



SPECIAL MEETING

AGENDA

19 DECEMBER 2019

Your attendance is required at a Special meeting of Council to be held in the Council Chambers, 4 Lagoon Place, Yeppoon on 19 December 2019 commencing at 1pm for transaction of the enclosed business.

CHIEF EXECUTIVE OFFICER
18 December 2019

Next Meeting Date: 21.01.20

Please note:

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

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	ATTENDANCE.....	1
3	LEAVE OF ABSENCE / APOLOGIES	2
	NIL	2
4	DECLARATION OF INTEREST IN MATTERS ON THE AGENDA.....	3
5	PUBLIC FORUMS/DEPUTATIONS	4
5.1	DEPUTATION – PETE SPARKES (ADAMS & SPARKES TOWN PLANNING & DEVELOPMENT) AND PETER DELANEY (KB DEVELOPMENTS/THE KINGSWAY GROUP) IN RELATION TO D- 23-2018, 1056 SCENIC HIGHWAY, KINKA BEACH.....	4
6	BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS	5
	NIL	5
7	PRESENTATION OF PETITIONS.....	6
	NIL	6
8	MAYORAL MINUTE	7
	NIL	7
9	COUNCILLOR/DELEGATE REPORTS	8
	NIL	8
10	AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE REPORTS.....	9
	NIL	9
11	REPORTS.....	10
11.1	DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (SIX LOTS INTO FIFTY-ONE LOTS)	10
11.2	REDISTRIBUTION OF BUDGET ALLOCATION POST-BUSH FIRES - LIVINGSTONE COMMUNITIY GRANTS	49
12	QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS	51
	NIL	51
13	URGENT BUSINESS/QUESTIONS	52
14	CLOSED SESSION	53
15.1	CAPRICORN COAST MEMORIAL PARKLAND MANAGEMENT	

15	CONFIDENTIAL REPORTS.....	54
	15.1 CAPRICORN COAST MEMORIAL PARKLAND MANAGEMENT	54
16	CLOSURE OF MEETING.....	55

1 OPENING

2 ATTENDANCE

Members Present:

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

Officers in Attendance:

Mrs Chris Murdoch – Chief Executive Officer
Mr Brett Bacon – Executive Director Liveability and Wellbeing
Mr Dan Toon – 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 DECLARATION OF INTEREST IN MATTERS ON THE AGENDA

5 PUBLIC FORUMS/DEPUTATIONS

5.1 DEPUTATION – PETE SPARKES (ADAMS & SPARKES TOWN PLANNING & DEVELOPMENT) AND PETER DELANEY (KB DEVELOPMENTS/THE KINGSWAY GROUP) IN RELATION TO D-23-2018, 1056 SCENIC HIGHWAY, KINKA BEACH

File No: D-23-2018
Attachments: Nil
Responsible Officer: David Battese - Manager Liveability
Author: Melissa Warwick - Principal Strategic Planner

SUMMARY

Further to ongoing discussions with various Council Officers in relation to D23-2018, the applicant, KB Developments, have sought a deputation regarding the above development application. The purpose is to

- 1. Provide further information in relation to a proposed Retirement Community at Kinka Beach adjacent to the site for the current development application D23-2018. The landowners will present information about their intentions to move forward with this proposal in the new year and what's new with this proposal since last presented to Council. This is yet to be lodged with council.*
- 2. Discuss the current Park Residential subdivision application (D-23/2018) and what has occurred since the last deputation in August 2019.*

The presentation will consist of a short introduction from Peter Delany, follows by a 5-7min video that covers off on both agenda items mentioned above. Pete Sparkes and Peter Delaney would then be available for any questions.

OFFICER'S RECOMMENDATION

THAT the deputation be received.

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.

6 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

Nil

7 PRESENTATION OF PETITIONS

Nil

8 MAYORAL MINUTE

Nil

9 COUNCILLOR/DELEGATE REPORTS

Nil

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

Nil

11 REPORTS

11.1 DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (SIX LOTS INTO FIFTY-ONE LOTS)

File No: D-23-2018

Attachments:

1. [Locality Plan](#)
2. [Site Plan](#)
3. [Proposal Plans](#)

Responsible Officer: David Battese - Manager Liveability

Author: Michelle Ballenger - Principal Planning Officer

SUMMARY

Applicant:	Kinka Beach Estate Pty Ltd C/- ADAMS + SPARKES Town Planning
Consultant:	ADAMS + SPARKES Town Planning - Pete Sparkes
Real Property Address:	Lot 1 on RP609873 Lot 2 on RP617442 Lot 2 on SP112319 Lot 4 on RP603904 Lot 5 on RP603904 Lot 6 on RP603904
Common Property Address:	1056 Scenic Highway, Kinka Beach Lot 2 Alfred Street, Kinka Beach 1060 Scenic Highway, Kinka Beach Lot 4 Scenic Highway, Kinka Beach Lot 5 Scenic Highway, Kinka Beach Lot 6 Scenic Highway, Kinka Beach
Area of Site:	Total – 25.54ha Lot 1 on RP609873 – 2,529m ² Lot 2 on RP617442 – 7.66ha Lot 2 on SP112319 – 5.51ha Lot 4 on RP603904 – 4.04ha Lot 5 on RP603904 – 4.04ha Lot 6 on RP603904 – 4.04ha
Planning Scheme:	<i>Livingstone Shire Planning Scheme 2005</i>
Planning Scheme Zone:	Rural Zone
Planning Scheme Maps:	Planning Scheme Map 2B – Capricorn Coast – Class C2 and Class C3 Planning Scheme Map 10 – Locally Significant Vegetation

Planning Scheme Overlays:	Overlay Map OM02 – Drainage problem area Overlay Map OM05 – Bushfire hazard area Overlay Map OM08 – Acid sulfate soils - Limit of known or actual potential - At or below twenty (20) metres Australian Height Datum
Existing Development:	Dwelling house, nursery and vacant land
Level of Assessment:	Code Assessable
Submissions:	Not applicable
Referral matters:	Infrastructure – State transport infrastructure (thresholds) (10.9.4.1.1.1) Infrastructure – State transport corridors (10.9.4.2.1.1)
Infrastructure Charge Area:	Outside the Priority Infrastructure Area

Application progress:

Application received:	25 January 2018
Application properly made:	25 January 2018
Development control unit meeting:	31 January 2019
Confirmation notice issued:	9 February 2019
Council agrees to applicant's request to extend the referral period	21 February 2018
Information request issued:	23 February 2018
Council agrees to applicant's request to extend the referral period	9 March 2018
Information request response received and minor change to application:	14 March 2019
Minor change application sent to State:	27 March 2019
Council agrees to applicant's request to extend the referral period	9 April 2018
Application referred to State agency as concurrence agency:	9 May 2018
Applicant stopped the application	23 May 2018
State concurrence agency response received:	11 June 2018
Council agrees to applicant's request to withdraw request to stop the application and requests extension to information request response period:	15 August 2018
Council agrees to applicant's request to extend the information request response period:	28 August 2018
Council agrees to applicant's request to extend the information request response period:	27 November 2018
Council agrees to applicant's request to extend the information request response period:	28 February 2019
Council requests extension to decision period:	12 April 2019
Council requests extension to decision period:	29 May 2019
Council requests extension to decision period:	26 June 2019

Council requests extension to decision period:	18 July 2019
Council briefing session:	29 July 2019
Applicant submits change application:	6 September 2019
Action notice issued:	12 September 2019
Properly made date for change:	26 September 2019
Confirmation notice issued:	1 October 2019
Referral confirmation notice received:	11 October 2019
Information request issued:	16 October 2019
SARA information request issued:	23 October 2019
Information response received:	5 November 2019
Council briefing session:	25 November 2019
SARA response received:	28 November 2019
Decision period commenced:	28 November 2019
Additional information from applicant received:	28 November 2019
Council special meeting date:	19 December 2019
Statutory determination date:	10 January 2020

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (six lots into fifty-one lots), made by Kinka Beach Estate Pty Ltd C/- ADAMS + SPARKES Town Planning, Lot 1 on RP609873, Lot 2 on RP617442, Lot 2 on SP112319, Lot 4 on RP603904, Lot 5 on RP603904 and Lot 6 on RP603904, and located at 1056 Scenic Highway, Lot 2 Alfred Street, 1060 Scenic Highway, Lot 4 Scenic Highway, Lot 5 Scenic Highway and Lot 6 Scenic Highway, Kinka Beach, Council resolves to Refuse the application given the following reasons:

