



ORDINARY MEETING

MINUTES

16 OCTOBER 2018

The resolutions contained within these minutes were confirmed at the Council meeting held
on 6 November 2018.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPOON ON TUESDAY, 16 OCTOBER 2018 COMMENCING AT 9:04AM

1 OPENING

2 PRESENT

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

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
Mr Shane Weir - Acting Chief Human Resources Officer
Mr Dave Mazzaferri – Manager Disaster Management, Recovery and Resilience
Mrs Debra Howe – Director Strategic Growth and Development
Mrs Trish Weir – Manager Customer Engagement and Communication
Mrs Meegan Armstrong – Coordinator Engagement and Events
Mrs Molly Saunders – Community Development Officer
Mr Mark McLean – Principal Property Officer
Mrs Lucy Walker – Acting Coordinator Executive Support

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 PUBLIC FORUMS/DEPUTATIONS

Nil

5 MAYORAL MINUTE

Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 2 October 2018 be taken as read and adopted as a correct record.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Mather

MOTION CARRIED

7 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

9:15AM

In accordance with s172(2) of the *Local Government Act 2009*, Mayor Bill Ludwig disclosed a material personal interest in respect of Item 15.2 and 15.3 due to past electoral support from Tropical Pines. Mayor Ludwig did not take part in the debate and left the meeting.

10:00AM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Nigel Hutton disclosed a conflict of interest in respect of Item 15.2 and 15.3 due to his sister being an employee of Tropical Pines. Councillor Hutton announced his intention to remain in the room and to vote on the matter.

8 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4.1

Attachments: 1. **Business Outstanding Table - 16 October 2018** [⇒](#)

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

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

COUNCIL RESOLUTION

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

Moved by: Councillor Kelly

Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

9 PRESENTATION OF PETITIONS

L.1 PETITION REQUESTING MAINTENANCE OF TOOKERS ROAD, CAWARRAL

File No: CR2.13.37

Attachments: 1. Signed Petition [⇒](#)

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Council has received the following petition from residents and users of Tookers Road requesting the urgent placement of bitumen along Tookers Road, Cawarral.

COUNCIL RESOLUTION

THAT the petition be received.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Mather

MOTION CARRIED

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

Nil

11 COUNCILLOR/DELEGATE REPORTS

Nil

12 REPORTS

12.1 LIFTING MATTERS LYING ON THE TABLE

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Lucy Walker - Executive Support Officer
Debra Howe - Director Strategic Growth & Development

SUMMARY

The Business Outstanding Table is used as a tool to identify when reports are due back to the Council table. Items lying on the table require a report to be lifted from the table before being dealt with.

This report is designed to lift all necessary reports from the table to be dealt with at the current meeting of 16 October 2018, in this case the 'Potential Sale of Lots 2 and 3 – The Gateway Business and Industry Park'.

For noting, since the report being lifted off the table was presented to the Ordinary Meeting of Council on 18 September 2018 some new information has come to light. As a result, a new report has been prepared relating to the potential sale of Lots 2 and 3 in The Gateway Business and Industry Park, which is also on the agenda of the current meeting of 16 October 2018.

Council may then choose to let the report from 18 September 2018 lapse and deal with the more recent report.

COUNCIL RESOLUTION

THAT the following matter, 'lying on the table' in the Business Outstanding Table due to return to Council Meeting, be lifted from the table and be dealt with accordingly.

- Potential Sale of Lots 2 and 3 – The Gateway Business and Industry Park

Moved by: Councillor Kelly
Seconded by: Councillor Belot

MOTION CARRIED

12.2 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2018**File No:** FM12.14.1**Attachments:** 1. **Monthly Council Report - September 2018** [⇒](#)**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Damien Cross - Coordinator Accounting Services

SUMMARY

Presentation of the Livingstone Shire Council Monthly Financial Report for the period ending 30 September 2018 by the Chief Financial Officer.

COUNCIL RESOLUTION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 30 September 2018 be received.

