ROCKHAMPTON REGIONAL COUNCIL

File No: GV13.2.1
Attachments: Nil
Responsible Officer: Andrew Ireland - Mayor

SUMMARY

This Mayoral Minute is presented for consideration of Council in relation to the boundary re-alignment between Livingstone Shire Council and Rockhampton Regional Council.

RECOMMENDATION

THAT Council writes to the Hon.Stirling Hinchcliffe, Minister for Local Government, Racing and Multicultural Affairs advising that the newly elected Livingstone Shire Council does not support a boundary review as recommended by the Minister to the Boundary Commissioner in 2019, as:

1. Council values all areas of the shire equally and does not wish to relinquish Glenlee, Glendale, and Rockyview to Rockhampton Regional Council; and
2. The suburbs of Glenlee, Glendale, and Rockyview are key areas of our shire that are included in Council's future economic development plans

COMMENTARY

It has recently come to the writer's attention that the Minister for Local Government, Racing, and Multicultural Affairs (the Minister) has instructed the Boundary Commissioner to conduct a boundary review between the Livingstone Shire Council and the Rockhampton Regional Council (RRC). The review relates specifically to three of this Council's northern suburbs – Glenlee, Glendale, and Rockyview.

The instruction to the Boundary Commissioner came about as a result of an approach to the Minister from Rockhampton Regional Council to have these suburbs realigned into Rockhampton Regional Council. This has been an issue that RRC has pursued since de-amalgamation. It is the writer's understanding that the former Mayor of Livingstone apparently agreed to the conduct of the review, presumably to "put this issue to bed" once and for all.

Correspondence received in April 2019 from the Commission indicated that due to logistical and resourcing constraints, the review would not be conducted prior to the 2020 election. It is not known whether the reference to the election relates to the Queensland Local Government elections conducted in March, or the State Government elections to be conducted in October. However, if the former is the correct timeline, then prompt action to clarify Livingstone Shire Council's position on this is imperative.

The retention of the northern areas of our shire is key to the future prosperity of Livingstone, and must be emphasised to the Minister and the Boundary Commissioner as a matter of urgency. "One Shire one Livingstone" was a key platform for several candidates during the 2020 Local Government election campaign, and is a fundamental value shared by the recently elected councillors in Livingstone Shire. A unified shire, equality in decision-making and resource allocation, and greater consideration to the rural areas, is a message that has hopefully been communicated to all residents of the shire, and which we believe gives confidence and encouragement to our citizens to remain with Livingstone.

Council's plans for the development of the northern corridor to accommodate investment in light, medium, and heavy density industry together with the development of associated residential living areas is key to future economic prosperity. This "prosperity" will be the mechanism for growth in business, growth in jobs, growth in families associated with workers in these jobs, and a growth in housing that comes with more families coming to the area. A growth in housing provides greater rates revenue, which allows Council to then place

downwards pressure on rates levied. The northern areas of our shire are therefore fundamental to our economic development and rating strategy going forward.

I therefore ask Councillors to support the recommendation of this Mayoral Minute in order to emphasise to the Minister and the Boundary Commissioner that Livingstone Shire Council does not want or require a boundary realignment.

9.4 MAYORAL MINUTE - PIPELINE FROM CAPRICORN COAST MAINLAND TO GREAT KEPPEL ISLAND

File No: GR14.4.1
Attachments: Nil
Responsible Officer: Andrew Ireland - Mayor

SUMMARY

This Mayoral Minute is presented for consideration of the maintenance of the pipeline from Capricorn Coast Mainland to Great Keppel Island following construction.

RECOMMENDATION

THAT Council:

1. Writes to the Queensland Department of Innovation and Tourism Industry Development as manager of the Great Keppel Island project, offering its continued support for the development of Great Keppel Island;
2. Clearly articulates in its correspondence with the Department of Innovation and Tourism Industry Development that Council's responsibility for the maintenance of the proposed water supply infrastructure to Great Keppel Island would conclude at the point where it left the mainland.

COMMENTARY

Significant discussion has occurred around the proposed construction of a pipeline containing power, water, and telecommunication infrastructure to Great Keppel Island (GKI).

Livingstone Shire Council recognises the economic value of the proposed development to the region, and is excited about the potential benefits the resort may bring to our economy in terms of employment opportunities, business opportunities, and tourism development.

Council notes the funding commitment from the Queensland Government to finance the construction of the pipeline, albeit that the final estimated construction cost has yet to be determined. It is noted that at its Ordinary Meeting on 21 January 2020, Council considered the allocation options for the current funding approvals awarded to Council as described below:

1. Maturing the Infrastructure Pipeline Program (MIPP2) Approval dated 21 August 2018 for \$1,800,000 (including goods and services tax) to be applied to detailed planning and design with construction specifically excluded.
2. Building Our Regions Program Round 4 (BOR4) Approval dated 11 January 2019 for \$5,000,000 (excluding goods and services tax) to be applied to design and construction.

Following discussion, Council resolved as follows:

THAT, in relation to current approved funding for provision of services to Great Keppel Island,

Council resolve;

(a) To allocate the Maturing the Infrastructure Pipeline Program Round 2 funding to detailed design tasks for the mainland water supply infrastructure and planning for the island water supply infrastructure in the first instance, and the balance to the Department of Innovation and Tourism Industry Development's project tasks.

(b) To advise the Department of State Development, Manufacturing, Infrastructure and Planning that Council is inclined to allocate the Building Our Regions Round 4 funding to construct the land based water supply infrastructure in the first instance with the balance available to fund elements of the reduced scope

Department of Innovation and Tourism Industry Development project and that a final decision is pending confirmation of a development project proponent.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Mayor Ludwig

DIVISION:

Crs A Belot, P Eastwood, N Hutton, J Kelly, B Ludwig and T Wyatt voted in the affirmative. Cr G Mather voted in the negative.

Concerns raised by members of the community during the 2020 Local Government elections turned to whether Council would be responsible for the maintenance of the pipeline following construction.

This Mayoral Minute seeks to articulate Council's position in relation to the future maintenance of water supply infrastructure from the mainland to GKI, if constructed.

10 COUNCILLOR/DELEGATE REPORTS

Nil

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

Nil

12 REPORTS

12.1 BUSHFIRE RATES RELIEF

File No: RV25.5.2
Attachments: Nil
Responsible Officer: Brett Bacon - Acting Chief Executive Officer
Author: David Mazzaferri - Acting Executive Director - Liveability & Wellbeing

SUMMARY

This report is to recommend the rescinding of Resolution 9.2-2 of Councils Ordinary Meeting on the 17th March 2020 and replace with a resolution that supports the use of Category D Bushfire Recovery Exceptional Assistance Immediate Support Package for the rate relief of the fifteen (15) properties destroyed in the Cobraball Fire of 2019.

OFFICER'S RECOMMENDATION

THAT Council resolve:

1. To rescind Resolution 9.2 – 2 of its Ordinary Meeting on 17 March 2020, which resolved to:

THAT, in the event that the request to the State Government is denied, Council grant a hardship concession to the owners of the fifteen (15) properties identified below, who lost their homes during the Cobraball fire, by way of rebate for all of the rates and charges payable to Council for the rating period from 1 January 2020 to 30 June 2020.

<i>Lot and Plan</i>	<i>Assessment Number</i>
<i>Lot 5 on RP615216</i>	<i>139321</i>
<i>Lot 1 on RP608134</i>	<i>139446</i>
<i>Lot 2 on RP614862</i>	<i>139457</i>
<i>Lot 2 on RP614695</i>	<i>137379</i>
<i>Lot 1 on RP614695</i>	<i>137378</i>
<i>Lot 1 on RP602818</i>	<i>137377</i>
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<i>Lot 2 on RP602413</i>	<i>137410</i>
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<i>Lot 1 on SP201920</i>	<i>143738</i>
<i>Lot 2 on RP812798</i>	<i>137325</i>
<i>Lot 2027 on LIV40670</i>	<i>139281</i>

2. Council grant a concession under the provisions contained within Part 10 of the Local Government Regulation 2012, on the basis that the payment of rates or charges will cause hardship to the landowner.

The hardship concession directly relates to those Ratepayers (15) identified below. all properties listed have been assessed and identified by Queensland Fire and Emergency Services as having lost homes due to the 'declared event' Cobraball Fire 2019.

The concession provided under Section 121(a) will be a rebate for all of the rates and charges payable to Council for the rating period from 1 January 2020 to 30 June 2020 utilising Category D Bushfire Recovery Exceptional Assistance Immediate Support Package.

Lot and Plan	Assessment Number
Lot 5 on RP615216	139321
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Lot 2 on RP812798	137325
Lot 2027 on LIV40670	139281

BACKGROUND

On the 17 March 2020 Council resolved to assist the owners of the fifteen (15) properties destroyed in the Cobraball Fire of 2019. This was by way of requesting support from the Queensland Government or by Council granting a hardship concession. Queensland State Government declined to support by way of rebate, therefore the Council resolution was to provide a rebate for all rates and charges for the rating period of 1 January 2020 to 30 June 2020.

COMMENTARY

In communication with the Federal Member for Capricornia Office, advice was sought to clarify the use of the 1.3 million dollars Category D Bushfire Recovery Exceptional Assistance Immediate Support Package. The following response was provided:

"Local councils can use the funding for whatever they deem necessary as providing community recovery, including rate relief."

As such, it is proposed to use \$24,761.50 of the 1.3 million dollars to grant a hardship concession to the owners of the fifteen (15) properties identified.

Therefore, it is recommended that Council rescind Resolution 9.2-2 and replace with new resolution utilising this funding.

PREVIOUS DECISIONS

At the Ordinary Council Meeting of 17 March 2020, the following resolution was passed:

THAT

- 1 *THAT Council 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;*
- 2 *THAT, in the event that the request to the State Government is denied, Council grant a hardship concession to the owners of the fifteen (15) properties identified below, who lost their homes during the Cobraball fire, by way of rebate for all of the rates and charges payable to Council for the rating period from 1 January 2020 to 30 June 2020.*

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<i>Lot 2 on RP812798</i>	<i>137325</i>
<i>Lot 2027 on LIV40670</i>	<i>139281</i>

BUDGET IMPLICATIONS

The effect to budgeted operational revenue will be \$24761.50. This value represented the Gross rates and charges payable upon the 15 properties for the rating period from 1 January 2020 to 30 June 2020. However, Council will utilise the approved funding under the Category D Bushfire Recovery Exceptional Assistance Immediate Support Package to offset the loss of revenue, providing no impost to ratepayers.

LEGISLATIVE CONTEXT

Council can make a resolution for granting a concession under Section 122 of the Local Government Regulation 2012, with consideration for sections 119-121.

Section 120(1) of the Local Government Regulation 2012 makes provision for Council to grant a concession if it is satisfied that 'the payment of the rates or charges will cause hardship to the land owner'.

LEGAL IMPLICATIONS

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

STAFFING IMPLICATIONS

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

RISK ASSESSMENT

Risks associated with this matter include setting a precedent for other ratepayers that may seek a concession or reduction of levied rates and/or charges.

CORPORATE/OPERATIONAL PLAN

Strategy CO4 of Council's Corporate Plan states: *'Promote and encourage community health and wellbeing through programs addressing environmental health, community safety issues, social cohesion and inclusiveness.'*

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 use of Category D Bushfire Recovery Exceptional Assistance Immediate Support Package will support the owners of the fifteen (15) properties destroyed in the Cobraball Fire to offset the loss of revenue, providing no impost to rate payers.

12.2 DEVELOPMENT APPLICATION D-255-2019 FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (ONE LOT INTO THREE LOTS) AT 93 CHARCOAL ROAD, ROSSMOYA

File No:	D-255-2019
Attachments:	<ol style="list-style-type: none"> 1. Locality Plan and Surrounding Agricultural Uses Plan ↓ 2. Proposal Plans ↓ 3. Overlay Plans ↓ 4. Bushfire Hazard Assessment and Management Plan ↓ 5. Agricultural Report ↓
Responsible Officer:	Melissa Warwick - Principal Strategic Planner David Battese - Manager Liveability
Author:	Tammy Wardrop - Principal Planning Officer

SUMMARY

<i>Applicant:</i>	<i>C B, J E and S L Wolfenden and K M Hamilton</i>
<i>Consultant:</i>	<i>C/- Ms Karen Norton Masters Surveying</i>
<i>Real Property Address:</i>	<i>Lot 53 on LN599</i>
<i>Area of Site:</i>	<i>120.8 hectares</i>
<i>Planning Scheme:</i>	<i>Livingstone Planning Scheme 2018</i>
<i>Planning Scheme Zone:</i>	<i>Rural</i>
<i>Planning Scheme Overlays:</i>	<i>OM02 Agricultural Land Class A and Class B</i> <i>OM07 Biodiversity – Habitat and Vegetation</i> <ul style="list-style-type: none"> ▪ <i>MSES Regulated vegetation</i> <i>OM10 Biodiversity – Wetlands and Waterways</i> <ul style="list-style-type: none"> ▪ <i>MSES Watercourse</i> <i>OM11 Biodiversity – Stream Order</i> <ul style="list-style-type: none"> ▪ <i>Watercourse stream order 1 and 2</i> ▪ <i>Waterway Potential Assessment Area</i> <i>OM12 Bushfire Hazard Area</i> <ul style="list-style-type: none"> ▪ <i>High Potential Bushfire Intensity</i> ▪ <i>Medium Potential Bushfire Intensity</i> ▪ <i>Potential Impact Buffer</i> <i>OM15 Drainage Problem Area</i> <i>OM20 Road Hierarchy – Rural Access</i>
<i>Existing Development:</i>	<i>Dwelling house and Cropping</i>
<i>Level of Assessment:</i>	<i>Impact Assessable</i>
<i>Submissions:</i>	<i>No submissions received</i>
<i>Referral matters:</i>	<i>Nil</i>
<i>Infrastructure Charge Area:</i>	<i>Outside the Priority Infrastructure Area</i>

Application progress:

<i>Application received:</i>	<i>5 November 2019</i>
<i>Application properly made:</i>	<i>5 November 2019</i>
<i>Development control unit meeting:</i>	<i>6 November 2019</i>
<i>Change to application received (amended proposal plan):</i>	<i>14 November 2019</i>
<i>Confirmation notice issued:</i>	<i>19 November 2019</i>
<i>Information request issued:</i>	<i>4 December 2019</i>
<i>Information request response received:</i>	<i>18 December 2019</i>
<i>Amended proposal plan received:</i>	<i>19 December 2019</i>
<i>Public notification period:</i>	<i>30 January 2020 to 21 February 2020</i>
<i>Notice of compliance received:</i>	<i>20 February 2020</i>
<i>Submission consideration period:</i>	<i>Nil submissions received</i>
<i>Change to application received (amended proposal plan):</i>	<i>21 February 2020</i>
<i>Decision period commenced:</i>	<i>21 February 2020</i>
<i>Extension by agreement</i>	<i>25 March 2020</i>
<i>Council workshop date:</i>	<i>28 April 2020</i>
<i>Council meeting date:</i>	<i>19 May 2020</i>
<i>Statutory determination date:</i>	<i>27 May 2020</i>

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into three lots), made by C B, J E and S L Wolfenden and K M Hamilton, on Lot 53 on LN599, and located at 93 Charcoal Road, Rossmoya, 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 Compliance Certificate for the Survey Plan, 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 Compliance Certificate for the Survey Plan, unless otherwise stated.

- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:

1.6.1 Operational Works:

- (i) Access Works;

- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

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

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Proposed Subdivision of Lot 53 on LN599	R19003-PRO-1 Revision F Sheet 1 of 2	18 February 2020
Proposed Subdivision of Lot 53 on LN599	R19003-PRO-1 Revision F Sheet 2 of 2	18 February 2020
Bushfire Management Plan	40889	16 August 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 issue of the submission of a Development Application for Operational Works.

3.0 ACCESS WORKS

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

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

- 3.3 Safe and trafficable gravel access to proposed Lot 2 from the front private access way edge must be provided in accordance with *Capricorn Municipal Development Guidelines Standard Drawing CMDG-R-040 Rural Road Access and Property Access over Table Drains*. No upgrade to the existing private access way located within the road reserve is required.

- 3.4 Rural addressing must be provided to each lot in accordance with Council's Rural Addressing Policy and Procedure.

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 All internal plumbing and sanitary drainage systems associated within the existing Dwelling house located within Lot 1 must be located wholly within the property boundaries. Any alterations to the existing internal plumbing and sanitary drainage systems associated within the existing dwelling must be at no cost to Council.

5.0 SITE WORKS

5.1 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.

5.2 The development must be undertaken in accordance with the recommendations in the approved Bush Hazard Assessment and Management Plan dated 16 August 2019 (refer to condition 2.1).

6.0 ELECTRICITY AND TELECOMMUNICATIONS

6.1 Each lot must be provided with on-site energy supply installed in accordance with all laws and regulations and best current practice. (Note: if the development is provided with a reticulated grid electricity supply, the reticulated supply must be provided in accordance with the requirements of the relevant energy supply authority.

6.2 Each lot must be provided with on-site telecommunications infrastructure for the use sufficient to enable contact in normal circumstances with each of the nearest emergency services. (Note: if the development is provided with reticulated telecommunications infrastructure, the reticulated infrastructure must be provided in accordance with the requirements of the relevant telecommunications supply authority.

6.3 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the issue of the Compliance Certificate for the Survey Plan.

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 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

7.3 Infrastructure associated with any existing uses must remain within the respective property boundaries.

8.0 ENVIRONMENTAL

8.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan.

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

9.0 OPERATING PROCEDURES

9.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Charcoal Road.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under Section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable

measures to ensure the activity does not harm Aboriginal Cultural Heritage (the “cultural heritage duty of care”). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Building

All future buildings on the proposed lots must be designed, constructed and certified to satisfy the performance requirements for bushfire ignition risk under the *National Construction Code Building Code of Australia (Volume 2)* and the recommendations in the approved Bush Hazard Assessment and Management Plan dated 16 August 2019 (refer to condition 2.1).

NOTE 5. Application to Undertake Alterations or Improvements to Council Controlled Areas and Roads

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

NOTE 6. Infrastructure Charges Notice

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

RECOMMENDATION B

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into three lots), made by C B, J E and S L Wolfenden and K M Hamilton, on Lot 53 on LN599, and located at 93 Charcoal Road, Rossmoya, Council resolves to issue an Infrastructure Charges Notice for the amount of \$29,500.00.

BACKGROUND

The development application was received by Council on 5 November 2019. Duty Planner advice and/or a Prelodgement Meeting was not requested by the applicant prior to lodgement of the development application.

COMMENTARY

PROPOSAL

The proposal is for the subdivision of a 1208 hectare rural lot into three (3) lots. The proposed lot sizes are tabled below:

Lot	Size (hectares)	Road frontage (metres)
1	47.6	698.13

2	48.1	194
3	25.1	384.9

All proposed lots have direct frontage and access to Charcoal Road. There is an existing cropping use (orchard), Dwelling house and sheds located on the subject site which is proposed to be retained within Lot 1. Lot 1 will also encompass three existing dams, with a fourth existing dam being located within the boundaries of Lot 3.

The applicant has submitted an Agricultural Report which identified that the ongoing operation of the orchard will not be compromised by the subdivision and Lot 1 has sufficient water (dams and bore) to sustain the use with potential for the use to intensify if required. The report also identifies that each proposed lot will comprise of some very good farming land with a wide range of farming options, with opportunity for cattle grazing to be undertaken in the interim until further intensive development occurs. The subject site has also nominated a 5,300 square metre Building Location Envelopes within Lot 2 and Lot 3 for the siting of future residential uses. The Bushfire Hazard Assessment and Management Plan demonstrates the building envelopes are a low risk of bushfire with a Bushfire Attack Level BAL12.5 subject to appropriate clearing for bushfire hazard reduction measures.

Change to the application

The proposal plan has changed three (3) times during the course of the application. The applicant was provided advice early on in the process that subdivision of the lot into two (2) equally sized lots of sixty (60) hectares would satisfy the minimum lot size for the site, would reduce the level of assessment to code and would be a less intensive development with a preferred outcome in relation to the intent for rural land. The applicant concluded that the eastern portion of the lot contained less viable agricultural land and therefore could be reduced in size to allow the western lots to increase in size and logically be more capable of sustaining viable agricultural uses. The applicant reasoned that the Agricultural Report determines that proposed lot sizes will not reduce the agricultural capabilities of the lots and that each lot will comprise of some very good quality farming land, irrespective of the size, and therefore justifying the basis of the development.

The following changes to the proposal plan were made during the application process

Action	Date
Original Plan submitted with application	5 November 2019
Amended proposal plan (minor boundary adjustment)	14 November 2019
Amended proposal plan as a result of response to information request (Lot 3 decreased from 30 hectares to 20 hectares)	19 December 2019
Amended (final) proposal plan as a response to informal information provided by the State Advice and Referral Agency (Lot 3 increased from 20 hectares to 25 hectares)	21 February 2020

SITE AND LOCALITY

The subject site is 120.8 hectares in area and located within the Rural zone. The site has undulating landscapes with elevated ridges in the northern section of the property. The property is currently improved with a Dwelling house, several sheds and a Cropping use (orchard) within the western portion of the site. Historically the property appears to have been cleared with the exception of the ridges to the north. The site has a significant slope

south to north from 30 (thirty) metres Australian Height Datum at the road to ridges of up to eighty (80) metres Australian Height Datum to the north west and ninety (90) metres Australian Height Datum to the north east.

The site is located in a rural area and power is currently connected to the site, the connection will remain with Lot 1. The subject site has four (4) main dams. Council Development Engineers undertook a site visit on 18 November 2019 whereby the property was viewed from Charcoal Road and the road and access standard was assessed.

The subject site is located in a well-established rural district comprising of similarly sized lots undertaking rural activities such as grazing, cropping, horticulture, dairy and rural lifestyle blocks. The related permits over the subject site and permits and development on adjoining properties are detailed in the following table:

Existing applications/development permit over the site	
Lot 53 on LN599 93 Charcoal Road, Rossmoya	B-1388-2005 Building Permit for a Dwelling made up of two (2) relocatable dwellings – approved with conditions 15 November 2007 B-49-2007 Building Permit to relocate Shed to site – approved with conditions 4 April 2007 B-854-2005 Preliminary Approval to relocate Dwelling to site – approved with conditions 27 May 2005 B-1067-2005 Preliminary Approval to relocate second Dwelling to site to use as addition to original Dwelling – approved with conditioned 7 July 2005
Applications/development permits on adjoining properties	
Lot 49 on LN713 7 Charcoal Road, Rossmoya (to the west) 79.597 hectares	B- 412-2002 Building Permit for Class 7/8 for storage/ processing purposes – approved with conditions 17 July 2002
Lot 159 on SP286132 Lot 159 Charcoal Road, Rossmoya (to the east) 30.08 hectares	D-204-2013 Reconfiguring a Lot (eight lots into eight lots) – approved with conditions 16 October 2013 D-82-2015 Reconfiguring a Lot (two lots into six lots) – approved with conditions 11 November 2015 D-86-2015 Reconfiguring a Lot (sixteen lots into twenty-seven lots) - lapsed D-246-2015 Reconfiguring a Lot (sixteen lots into five lots) - lapsed
Lot 6 on LIV401179 350 Charcoal Road, Canal Creek 1,888.2632 hectares	Nil

Lots located on the southern side of Charcoal Road (immediately south of subject site) and lot sizes	
Lot 47 on LN712 144 Charcoal Road, Rossmoya	35.238 hectares
Lot 46 on LN712 Lot 46 Rossmoya Road, Rossmoya	49.875 hectares
Lot 45 on LN712 Lot 45 Rossmoya Road, Rossmoya	30.119 hectares
Lot 161 on SP286132 Lot 161 Charcoal Road, Rossmoya	33.02 hectares

There are various smaller lots located to the south west which are currently utilised for cropping with the average lots size being between twenty-eight (28) hectares and thirty (30) hectares.

ASSESSMENT INCLUDING BENCHMARKS AND RELEVANT MATTERS

This application has been assessed by relevant Council planning, engineering, environmental health, natural resource management and other technical officers as required. The assessment has been undertaken in accordance with Chapter 3 of the *Planning Act 2016*, Part 4 of the *Planning Regulation 2017* and the Development Assessment Rules under the *Planning Act 2016*.

The assessment has been carried out against the assessment benchmarks in the relevant categorising instrument/s for the development and having regard to the State Planning Policy, any development approval for and any lawful use of the premises or adjoining premises, and the common material. The assessment has also been carried out against / had regard to other relevant matters (other than a person's personal circumstances, financial or otherwise) discussed further in this report

Benchmarks applying for the development	Benchmark reference
Strategic Framework – Settlement pattern theme, Natural environment and hazards theme, and Natural resources and economic development theme Reconfiguring a Lot Code Biodiversity Overlay Code Bushfire hazard Overlay Code Development Works Code	<i>Livingstone Planning Scheme 2018</i> , Version 2, in effect 25 June 2018
Part E: State interest policies and assessment benchmarks	<i>State Planning Policy</i> , July 2017
Relevant matters considered	
Any development approval for, and any lawful use of, the premises or adjacent premises	The relevance of existing approvals on the subject site and adjoining properties in respect of the land use pattern and commensurate development
The common material submitted with the	In respect of the reports provided in the

application	material including proposal plans and supporting information
The Local Government Infrastructure Plan	In respect of trunk infrastructure provisions and charging for development.

Internal advice and assessment

Infrastructure Operations Unit – 18 November 2019

Support, subject to conditions and the requirement of Operational Works (access works) and Infrastructure Charges of \$29,500.00.

Natural Resource Management – 7 April 2020

No comments provided.

Public and Environmental Health – Development Control Unit Meeting 6 November 2019

No comments.

External referral

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning as a concurrence agency given the site is identified as being mapped with regulated vegetation and the proposal originally included a lot less than twenty-five (25) hectares, and was referred in accordance with Part 3, Division 4, Table 2, Column 2 of Schedule 10 of the *Planning Regulation 2017*. The Department liaised with the applicant and the applicant opted to increase the size of proposed Lot 3 to 25.1 hectares to forgo the requirement for referral to the Department.

Information request

An information request was issued by council on 4 December 2019 which requested the applicant address the relevant aspects of the Strategic Framework including 3.3.1 Strategic Outcomes and 3.3.5 Rural Places.

The applicant provided a response in part on 18 December 2019 and an amended plan submitted on 19 December 2019.

State Planning Policy – July 2017

The Minister has identified that the *State Planning Policy* (July 2017) is integrated in the planning scheme for the following aspects:

- Guiding principles
- Agriculture
- Development and construction
- Mining and extractive resources
- Tourism
- Emissions and hazardous activities

Part E of the *State Planning Policy* provides for interim development assessment benchmarks for local government until such time as the other aspects of the *State Planning Policy* are reflected in the planning scheme. An assessment of the State interests relevant to the application are detailed below.

Liveable Communities: Not applicable as the development is not located in an urban area.

Environment and Heritage - Water quality: Not applicable as the development is not for an urban purpose which will result in six (6) or more lots.

Natural hazards, risk and resilience:

Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:	
Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.	<p>Complies</p> <p>The development is for the subdivision of a rural lot partially located within the bushfire hazard area. The proposal plan has demonstrated that the existing Dwelling house located on proposed Lot 1 is located outside of the Bushfire hazard area. Additionally, proposed Lot 2 has a proposed building location envelope of 5,300 square metres located entirely outside of the Bushfire hazard area. Proposed Lot 3 is provided with a building location envelope of 5,300 square metres located within the Bushfire potential impact buffer area, however it positioned near the base of a southern facing hill and adjacent to Charcoal Road. This provides a suitable location to mitigate hazards from bushfire and ready access to a sealed road via an existing access. The Bushfire Hazard Assessment and Management Plan provided with the application determines the building location envelope for Lot 3 can achieve a Bushfire Attack Level BAL12.5 with appropriate clearing for bushfire hazard reduction measures.</p>
All natural hazard areas:	
Development supports and does not hinder disaster management response or recovery capacity and capabilities.	<p>Complies</p> <p>All proposed lots have direct frontage to Charcoal Road, which is a Rural access road, and Lot 1 and Lot 3 have existing accesses. A condition for further Operational Works (access works) is included to ensure Lot 2 is provided with a safe and suitable access.</p>
Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.	<p>Complies</p> <p>The development is for reconfiguring a lot. There is an existing Cropping use (orchard) undertaken on the subject site. The proposed uses for the lots are for rural activities such as cropping and grazing, with the likelihood of ancillary residential uses, and these uses are not likely to increase the severity of Bushfire hazard on the site or adjoining sites. The development is supported by a Bushfire Hazard Assessment and Management Plan which will be conditioned as an approved document.</p>
Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.	<p>Complies</p> <p>The development is for reconfiguring a lot. There is an existing cropping use (orchard) undertaken on the subject site. The proposed uses for the lots are for rural activities such as cropping and grazing with</p>

	likely ancillary residential uses, and these uses are not likely to involve the storage or use of hazardous materials.
The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.	Complies The proposed lot boundaries have taken into account the landscape of the subject site to minimise disruption to landforms and vegetation. There is the possibility of some clearing with respect to formalising property boundaries and creating future paddocks for potential grazing purposes, however there is limited significant vegetation mapped on the site which would be affected. Any clearing located within the State Regulated vegetation will required approval from the State.

Central Queensland Regional Plan

The Minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the *Central Queensland Regional Plan* October 2013, as it applies in the planning scheme area.

Livingstone Planning Scheme 2018

The *Livingstone Planning Scheme 2018* (commenced 1 May 2018) is the relevant categorising instrument applicable to the assessment of this application.

Strategic Framework

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

The strategic framework is structured as follows:

- (a) *the strategic intent, and statements of preferred dominant land uses in the form of describing the places that form part of the planning scheme area;*
- (b) *the following six (6) themes that collectively represent the policy intent of the planning scheme:*
 - (i) *Settlement pattern;*
 - (ii) *Natural environment and hazards;*
 - (iii) *Community identity and diversity;*
 - (iv) *Access and mobility;*
 - (v) *Infrastructure and services; and*
 - (vi) *Natural resources and economic development;*
- (c) *the strategic outcomes proposed for development in the planning scheme area for each theme;*
- (d) *the specific outcomes for each, or a number of, elements of each theme; and*
- (e) *the land use strategies for achieving these outcomes.*

The following themes are relevant to the assessment of this application:

- (i) Settlement pattern;
- (ii) Natural environment and hazards;
- (iii) Natural resources and economic development.

The following section is an excerpt from the relevant sections of the Strategic Framework.

Settlement Pattern

- *Development makes efficient use of land and existing or planned infrastructure.*
- *Places providing for economic development such as industrial places, specific use places, rural places, known natural resources, and other important features such as major infrastructure and movement networks are protected from incompatible land uses.*
- *Rural places are predominantly used for purposes that contribute to primary production.*
- *Development does not limit or compromise agricultural land or uses involved in primary production.*
- *Development avoids causing significant adverse impacts on matters of environmental significance, or when this cannot be achieved, impacts are minimised or residual impacts offset.*

Rural Places

- *Development in rural places does not result in fragmentation of land which is suitable for primary production by virtue of the following:*
 - (a) *being identified as agricultural land Class A or Class B; or*
 - (b) *being identified as rural land needing retention in larger lot sizes; or*
 - (c) *being identified as having known minerals or other natural resources.*
- *A range of lot sizes in rural places is identified based on the capabilities of the land for primary production, with rural places predominantly being retained in larger lots except for the Capricorn Coast Rural Precinct, where minimum lot sizes of ten (10) hectares or greater are provided for.*

Natural Environment and Hazards Theme

- *Important areas containing matters of environmental significance and landscape features are identified and protected for their contribution to the planning scheme area's biodiversity, economic prosperity, culture, identity, character and sense of place.*
- *Areas which are affected by natural hazards including storm tide, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide, are identified and development does not occur in these areas if it is incompatible with the nature of the hazard or if it is likely to expose people, property and vital infrastructure to unacceptable risk.*

Natural Resources and Economic Development

- *Land with productive capacity, including agricultural land Class A and Class B which is not identified for future urban development, is protected from development which would alienate, fragment or otherwise limit its potential for productive rural activities.*

The development is for the subdivision of one (1) lot into three (3) lots on a site located within the Rural zone, identified as Agricultural Land Class A and Class B. The proposed lots sizes, being 47.6 hectares, 48.1 hectares and 25.1 hectares, are less than the minimum lot size of sixty (60) hectares for the zone and agricultural land classification.

There is an existing orchard operating over proposed Lot 1 with an ancillary Dwelling house and sheds. The Agricultural Report provided in support of the application identifies that the land comprises of very good quality agricultural land and that the subject site is capable of more intensive uses subject to the availability of water. Uses such as crops do not require large parcels of land due to the intensive nature of this type of farming. Alternatively, grazing can be undertaken over the proposed lots in the interim until further intensive development occurs. Subdivision of the subject site is unlikely to reduce the number of cattle that are able to be grazed considering the site is currently underutilised for that purpose. The land has potential for increased primary production subject to infrastructure such as grazing paddocks and additional water sources (dams, bore).

There are three (3) dams located within proposed Lot 1 along with two (2) registered bores. The existing infrastructure on Lot 1 is likely to be sufficient for further intensive agricultural development. There is also one (1) dam located within proposed Lot 3, however there is currently no access to dam water for proposed Lot 2.

The proposed subdivision will make efficient use of good quality agricultural land which is currently underutilised. The proposed uses for the proposed lots are rural activities with ancillary residential uses which is compatible for the Rural zone. The proposed lot sizes are sufficient to accommodate a range of farming options and will not prohibit the use of the lots for primary production. This is evident when taking into consideration the surrounding lots of

similar size and the types of existing rural activities undertaken over those lots. The application demonstrates that the existing orchard can be retained and sustained within Lot 1 and there is in fact potential for expansion due to ample water supply via dams and bores.

There are two small pockets of State regulated vegetation over the site which can be wholly contained within the bounds of proposed Lot 2 and Lot 3. It is unlikely the subdivision will require the disturbance of these areas, due the location of the vegetation being along ridgetops which are generally unsuitable for development.

The subject site is partially mapped as a Bushfire hazard area, however the most intensive bushfire hazard is located along ridgetops in the north east and north western portion of the site. The proposal plans identifies that safe, hazard free building envelopes can be located toward the south of the proposed lots, with direct frontage to Charcoal Road and constraint free access.

Reconfiguring a Lot Code

Purpose

The purposes of the Reconfiguring a lot code are:

- (1) *to facilitate the creation of a range of lot sizes which have an appropriate size, shape and slope, to accommodate the intended uses within each zone;*
- (2) *to facilitate the design of urban neighbourhoods which are compact, well connected with vehicle and pedestrian access and enable the most efficient use of land;*
- (3) *to facilitate the productive use of natural resources;*
- (4) *to protect the landscape character and ecological functions of the natural environment; and*
- (5) *to minimise risks to life and property, associated with hazards.*

Overall outcomes

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

- (1) *lot reconfiguration results in a pattern of urban development which is broadly sequential, to maximise the efficiency of infrastructure provision and connect to surrounding movement and infrastructure networks;*
- (2) *a variety and mix of lot sizes enable a range of development options to accommodate the preferred uses in each zone;*
- (3) *lots have suitable areas, dimensions and slope for the intended use, including space for vehicle access and parking, on-site services and recreation, appropriate for the zone;*
- (4) *lot reconfiguration avoids areas where there is an unacceptable risk from hazards, including flood, storm tide, slope instability and bushfire;*
- (5) *in urban areas and emerging communities, compact and walkable neighbourhoods are created, which connect to employment nodes, centres, open space, recreational areas, community services and educational opportunities;*
- (6) *lot reconfiguration does not increase the likelihood of significant land use conflict;*
- (7) *lot reconfiguration does not result in adverse impacts on natural topography, drainage systems, vegetation, ecological values, ecosystems and cultural heritage features;*
- (8) *lot reconfiguration does not result in adverse impacts on utility installations, major transport and movement networks, and other important infrastructure;*
- (9) *street and pathway design maximises opportunities to create landmarks, views and vistas;*
- (10) *lots are orientated in a way which facilitates the design of buildings that are appropriate for the local climatic conditions;*

- (11) *infrastructure is provided to new lots in a way which minimises whole of life cycle costs and maximises the use of sustainable technologies;*
- (12) *public open space is provided in a way which is accessible, safe and integrated with active and passive transport networks;*
- (13) *streets and roads are designed to maximise convenience and safety for all users.*

The following is an assessment of the proposal against the specific benchmarks of the Reconfiguring a lot code, which includes an assessment of the development against the relevant performance outcomes of the code.

Table 9.3.3.4.1 — Outcomes for assessable development

Performance outcomes PO1	Acceptable outcomes PO2	Assessment response PO3																						
All other reconfiguring a lot applications																								
Lot design – general																								
PO5 Development included in the table below requires the preparation of a structure plan to accompany the development application.	No acceptable outcome is nominated.	PO5 – Not applicable Although the below table indicates a large structure plan is required for development applications within the Rural zone where one (1) or more lots are proposed, the assessment manager has determined the proposed plan of subdivision is sufficient for the small scale nature of the development and the consistency of the proposed lot sizes with surrounding lots.																						
<table><tr><th>Zone</th><th>Proposed additional lots in the stage/ development</th><th>Small structure plan</th><th>Large structure plan</th></tr><tr><td rowspan="2">All residential category zones</td><td>7 – 15</td><td>✓</td><td></td></tr><tr><td>16 or more</td><td></td><td>✓</td></tr><tr><td rowspan="2">All centres category zones and all industrial category zones</td><td>5 - 10</td><td>✓</td><td></td></tr><tr><td>11 or more</td><td></td><td>✓</td></tr><tr><td>All other zones where reconfiguring a lot requires impact assessment</td><td>1 or more</td><td></td><td>✓</td></tr></table>			Zone	Proposed additional lots in the stage/ development	Small structure plan	Large structure plan	All residential category zones	7 – 15	✓		16 or more		✓	All centres category zones and all industrial category zones	5 - 10	✓		11 or more		✓	All other zones where reconfiguring a lot requires impact assessment	1 or more		✓
Zone	Proposed additional lots in the stage/ development	Small structure plan	Large structure plan																					
All residential category zones	7 – 15	✓																						
	16 or more		✓																					
All centres category zones and all industrial category zones	5 - 10	✓																						
	11 or more		✓																					
All other zones where reconfiguring a lot requires impact assessment	1 or more		✓																					
PO6 Development which requires a structure plan is undertaken in accordance with the structure plan, and the structure plan is prepared in accordance with the requirements of Schedule SC7.14.	No acceptable outcome is nominated.	PO6 – Not applicable Addressed in PO5.																						
PO7 Lot design is well integrated with the surrounding locality, having regard to: (a) roads, streets, pedestrian and cycle networks; (b) utility installations and other infrastructure networks; (c) open space networks, significant vegetation and habitat areas, waterways and	No acceptable outcome is nominated.	PO7 – Complies Each proposed lot has frontage to Charcoal Road and Lot 1 and Lot 3 have existing accesses. Access for Lot 2 will be assessed separately as part of an application for Operational Works (access works).																						