1. REASONS OF THE DECISION

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

- 1.0 The proposal fails to satisfy the purpose of the Rural Zone Code under the *Livingstone Shire Planning Scheme 2005* as the proposal will result in;
 - (i) The creation of lots for residential uses which is not a 'rural purpose' in the *Livingstone Shire Planning Scheme 2005*;
 - (ii) The creation of a park residential style development which is not compatible with a rural purpose, thereby being a conflicting land use;
 - (iii) Detrimental impacts to the visual amenity of the area due to the bushland and landscaped setting being cleared to facilitate the filling of the site to achieve flood immunity;
 - (iv) The creation of lots that do not have sufficient area for preferred or consistent uses within the Rural zone, which will reduce the viability of the land for preferred or consistent uses within the Rural zone;
 - (v) The creation of lots that will not have sufficient area for the location of relevant activities and works associated with the Rural zone;
 - (vi) Significant impacts to existing environmental conditions due to earthworks

	impacting the parallel sand dune landform and changing the hydrology of the site;
(vii)	the introduction of park residential development which is a form of development that is not envisaged or intended in a rural area;
(viii)	the increase of traffic associated with the residential use;
(ix)	increasing ribbon development through the fragmentation and loss of rural lands.
(x)	The inability for future development on each lot to achieve the setbacks required in the Rural Zone under the <i>Livingstone Planning Scheme 2018</i> .
2.0	On balance, the application should be refused because the development does not comply with the above aspects of the assessment benchmarks and compliance is unable to be conditioned.
The evidence or other material on which the findings were based are:	
<ul style="list-style-type: none"> • The common material for the development application; • The assessment benchmarks identified in section 2 of this notice; • 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
Rural Zone Code Natural Features Code	<i>Livingstone Planning Scheme 2005</i> Reprint 7 as in force 10 July 2017
Regional Policies	<i>Central Queensland Regional Plan, October 2013</i>
Part E: State interest policies and assessment benchmarks (Biodiversity, Agriculture and Natural hazards, risk and resilience)	<i>State Planning Policy, July 2017</i>

3. COMPLIANCE WITH BENCHMARKS

The development does not comply with the assessment benchmarks as per the summary set out in the findings on material questions of fact in section 1 of this notice.

4. RELEVANT MATTERS

Not applicable to this application.

5. MATTERS RAISED IN SUBMISSIONS

Not applicable to 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 Central Queensland Regional Plan;
(iii)	The Rural Zone Code and Natural Features Code, in the <i>Livingstone Planning Scheme 2005 (reprint 7)</i> ;
(iv)	The land at 1056 Scenic Highway, Kinka Beach, the subject of the application is developed with a Dwelling house;
(v)	The land at 1060 Scenic Highway, Kinka Beach, the subject of the application is

developed with a Dwelling house and Nursery;

- (vi) The land at Lot 2 Alfred Street, Lot 4 Scenic Highway, Lot 5 Scenic Highway and Lot 6 Scenic Highway, Kinka Beach, the subject of the application are vacant;
- (vii) The surrounding development, in terms of commensurate and consistent development; and
- (viii) The common material, being the material submitted with the application.

BACKGROUND

Council received the development application on 29 January 2018. Development application D-23-2018 was originally lodged for Reconfiguring a Lot (three lots into fourteen lots) and on 11 September 2019, the application was changed to include an additional three parent lots and the development application is now for Reconfiguring a Lot (six lots into fifty-one lots).

As a result, Council issued an Information Request on 16 October 2019. On 5 November, the applicant responded to Council's Information Request. The Department of State Development, Manufacturing, Infrastructure and Planning have provided advice in regard to the proposal.

In January 2015, Council refused a Development Application for a Preliminary Approval overriding the Planning Scheme for a Material Change of Use for a Master Planned Community (comprising detached residential, medium density residential, active living centre, child care centre, commercial/retail centre, eco-sensitive residential, retirement village, service station, school, service trades, tourist facility, medical centre, community facility and open space) (reference D-Y/2007-113). This proposal was at Lot 2 Alfred Street, Lot 4 Scenic Highway, Lot 5 Scenic Highway, Lot 6 Scenic Highway and Lot 31 Scenic Highway, Kinka Beach.

COMMENTARY

A number of changes were made to the development proposal throughout the assessment process either as part of a change application or in response to information requests.

The final proposal is for the subdivision of six lots into fifty-one lots over three stages. The proposed lots sizes and stages are as follows:

Lot number	Area (square metres)
Stage One (Lots 14 to 35 and Lots 47 to 51)	
Lot 14	4106
Lot 15	4830
Lot 16	4280
Lot 17	4019
Lot 18	4080
Lot 19	4111
Lot 20	4038
Lot 21	4038
Lot 22	4207

Lot 23	4038
Lot 24	4038
Lot 25	4038
Lot 26	9207
Lot 27	4006
Lot 28	4038
Lot 29	4038
Lot 30	4038
Lot 31	4017
Lot 32	4017
Lot 33	4038
Lot 34	4038
Lot 35	5540
Lot 47	4060
Lot 48	4072
Lot 49	4127
Lot 50	4054
Lot 51	4433
New road	Area not provided
Stage Two (Lots 36 to 46)	
Lot 36	4452
Lot 37	4088
Lot 38	4082
Lot 39	4056
Lot 40	4047
Lot 41	4061
Lot 42	4055
Lot 43	4049
Lot 44	4043

Lot 45	4392
Lot 46	4060
New road	Area not provided
Stage 3 (Lots 1 to 13)	
Lot 1	Approximately 4200
Lot 2	4481
Lot 3	4558
Lot 4	4271
Lot 5	4025
Lot 6	5692
Lot 7	4274
Lot 8	4086
Lot 9	4096
Lot 10	4042
Lot 11	4050
Lot 12	4050
Lot 13	5244
New road	Area not provided

Access to the development is from the Scenic Highway to the east. A new intersection is proposed to allow vehicle movements to and from the site onto the Scenic Highway and there is the option to travel north or south.

The lots are proposed to be connected to the water supply and sewer networks.

Change to the application

Since the development application was lodged on 25 January 2018, the proposal has evolved from reconfiguring three lots into fourteen lots to reconfiguring six lots into fifty-two lots.

On 6 September 2019, the applicant submitted a change to the development application, which involved the subject site increasing to six lots and the total number of lots within the subdivision increasing to fifty-two lots. As the change did not constitute a minor change, the development application process recommenced from the confirmation period in accordance with the provisions of the Development Assessment Rules.

In response to the second Information Request, the lot layout was amended and the number of lots decreased to fifty-one lots.

SITE AND LOCALITY

The six subject sites total 25.54 hectares in area. The land is relatively flat and contains natural swale systems across the site.

Lot 2 Alfred Street is currently vacant and is the largest lot. This property is covered in vegetation and Easement A runs through the eastern side of the lot. The easement contains sewer infrastructure. The property is not connected to any infrastructure.

The property at 1060 Scenic Highway contains a Dwelling house and nursery. The Dwelling house is towards the Scenic Highway and the nursery is to the north-west of the site. The property at 1056 Scenic Highway contains a Dwelling house towards the east, with limited vegetation. Both sites are connected to the water supply network and have an on-site septic system.

Lot 4 Scenic Highway, Lot 5 Scenic Highway and Lot 6 Scenic Highway are vegetated and appear to be vacant.

The locality to the north is predominately long term residential uses, with some short-term accommodation in caravan parks and motels.

The related permits over the subject site, permits, and development on adjoining properties are detailed in the following table:

Existing applications/development permit over the site	
1060 Scenic Highway, Kinka Beach Lot 2 on SP112319	<p>Development Permit D-Y/2003-517 for Operational Works for a roadside sign – approved with conditions on 23 July 2003</p> <p>Development Permit D-Y/2007-456 for Reconfiguring a Lot (one lot into fifty two lots) – refused on 3 December 2008</p> <p>Development Permit 1574-2003-YPO for Building Works for a roadside sign – approved with conditions on 8 January 2004</p> <p>Development Permit BP 3676 for Building Works for a Dwelling – issued 3 February 1978</p> <p>Development Permit BP 1064 for Building Works for a Dwelling – issued 24 September 1969</p> <p>Development Permit BP 2672 for Building Works for a Garage – issued 4 December 1974</p> <p>Development Permit BP 1064 for Building Works for a Dwelling – issued 24 September 1969</p>
1056 Scenic Highway, Kinka Beach Lot 1 on RP609873	Development Permit B-473-2011 for Building Works for a Swimming pool and fence (finalised)
Lot 2 Alfred Street, Kinka Beach Lot 2 on RP617442	Development Application D-Y/2007-113 for a Preliminary Approval overriding the Planning Scheme for a Material Change of Use for a Master Planned Community (comprising detached residential, medium density residential, active living centre, child care centre, commercial/retail centre, eco-sensitive residential, retirement village, service station, school, service trades, tourist facility, medical centre, community facility and open space) – refused on 19 January 2015