Moved by: Deputy Mayor, Councillor Hutton**Seconded by:** Councillor Kelly**MOTION CARRIED**

12.3 PROPOSED TRUSTEE LEASES - CAPRICORN TOURISM AND ECONOMIC DEVELOPMENT LIMITED AND KEPPEL COAST ARTS COUNCIL INC.

File No: CP5.9.2

Attachments: 1. Aerial Photograph - Capricorn Tourism Lease Area [↗](#)

Responsible Officer: David Mazzaferri - Manager Disaster Management, Recovery and Resilience
Brett Bacon - Executive Director Liveability and Wellbeing
Mark McLean - Principal Property Officer

Author: Maddie Crigan - Property Officer

SUMMARY

The purpose of this report is to provide information in relation to the re-dedication of the Reserve over Merv Anderson Park and issue of Trustee Leases over same.

COUNCIL RESOLUTION

THAT Council resolve to:

- 1) apply the exception mentioned in Section 236(1)(b)(ii) of the *Local Government Regulation 2012* to its dealings with Capricorn Tourism and Economic Development Limited and Keppel Coast Arts Council Incorporated for issue of Trustee Leases over land currently described as Lot 2 on Survey Plan 104438, Merv Anderson Park Yeppoon; and
- 2) provide Trustee Leases over land currently described Reserve for Recreation, Public Boat Ramp, Jetties and Landing Place over Lot 2 on Survey Plan 104438 to:
 - (a) Capricorn Tourism and Economic Development Limited for a term of 20 years for operation of the Capricorn Coast Visitor Information Centre and Shell World; and
 - (b) Keppel Coast Arts Council Incorporated for a term of 5 years for operation of the Artship.

Moved by: Councillor Kelly

Seconded by: Councillor Eastwood

MOTION CARRIED

12.4 LIVINGSTONE SHIRE LOCAL DISASTER MANAGEMENT PLAN 2018

File No: ES9.5.2

Attachments: 1. Livingstone Shire Local Disaster Management Plan [↗](#)

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing

Author: David Mazzaferri - Manager Disaster Management, Recovery and Resilience

SUMMARY

Livingstone Shire Council is dedicated to the continuous improvement of Disaster Management through all levels, including prevention, preparation, response and recovery. The Local Disaster Management Plan has been prepared by the Livingstone Shire Local Disaster Management Group for Livingstone Shire Council under the provisions of Section 57(1) of the Disaster Management Act 2003. The annual review and amendment of the Livingstone Shire Local Disaster Management Plan is a part of this continuous improvement process.

COUNCIL RESOLUTION

That Council adopts the *Livingstone Shire Local Disaster Management Plan* as endorsed by the Livingstone Shire Local Disaster Management Group on 10 September 2018.

Moved by: Mayor Ludwig

Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED UNANIMOUSLY

12.5 YEPPOON LAGOON - EXTRA ACTIVITIES POST OPENING**File No:** CR 2.5.21

Attachments:

1. Yeppoon Lagoon⇒
2. Yeppoon Foreshore Yeppoon Surf Life Saving Club to Keppel Bay Sailing Club⇒
3. Area Subject to Memorandum of Understanding with Keppel Bay Sailing Club⇒

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing

Author: Trish Weir - Manager Customer Service

SUMMARY

At the Advisory Committee Meeting of 3 September 2018, officers were asked to investigate and provide clear details regarding a process to manage the possible 'uses' of the Yeppoon foreshore (predominantly the lagoon precinct) for events and activities. This report details the possibilities and issues associated with 'organised' and commercial use of the precinct and seeks direction regarding use of the site beyond the 'normal' use of the precinct with respect to the grassed and lagoon wet area.