Performance outcomes PO1	Acceptable outcomes PO2	Assessment response PO3
<p>wetlands, and valued biodiversity corridors;</p> <p>(d) connections to centres and employment areas;</p> <p>(e) surrounding landscaping and streetscape treatments; and</p> <p>(f) the interface with established land uses.</p> <p>Editor's note: When assessing the location and design for lot reconfiguration, consideration should be given to the standards for separating conflicting land use specified in Schedule 4 of the planning scheme. Where standards are not specified, a specialist report may be required to demonstrate the suitability of the development.</p>		
<p>PO8</p> <p>Lot design:</p> <p>(a) protects areas with significant environmental values;</p> <p>(b) appropriately utilises the natural topography of the site as far as practicable and minimises the need for significant earthworks for future development;</p> <p>(c) avoids crossing or otherwise interfering with natural drainage lines, waterways, wetlands, habitat areas or biodiversity corridors; and</p> <p>(d) retains key site characteristics, landmarks, and places of heritage significance.</p>	No acceptable outcome is nominated.	<p>PO8 – Complies</p> <p>The proposed lot boundaries take into consideration the landforms of the parent lot. The small pockets of State regulated vegetation can be retained within the proposed lot boundaries without disturbance or clearing of vegetation.</p>
<p>PO9</p> <p>Lot reconfiguration does not facilitate development which would be visually obtrusive on skylines, headlands or prominent landscape features.</p>	No acceptable outcome is nominated.	<p>PO9 – Complies</p> <p>The proposed Building Location Envelopes are located in the lower lying portion of the proposed lots, protecting ridgelines from clearing.</p>
<p>PO10</p> <p>Lot reconfiguration does not:</p> <p>(a) increase the likelihood of significant land use conflict;</p> <p>(b) compromise the potential to use adjoining land for its zoned purpose;</p> <p>(c) compromise the use of stock routes;</p> <p>(d) compromise the safe and efficient operation of major transport networks and other major infrastructure networks.</p>	No acceptable outcome is nominated.	<p>PO10 – Complies</p> <p>The proposed lot sizes are sufficiently sized for future rural activities to be undertaken and for future residential uses to be adequately sited and separated from existing adjoining rural activities.</p>
Lot design - size and dimension		
<p>PO11</p> <p>Reconfiguration only occurs if it creates lot sizes and dimensions that:</p>	<p>AO11.1</p> <p>The lots are designed in accordance with the minimum lot sizes and dimensions specified</p>	<p>AO11.1 – Does not comply</p> <p>The development, with proposed lots sizes of 47.6 hectares, 48.1 hectares and 25.1 hectares, does</p>

Performance outcomes PO1	Acceptable outcomes PO2	Assessment response PO3
<p>(a) are consistent with the intended character of the zone, precinct or sub-precinct in which the land is located;</p> <p>(b) do not limit or compromise the ability to use rural land for its preferred uses;</p> <p>(c) do not limit or compromise the ability to use industrial zoned land or special purpose zoned land for their preferred uses;</p> <p>(d) protect resources (including potential mining and extractive resources), environmental and landscape values of rural land;</p> <p>(e) protect ground and surface water quality in the rural residential zone;</p> <p>(f) protect areas with significant biodiversity values; and</p> <p>(g) protect areas of high scenic amenity value.</p>	<p>within Table 9.3.3.4.2.</p>	<p>not comply with the minimum lot size of sixty (60) hectares for a lot located within the Rural zone and wholly located within the Agricultural Land Class A and Class B classification.</p> <p>Complies with PO11</p> <p>Despite the non-compliance the application is supported by an Agricultural Report which identifies that the site compromises of very good farming land with a wide range of farming options and the land can sustain intensive cropping such as horticulture subject to water supply. These types of crops can be undertaken on relatively small parcels of land due to the intensive nature of this type of farming.</p> <p>The proposed lot sizes are conducive with the surrounding rural lots of similar size (between 28 hectares and 30 hectares) which all contain various cropping uses, scattered with some low scale grazing.</p>
<p>PO12</p> <p>Lots have a regular shape and consistent dimensions to facilitate the efficient development of the land for its intended purpose, and have sufficient area to provide for:</p> <p>(a) buildings and structures;</p> <p>(b) usable open space and landscaping</p> <p>(c) ventilation and sunlight for buildings;</p> <p>(d) privacy for residents;</p> <p>(e) suitable vehicle access and on-site parking where required; and</p> <p>(f) any on-site services and infrastructure such as effluent disposal areas if required.</p>	<p>AO12.1</p> <p>The lots are designed in accordance with the minimum lot sizes and dimensions specified within Table 9.3.3.4.2.</p>	<p>AO12.1 – Does not comply</p> <p>The development, with proposed lots sizes of 47.6 hectares, 48.1 hectares and 25.1 hectares, does not comply with the minimum lot size of sixty (60) hectares for a lot located within the Rural zone and wholly located within the Agricultural Land Class A and Class B classification.</p> <p>Complies with PO12</p> <p>The lots are irregular in shape, however provide for two (2) Building Location Envelopes within proposed Lot 2 and Lot 3 which are square and 5,300 square metres in area, sufficient for any future residential buildings and ancillary structures such as sheds and water tanks.</p>
	<p>AO12.2</p> <p>All residential lots are able to contain a constraint free rectangular building location envelope, having dimensions no less than nine (9) metres by fifteen (15) metres.</p>	<p>AO12.1 – Not applicable</p> <p>There are no residential lots included in this application.</p>
Infrastructure		
<p>PO28</p> <p>Infrastructure, including roads and streets, water supply, stormwater drainage, sewage disposal, waste disposal, electricity and communication facilities are provided in a manner that:</p>	<p>No acceptable outcome is nominated.</p>	<p>PO28 Complies</p> <p>The subject site is located within the Rural zone, and is required to provide on-site infrastructure services in regards to water, sewer, electricity and telecommunications.</p> <p>The proposed lots have direct road</p>

Performance outcomes PO1	Acceptable outcomes PO2	Assessment response PO3
(a) is efficient; (b) is adequate for the projected needs of the development; (c) is adaptable to allow for future infrastructure upgrades; (d) minimises risk of adverse environmental or amenity related impacts; (e) minimises whole of life cycle costs for that infrastructure.		frontage to Charcoal Road and Lot 1 and Lot 3 have existing accesses. Access for Lot 2 will be assessed separately as part of an application for Operational Works (access works).
Hazards		
PO31 Reconfiguration of a lot avoids creating unacceptable risk to human safety, property and the environment due to natural hazards and contaminated land.	No acceptable outcome is nominated.	PO31 Complies The proposed lots have direct road frontage to Charcoal Road and Lots 1 and 3 have existing accesses, with Operational Works (access works) conditioned for Lot 2. The existing and proposed uses being rural activities and ancillary residential uses will not increase the likelihood of risk to persons or property.

As evident from the above assessment, the proposal complies with the various requirements of the Reconfiguring a lot code, apart from a deviation from Acceptable Outcomes AO11.1 and AO12.1 with regards to the minimum lot sizes and dimensions. Suitable justification has been provided to support the deviation given the application is supported by an Agricultural Report which demonstrates the proposed lots sizes are sufficient to undertake and sustain rural activities, and the proposed lots sizes are comparable to existing lots in the locality, and therefore the development is able to meet the overall outcomes for the code.

Biodiversity Overlay Code

There are two pockets of State regulated vegetation over the site, located in the north west portion and the eastern side boundary, which can be wholly contained within the boundaries of proposed Lot 2 and Lot 3. The edge of a waterway is also identified in the north eastern corner of the site, which will be retained within proposed Lot 3. It is unlikely the subdivision will require the disturbance of these areas, due the location of the significant vegetation being along ridgetops, which are unlikely to be developed. Further, the proposed building location envelopes are well distanced from any significant vegetation.

During the course of the application the State Assessment and Referral Agency were made aware of the development and provided no formal comments with relation to the proposed lots boundaries or impact on native vegetation.

The proposed lot boundaries have taken in to account the landscape of the subject site to minimise disruption to landforms and vegetation. There is the possibility of some clearing with respect to formalising property boundaries and creating future paddocks for potential grazing purposes, however there is limited significant vegetation mapped on the site that would be affected and there is evidence the site has been historically cleared for agricultural purposes. Any clearing located within the State Regulated vegetation will required approval from the State. Therefore the proposal can comply with the requirements of the Biodiversity Overlay Code.

Bushfire Hazard Overlay Code

The following is an assessment of the proposal against the specific benchmarks of the Bushfire Hazard Overlay Code, which includes an assessment of the development against the relevant performance outcomes of the code.

Table 8.2.4.4.1 — Outcomes for assessable development**Reconfiguring a lot where located in bushfire hazard areas identified as potential impact buffer, or medium potential bushfire intensity, or high potential bushfire intensity, or very high potential bushfire intensity**

Note: The following performance outcomes and acceptable outcomes apply only to the following categories of development:

- Reconfiguring a lot in the Rural zone and in the Emerging Community zone;
- Reconfiguring a lot in any other zone where more than 6 additional lots are created and a new road is created.

Bushfire planning**PO11**

The lot layout is designed as a consequence of, and in accordance with the recommendations of a bushfire hazard assessment and management plan.

No acceptable outcome is nominated.

PO11 –Complies

The development is supported by a Bushfire Hazard Assessment and Management Plan prepared by Denley Environmental.

The report identifies Building Location Envelopes within proposed Lots 2 and 3 and determines a Bushfire Attack Level BAL12.5 for each envelope with the provision of a minimum fire break of seventeen (17) metres.

PO12

A bushfire hazard assessment and management plan demonstrates that all future buildings are able to be separated from the bushfire hazard by a distance which is the greater of the following:

- (a) a sufficient distance to achieve a bushfire attack level no greater than 29kW/m²; or
- (b) no less than 1.5 times the mature tree canopy height in the hazard hazardous vegetation; or
- (c) for forest or woodland vegetation, a sufficient area to create a building protection zone which achieves the following:
 - (i) the inner zone and outer zone of the building protection zone have slopes under thirty-three (33) per cent; and
 - (ii) the inner zone has the following characteristics:

No acceptable outcome is nominated.

PO12 – Complies

The development is supported by a Bushfire Hazard Assessment and Management Plan prepared by Denley Environmental.

The report identifies Building Location Envelopes within proposed Lots 2 and 3 and determines a Bushfire Attack Level BAL12.5 for each envelope with the provision of a minimum fire break of seventeen (17) metres.

<p>(A) it has a minimum distance of ten (10) metres, or a distance sufficient to achieve a bushfire attack level no greater than 29kW/m²; and</p> <p>(B) tree canopy cover in the zone is less than ten (10) per cent; and</p> <p>(C) three canopy is located greater than two (2) metres from any part of the roofline of a building; and</p> <p>(iii) the outer zone has the following characteristics:</p> <p>(A) it has a minimum distance of ten (10) metres plus one (1) metre for every degree of downslope vegetation; and</p> <p>(B) tree canopy cover in the zone is less than thirty (30) per cent.</p>		
<p>PO13</p> <p>Lot design minimises the number of lots which have a direct interface with the bushfire hazard.</p>	<p>AO13.1</p> <p>No more than twenty (20) per cent of the total number of lots in the development interface directly with the fire hazard.</p>	<p>AO13.1 – Does not comply</p> <p>Lot 1 and Lot 2 can demonstrate hazard free building locations, however the Building Location Envelope for Lot 3 is located within the Bushfire Potential Impact Buffer.</p> <p>Justification provided to PO13</p> <p>Although the Building Location Envelope is mapped as being within the Bushfire potential assessment area, the Bushfire Hazard Assessment and Management Plan</p>

		identifies the Building Location Envelope to be a low risk site, given it is located at the base of hill and adjacent to Charcoal Road. This location provides an adequate location to mitigate bushfire hazards and provides ready access to a sealed road.
Access		
PO14 The reconfiguring design ensures that the road network, future driveways and access routes: <ul style="list-style-type: none"> (a) avoid potential for entrapment during a bushfire; (b) provide safe and efficient movement of residents, workers and visitors out of the subdivision and away from an approaching bushfire; (c) provides alternative access and egress considering the most likely bushfire scenarios; (d) ensures that the location, siting, and design of development and associated driveways and access routes enables safe and efficient access for emergency services vehicles during and after a bushfire. 	AO14.1 Where creating lots having an area less than two (2) hectares: <ul style="list-style-type: none"> (a) all lots are separated from hazardous vegetation by a constructed all-weather, public road; (b) the road layout provides for at least one alternative access route connecting all lots in the development to a public road that meets the requirements in Table 8.2.4.4.2 and which is connects to a collector road; and (c) cul-de-sacs are avoided except where: <ul style="list-style-type: none"> (i) a perimeter road with a cleared width of twenty (20) metres separates the lots at the head of the cul-de-sac from hazardous vegetation; and (ii) the cul-de-sac is no longer than seventy (70) metres from the intersection with another road to the furthest future building. <p>Editor's note: Where staged development occurs or development is in accordance with an approved master plan, a temporary perimeter road may be considered, subject to availability of reticulated water supply.</p>	AO14.1 - Not applicable No lots less than two (2) hectares in size are included in this application.
	AO14.2 Where creating lots having an area greater than two (2) hectares: <ul style="list-style-type: none"> (a) all lots have a driveway or private road access which connects directly to a constructed all-weather public road; (b) dead-end roads are a maximum length of 200 metres and an alternative emergency evacuation route is provided away from the most likely source of bushfire risk. 	AO14.2 - Complies The proposed lots sizes area 47.6 hectares, 48.1 hectares and 25.1 hectares and all lots have access or the potential for ready access to Charcoal Road which is a Rural Access road.
	AO14.3 For all lots, private roads and access driveways comply with the requirements specified in Table 8.2.4.4.2.	AO14.3 - Conditioned to comply Lots 1 and 3 have existing access and a condition for Operational Works (access works) is included for Lot 2.

As evident from the above assessment, the proposal complies with the various requirements of the Bushfire hazard overlay code apart from a deviation from Acceptable Outcome

AO13.1 with regards to the number of lots which directly interface with the fire hazard. Suitable justification has been provided to support the deviation given the development is supported by a Bushfire Hazard Assessment and Management Plan which determines the Building Location Envelopes to be of a low risk, therefore the proposal is able to meet the overall outcomes for the code.

Development Works Code

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

Table 9.3.2.4.1 – Outcomes for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Assessment response
Access and parking		
<p>PO1</p> <p>The development is provided with an on-site parking and movement system designed and constructed to:</p> <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; 	<p>AO1.1</p> <p>The development is provided with sufficient on-site vehicle parking and queuing space in accordance with the standards relevant to the use in compliance with Table 9.3.2.4.3.</p>	<p>AO1.1 – Complies</p> <p>The proposed lots being 47.6 hectares, 48.1 hectares and 25.1 hectares are large enough to facilitate on-site vehicle parking and queuing space for existing and proposed uses. In accordance with Table 9.3.2.4.3 the existing Dwelling house requires two (2) spaces with a minimum of one space being covered, which is deemed to be sufficiently provided with the numerous sheds on-site.</p>

Performance outcomes	Acceptable outcomes	Assessment response																				
(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.																						
	<p>AO1.2</p> <p>For development other than a use listed in the table below, an engineer who qualifies as a registered professional engineer of Queensland certifies that all vehicles likely to use the site are able to enter and leave the site in a forward gear, and that the on-site vehicle parking spaces, pick-up areas, loading and unloading areas, queuing areas, circulation and manoeuvring areas for the development are designed and constructed in accordance with the most up to date version of the Australian Standards as relevant to the development, including but not limited to the following:</p> <p>(a) <i>Australian Standard AS2890.1-1993: Parking Facilities –Off-street Car parking;</i></p> <p>(b) <i>Australian Standard AS1428.1-2001: Design for access and mobility – General requirements for access – New building work;</i></p> <p>(c) <i>Australian Standard AS2890.2-1993: Off-street parking – Commercial vehicle facilities.</i></p> <table><tr><td>Accommodation activities</td></tr><tr><td>Caretaker's accommodation</td></tr><tr><td>Community residence</td></tr><tr><td>Dual occupancy</td></tr><tr><td>Dwelling house</td></tr><tr><td>Dwelling unit</td></tr><tr><td>Home based business</td></tr><tr><td>Recreation activities</td></tr><tr><td>Environment facility</td></tr><tr><td>Park</td></tr><tr><td>Rural activities</td></tr><tr><td>Animal husbandry</td></tr><tr><td>Cropping</td></tr><tr><td>Permanent plantation</td></tr><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	<p>AO1.2 – Not applicable</p> <p>The development is for reconfiguring a lot.</p>
Accommodation activities																						
Caretaker's accommodation																						
Community residence																						
Dual occupancy																						
Dwelling house																						
Dwelling unit																						
Home based business																						
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Permanent plantation																						
Roadside stall																						
Special activities																						
Landing																						
Major electricity infrastructure																						
Substation																						
Telecommunications facility																						

Performance outcomes	Acceptable outcomes	Assessment response
	AO1.3 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.	AO1.3 – Not applicable The subject site does not adjoin a residential category zone or the township zone.
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 – Complies The access driveways to Lots 1 and 3 are existing and Operational Works (access works) has been conditioned for Lot 2 which will assess the nominated location at that stage.
	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 Addressed in AO2.1.
	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 Addressed in AO2.1.
	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 Addressed in AO2.1.

Performance outcomes	Acceptable outcomes	Assessment response
	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> (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> 	AO2.5 – Complies The following condition is included to ensure compliance with the acceptable outcome. <i>‘All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, Australian Standards and the provisions of a Development Permit for Operational Works (access works).’</i>
	AO2.6 Where adjoining a state-controlled road or Key Resource Area transport route, the development provides: <ul style="list-style-type: none"> (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 subject site does not adjoin a state-controlled road.
Clearing of native vegetation		
PO6 Clearing does not result in any significant adverse impacts on the following: <ul style="list-style-type: none"> (a) scenic landscape values; or (b) values associated with large tracts of native vegetation which serve as habitat or viable biodiversity corridors; or (c) the quality of land and water resources (including underground water). 	AO6.1 If the development involves clearing of native vegetation which is not identified on an overlay map as a biodiversity matter of local environmental significance or matter of state environmental significance, the clearing does not result in damage, removal or destruction of the native vegetation, unless the clearing satisfies the following circumstances: <ul style="list-style-type: none"> (a) the clearing is for a purpose, vegetation type and circumstance that is identified under the <i>Vegetation Management Act 1999</i> as exempt; or (b) the clearing is for the purpose of: <ul style="list-style-type: none"> (i) lawful development for forestry; or (ii) managing declared weeds; or (iii) establishing or maintaining a necessary firebreak to protect sensitive land use and infrastructure (other than fences, roads and tracks) to a maximum width of twenty (20) metres or 1.5 times the height of the tallest adjacent tree, whichever is the 	AO6.1 – Complies The Building Location Envelopes nominated on the proposal plan are located outside of any native vegetation identified within the biodiversity overlay. Any clearing that may be required to be undertaken within the mapped State regulated vegetation area may require a separate application for Operational Works (clearing) if not for a nominated use as identified within the Acceptable Outcome.

Performance outcomes	Acceptable outcomes	Assessment response				
	<p>greater; or</p> <p>(iv) maintaining existing infrastructure, including buildings, fences, roads and watering points; or</p> <p>(v) a necessary fire management line to a maximum width of ten (10) metres; or</p> <p>(vi) establishing a necessary road or vehicular track to a maximum width of ten (10) metres; or</p> <p>(vii) landscape gardening purposes;</p> <p>(viii) clearing of plants or plant material that has been planted for a 'cropping' use; or</p> <p>(c) the clearing is within a building location envelope or outside an environmental covenant area, which forms part of a prior approved development permit for material change of premises or a development permit for a reconfiguration of a lot.</p>					
	<p>AO6.2</p> <p>If the development involves clearing of native vegetation the clearing does not result in damage, removal or destruction of native vegetation located above the fifty (50) metres Australian Height Datum contour level, unless the clearing is for a purpose specified in AO6.1.</p>	<p>AO6.2 – Complies</p> <p>The Building Location Envelopes nominated on the proposal plan are located at or below forty (40) metres Australian Height Datum, ensuring no removal of vegetation above fifty (50) metres Australian Height Datum.</p>				
	<p>AO6.3</p> <p>If the development involves clearing of native vegetation the clearing does not result in damage, removal or destruction of native vegetation located within a biodiversity corridor identified in the planning scheme, unless the clearing is for a purpose specified in AO6.1.</p>	<p>AO6.3 - Not applicable</p> <p>There are no biodiversity corridors identified on the subject site.</p>				
	<p>AO6.4</p> <p>If the development involves clearing of native vegetation the clearing does not result in damage, removal or destruction of any native vegetation located on land within the buffer distances from a waterway or wetland identified in the following table, unless the clearing is for a purpose specified in AO6.1:</p> <table><tr><th>Location</th><th>Buffer distance</th></tr><tr><td>Top of the bank of a waterway classified as stream order one or stream order two</td><td>10 metres</td></tr></table>	Location	Buffer distance	Top of the bank of a waterway classified as stream order one or stream order two	10 metres	<p>AO6.4 – Complies</p> <p>The Building Location Envelopes nominated on the proposal plan are not located in proximity to the mapped waterway located in the north east portion of the subject site.</p>
Location	Buffer distance					
Top of the bank of a waterway classified as stream order one or stream order two	10 metres					

Performance outcomes	Acceptable outcomes		Assessment response
	Top of the bank of a waterway classified as stream order three or stream order four	25 metres	
	Top of the bank of a waterway classified as stream order five or higher order	50 metres	
	Wetland	100 metres	
PO7 Clearing does not result in land degradation due to soil erosion.	AO7.1 If the development involves clearing of native vegetation which is likely to result in the removal of ground cover and the exposure of soil to weather, clearing only occurs if it is undertaken in accordance with an erosion and sediment control plan which has been prepared and endorsed by a suitably qualified person, and the plan ensures that erosion and sediment control measures are implemented in accordance with best practice.		PO7 – Conditioned to comply <i>‘Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan.’</i>
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 – Conditioned to comply The development requires an on-site energy supply in accordance with Table 9.3.2.4.7. However, reticulated electricity is currently provided to the site and the connection will remain with Lot 1.
	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 – Not applicable Addressed in AO9.3.
	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 – Conditioned to comply <i>‘Each lot must be provided with an on-site energy supply installed in accordance with all laws and regulations and current best practice. (Note if the development is provided with a reticulated grid electricity supply, the reticulated supply must be provided in accordance with the requirements of the relevant energy supply authority.’</i>

Performance outcomes	Acceptable outcomes	Assessment response
Sewage and waste water treatment and disposal		
PO10 The development is provided with sewage and wastewater treatment and disposal infrastructure which: <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. 	AO10.1 The development is provided with sewage and waste water treatment and disposal infrastructure in accordance with the requirements of Table 9.3.2.4.6.	AO10.1 – Complies The development requires on-site sewerage and waste water treatment and disposal infrastructure in accordance with Table 9.3.2.4.6.
	AO10.2 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.	AO10.2 – Not applicable Addressed in AO10.3.
	AO10.3 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.	AO10.3 – Complies There are no additional building or structures proposed as part of this stage of the development. A condition has been included to ensure the existing on-site sewerage infrastructure servicing the existing Dwelling house is retained with its proposed new lot. <i>'All internal plumbing and sanitary drainage systems associated within the existing Dwelling house located within Lot 1 must be located wholly within the property boundaries. Any alterations to the existing internal plumbing and sanitary drainage systems associated within the existing dwelling must be at no cost to Council.'</i>
Roof and allotment drainage		
PO11 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.	AO11.1 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).	AO11.1 – Not applicable There are no buildings or structures proposed as part of the development.

Performance outcomes	Acceptable outcomes	Assessment response
Telecommunications		
PO12 The development is provided with telecommunications infrastructure or equipment which: <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 public telecommunication networks; and (c) is designed and constructed to be safe, operationally reliable and easily maintained. 	AO12.1 The development is provided with telecommunications infrastructure or equipment in accordance with the requirements of Table 9.3.2.4.7.	AO12.1 – Conditioned to comply The development requires on-site telecommunications infrastructure in accordance with Table 9.3.2.4.7.
	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 – Not applicable Addressed in AO12.3.
	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: <ul style="list-style-type: none"> (a) ambulance station; (b) police station; (c) fire brigade; and (d) state emergency service facility. 	AO12.3 – Conditioned to comply <i>‘Each lot must be provided with on-site telecommunications infrastructure for the use sufficient to enable contact in normal circumstances with the each of the nearest emergency services. (Note if the development is provided with reticulated telecommunications infrastructure, the reticulated infrastructure must be provided in accordance with the requirements of the relevant telecommunications supply authority.)’</i>
Water supply		
PO13 The development is provided with water supply infrastructure which: <ul style="list-style-type: none"> (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 	AO13.1 The development is provided with a water supply in accordance with the requirements of Table 9.3.2.4.6.	AO13.1 – Not applicable The subject site, being rural, requires the provision of on-site water supply for all new buildings. No new buildings are proposed as part of this stage of the development which require a water supply.

Performance outcomes	Acceptable outcomes	Assessment response
public water supply networks; and (d) is designed and constructed to be safe, operationally reliable and easily maintained.		
	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 reticulated municipal water supply is provided in accordance with the current version of the Capricorn Municipal Development Guidelines.	AO13.2 – Not applicable Addressed in AO13.3.
	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 – Complies The subject site, being rural, requires the provision of on-site water supply for all new buildings. No new buildings are proposed as part of this stage of the development which require a water supply.

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

PUBLIC NOTIFICATION

The proposal was the subject of public notification between 30 January 2020 and 20 February 2020, as per the requirements of the *Planning Act 2016*, and no submissions were received.

INFRASTRUCTURE CHARGES

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

Charge area:	The subject site is located outside the priority infrastructure area
Calculation:	The charge is calculated in accordance with Table 5 - Minimum infrastructure charge for Reconfiguring a Lot partly outside or entirely outside the Priority Infrastructure Area, as follows: 1. three (3) lots at \$14,750.00 per lot. 2. less a credit of \$14,750.00.
Credit:	The above calculation takes into account a credit of \$14,750.00 for the existing allotment pursuant to Part 4.0 of Council's <i>Adopted infrastructure Charges Resolution (No. 3) LSC 2018</i> . The credit is calculated as follows: 1. one existing lot at \$14,750.00 per lot.
Offset:	No offsets are applicable to the development.
Networks Covered:	Apportionment of charges over the following networks: Transport Parks & Community Facilities

A total contribution of **\$29,500.00** is payable and will be reflected in an Infrastructure Charges Notice for the development.

STATEMENT OF REASONS

The development application for a **Development Permit for Reconfiguring a Lot (one lot into three lots)** approved as per this Decision Notice (approval) D-255-2019.

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 complies with all Acceptable Outcomes and Performance Outcomes within the Biodiversity Overlay Code and the Development Works Code.
- (ii) The development does not comply with Acceptable Outcomes AO11.1 and AO12.1 of the Reconfiguring a Lot Code as the development cannot comply with the required lots sizes and dimensions nominated for the Rural zone.
- (iii) Despite the non-compliance the development application is supported by an Agricultural Report which demonstrates the proposed lots sizes are sufficient to undertake and sustain rural activities, and the proposed lots sizes are comparable to existing lots in the locality, therefore the application complies with the overall outcomes for the code.
- (iv) The development does not comply with Acceptable Outcome AO13.1 of the Bushfire Hazard Overlay Code due to the number of lots which directly interface with the fire hazard.
- (v) Despite the non-compliance the development is supported by a Bushfire Hazard Assessment and Management Plan which determines the Building Location Envelopes to be of a low risk, therefore the application complies with the overall outcomes for the code.
- (vi) The development does not compromise the achievement of the state interest – natural hazards, risk and resilience outlined in the State Planning Policy.
- (vii) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with 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 5 of this notice.

2. ASSESSMENT BENCHMARKS

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Strategic Framework – Settlement pattern theme, Natural environment and hazards theme, and Natural resources and economic development theme Reconfiguring a Lot Code Biodiversity Overlay Code Bushfire Hazard Overlay Code Development Works Code	<i>Livingstone Planning Scheme 2018</i> , Version 2, in effect 25 June 2018
Part E: State interest policies and assessment benchmarks	<i>State Planning Policy</i> , July 2017

3. COMPLIANCE WITH BENCHMARKS

The development meets the overall outcomes for the Codes, despite not complying with below Acceptable Outcomes:

Benchmark reference	Reasons for the approval despite non-compliance with benchmark
Reconfiguring a Lot Code - Acceptable Outcomes AO11.1 and AO12.1	As per the reasons set out in the findings on material questions of fact in section 1 of this notice.
Bushfire Hazard Overlay Code - Acceptable Outcome AO13.1	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 relevance of existing approvals on the subject site and adjoining properties in respect of the land use pattern and commensurate development
The common material submitted with the application	In respect of the reports provided in the material including proposal plans and supporting information
The Local Government Infrastructure Plan	In respect of trunk infrastructure provisions and charging for development.

5. MATTERS RAISED IN SUBMISSIONS

No submissions were received for this application.

6. MATTERS PRESCRIBED BY REGULATION

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

- (i) The State Planning Policy – Part E;
- (ii) The Strategic Framework, Reconfiguring a Lot Code, Biodiversity Overlay Code, Bushfire Hazard Overlay Code and the Development Works Code in *Livingstone Planning Scheme 2018*;
- (iii) The land, the subject of the application has an existing Cropping use and ancillary Dwelling house and shed on the premises;
- (iv) The surrounding rural properties in terms of commensurate and consistent development and comparable lot sizes; and
- (v) The common material, being the material submitted with the application.

PREVIOUS DECISIONS

It is noted that despite the development proposing lot sizes less than the minimum lots size for the zone, the proposed lots are conducive with the locality given the existing surrounding lots ranging in size between twenty-five (25) and fifty (50) hectares, with established cropping activities.

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

The relevant Corporate Plan Strategy 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 Agricultural Report provided demonstrates that the existing agricultural use currently undertaken on the subject site will not be limited or compromised by the subdivision, and the proposed lots will comprise of some very good farming land with a wide range of farming options. The Bushfire Hazard Assessment and Management Plan provides Building Location Envelopes within proposed Lot 2 and Lot 3 which are a low risk of bushfire with a Bushfire Attack Level BAL12.5 subject to appropriate clearing for bushfire hazard reduction measures.

The proposed lot sizes are consistent with existing lot sizes in the surrounding area, most of which have established rural activities, including various cropping activities and cattle grazing.

Therefore is it considered the development can be supported subject to relevant and reasonable conditions and an Infrastructure Charges Notice for the amount of \$29,500.00

**12.2 - DEVELOPMENT APPLICATION
D-255-2019 FOR A DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT
(ONE LOT INTO THREE LOTS) AT 93
CHARCOAL ROAD, ROSSMOYA**

**Locality Plan and Surrounding
Agricultural Uses Plan**

Meeting Date: 19 May 2020

Attachment No: 1



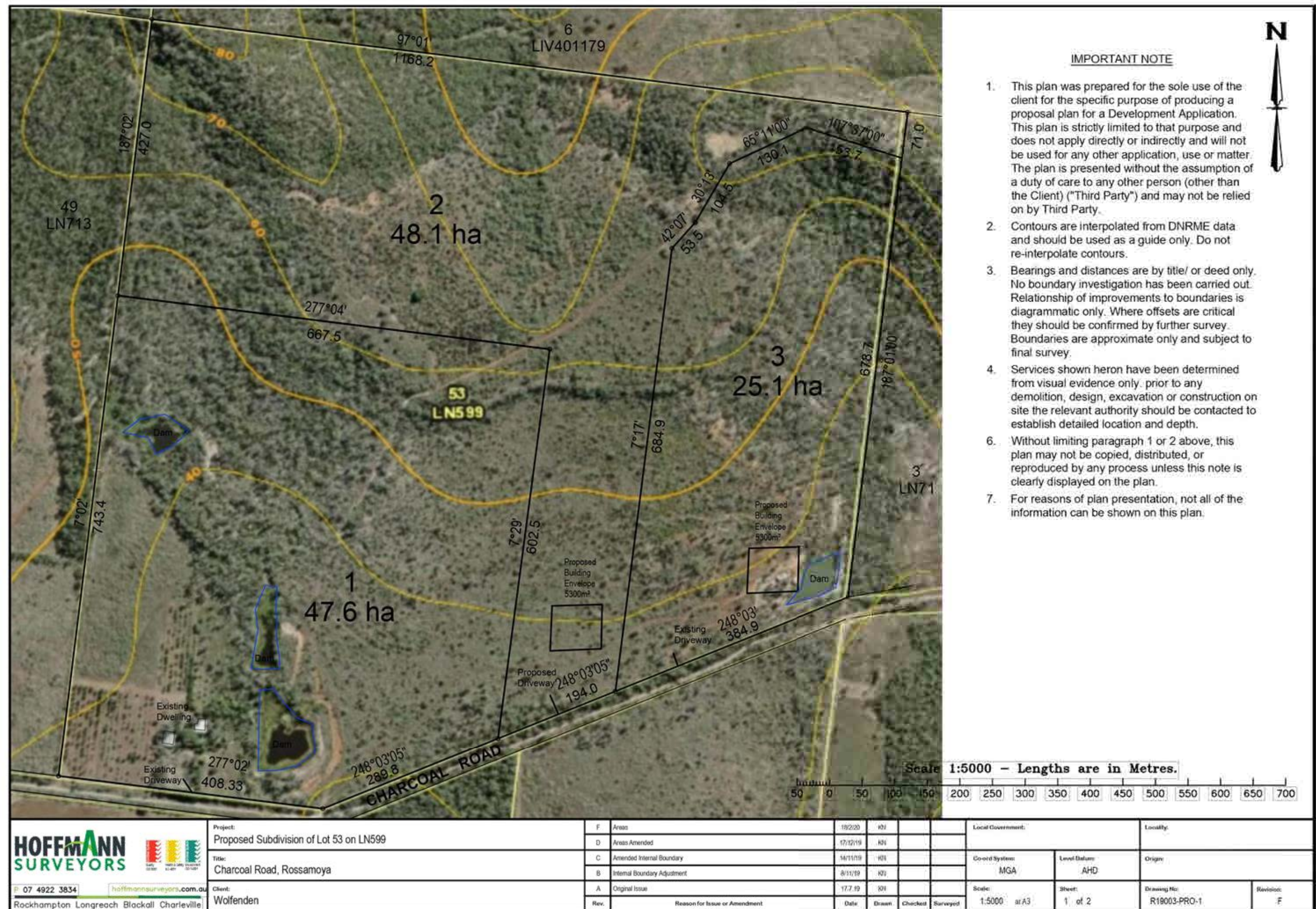


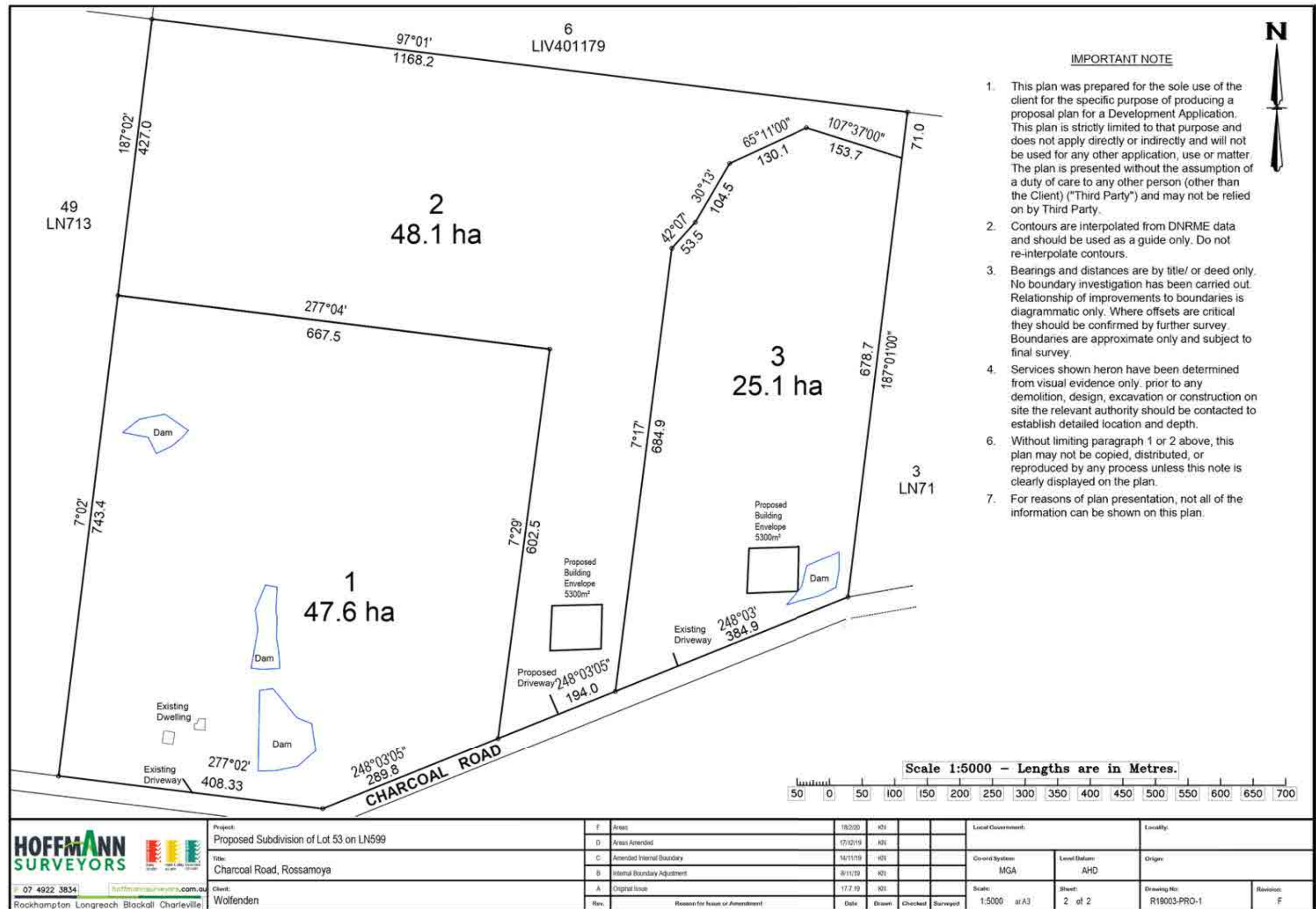
**12.2 - DEVELOPMENT APPLICATION
D-255-2019 FOR A DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT
(ONE LOT INTO THREE LOTS) AT 93
CHARCOAL ROAD, ROSSMOYA**

