



SPECIAL MEETING

AGENDA

9 AUGUST 2024

Your attendance is required at a Special meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 9 August 2024 commencing at 10:30 AM for transaction of the enclosed business.

Alastair Dawson
INTERIM CHIEF EXECUTIVE OFFICER
7 August 2024

Next Meeting Date: 20.08.24

Please note:

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

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1 OPENING

Acknowledgement of Country

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

2 ATTENDANCE

Members Present:

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

Members Absent:

Councillor Rhodes Watson

Officers in Attendance:

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

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA**5 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS**

Nil

6 PRESENTATION OF PETITIONS

Nil

7 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

Nil

8 COUNCILLOR REPORTS

Nil

9 COMMITTEE REPORTS

Nil

10 REPORTS

Nil

11 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS

Nil

12 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.

13 CLOSED SESSION

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

RECOMMENDATION

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

14.1 Limestone Creek Road Appeal Update

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

14 CONFIDENTIAL REPORTS

14.1 LIMESTONE CREEK ROAD APPEAL UPDATE

File No: D-514-2022

Attachments: 1. Decision Notice (Refusal)

Responsible Officer: Sonia Tomkinson - Manager Economy and Places

Author: Greg Abbotts - Manager Development and Environment

Previous Items: 11.4 - D-514-2022 Material Change of Use for a Relocatable Home Park and Reconfiguring a Lot (one lot into two and access easement) and (one lot into one hundred and twenty nine lots) and preliminary approval for a variation request (to vary the effect of the Planning Scheme) for Rural Living to Low Density Residential - Ordinary Council - 21 Nov 2023 9.00am
11.3 - Development & Environment Committee Minutes 2 July 2024 - Ordinary Council - 16 Jul 2024 9:00 AM

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

SUMMARY

On 21 November 2023, Council at its Ordinary Meeting, decided to refuse Development Application for Material Change of Use for a Relocatable home park (391 units), Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 132 lots) and a Preliminary Approval (variation request) to vary the effect of the Local Planning Instrument (Livingstone Planning Scheme 2018) from rural zone to low density residential zone. The refusal was based on six (6) grounds.

The Decision Notice Refusal was subsequently appealed by the Applicant through the Planning and Environment Court. As part of the Court ordered mediation and through without prejudice meetings, Council officers and the applicant have sought to resolve various matters through peer review to seek to resolve the matters outside of a trial.

15 CLOSURE OF MEETING