<p>Lot 4 on RP603904</p> <p>Lot 4 Scenic Highway, Kinka Beach</p>	<p>Development Application D-Y/2007-113 for a Preliminary Approval overriding the Planning Scheme for a Material Change of Use for a Master Planned Community (comprising detached residential, medium density residential, active living centre, child care centre, commercial/retail centre, eco-sensitive residential, retirement village, service station, school, service trades, tourist facility, medical centre, community facility and open space) – refused on 19 January 2015</p>
<p>Lot 5 on RP603904</p> <p>Lot 5 Scenic Highway, Kinka Beach</p>	<p>Development Application D-Y/2007-113 for a Preliminary Approval overriding the Planning Scheme for a Material Change of Use for a Master Planned Community (comprising detached residential, medium density residential, active living centre, child care centre, commercial/retail centre, eco-sensitive residential, retirement village, service station, school, service trades, tourist facility, medical centre, community facility and open space) – refused on 19 January 2015</p>
<p>Lot 6 on RP603904</p> <p>Lot 6 Scenic Highway, Kinka Beach</p>	<p>Development Application D-Y/2007-113 for a Preliminary Approval overriding the Planning Scheme for a Material Change of Use for a Master Planned Community (comprising detached residential, medium density residential, active living centre, child care centre, commercial/retail centre, eco-sensitive residential, retirement village, service station, school, service trades, tourist facility, medical centre, community facility and open space) – refused on 19 January 2015</p>
Applications/development permits on adjoining properties	
<p>Lot 4 on RP836354</p> <p>1048 Scenic Highway, Kinka Beach</p> <p>(to the north-east)</p>	<p>Development Permit 2059-2005-YDOM for Building Works for additions and alterations to an existing Dwelling – approved on 23 November 2005</p> <p>Development Permit 127-2003-YPO for Building Works for a garage – approved on 14 February 2003</p> <p>Development Permit 1179-2003-BPC10B for Building Works for a swimming pool – approved on 27 September 2003</p> <p>Development Permit BP92-624 for Building Works for a Dwelling – issued on 3 September 1992</p>
<p>Lot 3 on RP836354</p> <p>1044 Scenic Highway, Kinka Beach</p> <p>(to the north-east)</p>	<p>Development Permit BP92-392 for Building Works for addition and garage (change of class from 10 to 1) – issued on 3 September 1992</p> <p>Development Permit BP96-391 for Building Works for a patio – issued on 29 July 1996</p> <p>Development Permit BP4670 for Building Works for</p>

	<p>a shed (nursery) – issued on 29 July 1996</p> <p>Development Permit 403-2000-YPCDOM for Building Works for an extension to the garage – approved on 25 May 2000</p>
<p>Lot 12 on SP212061</p> <p>1040 Scenic Highway, Kinka Beach</p> <p>(to the north-east)</p>	<p>Development Permit BP4570 for Building Works for a shed – issued on 4 November 1980</p> <p>Development Permit BP92-483 for Building Works for a patio – issued on 21 August 1992</p> <p>Development Permit D-Y/2006-106 for Reconfiguring a Lot (two lots into two lots) – project completed</p>
<p>Lot 11 on SP212061</p> <p>1038 Scenic Highway, Kinka Beach</p> <p>(to the north-east)</p>	<p>Development Permit D-Y/2006-106 for Reconfiguring a Lot (two lots into two lots) – project completed</p> <p>Development Permit BP4670 for Building Works for a shed – issued on 4 November 1980</p> <p>Development Permit BP93-0382 for Building Works for a Dwelling – issued on 8 June 1993</p> <p>Development Permit BP94-0345 for Building Works for a garage – issued on 9 September 1994</p>
<p>Lot 12 on RP603904</p> <p>1022 Scenic Highway, Kinka Beach</p> <p>(to the north)</p>	<p>Developed with a Dwelling house</p>
<p>Lot 1 on RP617442</p> <p>1 Alfred Street, Kinka Beach</p> <p>(to the south)</p>	<p>Development Permit BP7307 for Building Works for a swimming pool – issued 30 November 1987</p> <p>Development Permit BP5226 for Building Works for a dwelling – issued 12 October 1982</p>
<p>Lot 7 on RP603904</p> <p>359 Kinka Beach Road, Kinka Beach</p>	<p>No records</p>
<p>Lot 11 on RP603904</p> <p>1008 Scenic Highway, Kinka Beach</p>	<p>Development Permit 1875-2004-YPCDOM for Building Work for a carport – issued 27 October 2004</p> <p>Development Permit D-Y/2002-644 for Material Change of Use for Caravan Park – issued 19 December 2002</p> <p>Development Permit D-Y/2008-164 for Material Change of Use for Caravan Park – refusal issued 27 April 2011</p>

ASSESSMENT INCLUDING BENCHMARKS AND RELEVANT MATTERS

Relevant Council planning, engineering, environmental health, natural resource management and other technical officers as required have assessed this application. 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 *Central Queensland Regional Plan*, the State Planning Policy, any development approval for and any lawful use of the premises or adjoining premises, and the common material.

Benchmarks applying for the development	Benchmark reference
Rural Zone Code Natural Features Code	Livingstone Planning Scheme 2005, reprint 7 as in force 10 July 2017
Chapter 4 – Regional outcomes and policies	<i>Central Queensland Regional Plan</i> , October 2013
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 application	In respect of the reports provided in the material including proposal plans and supporting information

Internal advice and assessment

Infrastructure Operations Unit – 16 December 2019

An assessment of the Stormwater Management Strategy Plan concluded that amendments were required to meet the relevant standards. The matters to be reviewed included, but were not limited to:

- Refinements to the catchment definition to more accurately reflect the swale nature of the topography;
- Include any additional flow paths as part of the catchment refinement into the flood assessment;
- Define the actual points of discharge;
- Consider impacts on the adjacent road network;
- Consideration of additional flood events and durations; and
- Determination of PMF levels and storm surge levels for the site to assist in emergency management planning.

It was determined that these matters could be addressed by conditions, should a development permit be issued. Further, it was also considered suitable for an amended Stormwater Management Strategy Plan to be submitted with a future development application for operational work for stormwater works.

Support, subject to conditions.

Natural Resource Management – 17 December 2019

An assessment of the above application has been undertaken and Natural Resource Management are unable to support the proposal and recommend refusal on the following grounds:

- (i) Extent of clearing of Locally Significant Vegetation;

(ii) Impacts to the ecological character and values of the natural ecosystem type.

The native vegetation and natural land form recognised in the Planning Scheme Map 10 Locally Significant Vegetation is a significant environmental asset due to the interdependence of vegetation, landform and groundwater. The very old parallel sand dunes contain a freshwater groundwater aquifer and there are wetlands in the low swales between the sand dune ridges, which support many native species in periods of dry weather.

The proposed development site is over an area of vegetated sand dunes identified within the Directory of Wetlands of National Importance, known as the Yeppoon – Keppel Sands Tidal Wetlands area. This listing covers a broad area of coastal wetland types, from tidal and estuarine wetlands to freshwater wetlands. This site is a portion of the total listing and is a Non-tidal freshwater forested wetland. A wetland may be considered nationally important if it meets at least one of the six criteria. This nationally important wetland is recognised to meet three of the six criteria;

1. It is a good example of a wetland type occurring within a biogeographic region in Australia.
2. It is a wetland which is important as the habitat for animal taxa at a vulnerable stage in their life cycles, or provides a refuge when adverse conditions such as drought prevail.
3. The wetland supports native plant or animal taxa or communities which are considered endangered or vulnerable at the national level.

The site contains some areas of Remnant Vegetation mapped by the State Vegetation Management Act 1999. The vegetation type is Beach ridge woodlands (Regional Ecosystem 11.2.5) consisting of *Melaleuca* in the swales and Moreton Bay Ash on the ridges with a range of littoral rainforest species, also *Macrozamia*s and significant stands of Cabbage Tree Palm (*Livistonia decora*). The site is also identified to be a high risk for protected plants under the Nature Conservation Act 1992, in particular the Cycad, *Cycas orphiolitica*.

The site is part of a large tract of vegetation and sand dune systems which link the Causeway Lake Conservation Park in the north and the Kinka Wetlands Reserve for Environmental and Beach Protection Purposes in the south. The vegetated sand dunes within the development site provide high quality water to downstream wetlands and habitat linkage for wildlife movement.

The extensive earthworks required to achieve hazard mitigation for flooding and storm surge will have significant impact to the natural vegetation, landform and ecological function of the wetland system. The development proposal has submitted that an environmental covenant will be provided however, it is difficult to see how this can be practically achieved and sustained in the long term given the major alteration to land form, land height and drainage that is proposed.

The site consists of natural sand dune landform close to the coast and as such there is potential for the land to contain significant cultural heritage artefacts and values. The extent of works required for this proposal would eliminate access to this archaeological resource in the future.

Refusal

Public and Environmental Health – 10 September 2019

No comments

Growth Management – 17 December 2019

- One of the primary assessment benchmarks of the *Livingstone Shire Planning Scheme 2005* is the Rural Zone Code. The application conflicts with the purpose of the zone code and the majority of the overall outcomes relating to the use of rural zoned land as contained within the Rural Zone Code. The application conflicts with Specific Outcomes of the zone code relating to land use and subdivision design within the Rural Zone.

- Section 60(2)(b) of the *Planning Act 2016* states that the assessment manager may decide to approved an application even if the development does not comply with some of the assessment benchmarks, for example, if the decision resolves a conflict between the different benchmarks.
- Although some assessment benchmarks of the *Livingstone Shire Planning Scheme 2005* may be complied with via the imposition of conditions, the development conflicts with the *Livingstone Shire Planning Scheme 2005* Rural Zone Code, and compliance with the Rural Zone Code cannot be achieved by implementing conditions. The potential imposition of conditions for some assessment benchmarks does not resolve the conflict with the Rural Zone Code.
- Should weight be given to the contents of *Livingstone Planning Scheme 2018*, this does not provide any additional grounds to support the development application as the development is in conflict with the *Livingstone Planning Scheme 2018* and the imposition of conditions cannot resolve this conflict.
- Growth Management recommends that the development be refused.