Proposal Plans

Meeting Date: 19 May 2020

Attachment No: 2



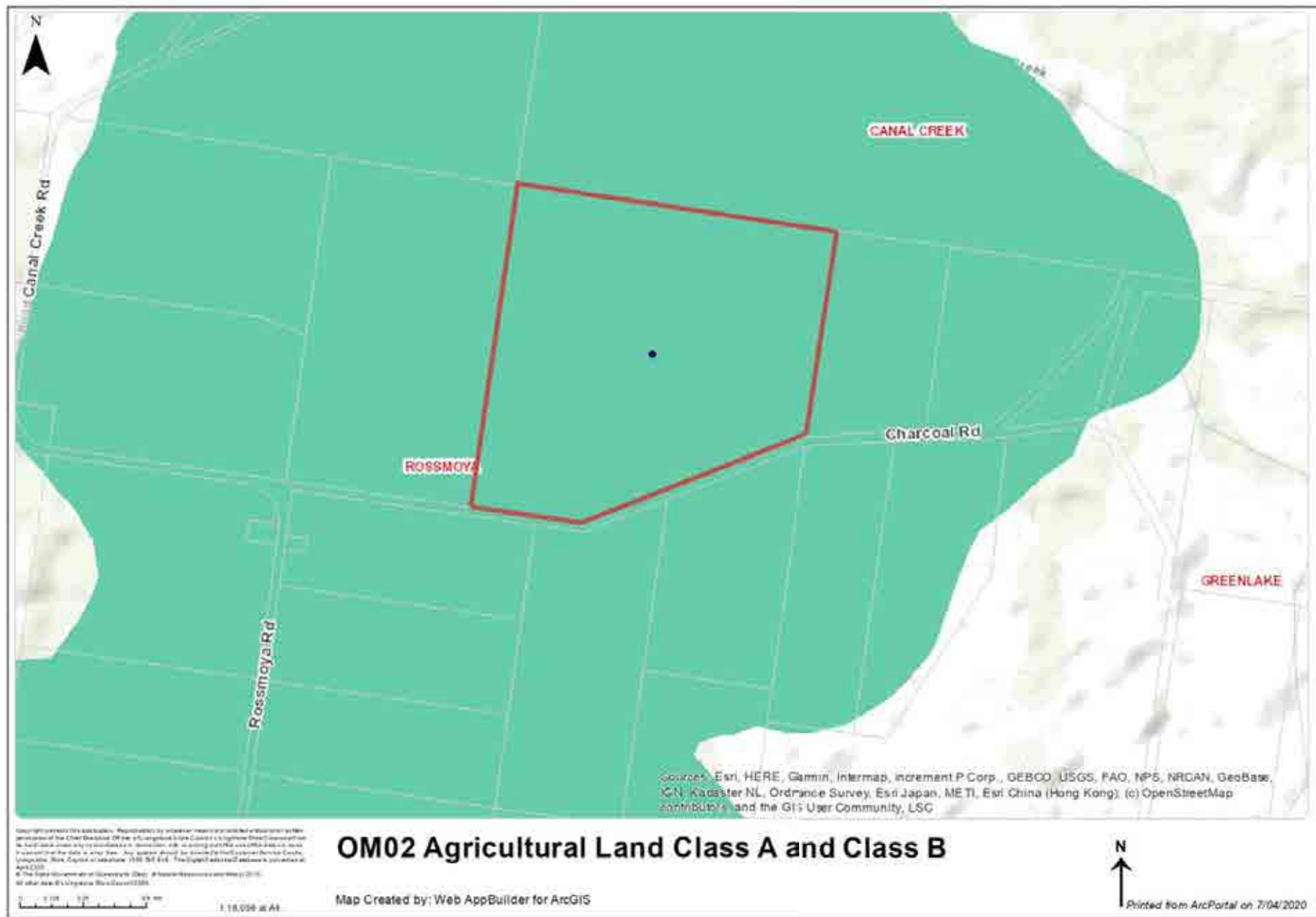


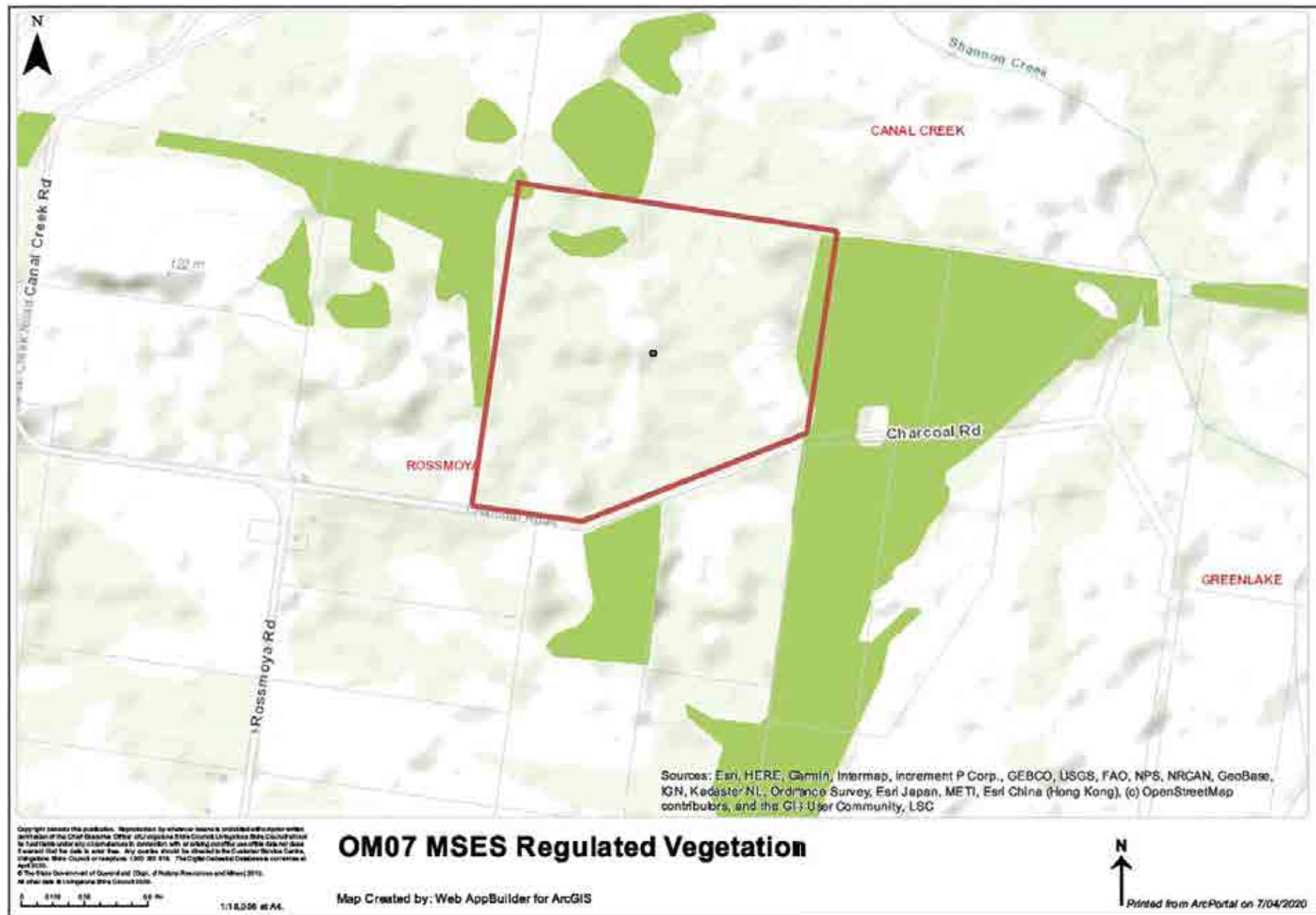
**12.2 - DEVELOPMENT APPLICATION
D-255-2019 FOR A DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT
(ONE LOT INTO THREE LOTS) AT 93
CHARCOAL ROAD, ROSSMOYA**

Overlay Plans

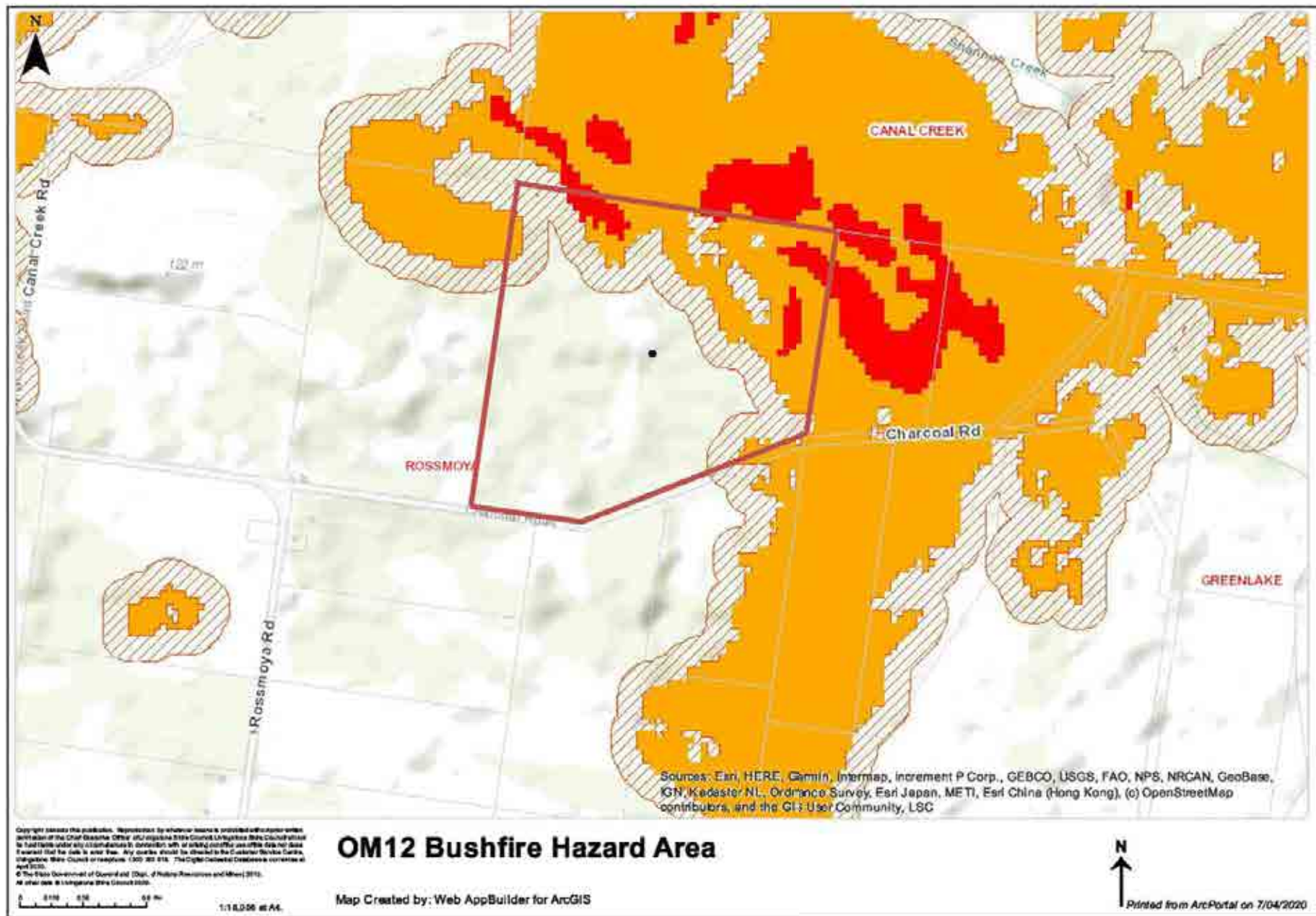
Meeting Date: 19 May 2020

Attachment No: 3









**12.2 - DEVELOPMENT APPLICATION
D-255-2019 FOR A DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT
(ONE LOT INTO THREE LOTS) AT 93
CHARCOAL ROAD, ROSSMOYA**

**Bushfire Hazard Assessment and
Management Plan**

Meeting Date: 19 May 2020

Attachment No: 4

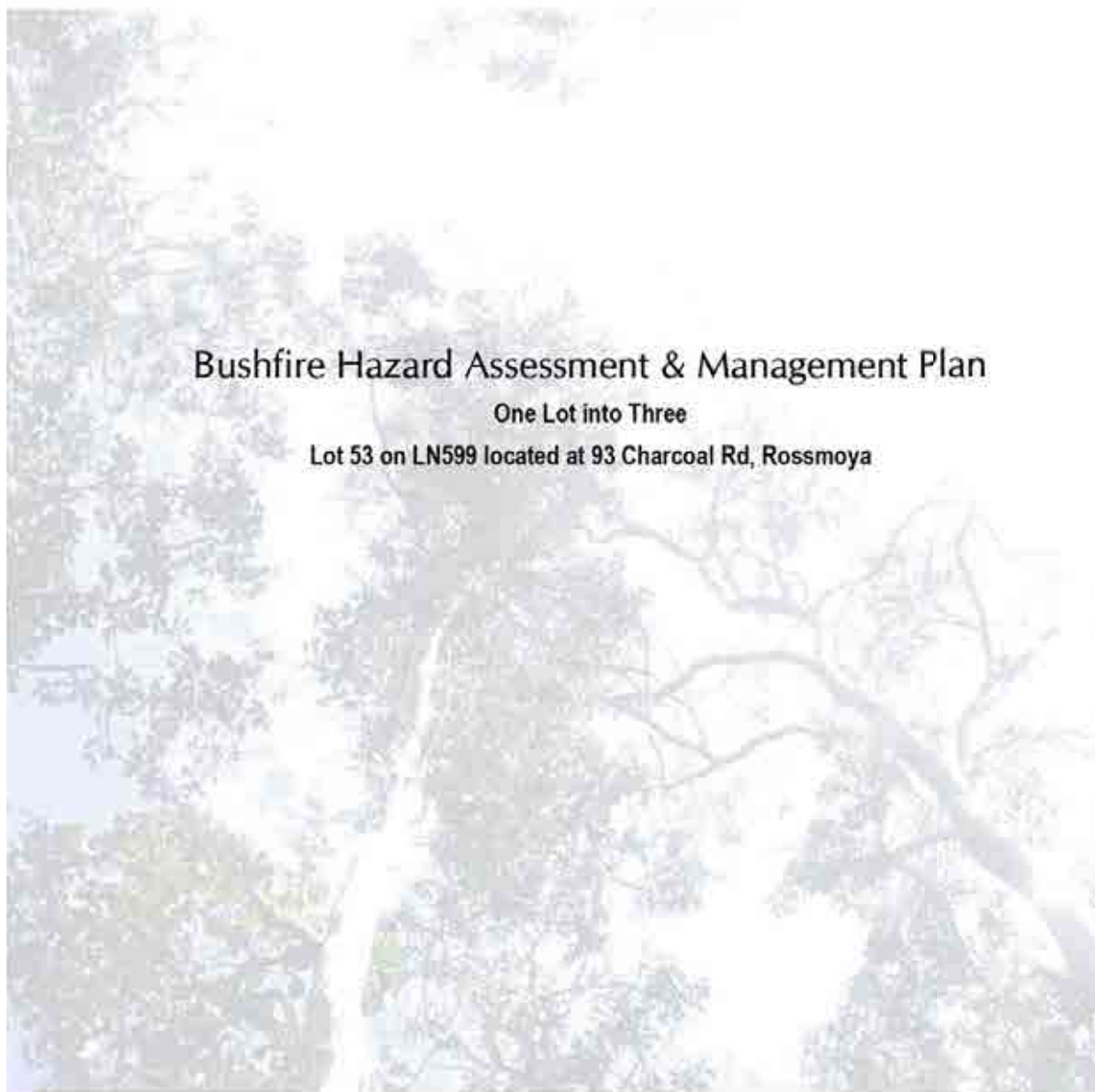
DENLEY ENVIRONMENTAL
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Bushfire Hazard Assessment & Management Plan

One Lot into Three

Lot 53 on LN599 located at 93 Charcoal Rd, Rossmoya



Publication Details

Title: Bushfire Hazard Assessment & Management Plan, One Lot into Three, Lot 53 on LN599 located at 93 Charcoal Rd, Rossmoya

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FILE: 40889 BMP 53LN599

James

Acronyms and Abbreviations

AS 3959 – 2009: Australian Standard 3959 Building in Bushfire Prone Areas and amendments.

BAL: Bushfire Attack Level indicated in AS3959 for site specific factors.

BHA: Bushfire Hazard Assessment

BMP: Bushfire Management Plan

QFES: Queensland Fire and Emergency Services

QRFES: Queensland Rural Fire Service

LSC Livingstone Shire Council

SPP Guideline: Draft State Planning Policy Guideline. State interest-natural hazards. Guidance on flood, bushfire and landslide hazards, December 2013.

SPP Mandatory Requirements: State Planning Policy mandatory requirements: bushfire hazard. Supports the State Planning Policy state interest—natural hazards. Draft: April 2013

NCA 1992: *Nature Conservation Act 1992*

VMA 1999: *Vegetation Management Act 1999*



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BMP

53L1/590

James

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Property Information

Subject Lot	Lot 53 on LN599
Owners	C.B. & J.E. & S.L. Wolfenden and K.M. Hamilton
Street Address	93 Charcoal Rd, Rossmoya
Development plan	Hoffman Surveyors R19003-PRO-1 Rev. A

Summary

The owners of Lot 53 on LN599, C.B. & J.E. & S.L. Wolfenden and K.M. Hamilton are applying to reconfigure the subject lot into three lots. The lot reconfiguration will include a building envelope on each of proposed lots 2 and 3 with an existing dwelling on proposed lot 1.

The building envelopes and existing dwelling are positioned near the base of a southern facing hill and adjacent to Charcoal Road. This location provides the best location to mitigate hazards from bushfire and ready access to a sealed road.

There are significant remnant vegetation systems (semi-evergreen vine thicket) within the subject lot. However this vegetation is a considerable distance from consequential clearing and will not be affected by carrying out bushfire hazard reduction measures indicated in this bushfire management plan.

Hazards presented to the existing dwelling were assessed. The existing dwelling was assessed to be within a low hazard area. Therefore a construction standard has not been specified. However it is recommended that requirements for lots 2 and 3 provided in this Bushfire Management Plan should be considered and acted on where practical by the occupants of the existing dwelling.

Building locations within proposed lots 2 and 3 were assessed as BAL-12.5 where a minimum firebreak of 17 metres from the nearest facing surfaces of a dwelling is maintained.



Bushfire Hazard Assessment

1 Introduction

The purpose of the Bushfire Hazard Assessment is to determine the level of bushfire hazard with reference to:

- The Livingstone Planning Scheme 2018 (Version 2) *Bushfire hazard overlay code and SC7.2. Bushfire hazard planning scheme policy*;
- The Australian Standard AS3959 Construction of buildings in bushfire-prone areas (AS3959);
- NCC, 2016, *Building Code of Australia - Volume Two*. The Australian Building Codes Board, Canberra.
- Site specific factors that may influence standardised assessment methods;

The subject of this Bushfire Hazard Assessment are an existing dwelling and two new building envelopes on the subject lot.

Plans of the proposed building location envelopes and existing dwelling with surrounding roads and access is provided in the Appendix.

1.1 Site Location

Lot 53 on LN599 is located at 93 Charcoal Rd, Rossmoya. See Figure 1 for the site location.

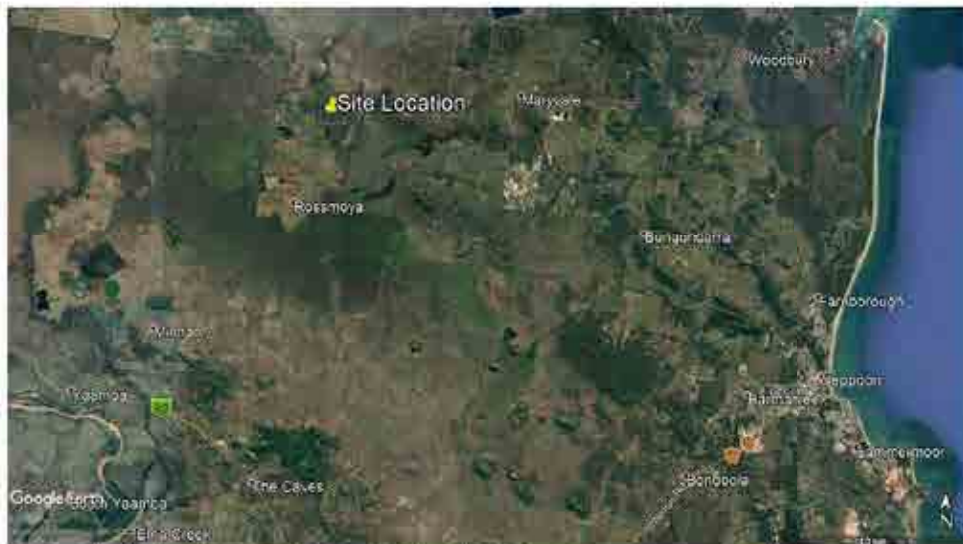


Figure 1. Site location of Lot 53 on LN599 at 93 Charcoal Rd, Rossmoya.

1.2 Proposed Dwelling Locations

The proposed location of building envelopes and the existing dwelling are shown in Figure 2 and in the *R19003-PRO-1 Rev. A* drawing in the Appendix.

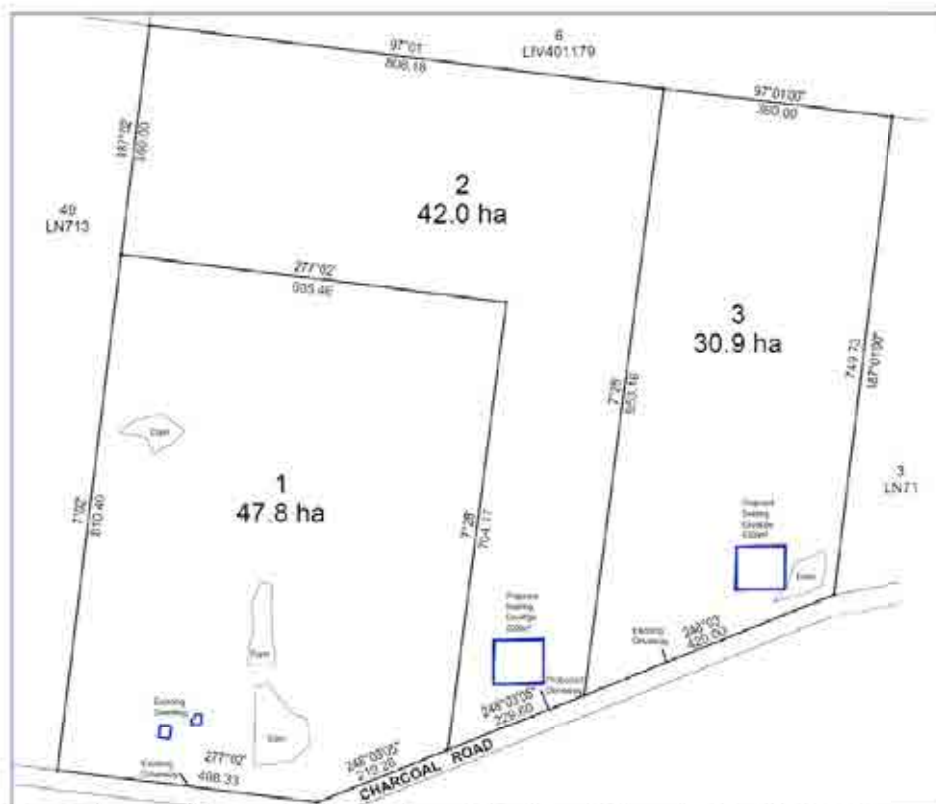


Figure 2. The proposed location of building envelopes and the existing dwelling on Lot 53 on LN599. Modified from original drawing to show relevant areas.

1.3 Surrounding Landscapes & Vegetation

1.3.1 Existing and Pre-clearing vegetation.

Large areas of the property have been historically cleared. Those areas are now immature regrowth. Pre-clearing vegetation was semi-evergreen vine thicket to microphyll vine forest on the western 2/3 of the subject lot with ironbark woodland and semi-evergreen vine thicket on the eastern balance. The land is now largely mapped as cleared and regrowth vegetation. Vegetation patterns can be seen in Figure 3.



Figure 3. The figure shows remaining remnant vegetation shaded in green with the balance being regrowth. The primary vegetation in the area is semi-evergreen vine thicket.

1.3.2 Slopes

The proposed BLEs and the existing dwelling are located on relatively flat ground (2-3 degrees) at the base of a gently rising hill.

1.4 Weather

The nearest weather station with similar climate is Rockhampton airport. The following data was obtained from the Bureau of Meteorology (http://www.bom.gov.au/climate/averages/tables/cw_039083.shtml) for Rockhampton Aero Weather Station.

Mean annual rainfall is 815.1 millimetres. Rainfall above 100mm occurs from December through to March.

Temperatures above 29 degrees Celsius are January and February with the hottest time of year around November to March.

Predominant winds are south to east with warm north to northeast winds occurring largely in spring and summer.

The risk of fire in the area is related to regular seasonal conditions. Northerly winds are generally dry and warm in late spring through to early summer and coincide with higher temperatures, low rainfall and low humidity in October and November. These weather conditions in late spring to early summer represent the highest risk of bushfire in the area.

2 Materials & Methods

Bushfire hazard and associated mitigation is assessed with reference to the Livingstone Planning Scheme 2018 (Version 2) *Bushfire hazard overlay code*; the Australian Standard AS3959 *Construction of buildings in bushfire-prone areas* (AS3959); the NCC, 2016, *Building Code of Australia - Volume Two*; any advice provided by local fire authorities; and a site specific hazard assessment.

Construction requirements and minimum dwelling setback distances are given with reference to the AS3959, the NCC Vol 2 (2016) and with regard to local and site specific conditions and other expert advice received.

Surface fuel load potentials are calculated with reference to Hines *et. al.* (2010). Vegetation structural descriptions are taken from the Australian Standard 3959. Vegetation density scales (very sparse, sparse, medium, dense etc.) are from Melzer (2011). Vegetation heights and degree of slope are calculated using a Suunto clinometer. A Suunto compass is used to determine aspect. Field data is recorded with Android software 'Open Data Kit' using an electronic version of the *fuel assessment field work form v3* (Hines *et. al.*, 2010).

3 Results

The following site specific hazard assessment includes vegetation, slope, aspect and any other natural or manmade features of relevance located within 100 metres of the dwelling site. Consideration is also given to surrounding landscapes and vegetation patterns in the local area. The site specific hazard assessment is considered with respect to vegetation density, species, hazard extent and how natural or manmade features interact with the hazard to modify risk. This provides a measure on the level of risk presented to the dwelling from wildfires at a more detailed local scale.

3.1 Site Selection

The proposed locations of the BLEs are close to Charcoal Road and at the base of the slope. These locations provide very good bushfire hazard mitigation in relation to available building locations. The existing dwelling is also located relatively close to Charcoal Road.

The BLE on proposed lots 2 and 3 are located approximately 70 to 80 metres in a direct line from Charcoal Road. Lot 2 will have a driveway length of approximately 50 metres. The driveway on Lot 3 will be approximately 220 metres long.

3.2 Hazard in Relation to Proposed Dwelling Sites

3.2.1 Local landscape Patterns

Table 1 provides downslope degrees and aspect. All locations have relatively low slopes and least hazardous aspects.

Table 1

Site	Downslope degrees	Aspect	Notes
Existing dwelling	1.6	SE	Large dam mitigates risk from the east.
Lot 2	2	SW	
Lot 3	3.7	SSE	Large dam mitigates risk from the east.

3.2.2 Local Vegetation Patterns

The subject lot has remnant dry rainforest and woodland to the north but the majority of vegetation relevant to the building locations is a mixed regrowth of weeds (mainly lantana), *Acacia*, Eucalypts and dry rainforest. Substantial clearing has occurred in the broader area for agriculture and pasture. Clearing in the broader area in combination with locally occurring dry rainforest has reduced the potential for large wildfires in the area.

The existing dwelling (Figure 4) is surrounded by managed grassland, mango trees and macadamia orchards with some scattered, largely rainforest trees. Vegetation surrounding the dwelling is considered a low hazard.

Lot 2 has mixed regrowth vegetation (Figure 5) within and adjacent to the BLE and a strip of roadside trees to the south largely consisting of rainforest species.

Lot 3 has mixed regrowth vegetation (Figure 6) within and adjacent to the BLE with landscaping species around existing buildings and a dam to the east. Roadside vegetation is located to the south.



Figure 4. Vegetation around the existing dwelling consists of low hazard vegetation; macadamia, mango and lawns.

Figure 5. Regrowth vegetation around Lot 2 and 3 BLEs consists of weedy areas (Lantana and snakeweed) with



patches of regrowth dry rainforest and drier woodland species.



Figure 6. Lot 3 contains regrowth vegetation with a variety of species within the BLE including low risk fruit trees, dry rainforest regrowth and regrowth bluegum and Lophostemon.

3.3 AS3959 Vegetation Type

Vegetation within 100 to the building locations on lots 2 and 3 is assessed as an AS3959 Mallee/Mulga type. This category is assessed as having: Surface fuel loads of 8t/ha; overall fuel

load of 8t/ha; and a vegetation height of 3m. Dense weedy lantana does possibly present a higher fuel load, however this is moderated by the presence of dry rainforest species within the regrowth and large areas of remnant dry rainforest in the broader area.

The existing dwelling is considered to be within a low hazard area.

3.4 Evidence of Fire

There was no evidence of recent fires.

3.5 Environmental Considerations

Semi-evergreen vine thickets are locally significant and some types are State significant. However, the proposed dwelling locations are well away from any significant remnant or advanced regrowth vegetation.

3.6 Assessed Hazard

In relation to the building locations on lots 2 and 3, the hazard was assessed as Medium. Vegetation is classified as AS3959 'Mallee/mulga' and the dwellings will be located on gentle south facing slopes of approximately 2 degrees. The location of Charcoal Road in relation to the building locations provides existing bushfire risk mitigation to the existing dwelling and lots 2 and 3.

The recommended BAL construction rating is BAL-12.5 where a low hazard is maintained for no less than 17 metres around dwellings on Lots 2 and 3.

The proposed dwelling location is considered to be situated such that the risk of loss or damage from bushfire can be maintained to a tolerable level given compliance with the requirements in the following Bushfire Management Plan.

Bushfire Management Plan

4 Introduction

This Bushfire Management Plan has been developed with regard to The Livingstone Planning Scheme 2018 Bushfire hazard overlay code; SC7.2. *Bushfire Hazard Planning Scheme Policy*; The Australian Standard AS3959 *Construction of buildings in bushfire-prone areas* (AS3959); and information from a site bushfire hazard survey.

4.1 Purpose

The purpose of this Bushfire Management Plan is to reduce risks from bushfire hazard to a tolerable level of risk.

The aim of the Bushfire Management Plan is to provide appropriate construction standards, setbacks, hazard maintenance and recommendations based on the identified hazard components present at the time of survey. Conditions may change over time so that owners and occupiers should be prepared to increase risk reduction when required.

Owners and occupiers must bear in mind that implementation of the Bushfire Management Plan will assist in addressing and mitigating identified fire hazards on the subject site, however, the plan does not in itself prevent the loss of life or property. Owners should consider additional mitigation measures such as those provided as recommendations in this Plan or as advised by your local Rural Fire Service Warden.

4.2 Bushfire Survival Plan

To assist in mitigating risk, current and future occupants should develop a Bushfire Survival Plan. Leaving too late, when a fire is approaching is a common cause of fatalities during a bushfire event. The decision to stay when a fire is approaching involves activating the Bushfire Survival Plan and undertaking planned actions before, during, and after the fire. A Bushfire Survival Plan template and/or guidance material can be obtained from the Queensland Fire and Emergency Service.

4.3 Ongoing Risk Management

Occupiers should implement all practical measures to prevent the loss of life and property.

It is imperative that owners and occupiers maintain hazard reduction measures so that they are at hand and functional in a bushfire emergency.

At the start of the bushfire season, revisit your bushfire survival strategy and ensure all intended measures are in place and working. Fine fuels around the house and within the building protection zone are the greatest threat to a dwelling. Ensure these areas are fuel reduced. Check all hoses; water sources; pumps etc. are adequate and functional. Ensure driveways and fire trails are adequate and suitable for firefighting vehicles.

In case of fire, immediate contact should be made with the relevant fire authority and all directions and advice should be followed.

4.4 Responsible Agencies

The responsible Fire Authority is the Queensland Fire and Emergency Services (QFES). The Rural Division of the QFES is responsible for bushfires. The Urban Division of the QFES is responsible for structural fires.

The Local Authority is Livingstone Shire Council. It is the responsibility of the Council and the building certifier to ensure that the measures outlined in this Management Plan are in place prior to the occupation of any buildings that are subject to this plan.

5 Site Description

The subjects of this Bushfire Management Plan are dwellings to be located within building envelopes shown in *Hoffman Surveyors R19003-PRO-1 Rev. A* provided in Appendix A

The subject lot is Lot 53 on LN599 located at 93 Charcoal Rd, Rossmoya.

6 Expected Fire Behavior

Warm, dry Northeast winds are common in late spring to early summer in the local area. This period and wind direction represents the highest risk of bushfire in the area.

Northwest to Northeast directions are upslope from the dwelling location. The slope mitigates the risk from these directions.

Prevailing winds in both winter and summer generally have an easterly component, therefore fires coming from easterly directions across the slope are considered to represent the greater risk. There is also a slight upslope to the house from the south containing grassy *Eucalyptus* woodland increasing the hazard from this direction.

Likelihood of fire and fire intensity will depend on fuel accumulation. Fires are likely to be infrequent and usually burn only under severe conditions. Fires may be severe with flame lengths of 15 to 20 metres with little ember attack.

7 Construction Standards and Building Protection Zones

1. Building Protection Zones (fire breaks) will conform to the distances indicated in Table 2 in accordance with the AS3959 BAL Construction Standard.
2. The nearest surface of the dwelling must not be located closer to the hazard than the distance ranges indicated in for the BAL Construction Standard employed.
3. Tree canopy cover (fire prone species) in the building protection zone will be less than 10%; and
4. The nearest canopy should be located greater than 2 metres from any part of the roofline of the dwelling.
5. If not specified in the applicable construction standard, non-flammable gutter guards will be installed on all gutters.
6. Non habitable buildings to have a minimum 10 metre building protection zone.

Table 2. Construction Standards and associated fire break ranges (building protection zone) for dwellings located at the proposed locations. The AS3959 construction standard correlates to the distance from hazardous vegetation to the nearest facing surface of the dwelling. Distance and slope ranges are taken from Table 2.4.5 of the AS3959.

Site	Facing aspect	Slope range	BAL construction standard	Building protection zone (m)
Lot 2	All	0 – 5°	BAL-12.5	17- <100
Lot 3	All	0 – 5°	BAL-12.5	17- <100
Existing dwelling	All	0 – 5°	No requirement	Recommended 17- <100

8 Driveways & Tracks

Driveways to the house site should:

1. Have a minimum cleared width of 6 metres, a minimum cleared height of 4.8 metres and a minimum formed width of 4 metres including any gates;
2. Have adequate drainage to prevent soil erosion;
3. Be constructed to a standard so that they are accessible by QFES fire fighting vehicles in all weather conditions and capable of accommodating a vehicle of 8 tonnes;
4. For driveways longer than 200 metres, have a passing bay for firefighting appliances at no more than 200 metres distant from either the dwelling or the Charcoal Road entry point; and
 - 4.1. Passing bays are 20 metres long with a formed width of 6 metres.
5. Where the dwelling is located greater than 50 metres from a formed road, have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) no further than 50m from the dwelling. Other solutions using T or Y heads of specified dimensions are also appropriate. See Figure 7 for example turnaround areas;
6. Fire trails should be constructed in the same manner as driveways or otherwise to the satisfaction of QFES.

