



ORDINARY MEETING

CONFIRMED MINUTES

16 JANUARY 2024

The resolutions contained within these minutes were confirmed at the Ordinary Council meeting on the 20 February 2024.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 16 JANUARY 2024 COMMENCING AT 9.01AM**1 OPENING****Acknowledgement of Country**

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

Opening Prayer

The opening prayer was delivered by Pastor *Eddy Schravemade* of the Presbyterian Church.

2 PRESENT

Members Present:

Mayor, Councillor Andrew Ireland (Chairperson)
Deputy Mayor, Councillor Adam Belot
Councillor Pat Eastwood
Councillor Andrea Friend
Councillor Glenda Mather
Councillor Clint Swadling
Councillor Rhodes Watson

Officers in Attendance:

Cale Dendle - Chief Executive Officer
Chris Ireland – General Manager Communities
Andrea Ellis – Chief Financial Officer
Matthew Willcocks - Chief Technology Officer
Kristy Mansfield - Chief Human Resources Officer
Sean Fallis – Manager Engineering Services
Chris Hocking – Manager Water and Waste Operations
Molly Saunders – General Manager Communities
Alistair Gill – Implementation Project Officer
Leanne Randall – Principal Waste Officer
Sonia Tomkinson – Manager Economy and Places
Greg Abbotts – Manager Development and Environment
Lucy Walker – Executive Support Officer
Renee Dwyer – EA to the Mayor

3 LEAVE OF ABSENCE / APOLOGIES

Nil

Confirmed

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 19 December 2023 be taken as read and adopted as a correct record.

Moved by: Councillor Swadling

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

THAT the minutes of the Special Meeting held on 21 December 2023 be taken as read and adopted as a correct record.

Moved by: Councillor Mather

Seconded by: Deputy Mayor, Councillor Belot

MOTION CARRIED UNANIMOUSLY

Confirmed

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

Confirmed

6 DEPUTATIONS

Nil

Confirmed

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4
Attachments: 1. Business Outstanding Table - 16 January 2024
Responsible Officer: Amanda Ivers - Coordinator Executive Support
Cale Dendle - Chief Executive Officer

SUMMARY

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

COUNCIL RESOLUTION

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

Moved by: Councillor Mather
Seconded by: Councillor Eastwood

MOTION CARRIED UNANIMOUSLY

7.2 LIFTING MATTERS LAYING ON THE TABLE**File No:** GV13.04.06**Attachments:** Nil**Responsible Officer:** Amanda Ivers - Coordinator Executive Support

SUMMARY

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

COUNCIL RESOLUTION

THAT Council resolves that the following reports which are currently 'laying on the table' within the Business Outstanding Table awaiting return to a Council meeting, be lifted from the table to be dealt with later in this meeting:

1. Naming of Wetlands off Bottlebrush Drive.

Moved by: Councillor Friend**Seconded by:** Councillor Swadling**MOTION CARRIED UNANIMOUSLY**

8 PRESENTATION OF PETITIONS

8.1 PETITION - IMPROVEMENTS TO ROAD - VIN E JONES DRIVE, ROSSLYN

File No: GV

Attachments: 1. Petition - Improvements to Vin E Jones, Rosslyn

Responsible Officer: Amanda Ivers - Coordinator Executive Support

SUMMARY

Council has received the following petition from petitioners requesting Improvements to Vin E Jones Drive Rosslyn.

COUNCIL RESOLUTION

THAT the petition requesting improvements to Vin E Jones Drive Rosslyn be received.

Moved by: Councillor Eastwood

Seconded by: Councillor Mather

MOTION CARRIED UNANIMOUSLY

8.2 PETITION - D-183-2022 - HIDDEN VALLEY

File No: GV
Attachments: 1. Petition - D-183-2022 - Hidden Valley
Responsible Officer: Amanda Ivers - Coordinator Executive Support

SUMMARY

Council has received the following petition from petitioners requesting Reject Change Representation to exceed allowed 5% traffic increase along Hidden Valley Road and maintain the unanimous council decision/resolution (18/7/2023) with regard to Development Application D-183-2022. Sole access via Hidden Valley Road is not approved.