State Planning Policy – July 2017

Part E of the State Planning Policy provides for interim development assessment benchmarks for local government until such time as the State Planning Policy is reflected within the planning scheme.

The sites are mapped as containing the following state interests:

- Agricultural land classification – Class A and B
- Flood hazard area – Local Government flood mapping area
- Bushfire prone area
- Medium storm tide inundation area
- High storm tide inundation area
- State-controlled road

The state interests identified are addressed below.

Housing supply and diversity (state interest): The proposal seeks to supply park residential (lots greater than 4,000 square metres) in the area to service the locality and Emu Park.

Liveable Communities (assessment benchmark): Not applicable.

Agriculture (state interest): The western part of the subject site is mapped as agricultural land, and is densely vegetated. Due to the smaller lot sizes caused by previous subdivision, it may not be suited to agricultural uses and would be better retained as natural vegetation for environmental purposes, rather than fragmented further.

Development and construction (state interest): This application is being assessed under the *Livingstone Shire Planning Scheme 2005* and since the application was lodged, the *Livingstone Planning Scheme 2018* was adopted, with Council's new policy position, including identifying zones suitable for development similar to the proposed development.

Mining and extractive resources (state interest): There are no key resource areas mapped around or adjoining the subject sites. Key resource areas are resources of importance to the State of Queensland. There are however local extractive resources to the west of the proposal that are not State significant.

Tourism (state interest): There are no known state endorsed tourism studies for the locality of Kinka Beach. There are no tourism activities proposed as part of the application.

Biodiversity (state interest): There are no mapped state biodiversity matters over the subject sites.

Coastal Environment (state interest): The site is not in the coastal management district.

Cultural heritage (state interest): The site is not known to contain any cultural heritage. An advisory note is included on all decision notices referencing the *Aboriginal Cultural Heritage Act 2003*. There are no known national cultural heritage values under the *Environment Protection and Biodiversity Conservation Act 1999*.

The site is not mapped as being on the State or Local Heritage Registers.

Water quality (assessment benchmark): Not applicable as the proposal is for reconfiguring a lot however, the subdivision is not for urban purposes (as it is for Rural Residential style development).

Emissions and hazardous activities (assessment benchmarks): Applicable as the site is mapped as a bushfire prone area (medium potential bushfire intensity and potential impact buffer), erosion prone area and medium and high storm tide inundation areas.

Erosion prone areas within a coastal management district:	
Development does not occur in an erosion prone area within a coastal management district unless the development cannot feasibly be located elsewhere and is: (a) coastal-dependent development; or (b) temporary, readily relocatable or able to be abandoned development; or (c) essential community infrastructure; or (d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned.	Not applicable. The site is not located within a coastal management district.
Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level.	Not applicable. The site is not located within a coastal management district.
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.	Complies. Ecosure's Bushfire Hazard Assessment and Bushfire Management Plan demonstrates that the risk from bushfire hazard can be reduced to a tolerable level of risk. In regards to storm tide inundation and the erosion prone area, the applicant states that the civil earthworks design levels have taken into consideration the Defined Flood Level as per Aurecon's Capricorn Coast Storm Tide Study Upgrade Report. The applicant states that the design levels demonstrate flood immunity, and are in accordance with industry standard practice.
All natural hazard areas:	
Development supports and does not hinder disaster management response or recovery capacity and capabilities.	Complies. The design of the development including the associated engineering works, ensures that disaster management response or recovery capacity and capabilities will not be hindered.

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.	Complies. The Bushfire Hazard Assessment and Bushfire Management Plan demonstrates that the risk from bushfire hazard can be reduced to a tolerable level of risk. Whilst the Stormwater Management Strategy Plan requires amending to meet the relevant standards, it is considered that it demonstrates that the risk of flooding on the site can be appropriately managed.
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.	Not applicable. The proposal does not involve 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.	Not applicable. To ensure flood immunity, earthworks are proposed to raise the site to the Defined Flood Level. As a result, vegetation will be cleared and the natural dune landform will be irreversibly impacted.

Energy and water supply (state interest): There are no mapped future major electricity infrastructure or corridors mapped. Water is available in the area and no future trunk water networks are mapped over the sites. The trunk water network runs along the Scenic Highway road reserve.

Infrastructure integration (state interest): There are no plans for significant infrastructure in the area.

Transport infrastructure (state interest): The sites (Lot 2 Alfred Street and 1060 Scenic Highway) are within twenty-five (25) metres of Kinka Beach Road which is a State-controlled road. The application was assessed by the Department of State Development, Manufacturing, Infrastructure and Planning as a concurrence agency for the State-controlled road. No direct assess is proposed to Kinka Beach Road.

Strategic airports and aviation facilities (state interest): The sites are not mapped as a strategic airport area.

Strategic ports (state interest): The sites are not impacted by a strategic port or priority port.

Central Queensland Regional Plan

The *Central Queensland Regional Plan* commenced in October 2013 and is not appropriately reflected within the *Livingstone Shire Planning Scheme 2005*. The regional plan aims to provide policy direction for decision making for the co-existence of extractive/mining industry, agriculture and priority living areas. In this regard, three of the four regional policies are not applicable to this application as it is not for an extractive/mining or agricultural land use.

Regional Policy	Officer Response
Regional outcome Agriculture and resources industries within the Central Queensland region continue to grow with certainty and investor confidence.	
Regional policy 1 Protect Priority Agricultural Land Uses within Priority Agricultural Areas.	Not applicable Livingstone Shire Council local government area does not contain any priority agricultural areas.

Regional policy 2 Maximise opportunities for co-existence of resource and agricultural land uses within Priority Agricultural Areas.	Not applicable Livingstone Shire Council local government area does not contain any priority agricultural areas.
Regional outcome The growth potential of towns within the Central Queensland region is enabled through the establishment of Priority Living Areas. Compatible resource activities within these areas which are in the communities' interest can be supported by local governments.	
Regional policy 3 Safeguard the areas required for the growth of towns through the establishment of Priority Living Areas (Schedule 1).	Complies The subject site is identified as being within the Livingstone Priority Living Areas. The proposal is for a park residential development within the Rural zone.
Regional policy 4 Provide for resource activities to locate within a Priority Living Area where it meets the communities' expectations as determined by the relevant local government.	Not applicable The proposal does not involve a resource activity.

Livingstone Planning Scheme 2005

The *Livingstone Shire Planning Scheme 2005* is the relevant categorising instrument applicable to the assessment of this application.

Planning Scheme Shire Wide Outcomes The Shire Wide Desired Environmental Outcomes, as identified by section 2.2 of the *Livingstone Planning Scheme 2005*, are not called up as an assessment benchmark for this assessment given the proposal is Code Assessable.

Rural Zone Code

The Overall Outcomes applicable to the Rural Zone are set out at section 3.5 of the scheme as follows:

Purpose

- (a) The purpose of the Rural Zone Code is the achievement of the overall outcomes sought for the Rural zone.
- (b) The overall outcomes sought for the Rural Zone are:
 - (i) Preferred land use:
is any rural purpose (as defined in the planning scheme).
 - (ii) Land use (other than preferred land use) occurs only if:
 - (A) it is a recreational or community facility that is more appropriately located in the rural area; and
 - (B) is one of the following:
 - a. a local utility; or
 - b. a major utility; or
 - c. outdoor recreation; or
 - d. telecommunications facility (medium impact); or
 - (C) it is a land use which:

- a. is compatible with surrounding rural purposes by being of similar scale, intensity and character; and
 - b. supports a rural purpose; and
 - c. does not adversely affect the amenity of the locality; and
is one of the following:
 - i. a residential purpose being a dwelling house, home based business, or host farm; or
 - ii. an arts and craft centre; or
 - iii. an extractive industry; or
 - iv. a garden centre; or
 - v. landscape supplies.
- (iii) Land used for rural activities such as grazing, agriculture and horticulture is protected from development, which would significantly infringe on the landscape setting and rural amenity of the Shire.
 - (iv) Land with productive capacity is preserved for a range of existing and emerging agricultural activities significant to the economy of the Shire.
 - (v) Large tracts of bushland identified as having significant environmental value are protected from development.
 - (vi) Agriculture, including both extensive and intensive activities is protected from land use conflicts resulting from the location of non-rural activities on rural land.
 - (vii) Uses and works are located and designed to maximise the efficient use and extension and safe operation of infrastructure.
 - (viii) Residential purposes are ancillary to the primary rural purposes in the rural area.
 - (ix) Mineral and extractive resources and transport routes associated with resources are protected from incompatible development.
 - (x) Buildings and structures that are not associated with rural purposes have heights that are low-rise and not exceeding 12 metres.
 - (xi) Development is provided with adequate infrastructure and essential services.

The proposal is for the subdivision of six allotments to create fifty-one (51) allotments. A number of lots have nominated Building Location Envelopes to address matters such as bushfire hazard and flood / storm tide hazard. There are several plans showing Building Location Envelopes, and it will be necessary for these plans to be combined to show the Building Location Envelopes all on the one plan.