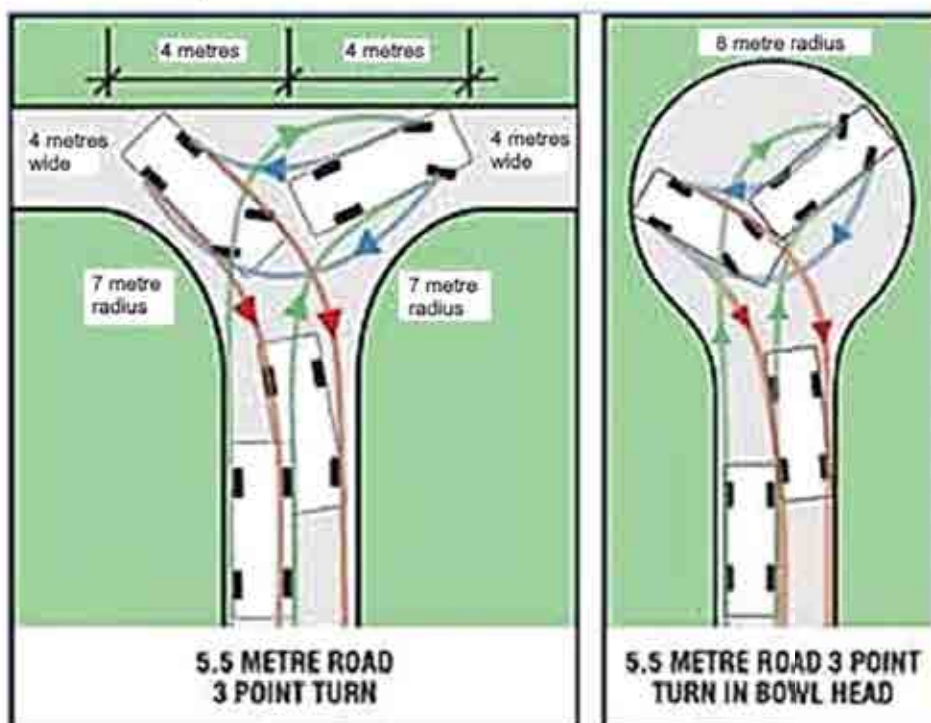


Figure 7. Example turnaround areas (Taken from Building Fire Safety Management Tool & Advisory Notes, State of Queensland (Queensland Fire and Emergency Services) 2015).

9 Water supply for firefighting purposes

The lot will have:

1. On-site water storage of not less than 25,000 litres to be located within 10 metres of the dwelling;
2. Above ground water storage tanks are to be constructed of non-combustible materials;
3. Are to be accessible at all times to any appliance from the Queensland Fire and Rescue Authority;
4. Be provided with a hardstand area suitable for 2 wheel drive heavy vehicles located within 6 metres of the water source;
5. All water storage tanks are to have a standard 50 mm ball valve and male 'cam-lock coupling' with a blanking cap attached to the tank in an accessible location to provide water for fire suppression; or
6. For underground tanks, an access hole of 200 millimetre diameter (minimum) to allow access for suction lines.
7. All water points to be provided with a hardstand area suitable for 2 wheel drive heavy vehicles; and
8. Other accessible water sources (e.g. accessible dam, bore or swimming pool) are to be provided with all-weather access.

10 Landscaping

1. The dwelling should be located so that it is:
 - a) 10 meters from any retained vegetation strips or small areas of vegetation;
 - b) Retained trees in the Building Protection Zone should provide a non-continuous canopy with a total canopy cover of less than 10%; and
 - c) All dead and damaged timber is to be removed within the Setback Zone.
2. Lawns and Gardens within 10m width surrounding the dwelling are to be kept at no greater than 50mm in height;
3. Grassed areas and lawns for a further 7m are to be kept at no greater than 15Cmm;
4. Any balance of the setback zone will be kept in a hazard reduced state: free of weeds (particularly lantana and guinea grass) and grasses at no greater than 200mm high; and
5. Landscaping trees within 10m of residences should be fire resistant species. No tree or shrub should be in contact with or overhang buildings.
6. All fencing and other garden structures within 10 metres of the dwelling will be constructed from non-combustible materials.

11 Purchaser/Resident Education and Awareness Programs

Each owner should be provided with a copy of this Fire Management Plan with an alert placed either on the title or Council rate searches that the Fire Management Plan is in existence and is to be made available to subsequent owners. The hazard ratings are to be placed on council plans and / or rate notices.

Owners should read and be familiar with the information contained in this report. Owners are responsible for maintenance of fire reduction measures on the site to reduce the risk of fire.

Owners should establish a Fire Safety Plan and Emergency Evacuation Plan for the event of fire including all suitable evacuation routes from their land and dwelling for fire from all potential directions. In the event of a fire, dialling 000 obtains emergency assistance.

Residents should maintain regular contact with the Rockhampton Fire Brigade for local information updates and check the Queensland Rural Fire Service website for any updated fire safety guides and further information.

Examples of Fire Safety Plans include the *Rural Property Fire Management Guide* and 'Plan Act Survive' - *Bushfire Survival Plan*.

Additional recommendations to reduce fire risk around the dwelling are provided in Table 3



Table 3. Hazard Reduction Measures: The following recommendations provide additional measures to reduce hazards around the dwelling.

Category	Issue	Action
Buildings	Maintenance: Buildings and Grounds	<ul style="list-style-type: none"> • Clear overhanging trees and shrubs from dwellings and associated structures; • Point LPG gas tank relief valves away from dwellings; • Store flammable items well away from dwellings (e.g. woodpiles, boxes, paper); • Secure roof and clean gutters of dry leaf debris to eliminate an ignition source for embers; • Clear fuels around the house for at least 20 metres; • Trim under fences and remove overgrown bushes and plants; • Ensure surrounding grassed areas are trimmed and well-watered; and • Install non-flammable gutter guards; • Ensure door mats and other flammable material is moved away from the building when a bushfire is imminent.
Water	Water Supply and firefighting equipment	<ul style="list-style-type: none"> • Water sources for firefighting may include an accessible dam or tank with fire brigade tank fittings, a swimming pool, bore water etc. These sources should be provided with all-weather access; • All structures should be provided with a garden hose with metal fittings attached to the water supply at all times. The hose should be of sufficient length to reach all sides of a building; and • Regularly check that firefighting equipment is operational • Rooftop and perimeter sprinkler systems are considered to be very effective in reducing the risk of spot fires around a dwelling.
Hazard Reduction	Close proximity of buildings to hazardous vegetation Hazard reduction:	<ul style="list-style-type: none"> • Trees should be located at a sufficient distance away from dwellings so that when fully mature, branches do not overhang the eaves of the house. • Create a fuel reduction zone adjacent to a dwelling. Remove hazardous vegetation. Do not cause erosion when reducing potential fuel loads in these areas. • Within the hazard reduction zones, hazardous understory vegetation (dry sclerophyll species) should be removed within the setback zone of all structures. These can be replaced with fire resistant species.
Landscaping	Growth of grasses and other fire prone vegetation in disturbed and cleared areas	<ul style="list-style-type: none"> • Remove hazardous grasses and undesirable regrowth from buffer areas; and • Maintain all safety buffer areas free of weeds and tall grasses to maximum heights set out in this Bushfire Management Plan.
	Landscaping species	<ul style="list-style-type: none"> • Many species of locally occurring dry rainforest species are very effective at suppressing the spread of fire. These are available from the Livingstone Shire Council Nursery • Avoid using palm trees and ferny leaved trees near the dwelling. These species are susceptible to burning.

12 References & Bibliography

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- The Livingstone Planning Scheme 2018 (Version 2). Part 8 Overlay Codes *8.2.4. Bushfire hazard overlay code* and *SC7.2. Bushfire hazard planning scheme policy*

13 Appendix

13.1 Compliance Checklist

13.2 Development Plan



DENLEY ENVIRONMENTAL

16/08/2019 FILE: 40889 BMP 5311599 James.Mackinnon_V2.docx

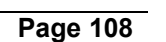
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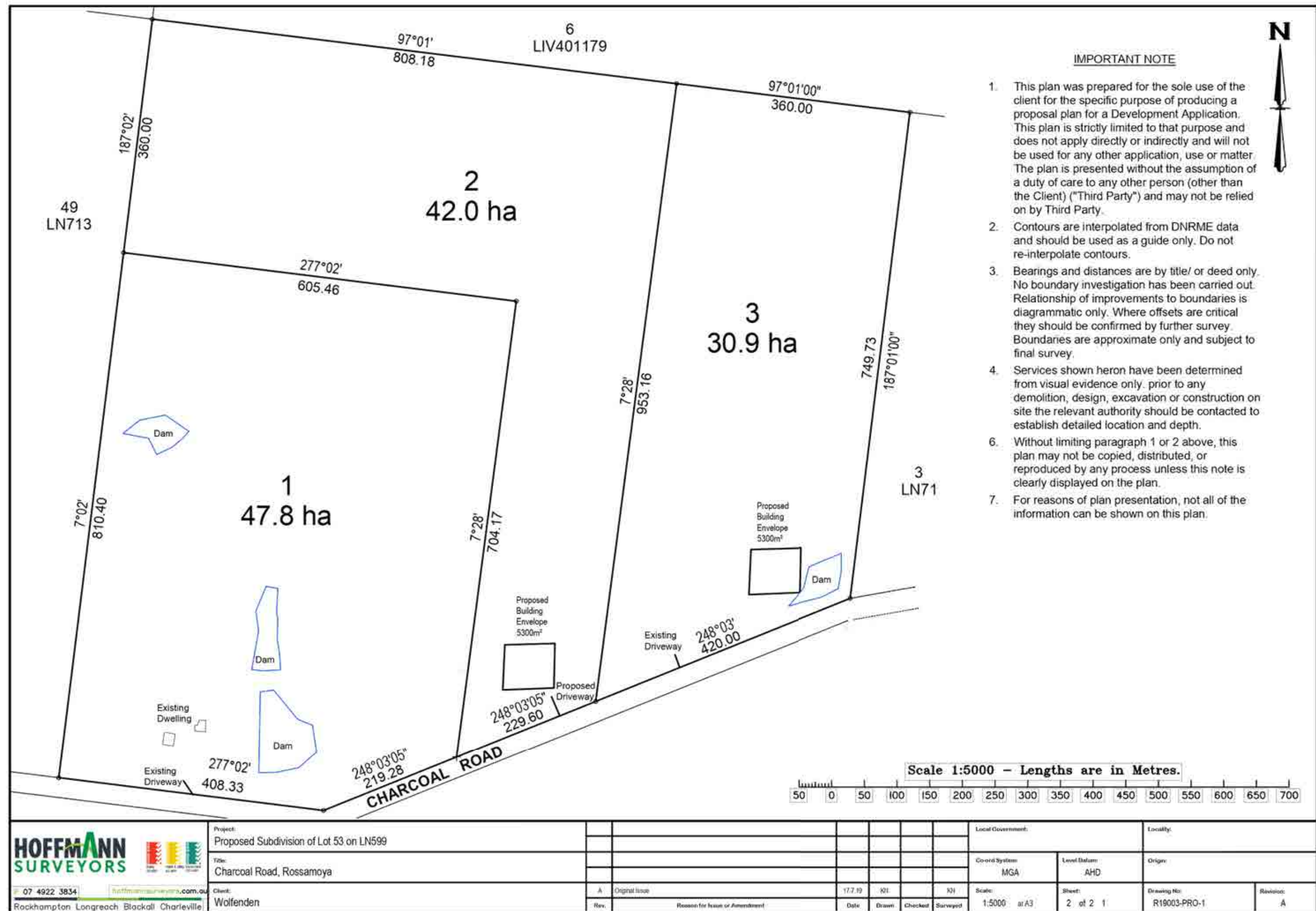
Compliance Checklist Taken from: SC7.2. Bushfire hazard planning scheme policy Table SC7.2.8.1 Checklist for gauging compliance with the Bushfire Planning Scheme Policy.

Assessment	Yes	No	BMP Sections	Justification
Macro context considered	Y		1.1, 3.2	
Site context (vegetation, aspect, slope, overall hazard, ecologically significant areas) addressed	Y		3.2, 3.3, 3.6	
Mitigation minimums				
Site chosen to minimise risk or keep risk within tolerable limits	Y		3.6	
Site chosen to minimise detrimental impact on significant environmental features	Y		3.5	
Appropriately sized setbacks/building protection zones recommended	Y		7	
Management requirements for setback areas specified	Y		7	
Landscaping limitations for setback areas specified	Y		7, 10	
Minimum distance between non-habitable structures and hazardous vegetation specified	Y		7	
Access requirements specified	Y		8	
Water supply and pressure requirements (including materials, fittings, etc.) specified	Y		9	
Additional building requirements specified (if any)	Y		7	
Community Management Scheme requirements outlined (if applicable)	NA			
Fire trail requirements addressed (if applicable)	Y		8	
Bushfire Hazard Overlay Code adequately considered and addressed	Y			
Pre-certification checklist prepared (for ease of use by certifiers to evaluate compliance with Bushfire Management Plan)	Y			
Limitations of Bushfire Management Plan identified	Y		4	
Maintenance requirements				
On-going maintenance requirements for occupants clearly specified	Y		7, 8, 10	



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**12.2 - DEVELOPMENT APPLICATION
D-255-2019 FOR A DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT
(ONE LOT INTO THREE LOTS) AT 93
CHARCOAL ROAD, ROSSMOYA**

Agricultural Report

Meeting Date: 19 May 2020

Attachment No: 5



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Agricultural Report

93 Charcoal Road
Rossmore, Queens and 4702

File Ref: 9504852



AGRICULTURAL REPORT



93 Charcoal Road Rossmoya, Queensland 4702

Prepared For	C B, J E and S L Wolfenden and K M Hamilton
Our Reference	9604852
Client Reference	R19003

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 Rossmoya, Queensland 4702
 Our Reference: 9604852



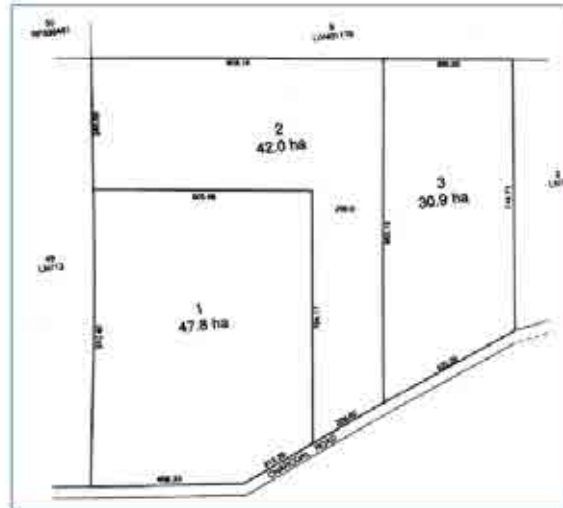
1.0 Executive Summary

1.1 Instructions

Instructing Party	James Mackson, 93 Charcoal Road, Rossmoya
Client / Authorised Party	C B, J E and S L Wolfenden and K M Hamilton
Client Reference	R19003
Report Purpose	This report has been written for C B, J E and S L Wolfenden and K M Hamilton in support of an application to the Livingstone Shire Council for approval of the reconfiguration of a lot to the create three new rural allotments. This report addresses the likely standalone viability of the three created lots.

1.2 Property Details

Property Address	93 Charcoal Road, Rossmoya, Queensland 4702
Property Description	<p>The parent parcel consists of a single freehold rural allotment of 120.786 hectares that is located approximately 40 radial kilometres to the north of the Rockhampton CBD.</p> <p>The property comprises of a mixture of good quality undulating softwood scrub country with a smaller area of lighter Coastal Eucalypt forest country. Historically the majority of the property appears to have been cleared and developed with the exception of some elevated ridges in the northern section of the property. Parts of the property have also been established with an orchard. We note some considerable regrowth on the property and that the orchard area has not been fully maintained. Much of the property is however considered non-remnant vegetation and can be further developed for agricultural purposes.</p> <p>The parent parcel is well watered via four main dams with further opportunities to develop additional water storages as required. The property is currently improved with a dwelling and multiple sheds.</p> <p>It is proposed that the parent parcel will be divided into 3 separate lots with Lots 1 and 3 being improved with a dwelling each and dam water access. Lot two will have no improvements or dams. A diagram of the proposed subdivision is indicated below and has been the basis of our assessment.</p>



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93 Charcoal Road
 Rossmoya, Queensland 4702
 Our Reference: 9604852



Real Property Description	Lot 53 Plan LN599
Tenure Type	Freehold
Registered Proprietor	JOSEPHINE EUNICE WOLFENDEN, KERROD MAC HAMILTON, COLIN BRIAN WOLFENDEN, SHERYL LYN WOLFENDEN
Total Land Area	120,786 ha
Zoning	Rural
Local Government Area	Livingstone

2.0 Location

The subject is located approximately 40 radial kilometres to the north of Rockhampton. The subject property is located in a well-established rural district, comprising predominantly similar style properties of an overall similar appeal. Properties in the immediate area are used for grazing, smaller crops/horticulture, dairy and some lifestyle properties.

2.1 Regional Location

Location Map



[Sourced from Google Maps - www.google.com]

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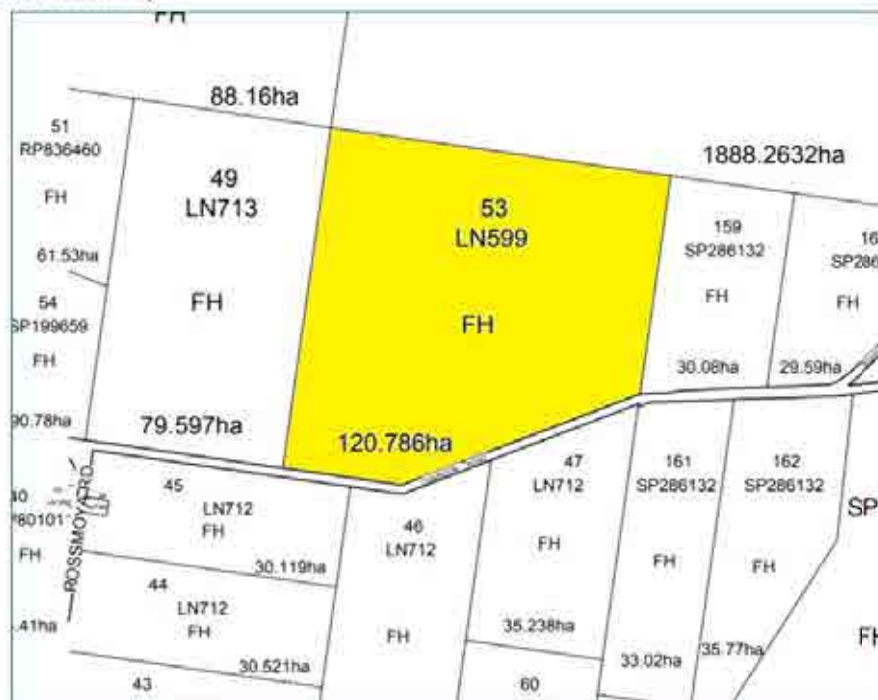
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Specific Location Map



(Sourced from Queensland Globe)

2.2 Infrastructure & Local Services

Services	Power is currently connected to the proposed Lot 1 with services available for the remaining two lots.
Access	The subject is located on the northern side of the road which is a sound gravel formed road with open drains. Charcoal Road terminates with the Bitumen sealed Rosemoya Road approximately 800 metres to the west. All three proposed parcels will have all weather access.

3.0 Tenure

3.1 Title Particulars

Title Reference	Tenure	Registered Proprietor	Title Area
Lot 53 Plan LN599	Freehold	JOSEPHINE EUNICE WOLFENDEN, KERROD MAC HAMILTON, COLIN BRIAN WOLFENDEN, SHERYL LYN WOLFENDEN	120.786 ha
Total Land Area			120.786 ha

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 Rossmore, Queensland 4702
 Our Reference: 9604852



4.0 Planning

Local Government Area	Livingstone Shire Council
Current Zoning	Rural
Existing Use	Rural
Zoning Effect	Existing use and propose use appear to conform, however no searches with the Council have been undertaken.

5.0 Land Description

5.1 Property Details

Source of Land Area	The site area has been obtained from the Online Cadastral Plan.
Land Area	120.786 ha
General Description	<p>The site has slopes ranging from slight to moderate to steep, however each proposed lot has areas with lesser slopes, suitable for intensive farming such as horticulture and orchard development. It is proposed to create two additional allotments, with all access to be from Charcoal Rd. The proposed lots will have the following areas:</p> <ul style="list-style-type: none"> proposed lot 1 - 47.8ha, proposed lot 2 - 42.0ha, and proposed lot 3 - 30.9ha. <p>The subject land is currently zoned Rural. The subject land is comprised of agricultural land classification A and B and can be used to grow a variety of crops including trees and small crops.</p>
Soils	<p>Mostly Red Krasnozems—strongly structured, clay-textured, red acid soils. Horizon differentiation is weak except for the dark A1 horizon with strong crumb structure and a zone of strongly mottled red and grey clay in deep subsoils below about 1.5 m. The clay content (dominantly kaolin) is characteristically more than 50% throughout the profile but the surface soil behaves like a loam, owing to its humus and sesquioxide content. The subsoil is moderately to strongly acid, and base saturation is low (less than 50%). AWC per unit depth is low but to some extent the depth of solum compensates for this, for deep-rooting plants. The fertility of virgin soils is moderate to high but declines fairly rapidly under intensive use unless fertilisers are applied. There is a latent variant containing much ironstone gravel. The krasnozems of this area are relict soils occurring on modified old land surfaces but they have formed in materials rich in clay or in parent rocks that weather to produce much clay, such as basalt.</p> <p>These soils are highly suited to a wide range of crops including horticultural and tree crops. We also note they can be developed to improved pastures but this is typically not the highest and best used.</p> <p>Smaller sections of the property are lighter coastal forest soils of limited agricultural value.</p>
Salinity	There were no observable signs of salinity issues.
Erosion	There were no observable signs of erosion issues.

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Topography

The property is of variable topography. Generally it is gently undulating however rises in the north east and north west corner of the property. The land that is suitable for development is considered to be gently undulating and of a satisfactory slope to allow drainage but would be unlikely to impact on management or productivity. A contour map is indicated below.



Clearing

The property has been partly cleared in the past with some moderate regrowth now noted. It is assumed that any clearing on the land has been undertaken with reference to any planning or statutory requirements. The parent property is currently classified as approximately 55% non-remnant vegetation (Category X).

Vegetation category	Area (ha)
Category B	6.1
Category C	50.8
Category X	63.9

The Regional Ecosystems Present on the Subject property include the following:

Regional Ecosystem	VM# Status	Category	Area (ha)	Short Description	Structure Category
T1.T1.1B	Endangered	B	2.41	Semi-evergreen vine thicket on old sedimentary rocks with varying degrees of metamorphism and folding.	Dense
T1.T1.1C	Endangered	C	21.86	Semi-evergreen vine thicket on old sedimentary rocks with varying degrees of metamorphism and folding.	Dense
T1.T1.4	Least concern	B	3.69	Eucalyptus vine thicket on old sedimentary rocks with varying degrees of metamorphism and folding. Coastal range.	Sparses
T1.T1.4	Least concern	C	18.82	Eucalyptus vine thicket on old sedimentary rocks with varying degrees of metamorphism and folding. Coastal range.	Sparses
2005-0001	None	X	62.00	None	None

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 Rossmore, Queensland 4702
 Our Reference: 9604852

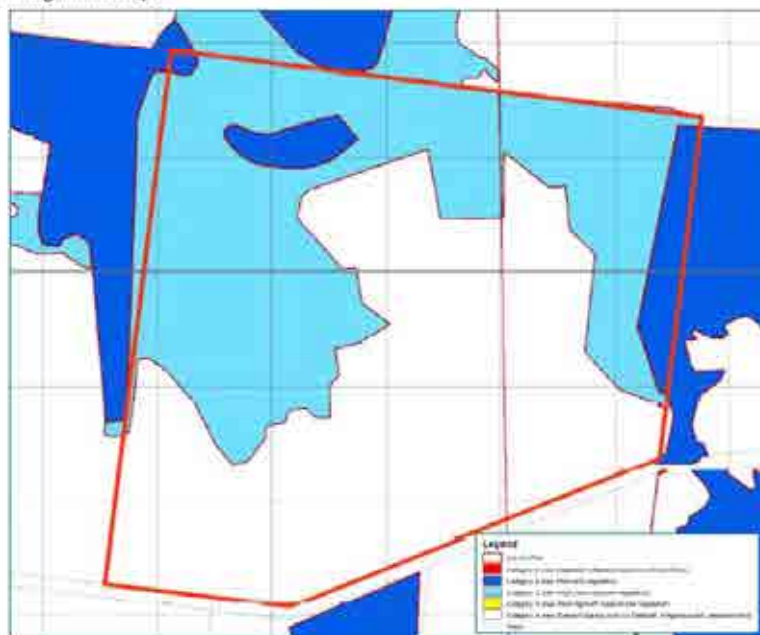


5.2 Mapping Information

Aerial Mapping



Vegetation Management Map



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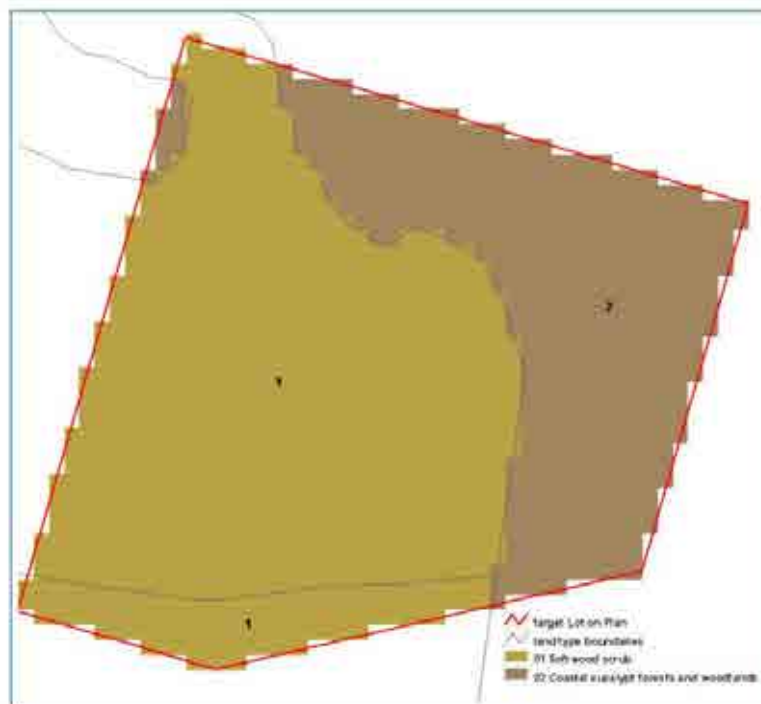
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Land Type Map



Land type summary

Expected land types (for land types more than 1 hectare)	Land type code	Estimated area (hectare)	Estimated area (%)
01 Softwood scrubs	PT29	78	64.8
02 Coastal eucalypt forests and woodlands	MW02	43	35.2

6.0 Climate

Current and Past Seasonal Conditions

The property is described as having a temperate coastal climate with a summer dominate rainfall pattern.

Rainfall

The nearest rainfall gauging station is located at Belmont Research Station where the mean yearly rainfall has been 791 mm.

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7.0 Photography



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8.0 Environmental Issues

8.1 Environmental Hazards

Flooding/Inundation	The property is not subject to flooding during normal climatic conditions.
---------------------	--

8.2 Contamination

Current Use	Rural
Past Use	Rural
Site Contamination	None noted
Contaminated Sites Database Search	Based upon our observations during our inspection the subject property appears to represent a low risk of environmental site contamination. Consequently we have not searched the Contaminated Sites Register, or any Local Government registers.

9.0 Farm Management

9.1 Pastures & Crops

Current Pastures	Mostly native and some improved pastures.
Current Crops	Approximately 3 hectares has been developed as an orchard in the south western corner of the property which is proposed to be Lot 1.

9.2 Weeds & Pests

Weeds	Much of the property is covered in regrowth including a significant amount of Lantana that will require control.
Pests	The inspection did not indicate signs of any pest infestation.

93 Charcoal Road
 Rossmoya, Queensland 4702
 Our Reference: 9604852



10.0 Conclusion

The subdivision of the parent parcel into three individual Lots will not compromise the land for agricultural use. Each proposed parcel will comprise of some very good quality farming land with a wide range of farming options. The development of the lots is however considered to be reliant on the ability to apply water if intensive cropping such as horticultural or tree crops are to be established. Several dams have already been constructed on the property and further dams may be required on the proposed Lot 3. The proposed Lot 2 currently has no access to dam water. We note that the proposed Lot 1 has a good level of dam development and has already been established with some tree crops which is indicative of the potential for these parcels. Such crops do not require large parcels of land due to the intensive nature of this type of farming. The existing dam infrastructure on the proposed Lot 1 is likely to be sufficient for further intensive agriculture development. We also note two registered bores are located on the proposed Lot 1. Further dams could be constructed on the other proposed parcels and it is reported that there is good bore water available from the underground aquifer. We have however not investigated whether any such bores would require allocations which would have to be applied for prior to utilisation. A number of neighbouring properties also have access to water entitlements and major water storages where water could be transferred to the subject parcel by agreement if required.

Currently some of the land is already used for intensive agricultural with the remainder likely to be used for grazing until further intensive development occurs. Dividing the property into three parcels will not reduce the number of cattle that are able to be grazed on the property and it may in fact increase the number due to the likely pasture, stock water and fencing development that would occur resulting in a more intensive operation across the three parcels. We note that the property in its current state is in need of lantana and regrowth control and the proposed subdivision is likely to result in the control of the lantana and regrowth and future development taking place.

The proposed subdivision of the property is unlikely to adversely impact any neighbouring properties with all neighbouring parcels currently utilised for agricultural purposes and we note that Charcoal Road is a no through road. There are very few dwellings nearby and the likely farming to take place on the parcels fits with the current farming operations around the district and although it may result in some intensive cropping these type of operations are usually owner operated business that do not employ staff and do not require a large number of vehicles movements or heavy vehicles. Therefore any additional dust, noise and any increase in water runoff would be extremely unlikely.

Signatories

Murray Davis AAPI CPV
 Bachelor of Agricultural Economic,
 Bachelor of Business

Author's Profile

Murray Davis is a qualified Agricultural Economist and Certified Property Valuer. He started his career in 1999 as an Agricultural Economist with the Department of Primary Industries in an advisory role. He later worked as a Farm Financial Counsellor for the Department before joining Commonwealth Bank as an Agribusiness Specialist where he had an advisory role with clients looking at expanding or changing their businesses. In 2007 he founded a private rural consultancy business which he grew and later sold in 2014 to focus on specialised rural valuations and property advice where he now works with Opteon and oversees all rural valuation and advice work in Queensland. Murray grew up on a mixed grazing and cultivation farm and has also run his own irrigation, dryland and cattle grazing business since 2002. Over his career he has assisted thousands of rural land owners with agricultural advice and assisted them in growing and improving their businesses. He has worked with wide range of clients including intensive agricultural, horticultural, orchard, sugar cane, grazing, irrigated and dryland broadacre business over this time.

Important

This report is subject to the definitions, qualifications and disclaimers and other comments contained within this report.

SOLUTIONS WITH EXCELLENCE

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93 Charcoal Road
 Rossmeys, Queensland 4702
 Our Reference: 9604852



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SOLUTIONS WITH EXCELLENCE

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12.3 REQUEST FOR REDUCTION DEVELOPMENT APPLICATION FEES FOR TWO (2) PROPOSED MATERIAL CHANGE OF USE PROPOSALS FOR EXTRACTIVE INDUSTRY AT LOT 1 KUNWARARA ROAD, CANOONA AND LOT 2349 CANAL CREEK ROAD, CANAL CREEK

File No: LU18.3.5 AND D-113-2020

Attachments: Nil

Responsible Officer: David Battese - Manager Liveability
David Mazzaferri - Acting Executive Director - Liveability & Wellbeing

Author: Melissa Warwick - Principal Strategic Planner

SUMMARY

Groundworks Plus, on behalf of their clients have made representations to council seeking a reduction in development application fees for two (2) proposed new extractive industry applications at Canoona and Canal Creek. The application for Canal Creek was lodged without an accompanying fee on 23 April 2020. The other application is yet to be lodged. Groundworks Plus is a resource, environmental management and land use planning consultancy specializing in the quarry, mining and urban development sectors. The proposal at Canoona will be an extension of an existing quarry with the other proposal at Canal Creek for a new quarry.

OFFICER'S RECOMMENDATION

THAT:

1. In relation to a development application fee over Lot 1 Kunwarara Road (Bruce Highway), Canoona for a Material Change of Use for Extractive Industry that council resolve to reduce the fee from \$151,199 to \$25,110 based on only part of the site, being 25.9 hectares, and the proposed draft 2020/2021 fees and charges which are proposed to change for this type of development application.
2. In relation to a development application fee over 2 Canal Creek Road, Canal Creek for a Material Change of Use for Extractive Industry that council resolve to reduce the fee from \$934,967 to a minimum fee of \$20,000 based on only part of the site, nominally 3.8 hectares, and the proposed draft 2020/2021 fees and charges which have changed for this type of development application.

BACKGROUND

Council officers have received representations on 25 February 2020 and 4 March 2020 from *Groundworks Plus* requesting a reduction to the application fees associated with two proposed applications. The proponents are seeking advice in this regard prior to them lodging development applications.

COMMENTARY

The two sites that are proposed to be the subject of future development applications for Extractive Industry are at Canoona and Canal Creek. The requests to reduce the development application fees have been made by the same consultants, *Groundworks Plus*, on behalf of the respective owners and are outlined below. *Groundworks Plus* also have represented Belmont Sands with a substantial development approval and application over land at Etna Creek. That application also requested a reduction in fees to accompany their application.

Extractive Industry proposed at Lot 1 Kunwarara Road (Bruce Highway), Canoona

This potential development application is over Lot 1RP908293 for a Material Change of Use for Extractive Industry over a site that has an existing quarry. The site is in the Rural zone. The site area is 63.5 hectares. A new application will be an extension to an old Town Planning Consent approval.

It is understood that the proposed scale of the increased operation at Canoona will be the extraction of 200,000 tonnes per year. The total area of the site intended for an application for extraction, processing and stockpiling is 25.91 hectares of the 63.5 hectare site.

The current adopted 2019/2020 Fees and Charges for a Development Application for Material Change of Use for Extractive Industry are based on total site area or part thereof. They are not based on volume of material extracted from the site, or part of the site used. Therefore the calculated fee over the 63.5 hectare site based on the 2019/2020 fees and charges is \$151,199. This is based on the calculation of 64 hectares x \$2,312.00 (\$147,968) plus the initial base fee of \$3,231.00. If the fees were calculated on the 25.91 hectares (rounded up to 26) for the expansion, the total fee is \$63,343.

The proponents have made comparisons to application fees in other local government areas and the fact that they believe that Council will be a direct beneficiary by being supplied with essential construction materials, to justify their request for application fees be reduced to \$18,000.00. The other local governments mentioned were for fees charged for applications lodged between 2013 and 2018 and include: Goondiwindi Regional Council, Gympie Regional Council, Maranoa Regional Council, Banana Shire Council, Moreton Bay Regional Council, Rockhampton Regional Council.

It is worth noting that current fees have been revised for the 2020/2021 financial year ready for council to consider moving forward. The proposed fee for a Development Application for Material Change of Use for Extractive Industry per hectare are proposed to be reduced from \$2312 per hectare or part thereof to \$841.50 per hectare or part thereof of site area from the current \$2,312 per hectare.

Based on this new proposed reduction in fees, the charges calculated for part of the site (26 hectares) the new proposed calculated fee is \$25,110. This is the proposed new fee structure and this amount seems appropriate due to the size of the total site and the sites location adjacent to a state controlled road. If Council is to align this proposal with other fee reductions, council could cap the fee at \$20,000.

Extractive Industry proposed at 2 Canal Creek Road, Canal Creek

This proposed development on Lot 2 RP605873 also requires a Material Change of Use approval for Extractive Industry. The site is in the Rural zone. The total site area just exceeds 403 hectares. The site is adjacent to the Shoalwater Bay Military training area. A development application has been lodged for this project. The application material states that:

"The proposed development is for the Palm Tree Quarry, an extractive industry, ERAs and ancillary activities over land at 2 Canal Creek Road, Canal Creek, properly described as Lot 2 on RP605873. The Palm Tree Quarry will be a campaign-based operation, supplying construction materials to the Australia-Singapore Military Training Initiative Facilities Project at the Shoalwater Bay Training Area (herein referred to as the 'project') and future Defence Force projects only. No quarry material will be sold or distributed to the open market.

Based on the currently available project tender documents and schedule, allowing for variations and contingencies, it is anticipated that up 500,000 tonnes of quarry materials may be required in a calendar year to be delivered from the Palm Tree Quarry to the project. The project is expected to require quarry materials for a period of approximately three and half years.

The proposed operation will employ approximately ten (10) staff."

Based on the material lodged with the request for a fee reduction, it is understood that the proposed scale of an application and the subsequent operation at Canoona will be over 3.8 hectares of the site.

As outlined above the fees currently require the entire site area to be considered to calculate the appropriate fee. The calculated fee over the 403 hectare site based on the current 2019/2020 fees and charges is \$934,967. This is based on the calculation of 403 hectares x

\$2,312.00 (\$931,736.00) plus the initial base fee of \$3,231.00. The request is for a fee reduction in fees to \$12,016.60.

The current fee however if based on only that part of the site being used (3.8hectares) is a total of \$12,479.00.

Using the same proposed 2020/2021 fee reductions as outlined for the site at Canoona, the charges calculated for the entire site would be \$342,355.50 or where applied for just the 3.8hectares of the site the total fee would be \$ 6,597.00. In this instance, such a fee is considered too low for the work involved in the assessment for this type of development. In this regard, it is recommended that a minimum fee be set at \$20,000. This is representative of other similar fee reductions in the past.

PREVIOUS DECISIONS

The requests to reduce the development application fees have been made by the same consultants, Groundworks Plus, on behalf of the respective owners and outlined below. Groundworks Plus also have represented Belmont Sands with a substantial development approval and application over land at Etna Creek. That application also requested a reduction in fees to accompany their application.

BUDGET IMPLICATIONS

Reducing the fee will reduce the amount of funds received by council.

LEGISLATIVE CONTEXT

None.

LEGAL IMPLICATIONS

There are no known legal implications.

STAFFING IMPLICATIONS

Reducing the fee will reduce the amount of funds received by council. In the event that there is a need to send the applications to an external party for advice or assessment, the development application fees would be used to pay for such advice.

RISK ASSESSMENT

The risk of not charging fees as per the set fees and charges is that there if there are any unperceived costs to council during the application process, public notification, approval process, potential appeal processes and ongoing compliance and operation of the operations, that council is out of pocket for unknown costs.