COUNCIL RESOLUTION

THAT the petition requesting reject change representation (regarding D-183-2022) be received.

Moved by: Councillor Watson

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

9 COUNCILLOR/DELEGATE REPORTS

Nil

Confirmed

10 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

10.1 NOTICE OF MOTION - COUNCILLOR FRIEND - SURVEY THE CAVES, ROCKYVIEW, GLENLEE AND GLENDALE COMMUNITIES FOR EXTENDED WEEKEND OPERATING HOURS OF THE CAVES TRANSFER STATION

File No: GV
Attachments: 1. NOM - Cr Friend
Responsible Officer: Cale Dendle - Chief Executive Officer

SUMMARY

Councillor Andrea Friend has submitted a 'Notice of Motion' in relation to surveying The Caves, Rockyview, Glenlee and Glendale Communities for extended weekend operating hours of The Caves Transfer Station.

COUNCIL RESOLUTION

THAT Council conduct a survey of The Caves, Rockyview, Glenlee and Glendale Communities, being for an option of extended weekend operating hours of The Caves Transfer Station and a report returns to Council with options of extended times and details.

Moved by: Councillor Friend
Seconded by: Councillor Eastwood
MOTION CARRIED UNANIMOUSLY

10.2 NOTICE OF MOTION - COUNCILLOR ADAM BELOT - WATER CHARGES

File No: GV

Attachments:

1. NOM - Cr Belot - Water charges
2. Water Price Path Access Att 1. 2023-24_2
3. Water Price Path Consumption Att 2. 2023-24_1

Responsible Officer: Cale Dendle - Chief Executive Officer

SUMMARY

Councillor Adam Belot has submitted a 'Notice of Motion' in relation to water charges.

Suspension of Standing Orders**COUNCIL RESOLUTION****9.29AM**

That pursuant to s2.18.1(i) and s2.18.27 of Livingstone Shire Council's Meeting Procedures Policy the provisions of the Meeting Procedures be suspended to allow adequate time for informal discussion on Item 10.2 – Notice of Motion – Councillor Adam Belot – Water Charges prior to entering into formal debate.

Moved by: Councillor Mather

MOTION CARRIED UNANIMOUSLY

Resumption of Standing Orders**COUNCIL RESOLUTION****10.03AM**

That pursuant to s2.18.1(i) and s2.18.27 of Livingstone Shire Council's Meeting Procedures Policy the provisions of the Meeting Procedures be resumed.

Moved by: Councillor Mather

MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION ONE

THAT in order to address cost of living pressures, Council reconsiders its price path for water charges (adopted in 2020) as part of 2024/25 budget deliberations.

Moved by: Deputy Mayor, Councillor Belot

Seconded by: Councillor Mather

MOTION CARRIED UNANIMOUSLY

COUNCIL RECOMMENDATION TWO

That Council provide a 'budget buster relief rebate' out of cash reserves (\$99,675 million) to impacted residents on the reticulated water supply's within LSC by applying below formula instead of current formula for the rating period of December 2023 through to April 2024 consumption.

- 1st Tier up to 75kl @\$1.00/kl
- 2nd Tier 75kl up to 150kl @\$1.56kl
- 3rd Tier over 150kl @\$3.07/kl

COUNCIL RESOLUTION

That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter Item 10.2 Notice of Motion – Councillor Adam Belot – Water Charges (Recommendation Two) lay on the table pending further information from officers to be provided at a workshop and a subsequent special meeting prior to caretaking period commencing.

Moved by: Councillor Friend:

MOTION CARRIED

Crs P Eastwood, A Friend, A Ireland, G Mather, Swadling and R Watson voted in the affirmative.

Cr A Belot voted in the negative.