Although the future potential use being a Dwelling house on a rural lot may be considered to be a preferred use within the zone, the proposal itself is considered to impede the achievement of the purpose of the zone. In particular, the proposal will result in:

- A land use that is incompatible with surrounding rural purposes as the park residential development is not of a similar scale, intensity and character;
- A land use that adversely impacts the visual rural amenity of the area through the clearing of vegetation associated with the filling of the site to achieve flood immunity levels and address stormwater management issues;
- Fragmentation of rural land due to the creation of park residential style lots that are likely to be too small for viable rural activities;
- Potential for land use conflicts as a residential use is introduced into a rural area;

- Residential purposes becoming the primary purpose in the area, rather than being ancillary to the intended primary rural purposes in the rural area.

The reconfiguring of the subject site does not change the zone and is not a material change of use therefore creating fifty-one lots within a Rural Zone with lot sizes well below the minimum intended for the zone. Many rural activities nominated in the Rural Zone are not appropriate on lots of this size.

It is concluded that the proposal impedes the achievement of the purpose of the Rural Zone.

Rural Zone Code Requirements

The following is an assessment of the proposal against the Rural Zone Code, which includes an assessment of the development against the relevant specific outcomes of the code.

Specific Outcomes	Response
Land use	
O1 Land use is: <ul style="list-style-type: none"> a) a rural purpose (as defined in the planning scheme); or b) a use which provides recreational or essential community facilities that are more appropriately located in the rural area (as identified in the overall outcomes of this code); or c) a use (as identified in the overall outcomes of this code) which: <ul style="list-style-type: none"> (i) is compatible with and supports a use within the rural purpose group; and (ii) is compatible with and does not limit or compromise surrounding rural purposes; and (iii) does not adversely affect the amenity of the locality. 	<p>Does not comply.</p> <p>The applicant states that the proposal creates a park residential style subdivision within the Rural zone.</p> <p>This form of development does not constitute a 'rural purpose' as defined in Schedule 1, Division 1 of the planning scheme.</p> <p>The proposal does not involve the provision of recreational or essential community facilities.</p> <p>The proposed development, being a park residential style subdivision, is not considered compatible with a use within the rural purpose group (eg. Animal keeping, Intensive animal husbandry, Agriculture). This is due to the potential impacts of rural purposes (eg. Odour, agricultural or animal-related noise, dust, agricultural spraying) on adjoining residential dwellings.</p> <p>Therefore, the proposal is highly likely to compromise existing and future surrounding rural purposes due to the incompatible impacts associated with conflicting land uses.</p> <p>The proposal is also highly likely to impact the visual amenity of the area in regards to bushland and landscaped setting due to the extent of earthworks proposed, requiring the clearing of vegetation.</p> <p>The proposal does not comply with this specific outcome, and cannot be conditioned to achieve compliance.</p>
Subdivision design	
O2 Reconfigured lots are designed and developed: <ul style="list-style-type: none"> • with sufficient area and suitable proportions for preferred or consistent uses; • with adequate frontage for safe and convenient vehicular and pedestrian 	<p>Does not comply.</p> <p>Planning Scheme Map 2B identifies the site as being within Agricultural Land Class C2 and Class C3. In the Rural zone, the minimum lot size for Class C2 land is 10 hectares, and Class C3, 40 hectares.</p> <p>The proposed development does not achieve these minimum lot sizes and therefore the lots do not have sufficient area for preferred or consistent uses within the</p>

Specific Outcomes	Response
<p>access;</p> <ul style="list-style-type: none"> • with suitable areas within each lot for the location of relevant activities and works; • in a manner that does not expose people and works to unacceptable risks from flooding or other hazards; and • with lots having sizes and dimensions commensurate with the characteristics of the site having regard to surrounding land use, natural features, hazards, infrastructure availability and agricultural land class, in accordance with Table S1 below. 	<p>Rural zone. Further, the proposed diminished lot sizes will further reduce the viability of the land for preferred or consistent uses within the Rural zone.</p> <p>In regards to vehicular and pedestrian access, each lot has an adequate frontage.</p> <p>As stated above, the proposed development does not achieve these minimum lot sizes and therefore the lots do not have sufficient area for the location of relevant activities and works associated with the Rural zone.</p> <p>It will also result in broadscale clearing and filling of the site to accommodate the proposed park residential style allotments. That said, the underlying zone remains rural and rural activities such as intensive animal husbandry and animal keeping are in no way prohibited on lots created of the sizes proposed.</p> <p>It is also noted that earthworks are proposed to be located within the area that has been identified for a vegetation covenant.</p> <p><u>Rear allotments</u></p> <p>Planning Scheme Policy No. 9 Reconfiguring for Rear Allotments states that Council may exercise its discretion in regards to rear allotments in the Rural zone where Council considers it impractical to design a future road to facilitate the orderly reconfiguration of an allotment either alone or in conjunction with adjacent allotments, or where it is impractical to access the allotment directly via that frontage.</p> <p>Lots 6 and 15 have been provided with a primary road frontage and a rear access handle. It is noted that the site in the vicinity of these lots is flat. Young Avenue currently services 9 and 13 Young Avenue, and can also service Lot 6. Lot 15 does not require access to both Road A and Road B.</p> <p>The development application is silent on the matter of rear allotments, and therefore the rationale behind the inclusion of two frontages (being the primary frontage and rear access handle) for Lots 6 and 15 are unclear. This matter can be easily addressed through the inclusion of conditions requiring these lots to have one road frontage only and the redundant access handle removed, should a development approval be issued.</p> <p><u>Lot without purpose</u></p> <p>To the immediate north of Lots 27 and 44, there is a strip of land approximately 17 metres wide. The purpose of this lot is unknown. However, it is noted that Siris Consulting Engineers plan number SCE-119-SK104 dated 08/2019 (superseded by the information request response submitted on 5 November 2019) indicates this strip of land for a proposed vegetated area (bunds, buffers, swales, basins, gardens).</p>

Specific Outcomes	Response
	<p>The town planning report for this development application is silent on this issue. Further, the sewerage, water and drainage layout plans do not include works within this lot.</p> <p>On the basis of the provided information, it considered more appropriate for this land to be absorbed in Lots 27 and 44. This ensures that all land within the development application area is appropriately accounted for, and that Council does not become responsible for an unusable parcel of land.</p> <p>The proposal does not comply with all components of this specific outcome, and cannot be conditioned to achieve compliance.</p>
Built Form	
<p>O3</p> <p>Uses and works are located, designed and operated to minimise adverse impacts on:</p> <ul style="list-style-type: none"> existing environmental conditions relating to air, water and soil, the amenity of adjacent properties and public spaces, visual quality of landscapes in terms of: <ul style="list-style-type: none"> reducing ribbon development and sprawl, loss of green break separations, obstructing significant local and distant views of prominent natural features and landmarks, and the health and safety of people using the premises and adjacent premises. 	<p>Does not comply.</p> <p>The operational works associated with the construction of the subdivision will impact existing environmental conditions due to earthworks, clearing associated with the earthworks, and cutting and filling changing the hydrology of the site.</p> <p>The parallel sand dune landform will also be irreversibly affected through the earthworks removing the series of ridges and swales, and filling the site above the Defined Flood Level.</p> <p>The proposed development will impact the visual quality of landscapes and adjacent rural zoned land and public spaces due to:</p> <ul style="list-style-type: none"> the introduction of park residential development which is a form of development that is not envisaged or intended in a rural area; the increase of traffic associated with the residential use; and increasing ribbon development through the fragmentation and loss of rural lands through the introduction of park residential style development. <p>In regards to significant local and distant views, the subject site is not within the Scenic Amenity Overlay area.</p> <p>It is unlikely that the proposal will detrimentally impact the health and safety of people using the premises and adjacent premises.</p> <p>The proposal does not comply with all components of this specific outcome, and cannot be conditioned to achieve compliance.</p>

Specific Outcomes	Response
<p>O4</p> <p>Buildings and structures are:</p> <ul style="list-style-type: none"> • a height that is low-rise and not exceeding 12 metres if they are not associated with rural purposes; • constructed of materials and finishes compatible with other development in the area; • integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping and outlook; and • designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces. 	<p>Does not comply.</p> <p>The future buildings and structures will not be able to comply with the planning scheme requirements for setbacks for the Rural Zone. However, there is the potential to comply with the height requirements, compatible construction materials, and have sufficient area to enable screening of materials stored outside of buildings.</p> <p>The future buildings will be required to comply with the Rural Zone Code under the <i>Livingstone Planning Scheme 2018</i>, as the current planning scheme for the Shire.</p> <p>Due to the design of the subdivision and dimensions of the proposed lots, under the provisions of the <i>Livingstone Planning Scheme 2018</i>, each Dwelling house and ancillary buildings or structures, will trigger a code assessable development application to be assessed by Council.</p> <p>Each proposed dwelling will need to adhere to any approved or required Building Location Envelope which responds to matters of State interest including bushfire hazard and flood hazard.</p> <p>The proposal does not comply with all components of this specific outcome, but could potentially be conditioned to achieve compliance.</p>
<p>O5</p> <p>For a noise sensitive place, activities are laid out and buildings are designed and constructed to mitigate to a level, that does not unreasonably adversely affect the health and safety of people using premises, the effects of noise from:</p> <ul style="list-style-type: none"> • Traffic on major roads (including State controlled roads); or • Operations within railway corridors. 	<p>a) Not applicable.</p> <p>It is recognised that the proposed subdivision will result in Dwelling houses being constructed adjacent to Kinka Beach Road which is a State controlled road.</p> <p>Since the commencement of the planning scheme in 2005, this matter is now a State interest that is governed by the Department of Transport and Main Roads.</p> <p>The SARA response issued on 28 November 2019 requires the development to incorporate noise attention measures along the State-controlled road to address external noise issues.</p> <p>Further, Mandatory Part 4.4 (MP 4.4) of the Queensland Development Code (which commenced in 2010) will apply to all building work associated with a residential building within the designated Mandatory Transport Noise Corridor (TNC). MP 4.4 ensures that habitable rooms of buildings in the TNC are designed and constructed to reduce transport noise.</p> <p>These provisions would apply to any approved lots with mandatory compliance required to be regulated by Council.</p> <p>b) Not applicable.</p>