CORPORATE/OPERATIONAL PLAN

The Corporate Plan 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

Council officers have received representations on 25 February 2020 and 4 March 2020 from *Groundworks Plus* requesting a reduction to the application fees associated with two

proposed applications. One of the applications has been lodged and is awaiting a resolution regarding the fee payable to advance their application. One option for the fee reduction requests is to not agree to any reduction of the prescribed fee. As outlined in the report, officers consider that there is in these circumstances an opportunity for a suitable reduction base on current or proposed new 2020/2021 fees.

12.4 RESPONSE TO QUESTION WITHOUT NOTICE - COUNCILLOR MATHER - SECURITY OF BOTTLE CHUTE BIN LID TOPS FOR COMMUNITY EVENTS**File No:** WM31.8.3**Attachments:** 1. Ordinary Council Meeting report - 18 February 2020 - Drink Container Recycling at Community Events [↓](#)**Responsible Officer:** Scott Casey - Executive Director Infrastructure**Author:** Jon Edge - Manager Water and Waste Operations

SUMMARY

Council previously resolved to purchase forty (40) bin lid tops to support source separation and recycling at community events. At the Council meeting on 18 February 2020, Councillor Mather tendered a Question Without Notice asking what security measures can be taken to prevent future bins (with the lids) being stolen at events. This report provides a response to the Question without Notice.

OFFICER'S RECOMMENDATION

THAT Council resolves to receive the report.

BACKGROUND

On 20 August 2019, a report was provided to Council in relation to drink container recycling at community events and following consideration resolved to purchase twenty (20) bin lid tops at a cost of \$1,317.00 (exc. GST) and to trial a scheme to provide these bin tops at community events, such scheme to be managed by Council's Engagement and Events team. On 18 February 2020, a further report was provided to Council recommending that Council purchase an additional twenty (20)-bottle chute bin lid tops at a cost of \$1,586.20 (inc. GST). Council resolved to purchase the additional twenty (20) bottle chute bin lid tops.

COMMENTARY

At the Council meeting on 18 February 2020, Councillor Mather submitted a Question without Notice asking what security measures can be taken to prevent future bins (with the lids) being stolen at events.

After consultation with Council's Events and Marketing team, it has been confirmed that they will adhere to the following processes:

- At Council run events, Council have staff that patrol the events picking up rubbish etc. and these staff will monitor the bins to ensure they remain neat and tidy and are not stolen; and
- For events run by the public, and which are not managed by Council, the Events team will ask the event organisers to monitor the bins and to have someone designated to look after them.

PREVIOUS DECISIONS

At its 20 August 2019 meeting, Council resolved:

"That Council resolve to purchase ten (10) of each style bin lid at a cost of \$1,317 and the hire scheme be managed by Council's Engagement and Events team as a trial."

At its 18 February 2020 meeting, Council resolved:

"That Council purchase an additional twenty (2) bottle chute bin lid tops at a cost of \$1,586.20 (inc GST)."

BUDGET IMPLICATIONS

NIL

LEGISLATIVE CONTEXT

NIL

LEGAL IMPLICATIONS

NIL

STAFFING IMPLICATIONS

NIL

RISK ASSESSMENT

NIL

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy EN3: Minimise impact on the natural environment through effective waste management and pollution control policies and programs.

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

At Council's Ordinary Meeting of 18 February 2020, Councillor Mather presented Council with a Question without Notice pertaining to what security measures can be taken to prevent future bins (with the lids) being stolen at events. This report provides a response to that question.

**12.4 - RESPONSE TO QUESTION
WITHOUT NOTICE - COUNCILLOR
MATHER - SECURITY OF BOTTLE
CHUTE BIN LID TOPS FOR
COMMUNITY EVENTS**

**Ordinary Council Meeting report - 18
February 2020 - Drink Container
Recycling at Community Events**

Meeting Date: 19 May 2020

Attachment No: 1

ORDINARY MEETING

18 FEBRUARY 2020

12.1 DRINK CONTAINER RECYCLING AT COMMUNITY EVENTS

File No: WM31.8.3

Attachments: 1. Ordinary Council Meeting report - 20 August 2019 - Drink Container Recycling at Community Events

Responsible Officer: Dan Toon - Executive Director Infrastructure

Author: Scott Casey - Manager Water & Waste Operations

SUMMARY

Council previously resolved to purchase ten (10) recycling bin lid tops with bottle chutes to support source separation and recycling at community events. Council has now received further correspondence from The Lions Club of Emu Park after using the specialised bin lids at Oktoberfest 2019 which indicates that the number of drinks containers collected was impressive and proved that a combination of the bin lids and volunteer support can significantly increase the percentage of containers recycled. In addition to the ten (10) bin lids provided by Council, the Lions Club also manufactured twenty four (24) additional temporary inserts for use at the Oktoberfest event and have now requested that Council consider purchasing additional bins lids for use at future community events.

OFFICER'S RECOMMENDATION

THAT Council purchase an additional twenty (20) bottle chute bin lid tops at a cost of \$1,586.20 (inc GST).

BACKGROUND

On 20 August 2019, a report was provided to Council in relation to drink container recycling at community events (refer to attachment 1) and following consideration resolved to purchase ten (10) bin lid tops at a cost of \$1,317.00 (ext. GST) and to trial a scheme to be managed by Council's Engagement and Events team.

COMMENTARY

Following the Oktoberfest community event on 2 November 2019 at Emu Park, the Lions Club of Emu Park provided some performance information on their container recycling activities at the event.

In addition to the ten (10) bin lid tops provided by Council for the event, The Lions Club manufactured twenty-four (24) inserts of their own to assist with the separation of recyclable items from general waste. This was due to their belief that ten (10) bin lid tops would be insufficient for their recycling plan. These inserts were installed and bins were placed in pairs (one general, one recyclable) by Cawarral State School P & C workers.

The Lions Club bar sales at the event indicated that around 13,200 eligible containers were onsite plus items sold from other stalls. The school volunteers collected the containers and received around \$1,200 from the Containers for Change Scheme (COEX), which equates to 12,000 items. In addition, the Lions Club reported that approximately 1500 items and two (2) bins were stolen from Bell Park before they could be collected. Therefore, around 13,500 items were actually retrieved from the event. According to the volunteers, the recovery was quite clean and easy, thanks to the special bin tops and recycling conscious patrons.

One of the highlights of this recycling exercise is that there was at least a 95% return rate by the appropriate bins. In light of the success of this exercise the Lions Club has written to Council encouraging the purchase of additional recycling specific bin lids for use at future community events.

ORDINARY MEETING

18 FEBRUARY 2020

PREVIOUS DECISIONS

At its 20 August 2019 meeting, Council resolved:

"That Council resolve to purchase ten (10) of each style of bin lid at a cost of \$1,317 and the hire scheme be managed by Council's Engagement and Events team as a trial"

BUDGET IMPLICATIONS

No budget has been allocated in the 2019/2020 financial year. A quote for purchase of a further twenty (20) bin lids is \$1,586.20 inc GST.

Monies currently received under the Recovery Sharing Arrangement between Council and the MRF would be lost when special events are supplied with the bin lids under this scheme.

LEGISLATIVE CONTEXT

Not applicable.

LEGAL IMPLICATIONS

Not applicable.

STAFFING IMPLICATIONS

The trial scheme was managed by the Council's Engagement and Events team and did not impose a significant additional resource burden on the team. Increasing the number of available bin lids would not present any additional resourcing requirement.

RISK ASSESSMENT

There is minimal risk associated with this request.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy EN3: Minimise impact on the natural environment through effective waste management and pollution control policies and programs.

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 Lions Club of Emu Park has proven that a focused recycling effort supported by specialised bottle chute bin lids could increase the percentage of recyclable drinks containers recovered at events to 95%.

The trial at Oktoberfest 2019 was successful. No bond was required and all of the ten (10) bin lids loaned out were returned after the event.

An increase in the number of specialist bin lids for use at similar events appears to be a worthwhile investment for the community.

**Item 12.1 - Attachment 1 Ordinary Council Meeting report - 20 August 2019 - Drink Container
Recycling at Community Events**

ORDINARY MEETING

20 AUGUST 2019

12.8 DRINK CONTAINER RECYCLING AT COMMUNITY EVENTS

File No: WM31.8.3

Attachments: 1. Letter from The Lions Club of Emu Park
2. Recycle Bin Lid Brochure

Responsible Officer: Dan Toon - Executive Director Infrastructure

Author: Moira Zeilinga - Acting Manager Water & Waste
Operations**SUMMARY**

Council received correspondence from The Lions Club of Emu Park proposing that Council investigate the possibility of initiating a scheme to support local organisations in their endeavours to recycle with around thirty (30) to forty (40) of the appropriate bins. The Lions Club believe the potential to further the benefits associated with recycling is enormous, along with supporting the fundraising for not-for-profits and charities.

RECOMMENDATION

That Council resolve to purchase ten (10) of each style of bin lid at a cost of \$1,317 and the hire scheme be managed by Council's Engagement & Events team as a trial.

BACKGROUND

Many organisations such as local councils and community organisations have already had experience with public place recycling. There has been mixed success with programs and trials. Confusion about how and what to recycle in the community has occurred because of differences in what could be recycled at home and in public and because of differences between the collection systems in neighboring councils.

As a result, the outcomes were often low amounts of recyclable materials collected, or high levels of contamination in the recycling bins. Recycling is increasingly being undertaken at temporary "special events" such as fetes, festivals and concerts however there are additional considerations that need to be taken when planning recycling at community events.

The Queensland Government's Container Refund Scheme "Containers for Change" began on 1 November 2018. Eligible drink containers can now be returned for a 10c refund. This has created a funding stream for charities and community groups.

With the introduction of the "Containers for Change" scheme, the Lions Club of Emu Park and the wider community have become much more focused on recycling eligible containers under the scheme.

The annual Oktoberfest, held in Emu Park by the Lions Club, has a goal to recycle up to 14,000 eligible containers. In the past, they have engaged a local school's P & C to do the cleanup, but their recycling efforts have been problematic.

COMMENTARY

Under the terms of the current collection contract between Council and their contractor, JJ Richards, services can be supplied to 'Special Events' as nominated by Council to any premises or location within the collection area. Containers are delivered, usually 240L wheelie bins, the number determined by the event organiser. Once the event has concluded, the bins are serviced and removed the following weekday. This service is funded either of two (2) ways, by the community event holding the event or by Council as an in-kind service.

Research on the benefit of bin tops for drink containers has identified that Rockhampton Regional Council recently provided a commercial product to collect only recyclable drink containers at their show. While being a great idea, the scheme did not bring the expected

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Item 12.1 - Attachment 1 Ordinary Council Meeting report - 20 August 2019 - Drink Container
Recycling at Community Events

ORDINARY MEETING

20 AUGUST 2019

results primarily due to the lack of communication around the scheme and appropriate signage.

Details of the request:

The Lions Club of Emu Park has suggested that Council investigate the possibility of initiating a scheme to support local organisations in their endeavours to recycle, with around thirty (30) to forty (40) of the appropriate bins.

This would require Council to either supply the appropriate bin lids to the community organisation as a donation or as a hire-out scheme.

Costs of Bins/Toppers:

Cost of 240L wheelie bin = \$42.43 per bin ex GST

Cost of appropriate bin topper for drink containers = \$ 89.21 per topper ex GST

The toppers (Attachment 1) fit neatly onto a standard wheelie bin to provide a simple and effective solution to the collection of drink containers. Communication stickers would then need to be fitted to provide some level of education to the public.

Total cost of purchase of twenty (20) of each style of lid is \$2,633.00.

This will become costly if all clubs/community groups in the region make such a request.

If Council were to provide this scheme as a hiring scheme to the community, a bond could be paid for the hire of the containers and toppers, and once the event was concluded and bins emptied and cleaned, the bins and toppers could be returned to Council and once approved as clean and undamaged, the bond could be refunded. One or two people from the community organisation that is holding the event would need to be responsible for the bins/toppers, appropriate location for bin placement and ongoing responsibility throughout the event.

Council would need to have a secure area for the storage of the containers and toppers and the appropriate communication plan.

Council currently receives monies from the Resource Recovery Sharing Arrangement they have with the MRF (Materials Recovery Facility) where recyclables are taken from the Kerbside Collection service. Any recycling bins allocated to Community events are collected under this service and all eligible drink containers under the "Containers for Change" scheme become part of the sharing arrangement with the MRF for which Council receives a share of the recovery monies. If Council initiated a scheme for community organisations to collect eligible drink containers, Council would lose their share of the recovery monies and therefore this scheme would have no benefit to Council.

It is difficult to quantify what the benefit is to the community organisation from such a scheme as we have insufficient data available to quantify average numbers of recyclables collected per bin.

PREVIOUS DECISIONS

None applicable to this matter

BUDGET IMPLICATIONS

No budget has been allocated for the 2019/2020 financial year.

Purchase of bin lids are estimated to cost \$2,633.00 for 40 lids.

Monies currently received under the Recovery Sharing Arrangement between Council and the MRF would be lost when special events are supplied with recycle bins under this scheme.

LEGISLATIVE CONTEXT

NIL

Item 12.1 - Attachment 1 Ordinary Council Meeting report - 20 August 2019 - Drink Container
Recycling at Community Events

ORDINARY MEETING

20 AUGUST 2019

LEGAL IMPLICATIONS

NIL

STAFFING IMPLICATIONS

This scheme could impact upon the staffing demands of Council business units dependent upon which unit has ownership of the scheme.

RISK ASSESSMENT

There is minimal risk associated with this request.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy EN3: Minimise impact on the natural environment through effective waste management and pollution control policies and programs.

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 Lions Club of Emu Park has raised a valid idea in relation to this scheme, however some key considerations required are:

- Which Council business unit will manage the scheme
- How much would we charge to hire the lids and would we request a bond
- Who will be responsible for cleaning the lids and replacing damaged lids
- How will this impact on existing resource commitments
- Where will the bin lids be stored
- Who will develop community communication around this proposal
- Effort required for benefit may not make this proposal cost effective, however, we have insufficient data available to determine the value of the financial benefit to the community group.
- This scheme will result in additional costs for Council's WWO Business Unit and will reduce existing financial benefit received from the RSA between Council and the MRF.

A DRAFT event strategy document from Community Events & Marketing has been presented to ELT and will be presented to Council on 20 August 2019. Internal stakeholders will have the opportunity to view the document prior to the Council meeting and to provide feedback. The idea that the Lions Club have raised could possibly be looked at in the wider context under the strategy document.

**Item 12.1 - Attachment 1 Ordinary Council Meeting report - 20 August 2019 - Drink Container
Recycling at Community Events****Item 12.8 - Attachment 1****Letter from The Lions Club of Emu Park**P.O. Box 14
Emu Park 4710

Friday 21 June 2019

Cr. Adam Belot
Livingstone Shire Council
PO Box 2292
YEPPOON QLD 4703

Dear Adam and fellow Councillors

I am writing on behalf of the Lions Club of Emu Park to seek Council support in the area of drink container recycling at community events.

With the advent of the successful 'Cash for Cans' scheme, our club and the wider community have become much more focused on recycling these items. For example, The Classic Car Club from Rockhampton, at the recent Classics by the Coast event, attended by an estimated 10,000 people, adapted 240L wheellie bins to receive drink containers only. Livingstone Shire Council followed up by borrowing and reusing these devices at their Beef to Beach Day. At the recent Rockhampton Show, the Rockhampton Regional Council provided a commercial product to collect only recyclable drink containers.

See www.sulo.com.au/recycle-bin-ids

At our annual Oktoberfest our goal is to recycle up to 14,000 eligible containers but success would depend on discrete receptacles being available. For the past number of years we have paid the Cawarral State School P&C to do the clean-up, but their recycling efforts have been problematic.

Our club is proposing that Livingstone Shire Council investigate the possibility of initiating a scheme to support local organisations in their endeavours to recycle, with around 30 to 40 of the appropriate bins.

The potential to further the benefits associated with recycling is enormous, along with supporting the fundraising for not-for profits and charities.

Yours in Lionism
Dennis Wex
Lions Club of Emu Park Recycling Committee

The Lions Club of Emu Park is a Constituent Club of the International Association of Lions Clubs which is active in service to the local, state and federal welfare of the community on a non-political, non-sectarian basis. It stands for good fellowship, good citizenship and unswerving loyalty to the Commonwealth, Union and Community.

Item 12.1 - Attachment 1 Ordinary Council Meeting report - 20 August 2019 - Drink Container
Recycling at Community Events

Item 12.8 - Attachment 2

Recycle Bin Lid Brochure

Attachment 1



12.5 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 APRIL 2020**File No:** FM12.14.1**Attachments:** 1. **Monthly Finance Report - April 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 30 April 2020 by the Chief Financial Officer.

RECOMMENDATION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 30 April 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 30 April 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.

Council officers are currently assessing the potential impact to Council's forecast operating result & cash flows and impact upon the delivery of the capital works programme for the current financial year and any ongoing impact to future year forecasts. A 2019-20 Quarter 3 (20Q3) Revised Budget will be presented to Council for consideration in June taking into account the impacts of COVID-19 and estimated results for the current financial year.

COMMENTARY

The financial report compares actual performance to date with Council's 20Q2 revised budget and identifies significant variances or areas of concern. It also provides information about additional areas of financial interest to Council and reinforces sound financial management practices throughout the organisation.

Financial Performance

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

Operating Revenue

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

Year to date operating revenue is in close proximity to the year to date 20Q2 budget position. A number of operational budget line items with small variances, when viewed as a collective together, have resulted in a small YTD favourable variance. Of particular note is the \$1.3 million in Immediate Financial Support for Bushfire Affected Communities funding received from Commonwealth Government in January earlier this financial year, has now been allocated as capital revenue following on from the approval of Council's program of works for this funding by the Queensland Reconstruction Authority.

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

Operating Expenditure

Year to date operating expenditure is below the year to date 20Q2 revised budget by approximately 5%, which excludes approximately \$8.2 million in committed expenditure. This variance is due in part to the non-accrual of all materials and services expenditure on a monthly basis. Employee wages and salaries have been accrued up to and including 30 April 2020. Depreciation expenditure and finance costs are in close proximity to budget.

Through the 20Q3 revised budget process, Council management are identifying the impact COVID-19 is having on the organisation, in particular where additions additional expenditure are to be incurred in response and also instances where operational expenditures are not expected to be incurred.

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

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

	YTD Actuals (\$000's)	20Q2 YTD Budget (\$000's)	Full Year 20Q2 Revised Budget (\$000's)	% Full Year 20Q2 Revised Budget Spent (\$000's)
Rural Maintenance	\$3,585	\$3,201	\$3,832	93.6%
Urban Maintenance	\$1,912	\$1,927	\$2,271	84.2%

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 wet weather earlier this financial year directly resulting in the need to complete further maintenance works on the rural road network. A small portion of the rural maintenance expenditure incurred year to date is anticipated to be recoverable from the Queensland Reconstruction Authority as it related to works completed in response to the November 2019 bushfires.

Capital Revenue

Total capital grants and contributions are below the year to date budget. The 20Q2 revised capital revenue budget for developer contributions is \$2 million. Total year to date developer's contributions are approximately \$1.82 million. The monthly budget phasing of developer's contributions is difficult to predict given a number of factors determine the timing of the receipt of the contributions. Developer contributions are a factor in determining the funding mix of Council's capital works programme requiring Council officers to monitor the total funding received as the financial year progresses.

Capital Expenditure

Capital expenditure incurred is summarised in Table D.1 and D.2 in Attachment 1. The 2019-20 full year 20Q2 budgeted capital expenditure is approximately \$41.9 million with actuals of approximately \$18.2 million. There is approximately \$7.5 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.

Council officers are currently reviewing the capital works program to identify capital projects which project managers expect to be impacted as a result of the measures implemented by the Federal and State governments in response to the current COVID-19 pandemic. The 2019-20 Quarter 3 (20Q3) Revised Budget will take into consideration the impact of COVID-19 on the delivery of the capital works program.

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 \$50.8 million.

Investments and Borrowings

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

Outstanding Rates and Trade Debtors

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

Debt Management Statistics

The KPI target for outstanding rates is to reduce rates receivables to less than 5% of total rates outstanding prior to the next six monthly billing cycle. Whilst the collection process of overdue rates receivables is proceeding, total rates receivables eligible for collection (excluding the current levy) are \$8.4 million, which is 7.7% of rates levied. (April 2019: 6.6% 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.

- 24% of overdue balances are under management; this reflects 711 assessments out of all 17,618 rateable assessments (4%).
- There are 336 current proposals to pay totalling \$470,601 (March: \$474,106).
- There are 101 assessments (March: 102) under long-term arrangements (agreements to pay) with a total of \$504,929 with varying settlement periods.
- Council's debt collection agency is currently managing 274 assessments (March: 323), representing \$1,361,217 (March \$1,727,417). Compared to April 2019, there are 438 less assessments under a debt management arrangement; and there is a decrease in the total value under management by \$765,390.

Following the Cobraball Bush Fire event in November 2019 and the more recent evolving circumstances of COVID-19, referrals and legal action are currently on hold and will be delicately monitored by Council officers.

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. Due to COVID-19, Council has placed a temporary hold on progressing new tenders whilst there was such uncertainty regarding the impacts of the pandemic.

Status Legend:

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

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

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

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

Contract – contract issued by letter of award.

Summary of current tenders:

Evaluation	
1040T	Invitation to Tender - Appleton Creek Bridge
Open	
1049T	Invitation to Tender - Preferred Supply Arrangement for Chemicals

PREVIOUS DECISIONS

2019-20 Budget adopted on 11 July 2019

20Q1 Revised Budget adopted on 22 October 2019

20Q2 Revised Budget adopted on 4 February 2020.

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 30 April 2020.

12.5 - MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 APRIL 2020

Monthly Finance Report - April 2020

Meeting Date: 19 May 2020

Attachment No: 1



Livingstone
SHIRE COUNCIL

**Monthly Financial Report
for period ending
30/04/2020**

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 30 April 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	\$9,833	\$13,539	\$3,705	38%	✓
Operating Revenue	\$87,828	\$85,271	\$85,467	\$216	0%	✓
Operating Expenditure	-\$89,894	-\$75,437	-\$71,949	\$3,489	-5%	✓
Capital Works Expenditure	\$41,887	\$31,678	\$18,183	-\$13,495	-43%	✓
Closing Cash & Cash Equivalents	\$27,250	\$26,584	\$50,827	\$24,243	91%	✓
Total Borrowings	\$75,530	\$77,412	\$77,112	-\$300	0%	✓

Status Legend:

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

Commentary

Year to date operating revenue is in close proximity to the year to date 20Q2 budget position. A number of operational budget line items with small variances, when viewed as a collective together, have resulted in a small YTD favourable variance. Of particular note is the \$1.3 million in Immediate Financial Support for Bushfire Affected Communities funding received from Commonwealth Government in January earlier this financial year, has now been allocated as capital revenue following on from the approval of Council's program of works for this funding by the Queensland Reconstruction Authority.

Year to date operating expenditure is below the year to date 20Q2 revised budget by approximately 5%, which excludes approximately \$8.2 million in committed expenditure. This variance is due in part to the non-accrual of all materials and services expenditure on a monthly basis. Employee wages and salaries have been accrued up to and including 30 April 2020. Depreciation expenditure and finance costs are in close proximity to budget. Through the 20Q3 revised budget process, Council management are identifying the impact COVID-19 is having on the organisation, in particular where additional expenditure are to be incurred in response and also instances where operational expenditures are not expected to be incurred.

Capital works expenditure is currently well behind the YTD 20Q2 budget position. Council management are currently working through the 20Q3 revised budget, which will very likely result in a budgeted reduction in total capital works expenditure to be incurred to the end of the current financial year. The recent implications of COVID-19 are one factor in total capital expenditure being below and a major contributing factor to Council cash balance at 30 April 2020 being well ahead of the 20Q2 YTD budget.

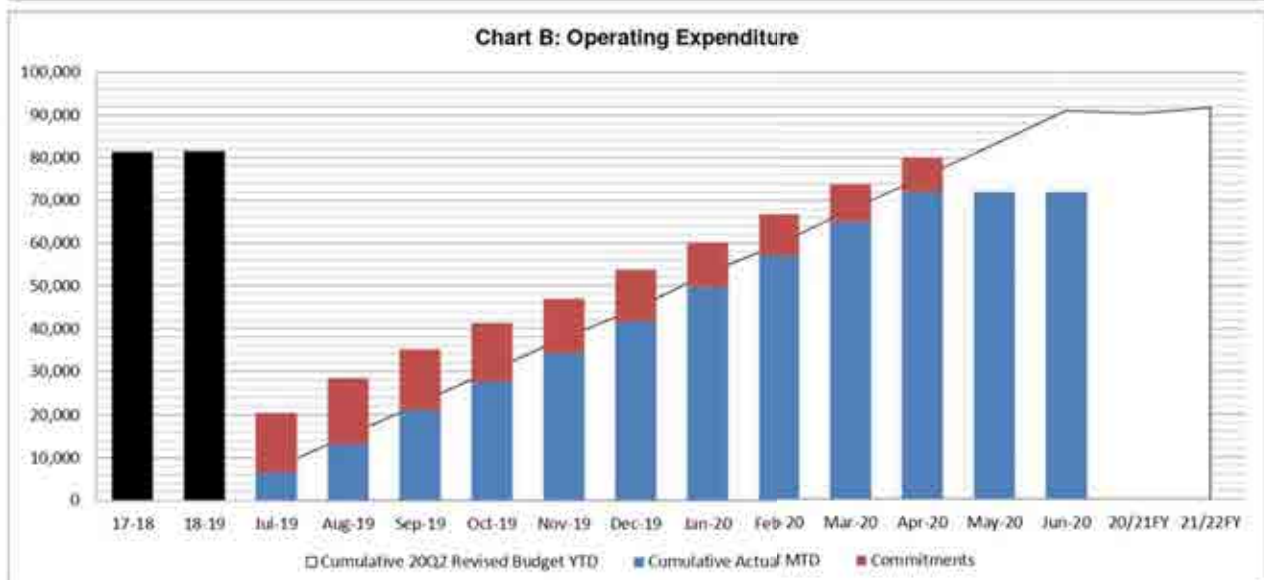
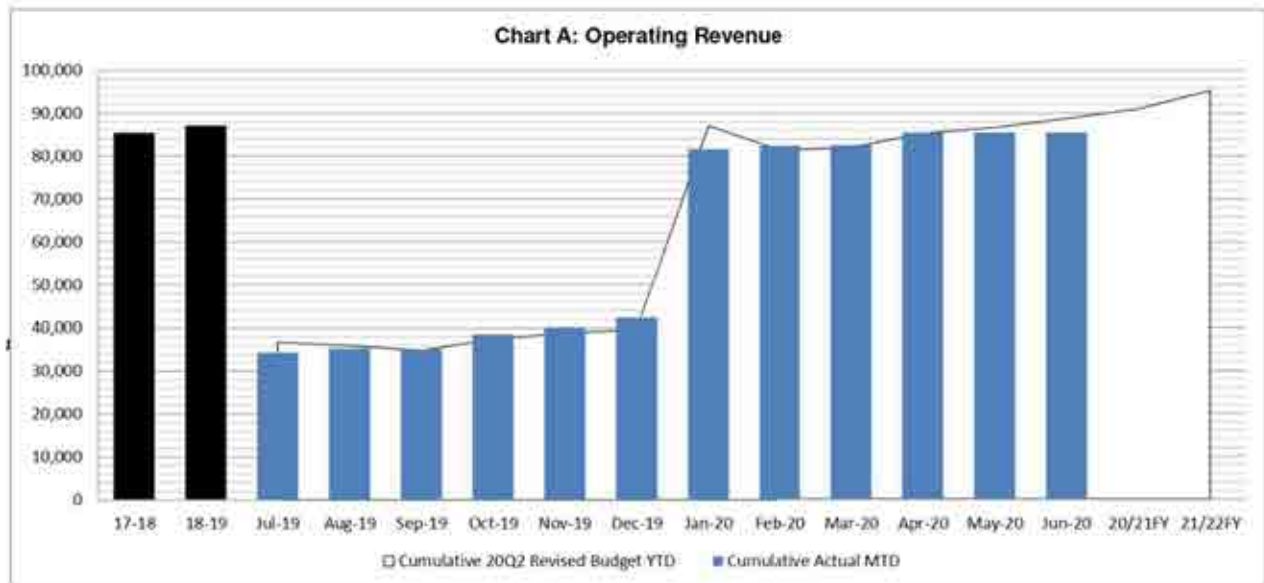
2. Key Performance Indicators

Key Financial Highlights and Overview				
Financial Sustainability Ratios & Measures of Financial Sustainability	Quarter 2 Revised Budget (\$000's)	YTD Actuals (\$000's)	Status	Target
Operating Performance				
Operating Surplus Ratio (%)	-2.4%	15.8%	✓	Between 0 - 10% (on average over the long term)
Operating Efficiency Ratio (%)	97.7%	118.8%	✓	Between 100% - 110%
Fiscal Flexibility				
Net Financial Liabilities Ratio (%)	62.7%	25.1%	✓	Less than 60% (on average over the long term)
Council Controlled Revenue Ratio (%)	92.0%	92.6%	✓	Greater than 60%
Interest Cover Ratio (Times)	4.5%	3.9%	✓	Between 0 - 10%
Asset Sustainability				
Asset Sustainability Ratio (%)	55.6%	26.3%	✗	Greater than 90% (on average over the long term)
Longer Term Financial Sustainability - Debt to Asset Ratio (%)	7.2%	7.3%	✓	Less than or equal to 1%
Liquidity				
Ability to pay our Bills - Current Ratio (Times)	3.3	7.1	✓	Greater than 2 times
Cash Balance (\$M's)	\$27.3	\$50.8	✓	Greater than or equal to \$20M
Cash Balance - Cash Capacity in Months	4.3	10.2	✓	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	74,053	74,177	125	0%	74,900
User Fees & Charges	4,094	4,018	(77)	-2%	4,904
Operating Grants	3,727	3,894	166	4%	6,858
Interest	521	581	61	12%	772
Sales Revenue	2,019	1,892	(127)	-6%	(625)
Other	856	925	69	8%	1,020
Total operating revenues	85,271	85,487	216	0%	87,828
Expenses					
Employee Benefits	(26,793)	(25,820)	973	-4%	(32,158)
Materials & Services	(25,687)	(22,914)	2,773	-11%	(30,267)
Depreciation	(18,660)	(18,666)	(6)	0%	(22,400)
Finance Costs	(3,328)	(3,338)	(9)	0%	(3,985)
Other	(969)	(1,211)	(242)	25%	(1,072)
Less: Total operating expenses	(75,437)	(71,949)	3,489	-5%	(89,894)
Net operating result	9,833	13,539	3,705	38%	(2,066)
Capital Income					
Capital Grants	8,005	5,969	(2,036)	-25%	10,595
Developer Contributions	1,786	1,820	34	2%	2,000
Other Capital Income	0	803	803	0%	0
Less: restoration provision capital expense	(122)	0	122	-100%	(146)
Net Capital Income	9,670	8,593	(1,077)	-11%	12,449
Total comprehensive income	19,503	22,131	2,628	13%	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	26,584	50,827	24,243	91%	27,250
Inventory	1,198	437	(761)	-63%	4,419
Receivables:					
Trade & Other Receivables	8,697	10,519	1,822	21%	8,609
Land - for resale	6,514	17,510	10,996	169%	3,812
Infrastructure:					
PPE	994,536	932,211	(62,325)	-6%	1,002,243
Capital WIP	-	43,292	43,292	0%	-
Other assets	775	4	(771)	-99%	1,031
Total Assets	1,038,304	1,054,801	16,498	2%	1,047,385
Liabilities					
Employee benefits	4,755	8,429	3,674	77%	3,011
Trade creditors and accruals	1,072	807	(265)	-25%	4,330
Borrowings:					
Short-term	2,042	1,742	(300)	-15%	5,270
Long-term	75,370	75,370	0	0%	70,260
Other liabilities	12,452	10,597	(1,855)	-15%	13,502
Total Liabilities	95,691	96,946	1,254	1%	96,373
Current assets	37,254	75,487	38,233	103%	41,310
Current liabilities	7,869	10,576	2,707	34%	12,611
Non-current assets	1,001,050	979,315	(21,736)	-2%	1,006,055
Non-current liabilities	87,822	86,370	(1,452)	-2%	83,762
Net community assets	942,613	957,856	15,243	2%	950,991

C: Monthly summary cash flow report

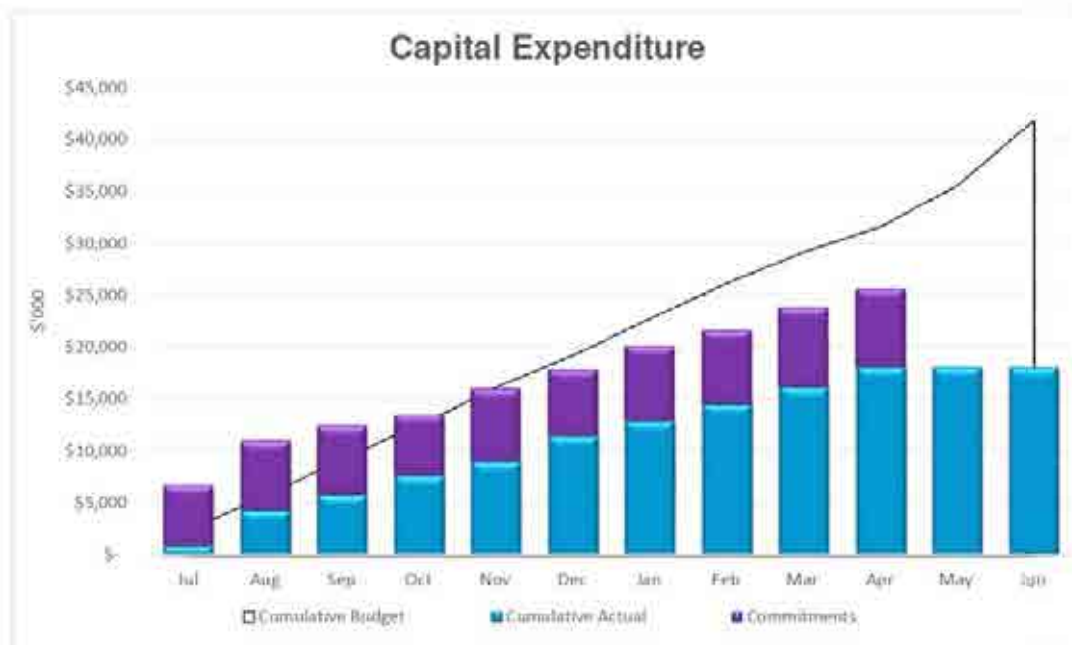
	1920 Q2 Budget	Year-to-date			Full year
		Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
Operating Cashflows					
<i>Cash inflows from operations</i>					
Rates & utility charges	74,163	72,737	(1,426)	-2%	77,302
User fees and charges	5,377	5,750	373	7%	5,571
Operating grants	4,793	3,792	(1,001)	-21%	6,837
Interest	644	581	(62)	-10%	777
Proceeds from sale of land inventory	1,016	1,016	(0)	0%	7,908
Total operating cash inflows	85,993	83,876	(2,117)	-2%	98,394
<i>Cash outflows from operations</i>					
Employee entitlements	(27,942)	(25,818)	2,124	-8%	(38,489)
Payments to suppliers	(28,686)	(24,131)	4,555	-16%	(33,948)
Borrowing costs & bank charges	(2,906)	(2,951)	(45)	2%	(3,845)
Other operating cash outflows	(250)	0	250	-100%	(300)
Payments for land inventory	0	(26)	(26)	0%	(88)
Total operating cash outflows	(59,783)	(52,926)	6,857	-11%	(76,669)
Net cash flows from operations	26,210	30,950	4,740	18%	21,725
Investing cash flows					
Proceeds on disposal of assets	0	680	680	0%	0
Capital grants & infrastructure charges	10,590	8,262	(2,328)	-22%	12,595
Acquisition of assets	(33,586)	(25,103)	8,483	-25%	(41,799)
Other investing activities	0	0	0	0%	(30)
Net investing cash flows	(22,996)	(16,161)	6,835	-30%	(29,234)
Financing cash flows					
Repayments on borrowings	(3,750)	(3,720)	30	-1%	(4,999)
Net financing cash flows	(3,750)	(3,720)	30	-1%	(4,999)
Net combined cash flows	(536)	11,069	11,605	-2166%	(12,508)
Add: Opening cash balance	27,119	39,758	12,639	47%	39,758
Closing cash balance	26,583	50,827	24,244	91%	27,250

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

	1920 Q2 Budget	Year-to-date			Full year
		Actual	Variance	Variance	2019-20 Q2 Budget
	(\$'000)	(\$'000)	(\$'000)	%	(\$'000)
Renewal of existing assets					
Capital grants and contributions	(521)	(480)	40	-8%	(625)
Renewal expenditure	8,738	4,918	(3,820)	-44%	12,444
New assets/upgrade of existing assets					
Capital grants and contributions	(7,485)	(5,906)	1,579	-21%	(9,970)
New/upgrade expenditure	22,940	13,265	(9,675)	-42%	29,442
Total					
Capital grants and contributions	(8,005)	(6,386)	1,619	-20%	(10,595)
Renewal, upgrade and acquisition	31,678	18,183	(13,495)	-43%	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	138	303	165	120%	155
Buildings					
Capital grants and contributions	(750)	(500)	250	-33%	(1,025)
Renewal, new/upgrade	2,445	487	(1,958)	-80%	2,643
Plant & Equipment					
Capital grants and contributions	(43)	(33)	11	-25%	(43)
Renewal, new/upgrade	1,665	1,189	(476)	-29%	2,672
Roads & Drainage					
Capital grants and contributions	(1,939)	(4,906)	(2,966)	153%	(3,237)
Renewal, new/upgrade	11,414	8,917	(2,497)	-22%	15,826
Bridges					
Renewal, new/upgrade	65	35	(30)	-46%	68
Water					
Renewal, upgrade and acquisition	4,132	1,184	(2,947)	-71%	4,561
Sewerage					
Capital grants and contributions	(2,053)	(140)	1,913	-93%	(2,427)
Renewal, upgrade and acquisition	5,744	3,554	(2,190)	-38%	8,029
Site Improvements					
Capital grants and contributions	(3,219)	(807)	2,412	-75%	(3,863)
Renewal, upgrade and acquisition	5,259	2,461	(2,798)	-53%	6,726
Land Development					
Renewal, upgrade and acquisition	70	26	43	-62%	88
Information Communication Technology					
Renewal, upgrade and acquisition	747	26	720	-96%	1,120