Meeting Adjourned**COUNCIL RESOLUTION****10.26AM**

THAT the meeting be adjourned.

Moved by: Mayor, Councillor Ireland

MOTION CARRIED UNANIMOUSLY***Meeting Resumed*****COUNCIL RESOLUTION****10.48AM**

THAT the meeting be resumed.

Moved by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

11 REPORTS

11.1 CHANGE OF ORDINARY MEETING DATE - MARCH 2024

File No: GV

Attachments: 1. **DSDILGP Section 257 Local Government Regulation 2012 Council Meetings - 6 October 2023**

Responsible Officer: **Matthew Willcocks - Acting Chief Executive Officer**

Author: **Cale Dendle - Chief Executive Officer**

SUMMARY

Chief Executive Officer seeking endorsement of actions taken to alter the commencement date and time of the March 2024 Ordinary Meeting.

COUNCIL RESOLUTION

THAT Council endorses the alteration of the March 2024 Ordinary Meeting to the 12 March 2024 Ordinary Council Meeting due to the Local Government Election.

Moved by: **Councillor Swadling**

Seconded by: **Councillor Friend**

MOTION CARRIED UNANIMOUSLY

11.2 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 DECEMBER 2023**File No:** FM12.14.1**Attachments:**

1. Monthly Financial Report 31 December 2023
2. Contract Award Summary

Responsible Officer: Andrea Ellis - Chief Financial Officer**Author:** Caitlyn Good - Management & Treasury Accountant

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the Period Ending 31 December 2023 by the Chief Financial Officer.

COUNCIL RESOLUTION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 31 December 2023 be received (Attachment 1).

Moved by: Mayor, Councillor Ireland**Seconded by:** Councillor Swadling**MOTION CARRIED UNANIMOUSLY**

11.3 EXTERNAL AUDIT FINANCIAL MANAGEMENT REPORT 2022-23

File No: qA24384
Attachments: 1. Final Management Letter - LSC 2023 (14-12-2023)
Responsible Officer: Matthew Willcocks - Acting Chief Executive Officer
Author: Andrea Ellis - Chief Financial Officer

SUMMARY

Presentation of the Final Management Report (Observation Report) from the Queensland Audit Office following the completion of the 2022-23 financial audit for Livingstone Shire Council.

COUNCIL RESOLUTION

THAT Council notes the observations contained within the Final Management Report (Observation Report) from the Queensland Audit Office for the 2022-23 financial year.

Moved by: Councillor Swadling

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

11.4 2023-24 DEBT POLICY**File No:** FM12.5.1**Attachments:**

1. Debt Policy (Version 13.0) - clean version
2. Debt Policy (Version 13.0) - tracked changes

Responsible Officer: Matthew Willcocks - Acting Chief Executive Officer**Author:** Andrea Ellis - Chief Financial Officer

SUMMARY

This report presents the revised 2023-24 Debt Policy for Council's adoption in accordance with Section 192 of the Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT pursuant to Section 192 of the *Local Government Regulation 2012*, Council adopts the 2023-24 Debt Policy.

Moved by: Councillor Friend**Seconded by:** Councillor Watson**MOTION CARRIED UNANIMOUSLY**

11.5 COMMUNITIES PORTFOLIO MANAGEMENT REPORT

File No: qA82782
Attachments: Nil
Responsible Officer: Chris Ireland - General Manager Communities
Author: Jo McLennan - Executive Officer

SUMMARY

This report provides a summary of a range of strategic and operational activities within the Communities portfolio for the period 1 October 2023 to 31 December 2023

COUNCIL RESOLUTION

THAT the Communities portfolio management report for the period 1 October 2023 to 31 December 2023 be received.

Moved by: Councillor Eastwood

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

11.6 REGIONAL ARTS DEVELOPMENT FUND ROUND ONE 2023/2024

File No: GS115.2.5
Attachments: Nil
Responsible Officer: Chris Ireland - General Manager Communities
Author: Molly Saunders - Manager Community and Cultural Services

SUMMARY

Four applications were received for Round One of the 2023/2024 Livingstone Regional Arts Development Fund which closed 3 December 2023. Budget available for Round One is \$21,828.00.