Specific Outcomes	Response
Cultural Heritage Values	
O6 Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.	Not applicable. The subject site and adjoining properties are not identified as a Heritage Place special management area listed in Schedule 3 of the <i>Planning Scheme 2005</i> .
Flood Immunity	
O7 Development is immune to flood events which result in unacceptable risk to health and safety or unacceptable risk of property damage.	Complies. The applicant states that the civil earthworks design levels have taken into consideration the Defined Flood Level as per Aurecon's Capricorn Coast Storm Tide Study Upgrade Report. The applicant states that the design levels demonstrate flood immunity, and are also in accordance with industry standard practice. The flood levels and mapping included with the Planning Scheme 2005 have been refined and through the application process, the proponent has been made aware of the refined levels. This was provided to the applicant as a duty of care.
Vehicle Parking and Movement	
O8 Development is provided with an on-site parking and movement system designed and constructed to: <ul style="list-style-type: none"> • be integrated with the site layout including: <ul style="list-style-type: none"> i. direct access to a road providing a level of service required to accommodate traffic generated by the use; and ii. appropriately designed 	Complies. The proposed development is for reconfiguring a lot. There is no use proposed as part of this development, and therefore no on site car parking or movement system is required. However, given the area and dimensions of each of the proposed fifty-one (51) lots, there is sufficient area for on-site car parking and vehicle manoeuvring for residential uses in the future. An internal road will be constructed to service each lot within the development.

Specific Outcomes	Response
<p>footpath crossovers; and</p> <p>iii. provision for safe pedestrian movement between public footpath and facility entry points; and</p> <ul style="list-style-type: none"> • accommodate all modes of transport (including motor vehicles and bicycles) generated by the use; and • facilitate non-discriminatory accessibility; and • provide for safe and efficient loading and unloading of goods; and • allow for vehicle queuing necessary for the use; and • provide for passenger set down/pick up necessary for the use; and • facilitate public access to the foreshore and riparian open space networks. 	
Infrastructure	
<p>O9</p> <p>Water supply, sewerage, drainage, roads, power and communications are provided to meet the appropriate standards of service and construction at least whole-of-life cost, which:</p> <ul style="list-style-type: none"> • comprise components and materials that are: <ul style="list-style-type: none"> i. readily accessible and available; and ii. robust and reliable in terms of operational life and purpose; and iii. easily maintained without unnecessarily requiring specialist expertise or equipment; and • are integrated with the design, construction and operation of existing systems and facilitate 	<p>Can be conditioned to comply.</p> <p>The applicant confirms that the development will be connected to Council's reticulated water and sewer network.</p> <p>The applicant states that all proposed services and infrastructure will be designed and constructed in accordance with the relevant Council policy and conditions.</p> <p><u>Drainage</u></p> <p>The review of Knobel Engineers' Stormwater Management Strategy Plan and Stormwater Management Master Strategy determined that amendments are required to meet the relevant standards. The matters to be reviewed included:</p> <ul style="list-style-type: none"> • Refinements to the catchment definition to more accurately reflect the swale nature of the topography; • Include any additional flow paths as part of the catchment refinement into the flood assessment; • Define the actual points of discharge; • Consider impacts on the adjacent road network; • Consideration of additional flood events and

Specific Outcomes	Response
<p>orderly provision of future systems; and</p> <ul style="list-style-type: none"> • meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme; and • are constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme. 	<p>durations; and</p> <ul style="list-style-type: none"> • Determination of PMF levels and storm surge levels for the site to assist in emergency management planning. <p>It was determined that these matters could be addressed by conditions, should a development permit be issued. Further, it was also considered suitable for an amended Stormwater Management Strategy Plan to be submitted with a future development application for operational work for stormwater works.</p> <p><u>Internal road network</u></p> <p>There are concerns in regards to an inefficient road network that unnecessarily provides two road frontages to eight lots, which represents 16% of lots within the development. These lots include 6, 15, 16, 18, 31, 32, 39 and 40.</p> <p>An inefficient road network will cause higher maintenance costs for Council in the future.</p> <p>Inspection of the water, sewerage and drainage layout plans identifies that Road D is not required for infrastructure purposes, nor is it required for evacuation purposes.</p> <p>In regards to Lot 6 and Lot 15, rear access is not needed to these lots, as these lots have direct access to the primary road frontage. Removal of the access handles will result in a more efficient use of the site (through less land being unnecessarily sterilised by a driveway) and less cost to the developer as construction of the access driveway will not be required.</p> <p>In addition, the design unnecessarily provides road access to the portion of Lot 26 that is to be contained within a vegetation covenant, resulting in higher maintenance costs for Council in the future. A condition can be included to reduce the length of the road adjacent to Lot 26 and Lot 27 and move the cul-de-sac to the south to reduce the portion of the road serving an area affected by a vegetation covenant.</p> <p>It is noted that the proposed cul-de-sac adjacent to Lot 45 is partially located on adjoining land that does not form part of this development application. This matter can be easily addressed through the provision of a condition requiring the cul-de-sac to be within the development application area, should a development approval be issued.</p> <p>In summary, conditions can be included to address the above design matters, thereby decreasing future maintenance costs for Council.</p>

As evident from the above assessment, the proposal does not fully comply with all components of each relevant specific outcome. The Specific Outcomes that cannot be

achieved include O1 in regards to land use, O2 in regards to subdivision design, and O3 and O4 in regards to built form.

Further, in regards to the non-compliant components of above specific outcomes, conditions cannot be applied to achieve compliance.

Special Management Areas Code

The subject site is affected by three of the elements within the Natural Features Code:

- (i) Acid Sulfate Soil (Overlay Map O8);
- (ii) Bushfire Hazard (Overlay Map O5); and
- (iii) Drainage Problem (Overlay Map O2).

Purpose:

The purpose of the Natural Features Code is the achievement of the overall outcomes sought for the special management areas shown on Overlay Maps O1 to O8 as identified in this code.

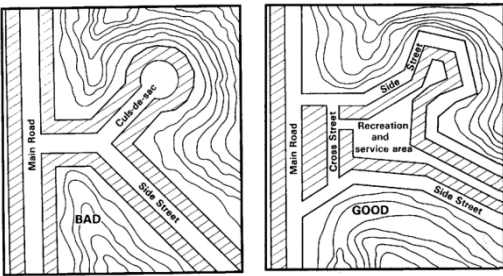
The overall outcomes sought for the special management areas shown on Overlay Maps O1 to O8 as identified in this code are;

- (i) that development is managed to protect the significant values of the various natural features and resources in terms of:*
- (ii) development avoids or minimises, within acceptable levels, risk to the natural or built environment or human health or safety.*

The following is an assessment of the proposal against the above elements of the Special Management Areas Code, which includes an assessment of the development against the relevant specific outcomes.