Table D.3 Capital Expenditure for the Period Ending 31/03/2020

	20Q2 Budget (\$'000)	YTD 20Q2 Budget (\$'000)	YTD Actual (\$'000)	YTD Variance (\$'000)	YTD Variance %
Capitalised goods and services	38,729	29,290	15,240	-14,050	-48%
Capitalised employee costs	3,158	2,388	2,917	529	22%
Total	41,887	31,678	18,157	-13,521	

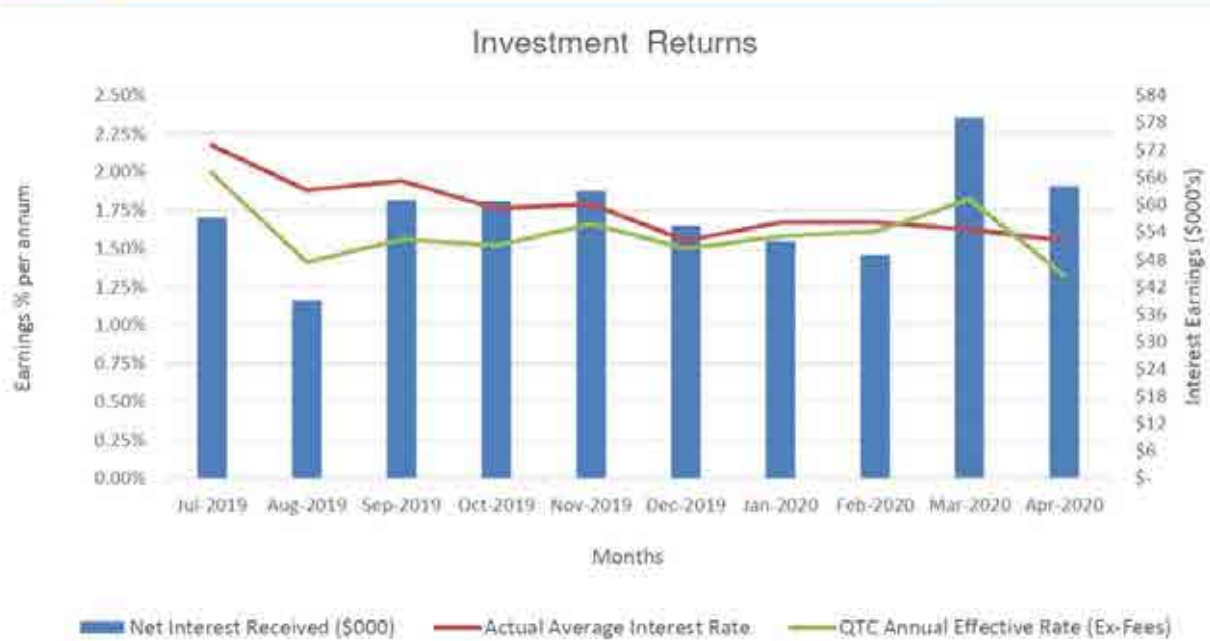
D.4: Summary capital expenditure report by project (>\$800,000)

	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											
580908 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	50%	15/09/2017	01/04/2021	502	120	143	262	839	622		
1110324 Capricorn Coast Cemetery - Internal R&D works	100%			2,146	3	10	12	12	2,149		
Subtotal					5,668	122	152	275	852	5,790	6,850
Emu Park Village & Foreshore Revitalisation											
1097725 Emu Park Village & Foreshore - Emu Park Foreshore	0%	30/07/2017	15/02/2020	75	10	0	10	10	85		
1100767 Emu Park Village & Foreshore	100%	30/07/2017	15/02/2020	2,087	1,744	177	1,921	1,720	3,831		
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	6	8	8	232		
1108479 Emu Park Village & Foreshore - Water Main Replacement Emu Street	100%			141	0	0	0	0	141		
Subtotal					3,359	1,755	184	1,939	1,738	5,115	5,520
1115392 ICT Strategy	10%	01/08/2019	30/07/2022	4	0	0	0	1,120	4	2,120	
CP440 Fleet Renewal Program	44%	02/07/2019	30/06/2020	0	1,040	1,385	2,427	2,383	1,040	2,383	
Road & Drainage											
CP422 Gravel Resheet Annual Program	48%	02/07/2019	30/06/2020	76	621	12	633	1,300	697	1,300	
1017252 Matthew Flinders Drive - Scenic Highway to Gregory Street	23%	06/01/2020	16/07/2020	7	477	583	1,060	1,500	484	1,500	
1060965 Frangipani Drive Extension & Tarranganba School Bus Seldown	0%	17/07/2020	05/11/2020	318	4	0	4	920	322	1,520	
1114438 Adelaide Pk Road - St Brendan's Gate 1 to Gate 2	85%	09/09/2019	15/04/2020	2	1,585	146	1,731	1,300	1,587	1,300	
1108378 Barnabye Rd-Oaks Village - Neil's Road	65%	18/11/2019	18/06/2020	4	574	204	678	880	678	880	
1113798 Whitman St - Morris to Arthur Streets	10%	16/03/2020	15/07/2020	18	58	275	333	625	76	635	
Subtotal					425	3,419	1,220	4,639	6,525	3,844	7,135
Major Projects											
1115553 Cooce Bay Pool - Works for Queensland Round 3	12%	04/09/2019	31/10/2020	0	61	12	72	1,200	61	1,200	
959072 Sewer Treatment Plant Yepoon - Augmentation Design & Construction	99%	22/03/2018	30/04/2020	14,157	2,392	284	2,676	2,444	16,549	16,601	
1110848 Yepoon Water Recycling Augmentation	10%	13/09/2018	30/11/2020	10	113	263	477	1,900	123	1,900	
Subtotal					14,167	2,566	659	3,225	5,544	16,733	19,701
Water and Waste Operations											
1100809 Yepoon Landfill entry works - Planning and Design	5%	06/04/2020	30/06/2021	0	83	0	83	2,000	83	2,000	
1116575 Reservoir West Emu Park	2%	16/08/2019	31/12/2020	0	12	0	12	2,200	12	2,200	
1065688 Arthur St Yepoon Trunk Sewer	9%	04/06/2020	09/10/2020	6	39	82	121	919	45	919	
Subtotal					6	134	83	217	5,119	140	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	17,094	(982)	-5%	5,660	10,052	392	4%	5,195	5,282	80	1%	40,970	40,748	(222)	-1%	74,900	74,177	(723)	-1%
User fees & charges	231	245	14	6%	190	199	9	5%	1,681	1,302	(678)	-36%	2,603	2,371	(232)	-9%	4,904	4,016	(887)	-18%
Operating grants	0	(5)	(5)	0%	0	0	0	0%	0	1	1	0%	6,856	3,892	(2,966)	-43%	6,856	3,892	(2,966)	-43%
Interest	31	0	(31)	-100%	16	0	(16)	-100%	11	0	(11)	-100%	714	581	(133)	-19%	772	581	(190)	-25%
Sales revenue	140	48	(92)	-66%	88	78	(10)	-10%	0	0	0	0%	(963)	1,766	2,630	-305%	(625)	1,892	2,517	-402%
Other	(0)	42	42	0%	(0)	(3)	(3)	-67%	205	125	(76)	-38%	814	761	(54)	-7%	1,020	828	(192)	-19%
Total operating revenues	18,478	17,428	(1,050)	-6%	5,964	10,330	365	4%	6,290	7,610	(676)	-8%	51,096	50,120	(976)	-2%	87,828	85,487	(2,340)	-3%
Expenses																				
Employee benefits	(2,340)	(1,703)	637	-27%	(1,384)	(1,031)	353	-26%	(394)	(251)	143	-36%	(20,040)	(22,836)	2,795	-19%	(32,188)	(23,820)	6,338	-20%
Materials & services	(8,600)	(6,472)	2,128	25%	(3,170)	(2,440)	723	-23%	(5,535)	(3,466)	2,067	-37%	(12,894)	(10,527)	2,366	-19%	(30,267)	(22,914)	7,354	-24%
Depreciation	(4,138)	(3,447)	691	-17%	(2,317)	(1,930)	387	-17%	(635)	(528)	106	-17%	(15,310)	(12,761)	2,550	-17%	(22,400)	(18,668)	3,734	-17%
Interest	(518)	(459)	59	-15%	(882)	(570)	312	-16%	(578)	(483)	94	-16%	(2,188)	(1,826)	362	-17%	(5,995)	(3,838)	658	-16%
Other	(0)	(6)	(6)	0%	0	(206)	(206)	0%	(10)	(17)	(7)	74%	(1,062)	(982)	80	-8%	(1,072)	(1,211)	(139)	13%
Less: Total operating expenses	(15,656)	(12,687)	2,969	-23%	(7,553)	(6,183)	1,370	-18%	(7,151)	(4,748)	2,403	-34%	(59,534)	(48,930)	10,604	-18%	(99,894)	(71,948)	27,946	-20%
Net operating result	2,821	5,341	2,520	89%	2,412	4,147	1,735	72%	1,139	2,862	1,722	152%	(8,438)	1,189	9,627	-114%	(2,066)	13,539	15,605	-755%

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)	%	(\$'000)
Assets									
Cash and cash equivalents	12,208	3,333	11,341	23,945	26,584	50,827	24,243	91%	27,250
Inventory	0	0	0	437	1,188	437	(761)	63%	4,419
Trade & Other Receivables	3,802	703	567	3,347	9,697	10,519	1,822	0%	3,809
Land - for resale	0	0	0	17,510	6,514	17,510	10,995	-69%	3,812
Infrastructure:	0	0	0	0	0	0	0	0%	0
PPE	192,195	115,420	8,695	615,902	994,536	932,211	(62,325)	-6%	1,002,243
Capital WIP	1,792	17,853	83	23,603	0	43,292	43,292	0%	0
Other assets	(0)	(0)	0	4	775	4	(771)	0%	1,032
Total Assets	209,957	137,308	20,787	686,749	1,038,304	1,054,801	16,498	2%	1,047,365
Liabilities									
Employee benefits	647	546	277	7,017	4,758	8,429	3,674	77%	3,011
Trade creditors and accruals	18	197	49	533	1,072	807	(265)	-25%	4,330
Borrowings:									
Short-term	260	301	232	949	2,042	1,742	(300)	-15%	5,270
Long-term	8,225	15,281	9,739	41,126	75,370	75,370	0	0%	70,260
Other liabilities	0	0	9,893	347	12,482	10,597	(1,885)	-15%	13,502
Total Liabilities	10,149	16,335	20,189	59,272	95,691	96,946	1,254	1%	96,373
Current assets	16,010	4,036	12,008	43,433	37,254	75,487	38,233	103%	41,310
Current liabilities	806	7,006	557	8,077	7,869	10,576	2,707	34%	12,611
Non-current assets	193,947	133,273	8,778	643,316	1,001,050	979,315	(21,735)	-2%	1,006,055
Non-current liabilities	9,244	15,300	19,032	42,194	87,822	86,370	(1,452)	-2%	83,762
Net community assets	199,808	120,973	597	636,478	942,613	957,856	15,243	2%	950,992

Table E.3 Investment and Borrowings

Investment Returns for the Period Ending
30/04/2020

Total cash held at 30 April 2020 was \$50.827m

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 1.32% p.a (net of administration fee) with the QTC and Council's five (5) term deposits earnings rates range between 1.65% and 1.85% p.a.

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

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

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

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

Total Debt and Borrowing Costs

Debt Position	\$'000
Total Debt held as at 1 July 2019	80,530
Budgeted new borrowings in 2019-20	-
Capitalised interest & administrative charges	3,215
Total debt service payments made YTD	(6,633)
Total Debt held as at 30 April 2020	77,112

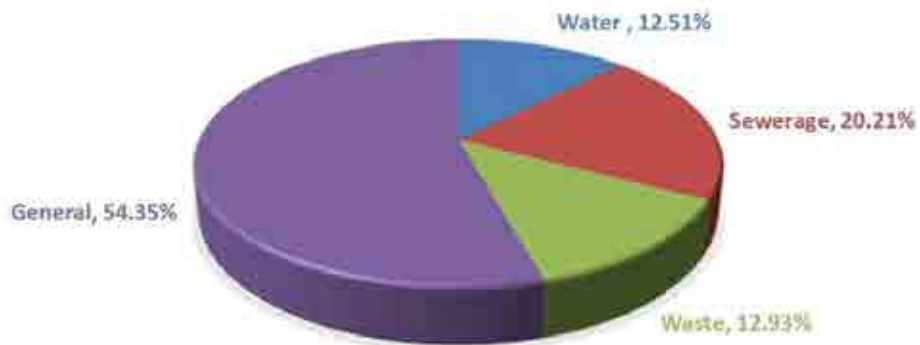
In line with Council's debt policy, a debt service payment of \$2,211,013 (being approximately \$1.23m repayment of principal and \$981k interest and administrative charges) will be paid quarterly for 2019-20. Interest accrues monthly calculated on a daily basis until the next debt service payment. No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

As at 30 April 2020 the weighted average interest rate of all Council debt is 4.35%.

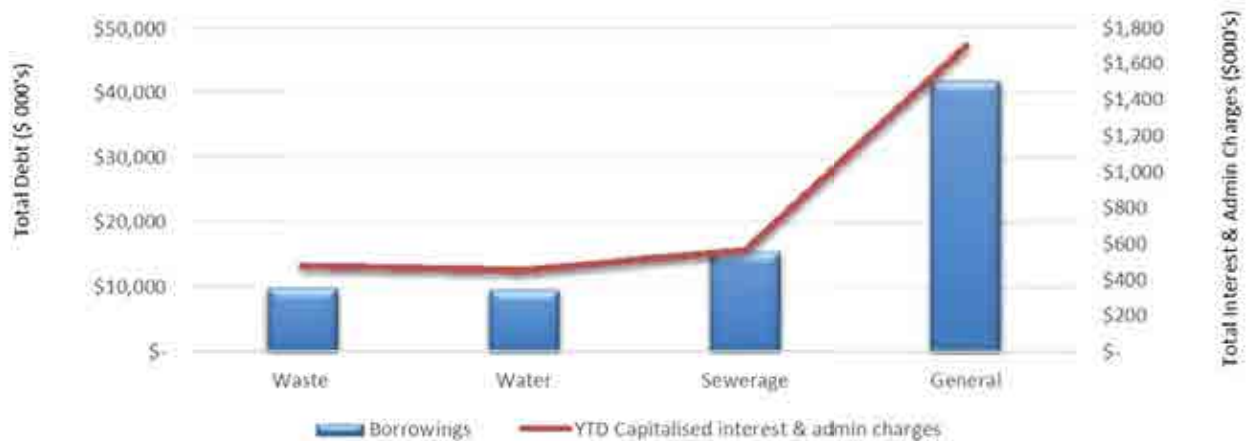
Total Debt and Borrowing Costs

Total Debt at 30 April 2020 was \$77.112m

TOTAL DEBT (\$77.1M)



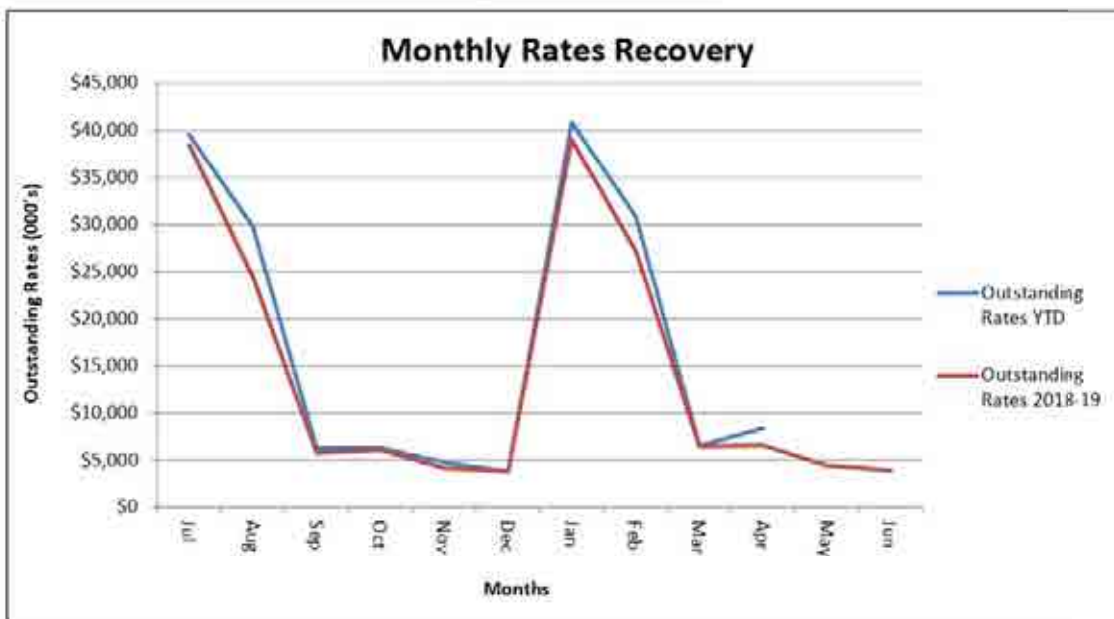
Total Borrowings & Interest Expense

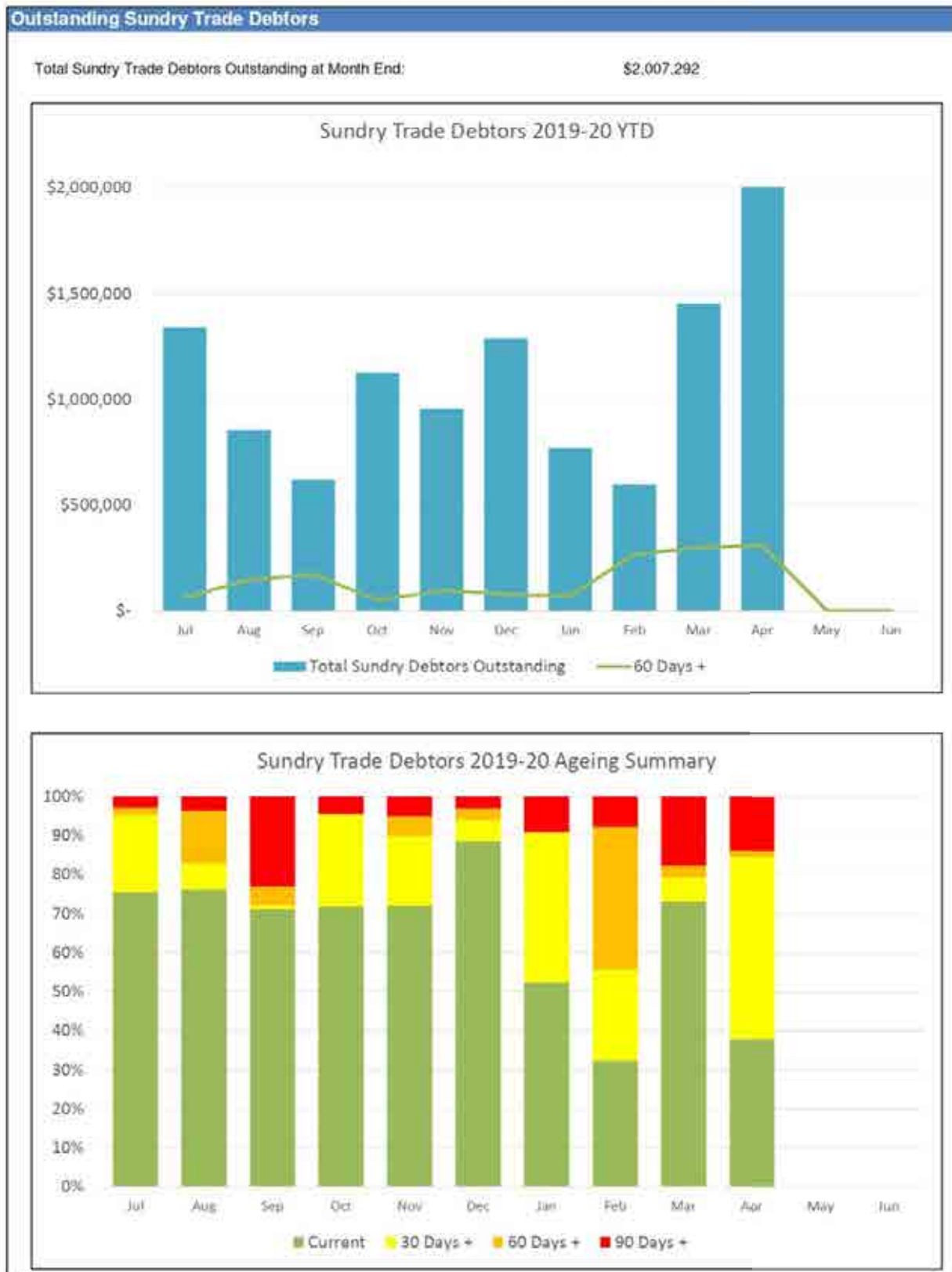


Council adopted its Debt Policy on 11 July 2019 for the 2019-20 financial year.

Table E.4: Additional Information
Outstanding Rates

Ageing of Rates Receivable at Month End			
Ageing Period	Arrears (before deducting prepaid rates)	balance	% of total eligible for collection
Current	\$6,784,234		81.01%
1 years	\$926,330		11.06%
2 years	\$295,681		3.53%
3 years	\$186,352		2.23%
4 years	\$63,033		0.75%
5 years	\$118,995		1.42%
TOTAL	\$8,374,625		100.0%





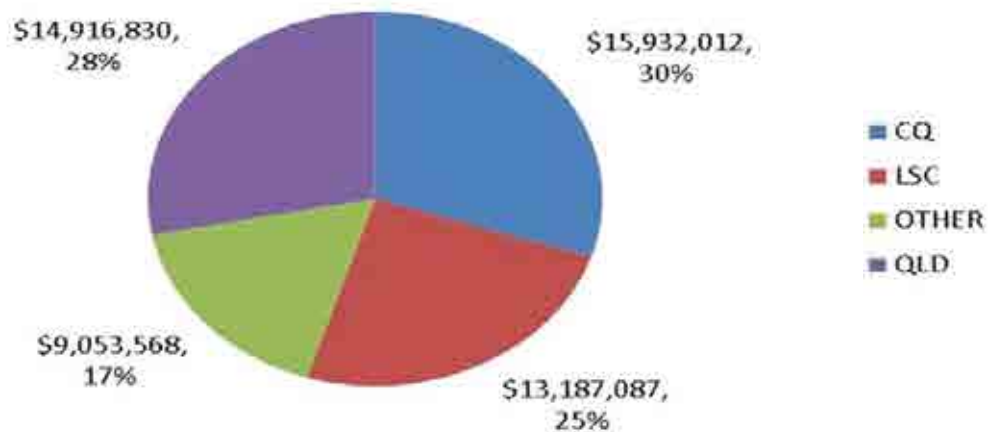
Procurement

Council strongly supports locally owned and operated businesses, including those with an office or branch in our region. Council is able to report on direct local spend for both operational and capital expenditure in addition to employee salaries & wages. Total expenditure with businesses located within the shire boundaries year to date is 25% or \$13.2 million and illustrated in the following pie chart.

Chart legend

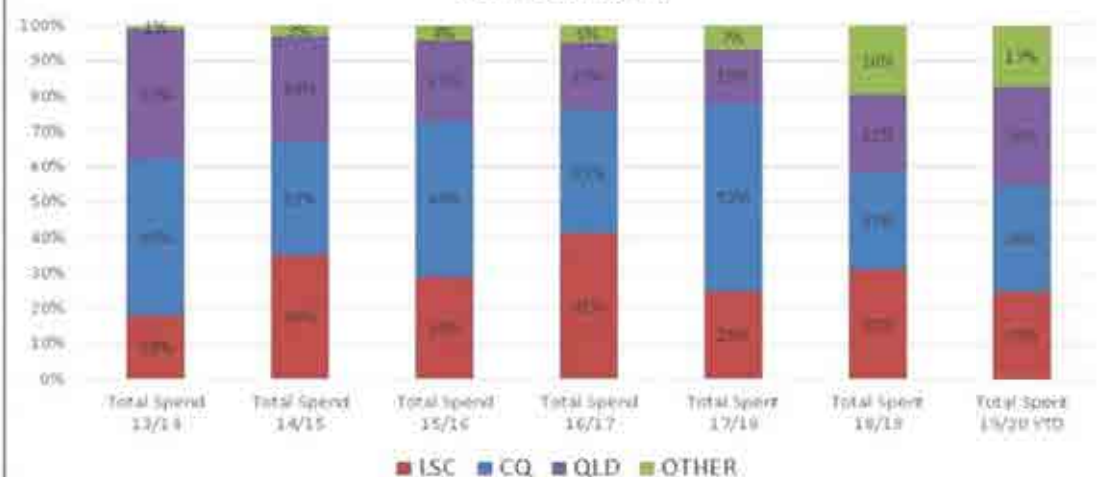
LSC	Business located within the shire boundaries.
CQ	Business completely set up and run outside of LSC boundaries but within the Central Queensland region.
QLD	Business based outside of Central Queensland but within Queensland.
OTHER	Business based outside of Queensland.

Percent of Spend per Locality 2019-20 Year to Date



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

% of Local Spend



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.	$\frac{\text{Operating result} + \text{Depreciation \& amortisation}}{\text{Gross interest expense}}$
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 OPERATIONAL PLAN 2019-2020 Q3 PROGRESS REPORT**File No:** CM4.6.2**Attachments:** 1. **Operational Plan Performance Report March 2020** [↓](#)**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 3 as at 31 March 2020 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 March 2020.

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 March 2020 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 March 2020.

The attached Operational Plan Quarter Performance Report March 2020 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, 88 are either complete or on track, 7 require monitoring but still expected to be delivered, two (2) require directed attention and five (5) activities are on hold due to COVID-19.

The two (2) that require further attention are:

- AM3.3: Water Recycling System Augmentation
- AM4.10: Emu Park Sewage Treatment Plant upgrade

Table 1

Status	Assets	Environment	Economy	Community	Governance
Complete	0	0	0	0	3
On Track	18	13	6	11	37
Emergent	1	1	0	0	5
Needs Attention	2	0	0	0	0
On Hold	0	0	0	3	2

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.

12.6 - OPERATIONAL PLAN 2019-2020 Q3 PROGRESS REPORT

Operational Plan Performance Report March 2020

Meeting Date: 19 May 2020

Attachment No: 1

Goal: Reliable, durable, cost effective infrastructure and Council assets which meet the needs and aspirations of the communities of Livingstone Shire.						Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Progress	Q3 Review	Q3 Comments	Progress
Action	Responsible Parties	Business Unit	Team	Role	Performance Measure								
AM1 Develop an innovative and integrated framework for long term, cost effective asset management.													
AM1.1: Annual review of Asset Management Plans.	I	Community Assets	Asset Management	L	100% reviewed (Roads, Water and Sewer, Fleet and Building) and updated as required.	20%	Review of Roads commenced and scheduled for completion in the next quarter.	30%	Roads modeling under review, footpath modeling completed, Stormwater modeling under development. Roads AMP draft expected February 2020. Water and Sewer AMPs awaiting completion of Valuation. Buildings and Fleet review yet to commence. AMP progress discussed at January AM Steering Committee meeting.	Progress	50%	Roads modeling being finalized. Footpath modeling completed and draft AMP developed. Stormwater modeling completed and draft AMP developed. Water and Sewer AMPs awaiting completion of Valuation. Buildings review has commenced. Fleet review yet to commence. SAMP may change the way AMPs are presented, yet to be determined.	Progress
AM1.2: Development of operational works program for roads and drainage infrastructure.	I	Construction and Maintenance	Urban Operations and Rural Operations	L	100% completed and entered in to budget.	25%	Grading program currently in use. Long term resheeting program being developed.	50%	Grading program currently in use. Long term resheeting program has been developed and usage commenced.	On Track	75%	Grading program currently in use. Long term resheeting program has been developed and usage commenced.	On Track
AM1.3: Regularly inspect roads and drainage infrastructure and prioritise maintenance works.	I	Construction and Maintenance	Urban Operations and Rural Operations	L	100% at per adopted inspection frequency.	25%	Inspection program on track.	50%	Inspection program on track.	On Track	75%	Inspection program on track.	On Track
AM1.4: Organisational Asset Management.	ORG	Community Assets	Asset Management	P	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.	Progress	75%	Draft SAMP has been reviewed and feedback provided to the consultant. Once revised document received it will be issued to the Asset Management Steering Committee for comment.	On Track
AM1.5: Asset Audit and Creation of Asset Management Plan for all ICT Assets.	ICT	ICT Services	IT Infrastructure	L	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	40%	ICT Asset Classes established and discovery and cataloguing ICT Asset Classes (Audio/Visual Systems, CCTV, End-User Computing, Networking, Printers, and Servers and Storage) established and discovery and cataloguing of ICT assets in these classes is nearing complete. Draft of formal plan to be submitted for review in late April of ICT assets in these classes is nearing complete. Draft of formal plan to be completed in late April.	On Track
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	Construction and Maintenance	Urban Operations and Rural Operations	L	100% complete prior to budget adoption.	25%	Project forwarded to PMO as identified. 2020/21 Project reviewed and project documentation commenced.	50%	Project forwarded to PMO as identified. 2020/21 Project reviewed and required project documentation completed. Preliminary 2020/21 program available.	On Track	75%	Project forwarded to PMO as identified. 2020/21 Project 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	Engineering Services	Development Engineering	L	100% of inspections complete.	25%	On target to meet KPI for the year.	50%	On target to meet KPI for the year.	On Track	75%	On target to meet KPI for the year.	On Track
AM2.3: Development of Strategic Asset Management Plan for LSC.	I	Community Assets	Asset Management	L	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.	Progress	75%	Draft SAMP has been reviewed and feedback provided to the consultant. Once revised document received it will be issued to the Asset Management Steering Committee for comment.	On Track
AM3 Design and implement practical infrastructure solutions.													
AM3.1: Engineering Designs completed for projects in the Forward Works Program.	I	Engineering Services	Infrastructure Planning and Design	L	10 completed and construction ready per annum.	25%	10 projects currently in various stages of completion.	50%	13 projects currently in various stages of completion.	On Track	75%	18 projects currently in various stages of completion. On track to meet KPI.	On Track
AM3.2: Teppoon Sewage Treatment Plant Upgrade.	I	Infrastructure Project Management	Infrastructure Project Management	L	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 Downer - to be completed by end January 2020.	On Track	99%	Outstanding defects currently being addressed by Downer - to be completed by end May 2020. Access to site is difficult under current travel restrictions due to Covid-19.	On Track
AM3.3: Water Recycling System Augmentation.	I	Infrastructure Project Management	Infrastructure Project Management	L	100% complete by 30 June 2020. <NOTE: Completion date in funding agreement is November 2020, not June 2020>	3%	Currently finalising design for tender of pipelines, pump & 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 PFR and specifications prepared ready for issue for D&C tender. Project to be completed by end 2020 in accordance with funding agreement.	Needs Attention	15%	Delay due to staffing availability. Pipeline design being reviewed prior to issue for construction tender. PFR and Planning approvals being sought. Land tenure for reservoir site being resolved. Reservoir PFR and specifications prepared ready for issue for D&C tender. Tender likely to be delayed due to Covid-19 impact.	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 renewal program achieved in accordance with replacement guidelines.	I	Community Assets	Asset Management	L	90% achieved in accordance with replacement thresholds.	25%	Maintenance program on track.	50%	Maintenance program on track.	On Track	80%	Replacements achieved within replacement thresholds.	On Track

AM4.2: Deliver annual road and stormwater maintenance program.	I	Construction and Maintenance	Urban Operations and Rural Operations	L	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	75%	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. Savings in Urban maintenance may offset this overspend in Rural.	On Track
AM4.3: Provision of safe water supply.	I	Water and Waste Operations	Water Supply and Sewerage Operations	L	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	75%	100% of samples taken have been compliant with the Drinking Water Quality Management Plan. These samples include Microbiological, Chemical/Physical & Ultra Trace Pesticides. All analyses were undertaken by ALS Laboratories in Brisbane Queensland.	On Track
AM4.4: Provision of safe water supply.	I	Water and Waste Operations	Water Supply and Sewerage Operations	L	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	75%	100% of Sewerage Treatment Plant discharges have complied with environmental authority requirements.	On Track
AM4.5: Management of trade waste discharges to sewer.	I	Water and Waste Operations	Waste Services	L	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 dischargers either have an approval in place or being processed.	On Track	74%	99% of Trade Waste dischargers either have an approval in place or being processed. Due to Covid 19 Trade Waste inspections ceased from the latter half of March 2020 - until further notice. There is one Food Business - doing takeaway - that has not yet had a final inspection. Also I believe the target figure is 98% of Trade Waste Approvals for relevant businesses - not 100%.	On Track
AM4.6: Deliver Capital Program.	ORG	Finance and Business Excellence	Project Management Office	L	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	Emergent	55%	At the end of Q3, overall capital works program is behind the schedule based and will result in a approx 30% carry over to 2020/21.	On Track
AM4.7: Delivery of Facilities Maintenance Program.	I	Community Assets	Facilities Maintenance	L	95% of maintenance requirements delivered.	25%	Currently on track to achieve 100% of Mtce Requirements	50%	Maintenance program on track.	On Track	75%	Maintenance program on track.	On Track
AM4.8: Issue tenures in accordance with relevant legislation.	LW	Community Wellbeing	Community Partnerships	L	100% of tenures issued in accordance with relevant legislation.	100%		100%		On Track	100%	100% of tenures issued in accordance with relevant legislation.	On Track
AM4.9: Address breaches of Council issued tenures within identified timeframes.	LW	Community Wellbeing	Community Partnerships	L	100% of breaches of Council issued tenures within identified timeframes.	100%		100%		On Track	100%	100% of breaches of Council issued tenures within identified timeframes (Nil identified breaches for this period)	On Track
AM4.10: Emu Park Sewage Treatment Plant upgrade.	I	Water and Waste Operations	Water Supply and Sewerage Operations	L	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	50%	Delays due to staffing availability Infrastructure Projects producing tender documents. Tender not yet advertised and delayed due to COVID-19. Project will not be completed end of FY19/20.	Needs Attention

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.						Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Progress	Q3 Review	Q3 Comments	Progress
Action	Responsible Person	Business Unit	Team	Role	Performance Measure								
EN1 Apply environmentally responsible land use planning to balance environmental and development outcomes.													
EN1.1: Development Applications responded to within business rules timetables.	I	Engineering Services	Development Engineering	L	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 (Ethos Urban).	On Track	75%	On track to meet KPI for the year.	On Track
EN1.2: A Coastal Hazard Adaptation Strategy is developed through the QCoast100 programme to address the potential impacts of coastal hazards.	LW	Liveability	Growth Management	L	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 (Ethos Urban) in accordance with adapted project plan.	On Track	100%	Stage 5 has been completed and Phase 6 is underway. A new digitally based stakeholder engagement strategy currently being developed.	On Track
EN1.3: Identify and prioritise rating amendments to Livingstone Planning Scheme 2018 and report to Council to advance amendment process.	LW	Liveability	Growth Management	L	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	100%	Package two amendments: State Government has stopped the time period and requested Council provide further information to justify compliance of State interests. Growth Management will further investigate avenues for providing information requested. Package three amendments: Internal review of document changes being undertaken and endeavouring to send amendment information to State by end of May 2020 for State interest 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	Liveability	Natural Resources Management	L	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	100%	Habitat Stepping Stones programme ongoing. Internal and external stakeholders workshop for pandanus protection delivered in March and initial inspections and treatments of affected plants have occurred.	On Track
EN2.2: Pest and vector services are client connected and outcome driven.	LW	Liveability	Public Environments	L	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	100% for Contract Works, 50% for Customer Requests	100% Required contractual works undertaken in accordance with Main Roads contract \$6 for 330 customer requests - 166 not actioned within 2 days (mainly vector due to minding conditions and staff leave).	On Track
EN2.3: Vector breeding locations identified and managed to reduce potential impacts on the community.	LW	Liveability	Public Environments	L	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	Control sites 100% Surveys 11%	100% of vector control sites monitored. 7 of 64 vector surveys undertaken due to increased workload of minding and the vector control officer has had health issues resulting in extended sick leave and a return to work programme.	On Track
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	Water and Waste Operations	Waste Services	L	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.	85%	Percent of new bins delivered <= 4days - 84.2% Percent of missed bins serviced <= 2days - 87%.	Lagging	71%	Percent of new bins delivered <= 4days - 73% Percent of missed bins serviced <= 2days - 85%.	Lagging
EN3.2: Implementation of Waste Reduction and Recycling Plan.	I	Water and Waste Operations	Waste Services	L	2 community education / awareness activities delivered.	25%	1. Sustainability Expo - Recycling stall of 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 Yeppoon State High School Parliamentary Group on Initiating recycling in the school.	50%	No additional activities delivered in the second quarter.	On Track	75%	No additional activities delivered in the third quarter.	On Track
EN3.3: Support effective waste management and pollution control programs.	LW	Liveability		L	2 events delivered - Clean Up Australia Day Event/ Brolson and Sediment Control training.	50%	September - Reef Clean-up.	50%	March - Upcoming Australia Day Clean-up.	On Track	100%	Clean up Australia Day held 1 March 2020.	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	Construction and Maintenance	Urban Operations and Rural Operations	L	100% with zero breaches.	25%	No breaches in first quarter.	50%	No breaches in second quarter.	On Track	75%	No breaches in third quarter.	On Track
EN4.2: Climate Change mitigation strategies adopted and embedded into Council's mainstream operations.	LW	Liveability	Growth Management	L	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	75%	Draft Strategy to go to Council Q4 for approval.	On Track
EN4.3: Biodiversity Strategy.	LW	Liveability	Growth Management	L	25% complete by 30 June 2020.	0%	Not yet commenced.	10%	Commenced with internal project planning and research into best practice.	On Track	50%	Initial Project Scope developed. Business case and budget line developed for 2020/21 budget.	On Track
EN5 Proactively advocate to government on matters which impact on the health, wellbeing and sustainability of our Shire's natural environment.													