The Regional Arts Development Fund assessment panel assessed the applications and recommended a total funding amount of \$17,783.50.

COUNCIL RESOLUTION

THAT in accordance with the recommendation of the Livingstone Shire Regional Arts Development Fund Assessment Panel, the following grant applications be funded from the Regional Arts Development Fund Budget Round One 2023/2024:

Name	Purpose of Grant	Total Project Expenses	Grant Requested	Grant Recommended
Caitlyn Lever (IPD)	Participation in the 'Thriving Muralist' course for professional development of mural artists.	\$4,250.00	\$4,250.00	\$2,762.00
Aphrodite Art School	'Common Ground'. Planning and delivery of fortnightly art/community meet ups to encourage getting creative in natural spaces.	\$14,226.00	\$10,716.00	\$3,771.00
Yeppoon Little Theatre	Youth theatre production of 'Ivy Shambitt and the Sound Machine'.	\$7,400.00	\$5,180.00	\$4,250.00
High Valley Dawn Permaculture Farm	Various arts and cultural components of the High Valley Dawn Festival 2024.	\$48,450.00	\$7,000.00	\$7,000.00
TOTAL				\$17,783.50

Moved by: Councillor Watson

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

11.7 NAMING OF WETLAND OFF BOTTLEBRUSH DRIVE

File No: qA24494
Attachments: 1. Kedron Park Biodiversity Survey Summary
Responsible Officer: Sean Fallis - Manager Engineering Services
Michael Kriedemann - General Manager Infrastructure
Author: Jo Fursman - Administration Officer

SUMMARY

This report involves a request for the renaming of Kedron Park. Given the environmental features of the park, it was suggested that the name "Kedron Wetland" may be more appropriate.

COUNCIL RECOMMENDATION

THAT the area currently named *Kedron Park* be changed to *Kedron Wetland*.

COUNCIL RESOLUTION

That pursuant to s2.18.1(d) and s2.18.11 of Livingstone Shire Council's Meeting Procedures Policy the matter Item 11.7 – Naming of Wetland off Bottlebrush Drive lay on the table pending a survey to surrounding residents regarding the name change and the results to return to a Council Meeting.

Moved by: Councillor Friend

MOTION CARRIED

Crs P Eastwood, A Friend, A Ireland, Swadling and R Watson voted in the affirmative.

Crs A Belot and G Mather voted in the negative.

11.8 REQUEST FOR FEE REDUCTION - D-369-2023 MATERIAL CHANGE OF USE FOR RELOCATABLE HOME PARK (286 DWELLINGS)

File No: x
Attachments: 1. Locality Plan
2. Concept Master Plan
Responsible Officer: Chris Ireland - General Manager Communities
Author: Greg Abbotts - Manager Development and Environment

SUMMARY

Capricorn Survey Group on behalf of their client, Keppel Developments Pty Ltd, have made representations to Council seeking a reduction in development application fees for Material Change of Use for a Relocatable Home Park (286 Dwellings), located at Lot 6000 Carige Boulevard, Taroomball, described as Lot 6000 on SP329791. The application was lodged with Council on 6 November 2023 and the fee of \$77,041.00 paid on 14 November 2023. This fee was paid to ensure that the application was properly made and could progress, the applicant now seeks a fee reduction. A fee reduction would result in a refund to the applicant.

COUNCIL RESOLUTION

THAT Council resolve to accept an application fee of \$45,941.00 for the Development Application, on the basis of the proposed fee representing the cost recovery allowable under section 97(4) of the *Local Government Act 2009*, with the fee reduction being valid for the 2023/24 financial year only.