Specific Outcomes		Response
Acid Sulfate Soils Special Management Area		
O4	Natural or built environments and human health are not harmed by the production of acidic leachate resulting from development in areas of known and potential acid sulfate soils by: <ul style="list-style-type: none"> (a) avoiding disturbance to areas of acid sulfate soils that would produce or contribute to acidic leachate, (b) treating and managing the disturbance of acid sulfate soils to minimise the generation of acidic leachate within manageable levels, (c) treating and managing surface and groundwater flows from areas of acid sulfate soils to minimise environmental harm. 	<p>Can be conditioned to comply.</p> <p>The subject site is located below 20 metres Australian Height Datum and therefore there is the risk for acid sulfate soils to be present.</p> <p>The applicant requests that Council conditions that an Acid Sulfate Soils Management Plan is prepared and lodged with a subsequent application for Operational Works.</p>
Bushfire Hazard Special Management Area		
O5	Public safety, lives and property are not placed at unacceptable levels of risk.	<p>Complies.</p> <p>Ecosure's Bushfire Hazard Assessment and Bushfire Management Plan demonstrates that the risk from bushfire hazard can be reduced to a tolerable level of risk.</p>

Specific Outcomes		Response
		This includes the provision of Building Location Envelopes on Lots 25 and 26, on the parts of the lots with the lowest Bushfire Attack Level of 12.5.
O6	The highest intensity of use occurs in those parts of the site which are least bushfire prone and limits the intensity of use elsewhere	<p>Can be conditioned to comply.</p> <p>The density of the development is consistent across the site for the proposed fifty-one lots. Only two of the fifty-one lots are subject to Bushfire Attack Level assessments that exceed the Bushfire Attack Level of 12.5. Building Location Envelopes have been nominated on Lots 25 and 26 in parts of the lots, which have a Bushfire Attack Level of 12.5.</p> <p>It is noted that there is a discrepancy between Ecosure's Bushfire Management Plan and Siris Consulting Engineers Dimensioned Site Plan 2 (plan number SCE-119-220 dated November 2019) in regards to Building Location Envelopes. Specifically, the Building Location Envelope on Lot 25 has been omitted from Siris Consulting Engineers Dimensioned Site Plan 2 (plan number SCE-119-220 dated November 2019). This matter can be addressed through the inclusion of a condition should the development application be approved.</p> <p>A plan showing all Building Location Envelopes is required rather than having this information on multiple plans.</p>
O7	Purposes resulting in high concentrations of people on a site (including child care centre, educational establishment, hospital, residential purposes comprising multi-unit long term accommodation and short term accommodation, commercial and industrial purposes) being exposed to unacceptable levels of risk are inconsistent with the outcomes sought for this special management area	<p>Not applicable.</p> <p>The proposed subdivision is intended for park residential purposes.</p>
O8	Development is sited and designed to minimise bushfire risk having regard to: (a) aspect, (b) elevation, (c) slope, and (d) vegetation	<p>Complies.</p> <p>Ecosure's Bushfire Hazard Assessment and BAL Map indicates that only the southern and northern boundaries of the site are impacted by bushfire hazard.</p> <p>Ecosure's Bushfire Hazard Assessment and Bushfire Management Plan demonstrates that the risk from bushfire hazard can be reduced to a tolerable level of risk.</p>
O9	Road layouts facilitate easy and safe movement in the event of encroaching	Not applicable.

Specific Outcomes	Response
<p>fire and provides for alternative safe access if one direction is blocked in the event of fire (Refer Figure A below).</p>  <p>Figure A</p>	<p>Whilst the proposal includes internal roads, Ecosure's Bushfire Attack Level Map indicates that only the southern and northern boundaries of the site are impacted by bushfire hazard.</p>
<p>O10 A sufficient supply of water is available for fire fighting purposes</p>	<p>Complies. The development will be connected to the reticulated water supply.</p>
<p>Drainage Problem Special Management Area</p>	
<p>O18 Development levels are set above the design flood level to reduce property damage and, where applicable, ensure public safety.</p>	<p>Complies. The applicant states that the civil earthworks design levels have taken into consideration the Defined Flood Level as per Aurecon's Capricorn Coast Storm Tide Study Upgrade Report. The applicant states that the design levels demonstrate flood immunity, and are also in accordance with industry standard practice. A plan is required that shows all Building Location Envelopes for the purposes of flood hazard and bushfire hazard.</p>

As evident from the above assessment, the proposal complies or can be condition to comply with the Specific Outcomes for acid sulfate soils, bushfire hazard and drainage problem special management areas.

SUMMARY OF ASSESSMENT

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

The assessment concludes that the proposed development, will conflict with the purpose and overall outcomes of the Rural zone, and in this instance, there are not sufficient reasons available to support an alternative favourable consideration of the development.

The assessment summary and pursuant to section 62 (2) of the *Planning Act 2016*, the reasons for refusal are based on findings on material questions of fact and must be included in the reasons accompanying the decision notice and are detailed in the recommendation below.

INFRASTRUCTURE CHARGES

Infrastructure charges are levied pursuant to the *Adopted Infrastructure Charges Resolution (No. 4) 2019*. The details and breakdown of the charges are outlined below:

Charge area:	The subject site is located outside the priority infrastructure area
Calculation:	<p>The charge is calculated in accordance with Table 8 - Minimum infrastructure charge for Reconfiguring a Lot partly outside or entirely outside the Priority Infrastructure Area, as follows:</p> <ol style="list-style-type: none"> 1. Fifty-one lots at \$24,500.00 per lot; 2. Less a credit of \$99,500.00.
Credit:	<p>The above calculation takes into account a credit of \$99,500.00 for the existing allotments pursuant to Part 4.0 of Council's <i>Adopted Infrastructure Charges Resolution (No. 3) 2018</i>. The credit is calculated as follows:</p> <ol style="list-style-type: none"> 1. four existing lots (Lot 2 on RP617442, Lot 4 on RP603904, Lot 5 on RP603904 and Lot 6 on RP603904) at \$14,750.00 per lot as the lots are connected to the transport trunk network and public parks and land for community facilities trunk network in Livingstone Shire; and 2. two existing lots (Lot 1 on RP 609873 and Lot 2 on SP 112319) at \$20,250.00 per lot as the lots are connected to the transport trunk network, water supply trunk network and public parks and land for community facilities trunk network in Livingstone Shire.
Offset:	No offsets are applicable to the development.

Should the proposal be supported, a total contribution of \$1,150,000.00 is payable and will be reflected in an Infrastructure Charges Notice for the development including a breakdown of the charge applying to each stage of the development.

PREVIOUS DECISIONS

In January 2015, Council refused a Development Application for a Preliminary Approval overriding the Planning Scheme for a Material Change of Use for a Master Planned Community (comprising detached residential, medium density residential, active living centre, child care centre, commercial/retail centre, eco-sensitive residential, retirement village, service station, school, service trades, tourist facility, medical centre, community facility and open space) (reference D-Y/2007-113). This proposal was at Lot 2 Alfred Street, Lot 4 Scenic Highway, Lot 5 Scenic Highway, Lot 6 Scenic Highway and Lot 31 Scenic Highway, Kinka Beach.

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

Staffing implications will result should the development application be approved. Specifically, additional workload will be created in response to the need for material change of use applications needed for each Dwelling house within the development, triggered by the

inability to achieve the setbacks required by the Rural Zone Code (*Livingstone Planning Scheme 2018*).

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.

A determination of the application contrary to the outcome sought by the applicant may be escalated to appeal by the applicant, should they contend the position by Council is unreasonable. Officers consider that the risk of appeal is a medium to high probability. Costs of an appeal would be borne by Council.

Council's reputation may be impacted if it does not maintain the policy position of the planning scheme given it is the endorsed policy position. Decisions divergent from these policies may undermine future decision making.

CORPORATE/OPERATIONAL PLAN

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

LOCAL GOVERNMENT PRINCIPLES

The local government principles are –

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

CONCLUSION

The proposed development, being for the reconfiguration of six lots into fifty-one lots, cannot be considered to meet the purpose or overall outcomes of the Rural Zone Code. Matters such as rural land uses, incompatible / conflicting land uses, visual amenity impacts, subdivision design, built form and fragmentation of rural lands have not been adequately considered in the proposal. Further, these matters are unable to be conditioned to achieve compliance.

One of the primary assessment benchmarks of the *Livingstone Shire Planning Scheme 2005* is the Rural Zone Code. The application conflicts with the purpose of the zone code and the majority of the overall outcomes relating to the use of rural zoned land as contained within the Rural Zone Code. The application conflicts with Specific Outcomes of the zone code relating to land use and subdivision design within the Rural Zone.

Section 60(2)(b) of the *Planning Act 2016* states that the assessment manager may decide to approved an application even if the development does not comply with some of the assessment benchmarks, for example, if the decision resolves a conflict between the different benchmarks.

Although some assessment benchmarks of the *Livingstone Shire Planning Scheme 2005* may be complied with via the imposition of conditions, the development conflicts with the *Livingstone Shire Planning Scheme 2005* Rural Zone Code, and compliance with the Rural Zone Code cannot be achieved by implementing conditions. The potential imposition of conditions for some assessment benchmarks does not resolve the conflict with the Rural Zone Code.

Should weight be given to the contents of *Livingstone Planning Scheme 2018*, this does not provide any additional grounds to support the development application as the development is in conflict with the *Livingstone Planning Scheme 2018* and the imposition of conditions cannot resolve this conflict.