ENS.1: Advocate to other levels of government on matters which impact sustainability of the natural environment.	LW	Liveability	Growth Management	L	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	100%	Tracking of all required tasks and responses through ECM, Info Council actions and team meeting minutes	On Track
ENS.2: Identify and prioritise rolling amendments to Livingstone Planning Scheme 2018 and report to Council to advance amendment processes.	LW	Liveability	Growth Management	L	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	100%	Package two amendments: State Government has stopped the time period and requested Council provide further information to justify compliance of State interests. Growth Management will further investigate avenues for providing information requested. Package three amendments: Internal review of document changes being undertaken and endeavouring to send amendment information to State by end of May 2020 for State interest review.	On Track

Goal: A diverse, strong, innovative and sustainable local economy providing employment and business opportunities for current and future generations.						Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Progress	Q3 Review	Q3 Comments	Progress
Action	Responsible Portfolio	Business Unit	Team	Role	Performance Measure								
EC1 Identify and capitalise on economic opportunities for the benefit of the community.													
EC1.1: Implement Invest Capricorn Coast Region Economic Development Plan.	LW	Economy and Places	Economic Development and Innovation	L	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	75%	Business training workshops and programmes were delivered successfully, and Council hosted a business lunch with Trade and Investment Commissioner for Taiwan.	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	Economy and Places	Economic Development and Innovation	L	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	75%	Council achieved one land sale within The Gateway Business and Industry Park and one land sale in Cassini Street, Hidden Valley which was acquired by Council as part of a land transaction within The Gateway Business and Industry Park.	On Track
EC2.2: Investment Attraction Programme.	LW	Economy and Places	Economic Development and Innovation	L	100% complete by 30 June 2020.	10%	Progress on track for completion 30 June 2020.	40%	Investment brochure nearing finalisation.	On Track	80%	Investment brochure nearing finalisation. Final draft review in process.	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	Economy and Places	Economic Development and Innovation	L	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	70%	Current plans being delivered, including review of billboard promotion.	On Track
EC3.2: Capricorn Enterprise funding agreement established and yearly actions implemented.	LW	Economy and Places	Economic Development and Innovation	L	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	75%	100 percent of actions are on track for completion.	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	Economy and Places	Economic Development and Innovation	L	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.	30%	Startup onramp programme attendees continue to meet. Innovation Unconference held in early November weekend event attracted over thirty-five (35) participants. Teppoon Town Centre Smart Project ninety (90) percent completed.	On Track	70%	Focus on developing the innovation ecosystem and delivery of digital/online services.	On Track

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.						Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Progress	Q3 Review	Q3 Comments	Progress
Action	Responsible Portfolio	Business Unit	Team	Role	Performance Measure								
CO1 Facilitate, encourage and enable self-sustainable community associations and volunteer groups to pursue their diverse aspirations.													
CO1.1: Volunteering Programmes enhancement.	LW	Community Wellbeing	Disaster Management and Resilience	L	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	100%	Formalised community groups and working towards supporting and growing. LSC: Community Volunteer programmes were on-track; however Adherence to State COVID19 requirements placed all interaction with community groups and volunteers on hold until further notice.	On Hold
CO2 Facilitate programs and support local social, cultural, artistic and community building initiatives.													
CO2.1: Active and healthy library spaces.	LW	Community Engagement	Library, Arts and Culture	L	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	75%	Percentage is calculated at the conclusion of the reporting year. 344 new memberships and 41 events were held during the Q3 reporting period.	On Track
CO2.2: Delivery of community development programmes which build the capacity of Livingstone's community.	LW	Community Wellbeing	Community Partnerships	L	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	100%	Compliant with all funding requirements.	On Track
CO2.3: Strengthening Family Connections comply with performance measures and reporting requirements of funding agreement.	LW	Community Wellbeing	Community Partnerships	L	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	100%	Compliant with all aspects for funding. Quarterly report to Dept of Communities.	On Track
CO2.4: Yeeppoon Place Making Strategy Year 2 initiatives implemented.	LW	Economy and Places	Place Making	L	90% of actions achieved by 30 June 2020.	15%	Highlights include masterplanning for James Street and adoption 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.	On Track	30%	Council has engaged one Artist for an extension of the Coastal Sculptures with additional arrangements to be made. Artists for Keppel Island / Auroa have been appointed. James Street Sculpture Master Plan has been completed and is pending capacity to issue tenders for the first phase of construction. The Mill Gallery Expansion is also pending capacity to issue tenders for construction.	On Track
CO2.5: Local law requirements promoted through educational activities.	LW	Liveability	Public Environments	L	1 Day 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	0%	All public events canceled due COVID-19. Will re-schedule when appropriate.	On Hold
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	Community Wellbeing	Open Spaces	L	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	100%	All captured under Survey 123 all compliant.	On Track
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	Liveability	Build Environment	L	100% of Building and Plumbing Compliance complaints risk rated in accordance with Council's Risk Based Land Use Compliance Policy. 3% 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. 4 notifiable plumbing works audits undertaken out of 120 received for the period ± 3%.	On Track	Policy: 100% Audits: 25%	All complaints risk rated in accordance with the land use risk based compliance policy and measured through weekly building, plumbing and planning compliance meetings. 1 notifiable work Form 4A audit only (Total for period 113) came out due to risk associated with COVID-19 during March/April inspection period ± 1% carried out.	On Track
CO4.2: Building and plumbing compliance services are client connected and outcome driven.	LW	Liveability	Build Environment	L	100% of customer request responses initiated within two (2) business days.	100%		80%	Building 72% and Plumbing 90% (average of building and plumbing data).	On Track	Building: 73% Plumbing: 92%	Plumbing had a total of 12 CR's with 1 over building had a total of 11 CR's with 3 over.	On Track
CO4.3: Environmental health services comply with statutory requirements.	LW	Liveability	Public Environments	L	100% of food licence/permit applications completed in accordance with legislative requirements.	100%		100%	6 food licences were lodged and completed in accordance with the food act.	On Track	100%	11 lodged and 4 amendments.	On Track
CO4.4: Environmental health annual inspections (non public).	LW	Liveability	Public Environments	L	95% of inspections completed per annum.	100%	Food Businesses	38%	29 Annual inspections - 14% of 163 licences (includes ERA, PER, Food). 43 inspections Q1 which is 25% so cumulative total is 39%.	On Track	58%	38 inspections - 38 of 163 licences is 20% Cumulative total 59%.	On Track
CO4.5: Local law services comply with statutory requirements.	LW	Liveability	Public Environments	L	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) - 16 still outstanding this large amount due to Smart Parking - Not done NUS files -	On Track	NUS - 80% LU-77%	8 Applications Q2 period - 50% (4) not within 10 days - 20 Local Law Licence Renewals (ROAD, SPEC) - 16 still outstanding this large amount due to Smart Parking - Not done NUS files -	On Track
CO4.6: Reconciliation Action Plan.	LW	Community Wellbeing	Community Partnerships	L	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		Currently on-track, draft submitted March 2020 with intent to be finalised by 30 June 2020 - New Community Development Officer will continue to focus on the Plan however delays in review stages and Traditional Owner engagement are expected due to COVID19 State restrictions, hence completion date is more likely end of July 2020.	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	Community Wellbeing	Community Partnerships	L	100% compliance with youth services contract.	80%	Currently looking at Case Management numbers.	80%	Currently looking at Case Management numbers.	On Track		On track until COVID19 and State restrictions ceased community group contact and programmes within youth services were placed on-hold.	On Track

Goal: An efficient, progressive, transparent and financially sustainable organisation which is responsive to the needs of the community through sound decision making and leadership.						Q1 Review	Q1 Comments	Q2 Review	Q2 Comments	Progress	Q3 Review	Q3 Comments	Progress
Action	Responsible Portfolio	Business Unit	Team	Role	Performance Measure								
GO1 Inform and empower the community through ongoing engagement and communication.													
GO1.1: Management of Council's after hours call-centre provider.	LW	Community Engagement	Customer Support	L	95% of compliance with contract deliverables for After Hours provider.	100%	No issues with after hours provider	100%	88 issues with Peak Services and lower than usual number of calls over the Christmas/January period which can be attributed to increased social media campaigns.	On Track	100%	88 issues with Peak Services in this quarter - calls have slightly increased due to Rates issue	On Track
GO1.2: Prompt handling of call-centre phone calls.	LW	Community Engagement	Customer Support	L	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 = 241.8 seconds.	On Track	100%	Average Handle Time for Q2 = 234 seconds.	On Track
GO1.3: Implementation and review of the objectives from Council's Event Attraction Strategy.	LW	Community Engagement	Engagement and Events	L	100% (percentage of actions within Council's Event Attraction Strategy identified for year one (1) implemented).	10%	Event Strategy has been developed and adopted by Council. Will be officially launched on the 24 October 2019.	30%	Event 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 current payment model and for social amounts, the application process has been streamlined.	On Track	80%	Implementation of the Event Strategy is continuing with contracts with our four signature events Village Festival, Festival, Markets, Winter festival and others.	On Track
GO1.4: Get Ready Get Brilliant Day	LW	Community Wellbeing	Disaster Management and Resilience	L	1 event hosted.	0%	Scheduled for Second Quarter	100%	Get Ready Day conducted Elm Park Forum and Storm Surge Day November 2019.	On Track	0%	Due to COVID-19 and State restrictions on communities, further consideration to future events is required.	On Hold
GO1.5: Ensure provision of quality innovative customer service to internal and external customers.	ORG	Community Engagement	Customer Support	P	10% reduction in long term customer service requests.	10%	Quarter one - 99 service requests noted as under investigation long term. This is a 10% reduction from Q4 in 18/19 plan review.	34%	174 Customer Service Requests noted as under investigation long term. Period 2014 - current: 122 logged in the 122 reporting period, compared to 43 in previous quarter.	On Track	21%	153 customer service requests noted as under investigation long term in this reporting period, compared to 122 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	Operability	Public Environment	L	100% complete by 30 June 2020.	0%	Scheduled for Second and Third Quarter	0%	On schedule for completion by 30 June 2020.	Needs Attention	0%	Policy and Procedure on Refunds addressed in proposed Fees and Charges - Two remaining policies on schedule for completion by 30 June 2020.	On Track
GO2-OPW: Development of Corporate Plan 2020-21	FBE	Finance and Business Excellence	Governance	L	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	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-OP1: Development of a Governance framework.	FBE	Finance and Business Excellence	Governance	L	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	35%	Framework is on track to be completed during Q4.	On Track
GO2-OP2: Climate Change Policy	LW	Operability	Growth Management	L	25% complete by 30 June 2020.	0%	Scheduled to commence Third Quarter	0%	Scheduled to commence Third Quarter.	On Track	35%	Draft Policy completed, Refinement and further discussion required before going to Council Q4 for approval.	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.	FBE	Finance and Business Excellence	Accounting	L	Budget reviewed at least three (3) times per annum.	50%	The Quarter 1 Budget Review (2014) was adopted by Council on 22/10/2019.	50%	The Quarter 2 Budget Review (2022) is on track to be presented to Council in February 2020 for adoption.	On Track	37%	The Quarter 2 Budget Review (2022) was adopted by Council on 4 February 2020.	On Track
GO3.2: Sustainable Financial position maintained.	FBE	Finance and Business Excellence	Accounting	L	Long term Strategic Financial Plan reviewed (100%).	50%	Financial assumptions were reviewed as part of the Quarter 1 Budget Review. Preparation in Q4 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 and price review. Initial data has been provided to consultant.	On Track	30%	A draft report of the water & sewerage business and price review has been presented by the consultant to Council officers during March. The consultant is on track to report the final report to Council as part of a budget resolution in May 2020.	On Track
GO3.3: 2018-19 financial audit completed on program, with unmodified audit opinion.	FBE	Finance and Business Excellence	Accounting	L	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	100%	Audited Financial Statements signed 10/10/19.	Complete
GO3.4: Procurement Compliance.	FBE	Finance and Business Excellence	Procurement	L	95% policy compliant.	93%	Monthly education and training sessions implemented. Non-compliance report provided monthly to EIT for review and follow-up.	96%	Monthly education and training sessions implemented. Non-compliance report provided monthly to EIT for review and follow-up.	On Track	97%	Monthly education and training sessions implemented. Non-compliance report provided monthly to EIT for review and follow-up. May be considered lower due to COVID-19.	On Track
GO3.5: Project governance framework is embedded across the organisation.	FBE	Finance and Business Excellence	Project Management Office	L	Project Portfolio Management system and reporting (100% compliance for all organisational projects), education and training sessions held bi-monthly.	3%	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 Core competency of Project Management has continued.	3%	PMO does not commence work until 3 February.	Needs Attention	80%	Review of Project Management roles including updating of Portfolio Governance Group and Community of Practice, Development and Implementation of new Business Case template and monthly Project Status Reporting has been accomplished.	On Track
GO3.6: Outstanding rates and charges management.	FBE	Finance and Business Excellence	Revenue and Rates	L	<5% bi-monthly rates outstanding as a percentage of rates levied, prior to six monthly rates billing.	18%	5% prior to 1st Half year Rates and Wages billing: 17% Sept 18/19, 25% year complete.	10.70%	Q2 result slightly lower than the comparable period in 2018-19 (10.78% Dec 18/19). Next levy to issue 03/02/20.	On Track	9.69%	Q3 result slightly lower than that of the comparable period in 2018-19 (9.18% March 18/19). Levy issued 03/02/20 was due 11/02/20.	On Track
GO3.7: Research, design, develop and implement a Performance management and review process.	PC	People and Culture	Human Resources, Training and Payroll	L	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 OCEO with the exception of IT, all of Infrastructure, Liveability & Open Spaces. Remaining business units to adopt by end Feb 2020.	On Track	80%	All business units have adopted with the exception of IT.	On Track
GO3.8: Research and implement a Leadership Development Program.	PC	People and Culture	Human Resources, Training and Payroll	L	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 EIT in Quarter 3 giving consideration for the requirements of the field.	On Track	40%	Refusal to meet target due to restrictions with COVID-19.	On Track
GO3.9: Develop a comprehensive learning and development calendar.	PC	People and Culture	Human Resources, Training and Payroll	L	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 3 monthly basis. PSA is now in place for compliance training. Capability Matrix should be developed as part of Matrix which will drive gap analysis to inform L&D requirements.	On Track	30%	Matrix developed and interviews will now be conducted as a part of the Safety Audit implementation. Calendar for first half of 2020 is published.	On Track

GO3.10: Manage Council's budget in alignment with financial sustainability ratios.	ORG	Finance and Business Excellence	Accounting	P	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 90% as at 31 December 2019 due to the large proportion of new assets not requiring renewal at this stage.	On Track	75%	The Operating Surplus Ratio and the Net Financial Liabilities Ratio were both favourable when compared to the YTD Quarter 2 Revised Budget Ratios as at 31 March 2020. The Asset Sustainability Ratio was unfavourable when compared to the YTD Quarter 2 Revised Budget as at 31 March 2020, due to the large proportion of new assets not requiring renewal at this stage.	On Track
GO3.11: Provide a safe work environment for employees and encourage a proactive approach to Work Health and Safety.	ORG	People and Culture	Safety	P	10% reduction in Lost Time Injuries / Days lost by 30 June 2020.	25%	LTI/R Employees Only for June 2019 was 15.87. Target for 2019-20 = 14.28. September Quarter moving average frequency rate 15.99	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	75%	There has been two (2) LTIs during Q3 with a total of four (4) days lost. The approach to managing work related injuries through the Rehabilitation and Return to Work Program saw a reduction in days lost by intervention with the treating medical practitioners in relation to council's suitable duties program.	On Track
GO3.12: Develop an ISC Workforce Plan and identify key strategies and actions.	PC	People and Culture	Organisational Development	L	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	75%	Strategy development has progressed and implementations will be underway by June 2020.	On Track
GO4 Provide transparent and accountable decision making reflecting positive leadership to the community.													
GO4.1: Ensuring legislative timeframes are met for Council Meeting and Minutes.	OCEO	Office of the Chief Executive Officer	Executive Support	L	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	100%	Register has been updated to include a date that agendas are distributed/published for ease of auditing for compliance.	On Track
GO4.2: Delegations and Authorisations Registers are current.	FBE	Finance and Business Excellence	Governance	L	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	75%	A further 37 staff members have completed Pulse Delegations training. The transitioning for authorised persons has commenced and Governance is in the process of issuing updated Instruments of Appointment to all authorised persons.	On Track
GO4.3: Local Disaster Management Group meetings.	LW	Community Wellbeing	Disaster Management and Resilience	L	4 meetings held.	25%	Meeting held on 22 Aug 2019	100%	Meeting held on 21 Nov 2019. Additional x 17 meetings held due to Cobram fire activation.	On Track	100%	On-track however due to COVID-19 all meetings of the 'Hub' cancelled with interruption to future meetings unknown at this time, hence placed on-hold	On Hold
GO4.4: IT Transformation Project	ICT	ICT Services	ICT Services	L	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	75%	Project plan updated but progressing appropriately	On Track
GO4.5: Enterprise Risk Management Capability Advancement.	FBE	Finance and Business Excellence	Governance	L	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	25%	Project to commence by 30 June	On Track
GO4.6: Formalise Integrated Planning and Reporting Framework.	FBE	Finance and Business Excellence	Finance and Business Excellence	L	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	Finance and Business Excellence	Business Transformation	L	100% complete in line with programme timeline.	25%	On track with programme of work.	50%	On track with programme of work.	On Track	75%	Service review of Parks and Open Spaces completed. Service review Engineering services on track	On Track
GO5.2: Validate Council can continue business operations in the unlikely event of an event impacting the organisation.	FBE	Finance and Business Excellence	Governance	L	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	0%	BCP focus has currently been on COVID-19 response. 3-5 days subplans will look to commence during Q4	On Track
GO5.3: Provide fit for purpose access to ICT Infrastructure.	ICT	ICT Services	Corporate Applications	L	Website and e-service availability >=98%, Network availability >=95%.	100%	Complete	40%	Server, Desktop and Laptop assets recorded in ICT Asset system (including acquisition and warranty expiration dates). Discovery and cataloguing of all network connected ICT assets underway.	Emergent	60%	ICT Asset Classes established and discovery and cataloguing ICT Asset Classes (Audio/Visual Systems, CCTV, End-User Computing, Networking, Printers, and Servers and Storage) established and discovery and cataloguing of ICT assets in these classes is nearing complete. Draft of formal plan to be submitted for review in late April of ICT assets in these classes is nearing complete. Draft of formal plan to be completed in late April.	On Track
GO5.4: Implement an electronic Workplace Health and Safety System.	PC	People and Culture	Safety	L	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	100%	Skytrust now live and operational. Support continues as requested.	On Track
GO5.5: Workplace Health and Safety Compliance.	ORG	People and Culture	Safety	L	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.	Emergent	40%	Gantt chart developed with planned completion of tasks listed in priority. Some task reallocated for completion. Skytrust Audit actions updated after current review.	Emergent
GO5.6: Implement a comprehensive health and wellbeing strategy covering physical health, mental health, diet and sun safety.	PC	People and Culture	Safety	L	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	100%	Health assessments continuing as required	On Track
GO5.7: Management of Council's After Hours provider.	LW	Community Engagement	Customer Support	L	Percentage of compliance with contract deliverables for After Hours provider.	100%	No issues with after hours provider	100%	Nil 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	100%	Nil issues with Peak Services in this quarter - calls have slightly increased due to Rates issue	On Track
GO5.8: Quality Assurance Audits - Liveability and Wellbeing.	LW	Liveability and Wellbeing Executive Support	Executive Support	L	Two (2), 100% completed.		Scheduled for Second and Third Quarter	100%	Internal assurance reviews completed for Lodgement of Development application and Infringement Process	On Track	70%	Currently undertaking Internal Audit in preparation of the Human Services Quality Standard external audit by SAI Global - Three audits will be completed in the Communities Unit	On Track
GO5.9: Building and Plumbing - compliance with legislative timeframes.	LW	Liveability	Built Environment Team	L	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	ng 100%/Build	61 Plumbing Applications lodged, 77 Building Applications Lodged	On Track

G05.10: Assessment building and plumbing service quality.	LW	Liveability	Built Environment Team	L	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	100%	Building Applications are still with RRC for Review, Plumbing have undertaken 12 reviews in past twelve months.	On Track
G05.11: Building and plumbing services are client connected and outcome driven.	LW	Liveability	Built Environment Team	L	100% of customer request responses initiated within two (2) days, 95% customer satisfaction.	100%		Building = 73% and Plumbing = 98%	On Track	g 100%, Building	50 Plumbing Customer requests, 111 Building Customer Requests	On Track
G05.12: Development assessment services are client connected and outcome driven.	LW	Liveability	Development Assessment	L	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 reallocated 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	100% and 93%	Of the 429 customer requests, 399 of these were responded to within the two business days.	On Track
G05.13: Development assessment services comply with statutory requirements.	LW	Liveability	Development Assessment	L	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%	On Track	73% and 97%	This quarter included the end of year Christmas break and some delays between council meetings from December to January 2020. In the event that timeframes for development assessment needed to get extensions to meet statutory timeframes then extensions were sought beyond the 25 business days.	On Track
G05.14: Undertake development compliance services.	LW	Liveability	Development Assessment	L	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 'Timeline' against the request which includes the risk rating matrix and requires a justification.	All Development compliance customer requests are considered and risk rated at fortnightly development compliance meetings.	On Track	100%	All Development compliance customer requests are considered and risk rated at fortnightly development compliance meetings.	On Track
G05.15: Environmental Health compliance activities are undertaken.	LW	Liveability	Public Environments	L	100% of Development Compliance complaints risk rated in accordance with Council's Risk Based Land Use Compliance Policy.	100%		All Development compliance customer requests are considered and risk rated at fortnightly development compliance meetings.	On Track	100%	All Development compliance customer requests are considered and risk rated at fortnightly development compliance meetings.	On Track
G05.16: Local Law services comply with statutory requirements.	LW	Liveability	Public Environments	L	100% of customer request responses initiated within two (2) days	100%		652 customer requests for Local Laws - 30 were not actioned within 2 business days.	On Track	93%	909 customer requests for Local Laws - 62 were not actioned within 2 business days	On Track
G05.17: Infrastructure - Quality Assurance Certification.	I	Infrastructure Systems and Administration	Systems and Administration	L	100% complete.	100%	QA Recertification achieved July 2019	No issues, Surveillance audit scheduled for February 2020	On Track	100%	February 2020 Surveillance audit completed with nil findings. Next Surveillance audit due July/August 2020.	On Track
G05.18: Development assessment services comply with statutory requirements.	ORG	People and Culture	Organisational Development	P	Cultural Values Assessment completed.	25%	Culture profile completed with COP, External CVA on hold, will be considered further in 2020 in consultation with ELI.	Culture profile completed with COP, External CVA on hold, will be considered further in 2020 in consultation with ELI.	Emergent	35%	CVA now approved to go ahead. Awaiting final quotes, Implementation to occur prior to June 30	Emergent
G05.19: Implement the most current version of InfoCouncil to support compliance for Council meetings and decision making.	OCEO	OCEO	Executive Support	L	100% complete by 30 June 2020.	30%	Testing to be complete by end of Q3 with implementation in Q4	Testing has commenced. Implementation still expected to be completed in Q4.	Emergent	100%	New version has been implemented across the organisation.	Complete
G05.20: Review of Arts and Cultural Strategic Plan.	LW	Community Engagement	Engagement and Events	L	50% complete by 30 June 2020.	10%	Have started to collate information from key stakeholders	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.	Emergent	30%	Continue to liaise with key stakeholders including RASH, art gallery committees & Keppel Coast Arts to gather key information to do the review of the strategic plan due to many changes in the art gallery space in our region at the moment	Emergent
G05.21: Livingstone Whole of Community Plan.	LW	Community Wellbeing	Community Partnerships	L	100% complete by 30 June 2020.	90%	Community Plan in Draft to be presented to Council Briefing Session.	Community Plan adopted by Livingstone Shire Council early December	Complete	0%	Completed in Q2	Complete

12.7 CORPORATE PLAN 2030

File No: CM4.6.1
Attachments: 1. **Corporate Plan 2030** [↓](#)
Responsible Officer: Andrea Ellis - Chief Financial Officer
Author: Melissa Minter - Principal Business Improvement Officer

SUMMARY

This report seeks Council's approval of the new Corporate Plan 2030.

OFFICER'S RECOMMENDATION

THAT Council adopts the draft *Corporate Plan 2030* pursuant to section 104(5) of the *Local Government Act 2009* and sections 165 and 166 of the *Local Government Regulation 2012*.

BACKGROUND

A corporate plan is a legislative requirement under the *Local Government Act 2009* and the *Local Government Regulation 2012*, and details the strategic direction for Council over a minimum five-year period.

Council resolved on 20 June 2019, that an extension of the *Corporate Plan 2014-2019* be granted to 2014-2020 to enable adequate time for the new plan (2020-2030) to be developed in alignment with the Community Plan.

Council adopted the thirty-year *Livingstone Community Plan – Towards 2050* in November 2019 and the organisation commenced development of the new corporate plan in January 2020.

If adopted, the *Corporate Plan 2030* will be Council's key long-term planning document to guide Council in the allocation of resources and delivery of services to the community, and will be the principal document from which Council's other plans and strategic documents are developed. In simple terms, it is Council's direct response to our community's needs and expectations.

COMMENTARY

"Working together for a thriving Livingstone" is the vision for the corporate plan. This vision statement aligns the community plan goals and guides the strategic direction, outcomes and deliverables over the next ten (10) years.

The corporate plan is a key strategic document for Council and encapsulates the organisational focus in a 10-year horizon that aligns with Council's Long Term Financial Plan.

The Corporate Plan is structured around the five (5) themes of the Community Plan and describes the actions to be taken by Council to ensure it continues to deliver on the Community Plan goals and strategies. Performance indicators measure the progress for achieving the vision for the future of Livingstone Shire Council.

Engagement activities for the development of the new corporate plan included:

- (a) Leveraging off the extensive community engagement undertaken to develop the *Livingstone Community Plan – Towards 2050*; and
- (b) Comprehensive internal engagement with 32 key organisational leaders.

Embedding a strategic alignment to the community aspirations has been a core focus of the *Corporate Plan 2030* and this will be cascaded into the service delivery plans and operational plans.

The *Corporate Plan 2030* will be reviewed by each incoming council within six (6) months of each election cycle.

PREVIOUS DECISIONS

Council resolved on 20 June 2019 that an extension of the *Corporate Plan 2014-2019* be granted to 2014-2020 to enable adequate time for the new plan (2020-2030) to be developed in alignment with the Community Plan and Council's 10-year financial forecast.

BUDGET IMPLICATIONS

In accordance with s165 (2) of the *Local Government Regulation 2012*, a local government must adopt its corporate plan in sufficient time to allow a budget and operational plan, consistent with the corporate plan, to be adopted for the first financial year that is covered by the plan.

LEGISLATIVE CONTEXT

In accordance with s165 and s166 of the *Local Government Regulation 2012*, Council is required to develop a 5-year Corporate Plan the contents of which must:

- (a) Outline the strategic direction of the local government; and
- (b) State the performance indicators for measuring the local government's progress in achieving its vision for the future local government area.

LEGAL IMPLICATIONS

There are no legal implications pertaining to this report.

STAFFING IMPLICATIONS

The Co-leadership group were engaged in the development of the *Corporate Plan 2030*.

RISK ASSESSMENT

The *Corporate Plan 2030* must be adopted in sufficient time to prepare a budget and operational plan that effectively resources the basic principles of the plan. The annual budget should align with the planned outcomes and allow for effective reporting in accordance with the *Local Government Act 2009*.

Budget workshops and preparation to date for 2020/2021 have been based around the draft *Corporate Plan 2030* to reflect current priorities

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 has now completed the development of the *Corporate Plan 2030* with broad community and organisational involvement. The plan reflects community aspirations and provides the organisational strategic direction and key deliverables for the coming 10-years.

The *Corporate Plan 2030* is a living document and will be continuously monitored and reviewed.

It is recommended that Council adopt the *Corporate Plan 2030* as attached.

12.7 - CORPORATE PLAN 2030

Corporate Plan 2030

Meeting Date: 19 May 2020

Attachment No: 1

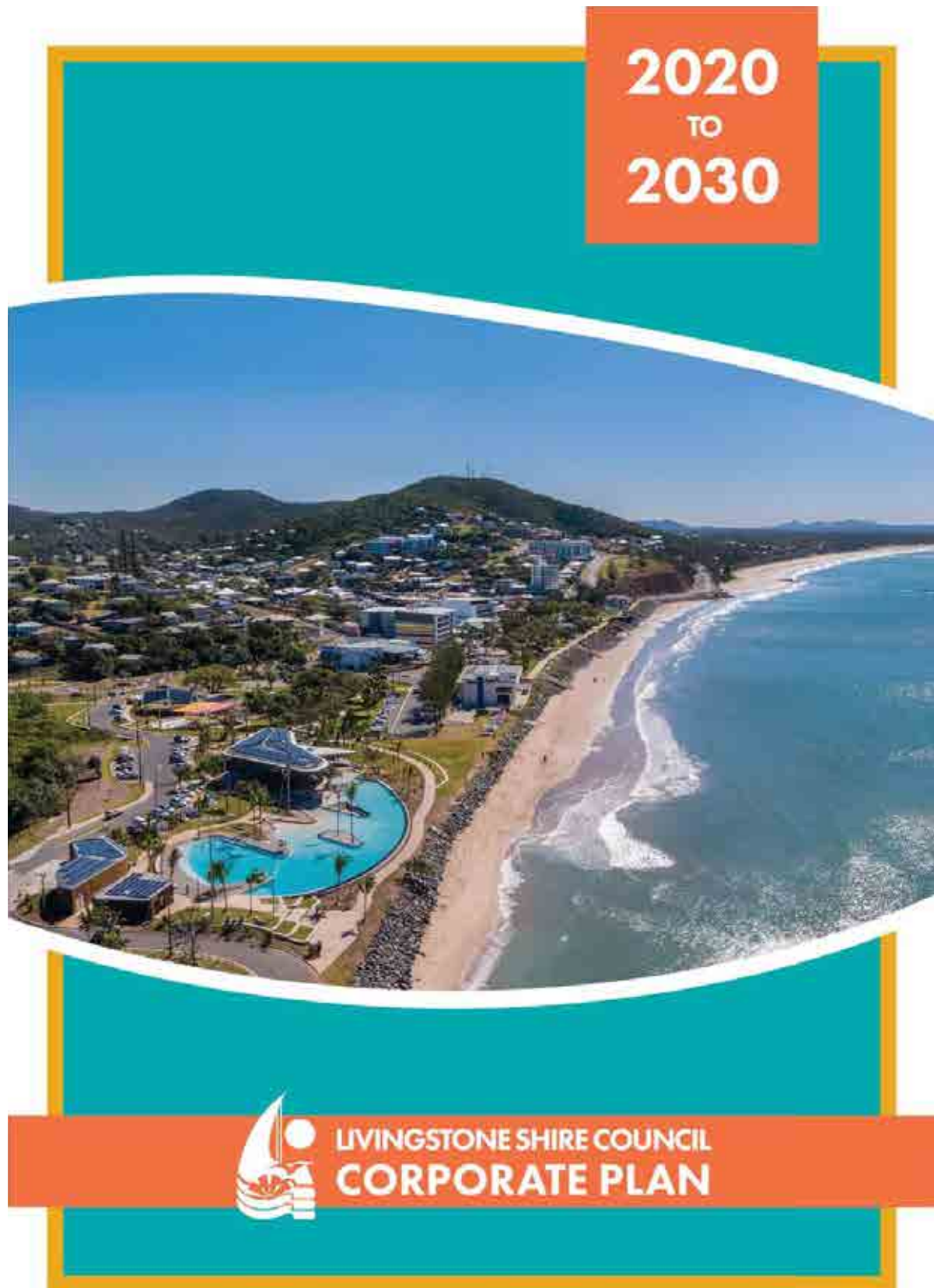




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LIVINGSTONE AT A GLANCE

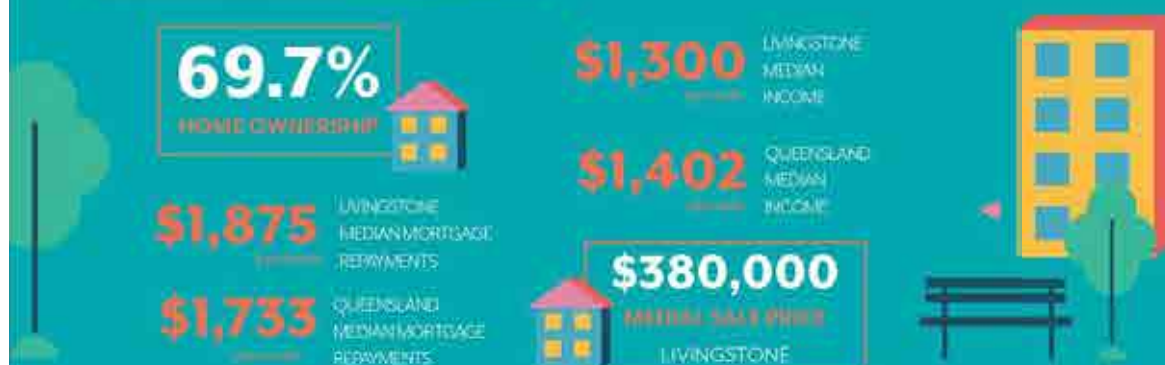
POPULATION GROWTH



AGING POPULATION



INCOME & HOME OWNERSHIP



EMPLOYMENT

COMMON OCCUPATIONS
LIVINGSTONE 2016

Technicians & Trade Workers 18.2%
 Professionals 15.5%
 Clinical & Administrative Workers 12.6%
 Community & Personal Service Workers 11.4%

CULTURAL MAKEUP

81.2%

PEOPLE BORN
IN AUSTRALIA

4.4%

PEOPLE IDENTIFYING AS
ABORIGINAL OR
TORRES STRAIT
ISLANDER

88.1%

PEOPLE SPEAK
ENGLISH AS THEIR
FIRST LANGUAGE

EDUCATION



30.7%

WERE ATTENDING
AN EDUCATIONAL
INSTITUTION IN 2016

ENVIRONMENT

Total protected area (State Forests,
 Conservation Parks, Resources Reserves,
 and National Parks) in Livingstone

754.6km²

FAMILY COMPOSITION



COUPLES WITHOUT CHILDREN 45%

COUPLES WITH CHILDREN 40%

ONE PARENT FAMILIES 14%

OTHER FAMILIES 1%



OUR COMMUNITY

The Livingstone region in Central Queensland comprises coastal and rural areas along the Capricorn Coast which spans over 11,775 square kilometres from north of the Fitzroy River to Ogmoo. The northern part of the region extends west into Mount Gardiner and the Eugene State Forest.

Livingstone is home to more than 37,000 residents. The major centres include the coastal towns of Yeppoon and Emu Park, with the smaller settlements of Byfield, Farnborough, Cawarral, Keppel Sands, Glenlee, Glendale, The Caves, Yaamba, Marlborough, Stanage Bay and Ogmoo making up Livingstone.

The area has an abundance of natural features including countless beaches, picturesque national parks, pristine rainforests and idyllic offshore islands, making it an ideal tourist destination and place to live. Livingstone is characterised by a regional, laidback atmosphere, away from the bustle of Southern Queensland.

The people of the Darumbal nation first occupied the land that is now known as Livingstone. There are six clan groups of the Darumbal nation, who, before European settlement, lived in distinct territorial boundaries but would come together for ceremonial purposes and shared a common language. The Woppaburna people lived on the Keppel Islands off the coast of Livingstone and were sea-faring island specialists living off the island environment and surrounding inshore reefs and ocean.

Non-Indigenous people are recorded to have lived in what is now known as Livingstone from 1853. Livingstone was first established as a Local Government in 1879, and then amalgamated with three other councils to become Rockhampton Regional Council in 2008. After a de-amalgamation process driven by community feedback, Livingstone Shire Council was re-established on 1 January 2014.

BACKGROUND

Livingstone Shire Council's 10-year Corporate Plan is one of the first of its kind in Queensland, built organically from community and broad workforce engagement.

A whole of community planning process was undertaken in 2019 to develop the Livingstone Community Plan: Towards 2050. This plan has provided the foundations from which the newly elected Council will operate. Council remains committed to working diligently to achieve our community's aspirations and respect, protect and promote human rights in our decision making and activities.

Our Corporate Plan 2030, has been developed out of an internal engagement process where organisational leaders reviewed community goals and strategies and established priorities for Council for the next 10-years. The plan provides commitment to progressing our community vision through priority projects, responsive services and accountable and transparent practices.