Moved by: Councillor Swadling

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

11.9 SUCCESSFUL 2023 TRANSLINK BUS STOP UPGRADE PROGRAM**File No:** A1813319**Attachments:**

1. Attachment 1 - 440 Bus Route Map & TimeTable
2. Attachment 2 - Email from Keppel Electoral Office

Responsible Officer: Michael Kriedemann - General Manager Infrastructure**Author:** Jake Taylor - Principal Transport Engineer**SUMMARY**

Livingstone Shire Council has secured \$300,000 in funding from the State Government, via TransLink, a branch of the Department of Transport and Main Roads, for the construction of five new bus stops with shelters. This project, planned for the 2023-2025 budget, will improve local community infrastructure without imposing any financial strain on the Council's budget, as the capital cost is fully funded by the State.

The planned bus stops will be situated along public bus route 440, a key transit route facilitating community travel for business, tourism, education, and healthcare, stretching from Zilzie to the Yeppoon CBD, and further to Rockhampton CBD and airport (see attachment A for route map and timetable). These bus stops have been a subject of numerous requests from the public, indicating that their implementation is likely to be positively received by the community.

COUNCIL RESOLUTION

THAT Council approves the \$300,000 Bus Stop Upgrade program, fully funded by TransLink, with detailed design in 2023/2024 and construction in 2024/2025.

Moved by: Councillor Eastwood**Seconded by:** Deputy Mayor, Councillor Belot**MOTION CARRIED UNANIMOUSLY**

12 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS

Nil

Confirmed

13 URGENT BUSINESS QUESTIONS

Confirmed

14 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.

COUNCIL RESOLUTION

12.02PM

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.

15.1 Landfill Management and Associated Services

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.

15.2 System Implementation Project (Merlin) Phase Three

This report is considered confidential in accordance with section 254J(3)(c) (g), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND 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.

Moved by: Councillor Swadling

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

12.49PM

THAT the meeting moves out of closed session and be opened to the public.

Moved by: Councillor Mather

Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

15 CONFIDENTIAL REPORTS

15.1 LANDFILL MANAGEMENT AND ASSOCIATED SERVICES

File No: 2023.014

Attachments: Nil

Responsible Officer: Michael Kriedemann - General Manager Infrastructure

Author: Chris Hocking - Manager Water and Waste Operations

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

This report is for the recommendation to Councillors to enter into contract with Outlook (Aust) Ltd to deliver the contract for the 2023.014 – Landfill Management & Associated Services.

COUNCIL RESOLUTION

THAT Council resolves to:

1. Endorse the *Combined Officer Evaluation Panel* recommendation to **award** the Landfill Operations & Associated Services contract to the preferred tenderer Outlook (Aust) Ltd
2. Delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise and execute any and all matters associated with the contract for the Landfill Operations & Associated Services to the preferred tenderer Outlook (Aust) Ltd for a period of 8 years initially with a further 3 x 1 year options.

Moved by: Councillor Friend

Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

15.2 SYSTEM IMPLEMENTATION PROJECT (MERLIN) PHASE THREE

File No: fA23755
Attachments: Nil
Responsible Officer: Matthew Willcocks - Acting Chief Executive Officer
Author: Alister Gill - Project Implementation Manager

This report is considered confidential in accordance with section 254J(3)(c) (g), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND 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

The project is approaching the full execution of phases one and two. The project is seeking approval from the council to proceed with phase three of the staged implementation, in order to be considered in the 24-25FY and 25-26FY budgets.

COUNCIL RESOLUTION

THAT:

1. Council approves progression of the Systems Implementation Project (Project Merlin) to Phase III and budgets accordingly.
2. Council affirms officer authority to activate the contract option to proceed with Phase III of the project once those officers are satisfied that all pre-conditions and other obligations have been met to officer satisfaction.

Moved by: Councillor Swadling

Seconded by: Councillor Mather

MOTION CARRIED UNANIMOUSLY

16 CLOSURE OF MEETING

There being no further business the meeting closed at 12.50PM.

Andrew Ireland
CHAIRPERSON

DATE

Confirmed