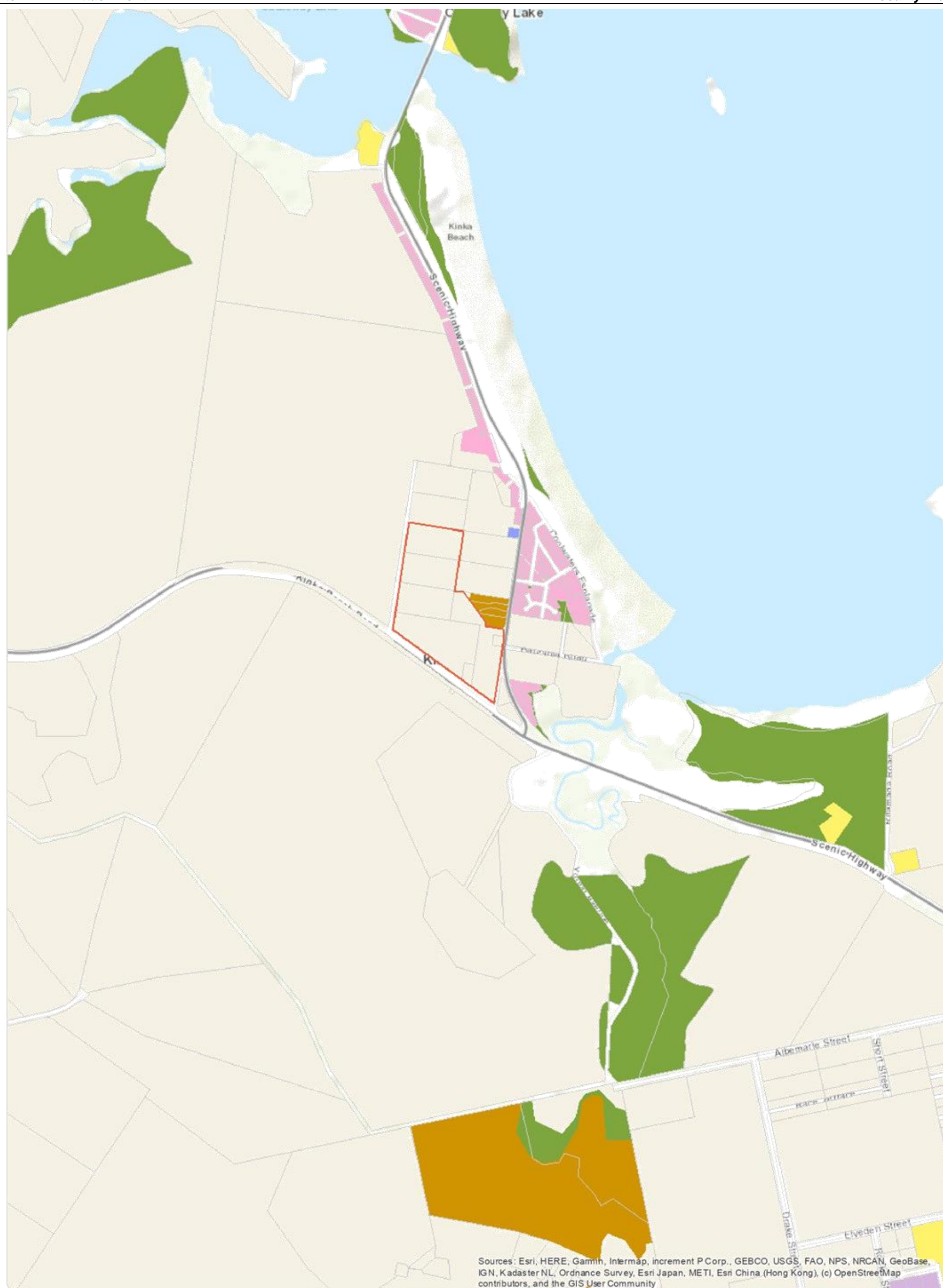
Insufficient reasons were provided to justify approving the application, despite the various non-compliances with the relevant assessment benchmarks under Section 60 of the *Planning Act 2016*. Accordingly, the proposal cannot be supported and is recommended for refusal.

11.1 - DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (SIX LOTS INTO FIFTY-ONE LOTS)

Locality Plan

Meeting Date: 19 December 2019

Attachment No: 1



Copyright protects this publication. Reproduction by whatever means is prohibited without prior written permission of the Chief Executive Officer of Livingstone Shire Council. Livingstone Shire Council will not be held liable under any circumstances in connection with or arising out of the use of this data nor does it warrant the data to be error free. Any queries should be directed to the Customer Service Centre, Livingstone Shire Council on telephone 1300 790 918. The Digital Cadastral Database is current as at December 2019.

© The State Government of Queensland (Dep't of Natural Resources and Mines) 2015.
All other rights reserved. All information on Queensland maps 10/19/19.

D-23-2018 Locality Plan

Map Created by: Web AppBuilder for ArcGIS



Printed from ArcPortal on 17/12/2014

11.1 - DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (SIX LOTS INTO FIFTY-ONE LOTS)

Site Plan

Meeting Date: 19 December 2019

Attachment No: 2



Copyright protects this publication. Reproduction by whatever means is prohibited without prior written permission of the Chief Executive Officer of Livingstone Shire Council. Livingstone Shire Council will not be held liable under any circumstances in connection with or arising out of the use of this data nor does it warrant that the data is error free. Any queries should be directed to the Customer Service Centre, Livingstone Shire Council or telephone 1300 760 910. The Digital Cadastral Database is current as at December 2018.
© The State Government of Queensland (Dept. of Natural Resources and Mines) 2018.
All other data © Livingstone Shire Council 2018.

0 0.125 0.25 0.5 Kms

1:18,056 at A3.

D-23-2018 Site Plan

Map Created by: Web AppBuilder for ArcGIS



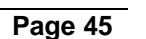
Printed from AppPortal on 17/12/2018

11.1 - DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (SIX LOTS INTO FIFTY-ONE LOTS)

Proposal Plans

Meeting Date: 19 December 2019

Attachment No: 3





**11.2 REDISTRIBUTION OF BUDGET ALLOCATION POST-BUSH FIRES -
LIVINGSTONE COMMUNITY GRANTS**

File No: CR2.15.3
Attachments: Nil
Responsible Officer: David Mazzaferri - Manager Community Wellbeing
Brett Bacon - Executive Director Liveability and Wellbeing
Author: Jared Thomsen - Principal Community Development and Engagement Officer

SUMMARY

This report discusses a redistribution of funds within existing budget allocations to local rural fire brigades following recent bush fires.

OFFICER'S RECOMMENDATION

THAT Council resolves to:

1. Not proceed with round two (2019/20) of the *Livingstone Community Grants*;
2. redistribute the remaining budget allocation for the *Livingstone Community Grants* for the 2019/20 financial year equally between the rural fire brigades throughout the Livingstone Shire; and
3. redistribute the remaining budget allocation for the *Mayor's Discretionary Fund* equally to rural fire brigades throughout the Livingstone Shire.

BACKGROUND

The bush fires experienced across the Livingstone Shire recently have affected many areas, residents, business, and community organisations. Livingstone Shire Council is acutely aware of the impact these events have had on the local community and has considered the most appropriate response in relation to building the capacity and increasing the resilience of rural fire brigades across the community in recognition of their continuing efforts.

COMMENTARY

Council recently received a suggestion from a local business surrounding the redistribution of funds previously allocated to the delivery of round two (2019/20) of the Livingstone Community Grants following the recent bush fires. As a result, Council has considered redistribution of these funds to local rural fire brigades in recognition of the continuing support these groups provide to the local community, especially during the recent operations to control and extinguish bush fires in the local area. In addition to these funds, redistribution of remaining budget allocation associated with the Mayor's Discretionary Fund has also been proposed.

Council records demonstrate there are thirty-six (36) rural fire brigades across the Livingstone Shire, with the majority of these involved in the response to the recent bush fires. As such, it has been suggested that the funds made available through the redistribution of these budget allocations be divided equally across the local rural fire brigades to support recovery following recent operations.

PREVIOUS DECISIONS

No previous decisions have been made surrounding this matter.

BUDGET IMPLICATIONS

The activities associated with this matter will be accommodated within existing budget allocations.

LEGISLATIVE CONTEXT

There is no legislative context relating to the consideration of this matter.

LEGAL IMPLICATIONS

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

STAFFING IMPLICATIONS

The activities associated with this matter will be accommodated within the existing capacities of the Community Development and Sport and Recreation team.

RISK ASSESSMENT

The following risk associated with supporting this proposal has been identified:

- (1) Community – not-for-profit community organisations across the local community be required to wait until round one (2020/21) of the Livingstone Community Grants to access this funding.

The following risk associated with not supporting this proposal has been identified:

- (1) Community – the rural fire brigades which will benefit from this proposal may not necessarily gain the required funds from normal sources to replenish and recover from their recent involvement in the response to bush fires.

CORPORATE/OPERATIONAL PLAN

Strategy CO1 of Council's Corporate Plan states: '*Facilitate, encourage and enable self-sustainable community associations and volunteer groups to pursue their diverse aspirations.*'

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 recently received a suggestion from a local business surrounding the redistribution of funds previously allocated to the delivery of round two (2019/20) of the Livingstone Community Grants following the recent bush fires. The redistribution of these funds to local rural fire brigades, in recognition of the continuing support these groups, is a worthy pursuit which clearly demonstrates Council's appreciation of their efforts and contribution to the community.

**12 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM
COUNCILLORS**

Nil

13 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

14 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.

15.1 Capricorn Coast Memorial Parkland Management

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

15 CONFIDENTIAL REPORTS

15.1 CAPRICORN COAST MEMORIAL PARKLAND MANAGEMENT

File No: P15.16

Attachments:

1. Briefing Session Report - Capricorn Coast Memorial Parkland Management
2. Capricorn Memorial Parkland - Landscape Plan
3. Capricorn Memorial Parkland - Layout Plan

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing

Author: David Mazzaferri - Manager Community Wellbeing

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

SUMMARY

This report provides information in relation to the future management arrangements for the Capricorn Memorial Parklands.

16 CLOSURE OF MEETING