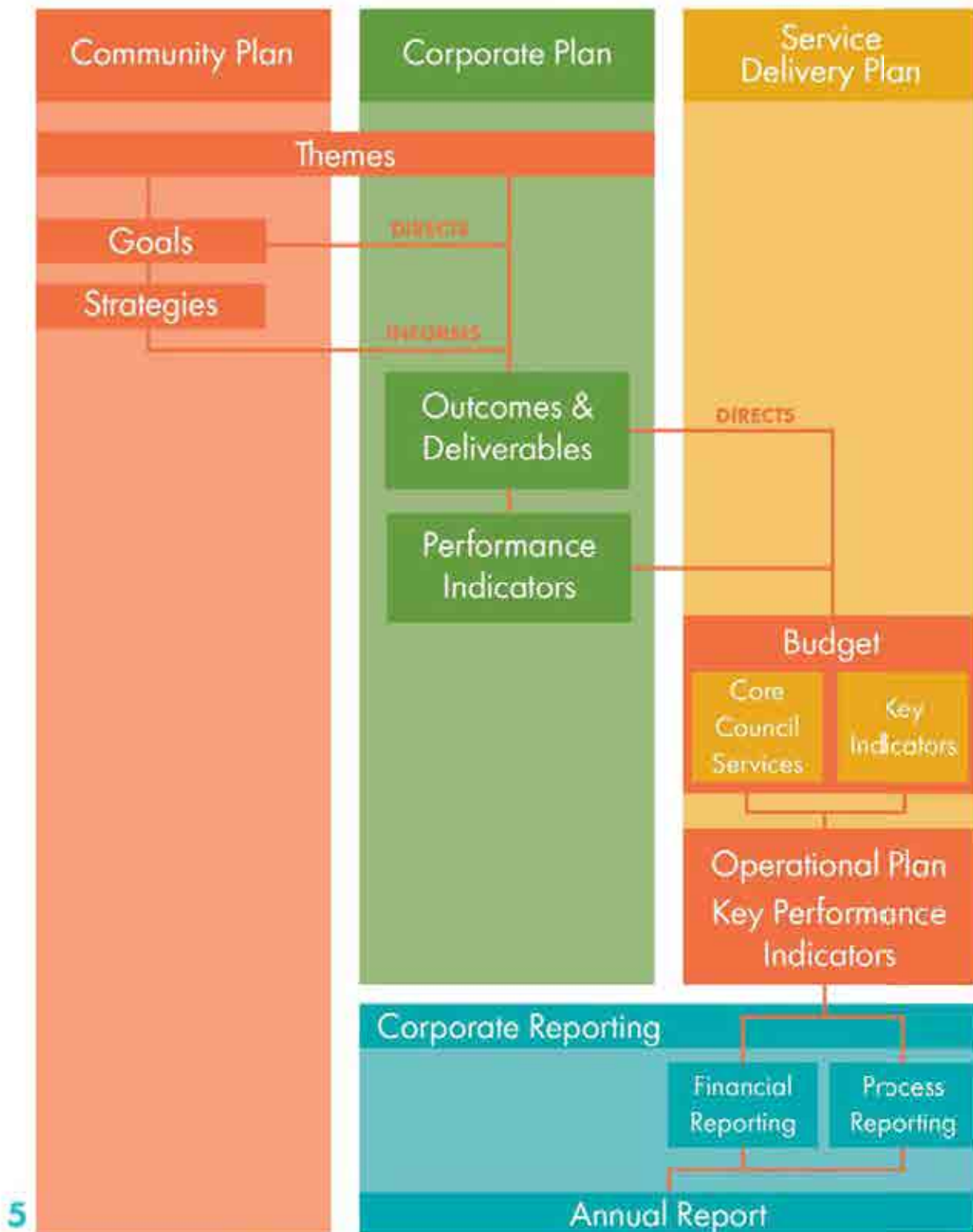
We live in a beautiful Shire that offers so much to residents and visitors alike. Its natural beauty, combined with contemporary recreational opportunities all contribute to Livingstone's unique character.

One particular challenge we face is supporting development and growth that complements our Shire, enhances our strong sense of place and encourages staged and sustainable growth to support a strong future for our residents.



PLAN RELATIONSHIP

Our organisational planning framework links together our mix of plans.





OUR VISION

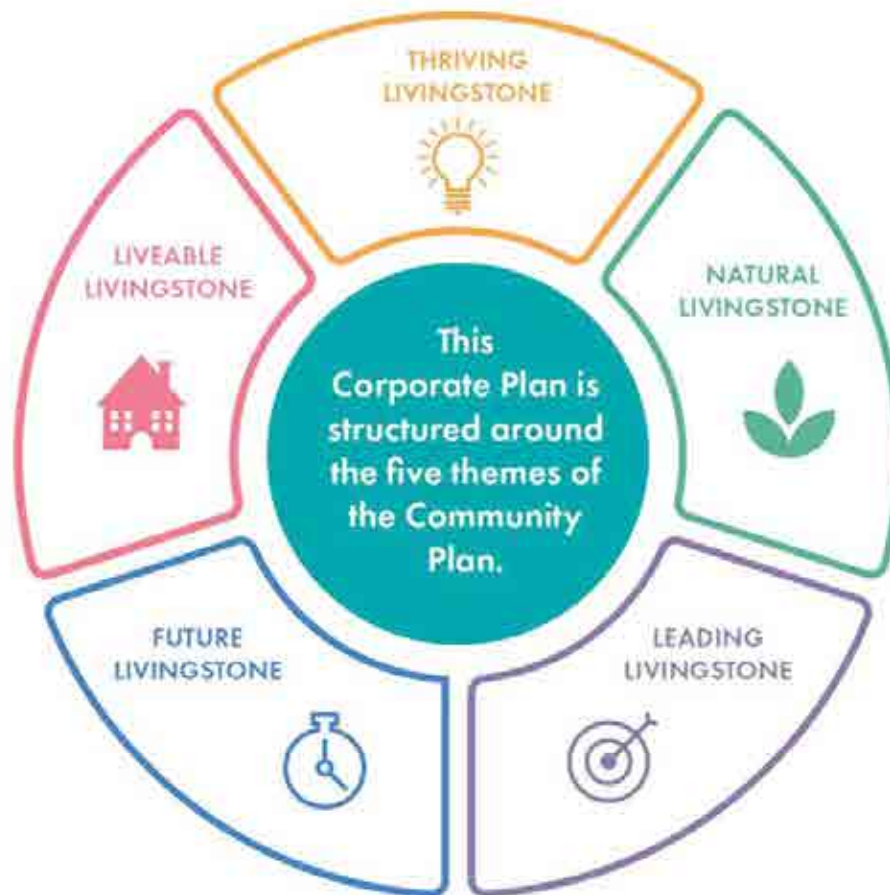
'Working together for a thriving Livingstone'

Council's Corporate Plan centres on the goals of our community and guides strategic direction, operational activities and annual budget.

The plan assists us to monitor performance, remain on track and meet our legislative requirements of the Local Government Act 2009.

The Corporate Plan will be reviewed within six months of each election cycle.

STRUCTURE



FOR EACH THEME, THE CORPORATE PLAN NOMINATES:



LIVEABLE LIVINGSTONE

Statement of Intent

A 'Liveable Livingstone' will support and advocate for services for the wellbeing of the people of Livingstone at any age and with any ability.

Goals

Community Plan Goal 1.1 - Access to quality housing and healthcare

What Council will do to support this goal (outcome and deliverables)

- 1.1.1. Foster development to promote a range of housing options by reviewing existing planning and development policies to ensure that Council's development controls facilitate housing choice.
- 1.1.2. Align community programmes to social needs, funding opportunities and/or partnerships.

Community Plan Goal 1.2 - Supporting healthy living at any age

What Council will do to support this goal (outcome and deliverables)

- 1.2.1. Build capacity to improve health and well-being in the community by providing fair and reasonable access to service and facilities.
- 1.2.2. Plan for Livingstone's ageing demographics and partner with regional health and aged care sector.
- 1.2.3. Plan, design and deliver community infrastructure which connects communities and encourages non-vehicular transport.
- 1.2.4. Take action to enable the implementation of the Active Livingstone Strategy.

Community Plan Goal 1.3 - Places for active and passive recreation

What Council will do to support this goal (outcome and deliverables)

- 1.3.1. Undertake planning in conjunction with the review of Council's Local Government Infrastructure Plan to provide adequate open space and recreation areas to meet the future growth needs of the Shire.
- 1.3.2. Optimise community benefit from the use of parklands and facilities by improving the quality, access to, and shared use of, public spaces and facilities for cultural, recreational, and community activities.
- 1.3.3. Support community groups (including the arts, cultural, sport, and recreation groups), through advocacy and by helping them identify and secure funding streams and develop skills (including networking, governance, engaging volunteers, and business management).

Performance Indicators

- Community strategies and plans implemented
- High community satisfaction with community activities
- Number of community activities delivered
- Number of community groups with lease/permits for Council facilities
- Amount of land which is available for sport to meet current and future needs
- Community engagement in the development and review of Council programmes and community initiatives
- Communication strategy to promote outdoor lifestyle
- Reduction in the proportion of very low and low income households in housing stress (data can be obtained from the Census every five years)
- Retention of diverse income, age and employment groups within the Shire (data can be obtained from the Census every five years)
- Kilometres of pedestrian pathways and cycleways constructed each year



10

THRIVING LIVINGSTONE

Statement of Intent

A 'Thriving Livingstone' will prioritise the Traditional Owners and the importance of the place and country of Indigenous people; offer a diverse range of cultural activities and events; and develop and sustain a diverse economy.

Goals

Community Plan Goal 2.1 - Recognition, respect and support for Indigenous people, history and culture

What Council will do to support this goal (outcome and deliverables)

- 2.1.1. Implement Livingstone's Reconciliation Action Plan to increase Council's organisational and staff capacity to deliver positive outcomes for Indigenous people, including the Darumbal and Woppaburra people.
- 2.1.2 Foster partnerships to celebrate Council's and the community's respect and understanding of the Darumbal and Woppaburra People's relationship with their traditional land and waters through culturally appropriate facilities and services.

Community Plan Goal 2.2 - Diverse business, industry and employment

What Council will do to support this goal (outcome and deliverables)

- 2.2.1. Growth in key sectors identified in the Invest Capricorn Coast Region Economic Development Plan is supported through the development and implementation of action plans by Capricorn Enterprise and other advisory groups.
- 2.2.2 Foster development of high performing local business capability and diversity.
- 2.2.3 Implement a Council endorsed priority land development plan to deliver a return on the community's investment in land development to enhance economic and community outcomes.
- 2.2.4 Support the growth of education and employment opportunities for the community.

Community Plan Goal 2.3 - A welcoming and desirable place to visit

What Council will do to support this goal (outcome and deliverables)

- 2.3.1. Provide support to market Livingstone as a destination for commerce, tourism, and lifestyle.
- 2.3.2 Council provides and maintains infrastructure which encourages business and tourism growth.

Community Plan Goal 2.4 - Arts and cultural activities and facilities that strengthen social connections

What Council will do to support this goal (outcome and deliverables)

- 2.4.1. Deliver events, activities, and performances which bring economic and social benefits to the community.
- 2.4.2. Implement the action plan from the *Invest Capricorn Coast Region Events Strategy 2025*.
- 2.4.3. Foster access, collaboration, community connectedness, wellbeing and creativity by supporting arts and cultural activities within the Shire.

Performance Indicators

- Progress of implementing the Reconciliation Action Plan
- Employment growth better than state average
- Socio Economic Index for area (SEIFA)
- Number of new businesses
- Visitor numbers
- Volunteer numbers
- Business and community satisfaction of events facilitated
- Gross Regional Product (GRP)
- Growth in the number of different types of business or categories of businesses
- Economic strategies and plans implemented
- New programme initiatives to support local food and agribusiness, flexible work opportunities, tourism and place competitiveness
- Community satisfaction with activities, events and services delivered



NATURAL LIVINGSTONE

Statement of Intent

A 'Natural Livingstone' will protect, sustainably manage and enhance the natural beauty, landscapes and resources of the country of the Darumbal and Woppaburra people in order to safeguard the sustainability and environmental resilience of the region into the future.

Goals

Community Plan Goal 3.1 - Enhanced reuse and recycling of resources

What Council will do to support this goal (outcome and deliverables)

- 3.1.1. Enable and support sustainable waste management technologies, services and facilities which provide innovative and compliant solutions to reduce the environmental impacts of Council's waste collection and resource recovery operations.
- 3.1.2 Partner with the community to divert and minimise waste and invest in renewable energy.
- 3.1.3 Incentivise the community to invest in reuse, recycling, energy, and water saving practices.
- 3.1.4 Promote and develop a resource recovery centre to deliver education and behavioural change.

Community Plan Goal 3.2 - Protection of coastlines and waterways

What Council will do to support this goal (outcome and deliverables)

- 3.2.1. Assess alternative options to increase water sources.
- 3.2.2 Progress and support plans which protect coastal and marine environments.
- 3.2.3 Collaborate with partners to reduce sediments and nutrients in waterways.
- 3.2.4 Plan Council's response to climate change by implementing the actions in the *Coastal Hazard Adaption Strategy*.
- 3.2.5 Develop and implement a *Livingstone Shire Carbon Strategy*.

Community Plan Goal 3.3 - Conservation of natural assets and green corridors

What Council will do to support this goal (outcome and deliverables)

- 3.3.1. Recognise, preserve and enhance the region's unique biodiversity.

3.3.2 Progress and support plans which protect the shire's natural assets, bushland and local eco-systems.

3.3.3 Collaborate with Traditional owners, agencies, community groups and private landholders about land management, protection methods and conversation policies.

Performance Indicators

- Council's resource recovery rate improving against industry benchmark
- Range of recycling facilities delivered and education activities undertaken
- Community waste diversion rate increasing
- Increase incorporation of clean energy and renewable source technologies and solutions
- Number of days of water security (drought management plan)
- Water quality always meets or exceeds Australian Water Quality Drinking standards
- Annual corporate greenhouse gas emissions meet or exceed industry targets
- Thirty (30) per cent reduction in Council's carbon footprint
- Environmental plans and initiatives implemented
- Community satisfaction with environmental activities facilitated by Council



LEADING LIVINGSTONE

Statement of Intent

A 'Leading Livingstone' will provide transparent, accountable leadership which listens to the needs of the Livingstone community and advocates for Livingstone's interests to State and Federal Governments.

Goals

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

What Council will do to support this goal (outcome and deliverables)

- 4.1.1 Implementation of the Community Plan and Corporate Plan is well co-ordinated across Council and through a delivery mechanism which provides clear line of sight, accountability, and performance measurement for all employees.
- 4.1.2 Council produces and delivers against sustainable financial forecasts as a result of best practice Capital and Asset Management Plans which guide project planning and service delivery across the Shire.
- 4.1.3 A continuous improvement focus underpins the organisation, creating a supportive environment for ideas and positive, well-managed change which enhances internal and external outcomes.
- 4.1.4 Provide leadership and contemporary management systems which drive a co-ordinated and connected organisation.
- 4.1.5 Promote a values-based culture which appreciates and empowers its workforce.
- 4.1.6 Risk management practices are embedded into decision making processes.
- 4.1.7 Recruit and develop a professional, capable, and responsive workforce.
- 4.1.8 Provide for the safety, security, health, and well-being of Council employees and contractors.

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

What Council will do to support this goal (outcome and deliverables)

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

- 4.2.2 Identify opportunities for alignment between Council's interests and objectives with those of Federal and State Governments.
- 4.2.3 Advocate Council's interests and objectives to government, industry, business, and community to promote the Livingstone region at a national and international level.
- 4.2.4 Actively participate in Central Queensland Regional Organisation of Councils and other regional bodies to promote regional interests and objectives to government, industry, business and community.

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

What Council will do to support this goal (outcome and deliverables)

- 4.3.1 Plan, develop and implement high-quality customer-focused services.
- 4.3.2 Commit to open and accountable governance to ensure community confidence and trust in Council and its democratic values.
- 4.3.3 Take actions to enable the use of meaningful tools to engage the community on diverse issues so that the community is well informed and can contribute to decision making.

Performance Indicators

- Key financial indicators meeting sustainability and operational standards
- Favourable Queensland Treasury Corporate credit rating
- Council's long-term and annual Capital Works Programme delivered on time and on budget
- Employee opinion survey results
- High staff satisfaction with organisational programmes and professional development opportunities
- Effective implementation and performance reporting against the Corporate Plan
- High community satisfaction with council's performance
- Effective implementation of innovative, multi-channel engagement approaches
- Community satisfaction in engagement forums (physical and virtual)



FUTURE LIVINGSTONE

Statement of Intent

A 'Future Livingstone' will become a resilient community prepared for future economic, social, environmental and infrastructure challenges to ensure Livingstone retains its unique character and thrives into the future.

Goals

Community Plan Goal 5.1 - Balanced environmental and development outcomes

What Council will do to support this goal (outcome and deliverables)

- 5.1.1. Maintain a clear and comprehensive planning vision for the region.
- 5.1.2. Balance development within Livingstone Shire in accordance with the community's desired environmental and economic outcomes.
- 5.1.3. Develop a programme of master planning, place making and improvement strategies to enhance local identity and lifestyle.
- 5.1.4. Collaborate with partners to understand, nurture and protect Great Keppel Island's environmental values which help showcase it's unique tourism potential.

Community Plan Goal 5.2 - Connected places, people and services

What Council will do to support this goal (outcome and deliverables)

- 5.2.1. Implement an integrated transport strategy which encourages alternative transport usage to maximum economic, environmental, and liveability outcomes.
- 5.2.2. Reinforce sustainable building design principles.
- 5.2.3. Adopt and implement a *Connected Livingstone Strategy* to foster investment opportunities in the region.
- 5.2.4. Integrate technology and innovative solutions into Council's operations and community programmes to increase efficiency, provide excellent customer service outcomes, encourage entrepreneurship and community engagement.

Community Plan Goal 5.3 - Community capacity and resilience in respect of future risk

What Council will do to support this goal (outcome and deliverables)

- 5.3.1. Maintain the ability to respond to disaster events under the disaster management arrangements.
- 5.3.2 Enhance the community's preparedness for disaster through community education, training and strong partnerships between Council and other agencies.
- 5.3.3 Plan the response to changes in social, economic, and climate conditions.
- 5.3.4 Partner with agencies to develop programmes for the protection of all members within the community.

Performance Indicators

- Number of 'open data sets' available to the community
- Agency partnerships and local response strategies which support the Shire
- Local Disaster Management Plan
- Increase digitisation initiatives
- Implementation of the Livingstone Planning Scheme and Local Government Infrastructure Plan (and subsequent twice-year reviews)
- Development is consistent with legislation, best practice and community expectations, guided by relevant plans and strategies
- Council meets or improves on assessment timeframes
- Council's participation in regional collaboration and advisory groups
- Number of activities which educate, provide information and advocate sustainable building design for the community





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25 Normanby Street, Yeppoon
7 Hill Street, Emu Park

 **Livingstone**
SHIRE COUNCIL



12.8 COUNCILLOR PORTFOLIO POLICY AND APPOINTMENTS

File No: CM4.7.36
Attachments: 1. [Proposed Councillor Portfolio Policy](#)
Responsible Officer: Andrea Ellis - Chief Financial Officer
Author: Rodney Chapman - Coordinator Governance

SUMMARY

This report is to present the Councillor Portfolio Policy and proposed portfolio appointments for consideration by Councillors for adoption.

OFFICER'S RECOMMENDATION

THAT Council adopts the Councillor Portfolio Policy.

BACKGROUND

On 16 April 2020, Council resolved to adopt a Councillor Portfolio framework and an appropriate Councillor Portfolio Policy with the assignment of appropriate portfolios to respective Councillors.

COMMENTARY

In consultation with the Mayor and Councillors, the attached Councillor Portfolio Policy has been drafted for consideration for adoption. The Policy provides for the purpose and objectives of the portfolio framework and the expectations and responsibilities of Councillors. Attachment 1 (at the rear of the Policy) provides for proposed portfolio appointments to respective Councillors.

PREVIOUS DECISIONS

On 16 April 2020, Council resolved to adopt a Councillor Portfolio framework and an appropriate Councillor Portfolio Policy with the assignment of appropriate portfolios to respective Councillors.

BUDGET IMPLICATIONS

There are no budget implications with the decision.

LEGISLATIVE CONTEXT

Local Government Act 2009

LEGAL IMPLICATIONS

There are no legal implications.

STAFFING IMPLICATIONS

There are no staffing implications.

RISK ASSESSMENT

Portfolios enable Councillors to have a more intimate understanding of specific activities and issues within their respective areas to assist the table with decision making.

Members of the community will be able to identify which Councilor to approach according to portfolio issues.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Reference: Strategy GO1: Inform and empower the community through ongoing engagement and communication.

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

This report is to present the Councillor Portfolio Policy and proposed portfolio appointments for consideration by Councillors for adoption.

12.8 - COUNCILLOR PORTFOLIO POLICY AND APPOINTMENTS

Proposed Councillor Portfolio Policy

Meeting Date: 19 May 2020

Attachment No: 1



COUNCILLOR PORTFOLIO POLICY (COMMUNITY POLICY)

1. Scope

The Councillor Portfolio Policy (this 'Policy') applies to Portfolio Councillors and Council employees who have a responsibility in ensuring that the Portfolio Councillor is kept informed on key matters relating to their area of portfolio responsibility.

2. Purpose

The purpose of this Policy is to clarify expectations and set clear directions for the role of Portfolio Councillors. This includes defining the relationship between the Portfolio Councillor and the staff within the portfolio area, their involvement in guiding and suggesting policy and their role in representing Council on issues which fall within the portfolio.

3. References (legislation/related documents)

Councillor Interaction with the Organisation Policy
Local Government Act 2009
Media Policy

4. Definitions

To assist in interpretation, the following definitions shall apply:

Portfolio	The primary area of responsibility for a Councillor, providing a strategic focus to achieve organisational and community objectives.
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5. Policy Statement

The main role of Portfolio Councillor is to be a spokesperson within the Council Chamber advising on topical issues for their allocated portfolio and not to be involved in the day to day operations of the portfolio. The portfolio to be assigned to a respective Councillor is determined by resolution of Council. Changes to Councillor Portfolios can occur at any time by means of a Council resolution.

5.1 Objectives

- Council will be better informed by the portfolio holder who will have a more intimate understanding of the portfolio's activities and issues than Councilors generally.
- The Portfolio Councillor will be able to speak with knowledge of his/her portfolio.
- To maximise the use of Councillors' time whilst ensuring Council has at its disposal all relevant information for making decisions.
- The Portfolio Councillor will be better able to represent and understand the topical or pending issues of the portfolio area.
- By the Portfolio Councillors providing strategic objectives and ambitions of Council regarding issues, it will assist the Officers in understanding the preferences and direction.

- The community can identify which Councillor to approach according to portfolio issues.

5.2 Portfolio Briefings

- Portfolio Councillors and the relevant Executive Director / Chief Officer will arrange for regular briefings to be provided to the Councillor. These briefings should be strategic in nature and dictated by the demands of the portfolio but should be at a minimum of every two (2) months.
- Proposals and initiatives should be discussed between the Portfolio Councillor and the Executive Director / Chief Officer to assist the development of reports for the information of Councillors at a Briefing Session or consideration of a decision by Council at a formal Council meeting. The preparation and content of the report will remain the responsibility of the Executive Director / Chief Officer.
- Any issues or problems relating to a portfolio should be discussed with the relevant Executive Director / Chief Officer in the first instance. Where the issue or problem cannot be resolved, the matter is to be escalated to the Chief Executive Officer and the Mayor.

5.3 Portfolio Councillor Responsibilities

In addition to their responsibilities as a Councillor under the *Local Government Act 2009*, Portfolio Councillors should:

- 1) take a particular interest in their portfolio subject and familiarise themselves with media articles and publications about the subject matter;
- 2) represent the Council when required in relation to portfolio related matters;
- 3) participate as Council's representative on external bodies as resolved by Council on issues relevant to the portfolio;
- 4) communicate with Council's administration through the Executive Directors /Chief Officers; and
- 5) be a key point of contact and engage with industry and community groups and associations on their portfolio matters.

The Mayor, at his discretion, may periodically require the elected members to undertake both a self-assessment and a peer review of their performance in the context of their portfolio and community expectations.

The portfolio designations for the Portfolio Councillors are specified in Attachment One.

6. Changes to this Policy

This Policy is to remain in force until any of the following occur:

1. the related information is amended/replaced; or
2. other circumstances as determined from time to time by the Council

7. Repeals

This Policy repeals the former Livingstone Shire Council 'Councillor Portfolio Protocols'.

BRETT BACON

ACTING CHIEF EXECUTIVE OFFICER

Councillor Portfolio Policy

Adopted/Approved: Draft

Version: 1

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

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ATTACHMENT 1		
Designated Councillor	Portfolio	Advisory &/or Special Committees / Community Bodies
Mayor Andy Ireland	<ul style="list-style-type: none"> Economic Development Regional Advocacy and Intergovernmental Relations 	<ul style="list-style-type: none"> Chair of LDMG - Local Disaster Management Group Central Queensland Regional Organisation of Councils Economic Development Taskforce
Cr Adam Belot (Deputy Mayor)	<ul style="list-style-type: none"> Organisational Performance 	<ul style="list-style-type: none"> Audit Risk and Business Improvement Committee Deputy/Deputy Chair LDMG - Local Disaster Management Group Built Environment Taskforce Australia Day Awards Ceremony Community Development Task Force Committee
Cr Nigel Hutton	<ul style="list-style-type: none"> Planning and Strategic Infrastructure 	<ul style="list-style-type: none"> Place Making Reference Committee Livingstone Coastal Hazard Adaptation Strategy Project External Stakeholders Group Board of Capricorn Enterprise - Director Icare Community Services Built Environment Taskforce
Cr Glenda Mather	<ul style="list-style-type: none"> Transport (roads, drainage pathways) 	<ul style="list-style-type: none"> Deputy Chair of LDMG - Local Disaster Management Group RRTG Rockhampton roads and transport alliance board Capricorn Coast Community Access and Equity Group Built Environment Taskforce Inlet Association Seniors Week Committee

Councillor Portfolio Policy

Adopted/Approved: Draft

Version: 1

 Department: Office of the CEO
 Section: Finance and Business Excellence

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Designated Councillor	Portfolio	Advisory &/or Special Committees / Community Bodies
Cr Tanya Lynch	<ul style="list-style-type: none"> Vibrant Community (Tourism Event and Culture) 	<ul style="list-style-type: none"> Australia Day Awards Ceremony Community Grants Panel Regional Arts Development Fund Committee Place Making Reference Committee Beach Day Out Planning Committee
Cr Andrea Friend	<ul style="list-style-type: none"> Water, Waste Management and the Environment 	<ul style="list-style-type: none"> Fitzroy Basin Association - Board Member Regional Arts Development Fund Grants Committee - Member Audit Risk and Business Improvement Committee Local Marine Advisory Committee Livingstone Coastal Hazard Adaptation Strategy Project External Stakeholders Group Environmental Task Force Group Australia Day Awards Ceremony Inlet Association
Cr Pat Eastwood	<ul style="list-style-type: none"> Healthy and Inclusive Community 	<ul style="list-style-type: none"> Community Grants Panel LSC Youth Advisory Group Emu Park Arts Centre Steering Committee Liquor Accord Capricornia Domestic and Family Violence Capricornia Coast Domestic Family Violence Yeppoon Community Taskforce Beach Day Out Planning Committee

Councillor Portfolio Policy

Adopted/Approved: Draft

Version: 1

 Department: Office of the CEO
 Section: Finance and Business Excellence

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12.9 COUNCILLOR REMUNERATION 2020-21**File No:** GV13.5.2**Attachments:****Responsible Officer:** Brett Bacon - Acting Chief Executive Officer**Author:** Andrea Ellis - Chief Financial Officer

SUMMARY

This report seeks to inform and advise of legislative requirements with regards to Councillor remuneration.

OFFICER'S RECOMMENDATION

That Council:

- 1) receive the annual review of Councillor remuneration conducted by the Local Government Remuneration Commission; and
- 2) consider the options as contained within the body of this report.

BACKGROUND

The Local Government Remuneration Commission (the Commission) is responsible for deciding the maximum amount of remuneration that is payable to Queensland Councillors in all local government categories for each financial year. The *Local Government and Remuneration Commission Report 2019* was published on the website for Department of Local Government Racing and Multicultural Affairs (DLGRMA) in February 2020.

This is the first report from the Local Government Remuneration Commission in its new form. Legislation changes in May 2018 created a new Councillor Conduct Tribunal and a separate Local Government Remuneration Commission, which became effective on 3 December 2018.

The Commission must establish categories for local government for the purpose of enabling the commission to decide the maximum amounts of remuneration that are payable to mayors and other councillors in each of the categories. Livingstone Shire Council has been determined to be a Category 3 local government. Other Councils within this category include:

- Cassowary Regional Council
- Central Highlands Regional Council
- Gympie Regional Council
- Isaac Regional Council
- Lockyer Valley Regional Council
- Maranoa Regional Council
- Noosa Shire Council
- Scenic Rim Regional Council
- South Burnett Regional Council
- Southern Downs Regional Council
- Tablelands Regional Council
- Western Downs Regional Council
- Whitsunday Regional Council

COMMENTARY

As a Category 3 local government, the Commission has determined the maximum amounts payable to Livingstone Shire Council elected members in 2020-21 (as per the 2019 Tribunal report - <https://www.dlgrma.qld.gov.au/resources/report/local-government/local-government-remuneration-commission-report-2019.pdf>) to be as follows:

Position	2018-19	2019-20	2020-21
Mayor	\$127,898	\$130,584*	\$133,196**
Deputy Mayor	\$79,936	\$81,615*	\$83,247**
Councillor	\$67,945	\$69,372*	\$70,759**

*Represents a 2.1 per cent increase on 2018-19

**Represents a 2.0 per cent increase on 2019-20

Under section 247 of the *Local Government Regulation 2012*, a local government must pay the maximum amount of remuneration under the remuneration schedule unless it decides by resolution that the maximum amount will not be payable. Where a local government decides that the maximum amount of remuneration will not be payable to its elected members, it must decide by resolution, (prior to 1 July) the amount of remuneration that is payable (not exceeding the Tribunal's determination).

For additional consideration by Councillors, it is noted the Consumer Price Index (CPI) released for the March 2020 quarter was listed at 2.2 cent, a rise of 0.3 per cent from the previous quarter. <https://www.abs.gov.au/ausstats/abs@.nsf/mf/6401.0>

In the absence of any resolution to the contrary, Councillor remuneration changes will take effect on 1 July 2020.

Potential options for Councillors to consider arising from this report are:

- 1) That Councillors choose to accept the maximum amount of remuneration payable as provided by the Local Government Remuneration Commission of 2.0 per cent - no resolution is required;
- 2) That Councillors resolve that the maximum amount of remuneration payable as provided by the Local Government and Remuneration Tribunal for the 2020-21 period of 2.0 per cent will not be payable with the amount of remuneration to increase by a lesser amount, namely ____ per cent; or
- 3) That Councillors resolve that the maximum amount of remuneration payable as provided by the Local Government and Remuneration Tribunal for the 2020-21 period of 2.0 per cent will not be payable for the period 1 July 2020 to 31 December 2020 with the amount of remuneration to increase by a lesser amount, namely ____ per cent for the specified period.

In the Local Government Remuneration Report 2019-20 the Commission has committed to undertaking a comprehensive category review within the first twelve (12) months after the March 2020 elections. Council will be provided opportunities to make submissions to the Commission as part of this review.

PREVIOUS DECISIONS

There have been no decisions regarding the *Local Government and Remuneration Commission Report 2019*.

BUDGET IMPLICATIONS

Councillor remuneration is provided for within Council's draft budget at the maximum amount of remuneration payable plus twelve (12) per cent superannuation.

The remuneration amounts as set out by the Local Government Remuneration Tribunal represent a total salary increase of \$11,179 plus twelve (12) per cent superannuation (\$1,342).

LEGISLATIVE CONTEXT

The remuneration of Council is controlled by the *Local Government Regulation 2012*.

LEGAL IMPLICATIONS

Council is required to comply with requirements of the *Local Government Regulation 2012*.

STAFFING IMPLICATIONS

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

RISK ASSESSMENT

The principal risk associated with Councillor remuneration is around public perception. However, given the remuneration levels are established by the Local Government Remuneration Commission, this is considered manageable.

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

This report is provided for Councils information on remuneration noting that any variation from the Commission's determination will require a Council resolution.

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

13.1 NOTICE OF MOTION - COUNCILLOR MATHER - LAMBERTON STREET

File No: GV13.4.4

Attachments: 1. Notice of Motion - Lamberton Street Fire Breaks [↓](#)

Responsible Officer: Brett Bacon - Acting Chief Executive Officer

SUMMARY

This Notice of Motion was presented at the Ordinary Council meeting of 21 April 2020 where it was resolved that the matter lay on the table pending further discussion to return to a future Council meeting. This matter is now presented for consideration.

Councillor Glenda Mather has indicated her intention to move the following Notice of Motion as follows:

RECOMMENDATION

THAT Council undertake the necessary procedures to:

- 1) Arrange for an appropriate fire break to be constructed on Council's land behind the houses in Lamberton Street, Yeppoon with the intention of providing maximum fire from the front; and
- 2) Liaise with the northern property owner to No. 31 Lamberton Street, seeking their co-operation to also provide a fire break on their side where vegetation is substantially impacting the common boundary fence; and
- 3) Identify and resolve the cause of the upstream water being diverted into No. 31.

BACKGROUND

Attachment One provides the background for the proposed Notice of Motion. In the interests of brevity, it will not be repeated within the report.

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 MATHER - LAMBERTON
STREET**

**Notice of Motion - Lamberton Street
Fire Breaks**

Meeting Date: 19 May 2020

Attachment No: 1

PO Box 5186
Red Hill PO
Rockhampton Q 4703
8 March 2020

A/Chief Executive Officer
Livingstone Shire Council
Yeppoon Q 4703

Notice of Motion
Creating a fire break for Yeppoon homes

Dear Mr Bacon,

I hereby give Notice of my intention to move the following motion at the next Ordinary Meeting of Council set down for Tuesday 17 March 2020:

"That Council undertake the necessary procedures to:

- a) arrange for an appropriate fire break to be constructed on Council's land behind the houses in Lanberton St Yeppoon, with the intention of providing maximum fire protection from that front, and
- b) liaise with the northern property-owner to No 31 Lamberton Street, seeking their co-operation to also provide a fire break on their side where vegetation is substantially impacting the common boundary fence, and
- c) Identify and resolve the cause of the upstream water being diverted into No 13.

Background:

1) Residents in Lamberton St are rightly concerned over their personal and property safety due to the overgrowth from the bushland at the rear of their properties. Council owns the land, which has never been cleared in my memory, or been subject to any form of vegetation management to reduce the threat of fire to these homes. The ridgeline, in the absence of firebreaks, or any sort of fire mitigation, would act as a conduit for fire, posing an imminent threat to persons and property.

b) The property north of No 13 Lamberton St is also very overgrown and resembles the Council land. A substantial management plan is needed to clear along the fenceline.

c) It appears the neighbour's pool may also be causing flow into Council land in the top corner, where a drain on Council land was once effective in dealing with water, but no maintenance has been undertaken in this regard either."

Footnote:

The cost of such works should well fit within the funding provided by the government.

Many thanks Glenda Mather Cllr

13.2 NOTICE OF MOTION - COUNCILLOR HUTTON - SUSTAINING ANIMAL WELFARE ORGANISATIONS COVID-19**File No:** GV13.4.4**Attachments:** 1. Notice of Motion - Councillor Hutton - Sustaining Animal Welfare Organisations COVID-19 [↓](#)**Responsible Officer:** Nicole Robertson - Coordinator Executive Support
Brett Bacon - Acting Chief Executive Officer

SUMMARY

Councillor Nigel Hutton has indicated his intention to move a Notice of Motion at the Ordinary Council meeting of 19 May 2020.

RECOMMENDATION

THAT Council request a brief report by officers to investigate the ongoing costs and needs of animal welfare organisations servicing the Livingstone Shire, with potential funding sources, advocacy opportunities and funding methodologies to inform a decision around council's capacity to provide additional support to these organisations.

BACKGROUND

Councillor Nigel Hutton has indicated his intention to move a Notice of Motion at the Ordinary Council meeting of 19 May 2020. The detail of the Notice of Motion is contained within Attachment One and in the interests of brevity will not be repeated in this report.

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.*

**13.2 - NOTICE OF MOTION -
COUNCILOR HUTTON - SUSTAINING
ANIMAL WELFARE ORGANISATIONS
COVID-19**

**Notice of Motion - Councillor Hutton -
Sustaining Animal Welfare
Organisations COVID-19**

Meeting Date: 19 May 2020

Attachment No: 1

The Acting Chief Executive Officer
Livingstone Shire Council
Lagoon Place, Yeppoon Q 4703

Wednesday, 22 April 2020

**Notice of Motion
Sustaining Animal Welfare Organisations COVID-19**

Dear Brett,

I hereby request consideration of this motion at the next meeting of council and give notice of my intention to move the following:

“That Council request a brief report by officers to investigate the ongoing costs and needs of animal welfare organisations servicing the Livingstone Shire, with potential funding sources, advocacy opportunities and funding methodologies to inform a decision around council’s capacity to provide additional support to these organisations.

Background:

Livingstone proactively provides funds to animal welfare agencies through a foregone contribution collected each year as part of the animal registration process. However this funding is not sufficient to sustain the number of animals in care; both wild and domestic. These amazing groups are all not for profit. Annually, they undertake a series of innovative promotional and fundraising activities to fund their operations and activities. COVID – 19 has severely limited their capacity to raise these much-needed funds to support their endeavours.

This issue was raised at the Disaster Resilience – Community Taskforce in March 2020.

Non-exhaustive list of groups

- Capricorn Animal Aid
- Four Paws
- Wildlife Rehabilitation HQ Inc
- Wildlife Carers Network
- Royal Society for the Protection and Care of Animals

I would encourage Livingstone Shire Council to investigate how we can most effectively support these organisations in this time.

Regards

Nigel

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 Acquisition of Easements for Drainage Purposes - Sypher Drive Inverness

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 Request for Special Consideration

This report is considered confidential in accordance with section 275(1)(d), of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

16 CONFIDENTIAL REPORTS

16.1 ACQUISITION OF EASEMENTS FOR DRAINAGE PURPOSES - SYPHER DRIVE INVERNESS

File No: 5.2.2-006, 5.2.2-007 & 5.2.2-008

Attachments: 1. Drawing No 20-054-01

Responsible Officer: Scott Casey - Executive Director Infrastructure

Author: Carrie Burnett - Policy & Planning Officer

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

SUMMARY

This report seeks Council's approval to commence negotiations with the owners of Lot 3 SP268397, Lot 16 SP268397 and Lot 2 SP110008 to obtain drainage easements over their properties.

16.2 REQUEST FOR SPECIAL CONSIDERATION**File No:** CM2.13.34**Attachments:**

1. Transaction Statement - Assessment Number 129332-1
2. Transaction Statement - Assessment Number 129330-5
3. Transactions Statement - Assessment Number 129324-8

Responsible Officer: Andrea Ellis - Chief Financial Officer**Author:** Priscilla Graham - Coordinator Revenue

This report is considered confidential in accordance with section 275(1)(d), of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

SUMMARY

It is the intention of this report to obtain Council direction in regard to awarding discount after the due date for payment. The customer has demonstrated extenuating circumstances (directly related to the Cobraball Fire) that prevented payment by the due date.

Council officers support the application and the customer fits the majority of the criteria outlined within the adopted Rates Payment Policy. Clarification is sought from the Council due to the customer not having a clear three (3) years on time payment history.

17 CLOSURE OF MEETING