COUNCIL RESOLUTION

That Council resolves to manage activities along the Yeppoon foreshore in accordance with the following tables:

Table One: Yeppoon Lagoon (as depicted in Attachment One)

Area	Potential Activity	Proposed Process	Other
A - Event Space	Large groups/individuals with marquees, markets stalls, outdoor movies, fitness activities, outside broadcasts, sporting and school groups.	Approval required	Alcohol Free Area Advise Lane 4, Rocks Café, and Keppel Bay Sailing Club Fees may apply
B - Group Space	Smaller groups/individuals with marquees, market stalls, fitness activities and outside broadcasts.	Approval required	Alcohol Free Area Advise Lane 4, Rocks Café and Keppel Bay Sailing Club Fees may apply
C - Community Space	Community Space.	Not to be booked	Alcohol Free Area No action required
C - Community Space	Skate Park (Competitions).	Approval required	Alcohol Free Area

			No action required
D - Leased Area	Rocks Café and Restaurant	Not to be booked	Tenant controlled service of alcohol

Table Two: Yeppoon Foreshore (as depicted in Attachment Two)

Area	Potential Activity	Proposed Process	Other
A - Event Space	Large groups/individuals with marquees, markets stalls, outdoor movies, fitness activities, outside broadcasts, sporting and school groups and personal trainers.	Approval required	Alcohol can only be consumed in accordance with a Liquor Licence Fees may apply
B - Group Space	Smaller groups/individuals with marquees, market stalls, fitness activities and outside broadcasts.	Approval required	Alcohol can only be consumed in accordance with a Liquor Licence Fees may apply
C - Community Space	Community Space.	Not to be booked	Alcohol Free Area Nil action required

PROCEDURAL MOTION

That the matter lay on the table pending further information at an Advisory Committee and to return to a future Council Meeting.

Moved by: Councillor Mather

Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

12.6 YEPPOON LAGOON PAID PARKING HOURS - COMMUNITY AND STAKEHOLDER ENGAGEMENT**File No:** ED8.5.17

- Attachments:**
1. Paid Parking Hours of Operation Community Engagement Feedback [⇒](#)
 2. Media Release: Community engagement to begin for paid parking implementation at Yeppoon Lagoon [⇒](#)
 3. Yeppoon Lagoon Paid Parking Area Map [⇒](#)

Responsible Officer: Debra Howe - Director Strategic Growth & Development
Brett Bacon - Executive Director Liveability and Wellbeing

Author: Sonia Barber - Senior Economic Development Officer

SUMMARY

Council has approved the inclusion of smart paid parking around the Yeppoon Lagoon. Key stakeholder and community engagement commenced in early September 2018 and concluded on 21 September 2018.

This report is to provide an update to Council on the outcomes of community engagement and consultation with key stakeholders regarding paid parking operating hours around the Yeppoon Lagoon on Lagoon Place and Anzac Parade.

This report also includes key stakeholder requests for changes to be made to the Yeppoon Lagoon car parking areas to accommodate the introduction of paid parking.

COUNCIL RESOLUTION

THAT Council:

1. receive and consider the community feedback regarding the hours of operation of the paid parking around the Yeppoon Lagoon on Lagoon Place and Anzac Parade.
2. confirm the hours of operation for the paid parking around the Yeppoon Lagoon on Anzac Parade and Lagoon Place will be 8:30am to 5:00pm Monday to Sunday.
3. receive and consider the feedback received from key stakeholder consultation regarding the introduction of paid parking around the Yeppoon Lagoon
4. approve:
 - (a) further investigation into the potential installation of a removable boom-gate to be placed on Anzac Parade outside the Keppel Bay Sailing Clubhouse front car park for use during road closures for sailing Sundays and major sailing events;
 - (b) the provision of two additional disabled car parks on Anzac Parade at the front of the Keppel Bay Sailing Clubhouse; and
 - (c) the allocation of two bays on Lagoon Place close to the entrance of the Yeppoon Lagoon, as a fifteen (15) minute drop off and pick up zones.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

DIVISION:

Crs A Belot, PE Eastwood, J Kelly, B Ludwig and T Wyatt voted in the affirmative.

Crs N Hutton and G Mather voted in the negative.

12.7 RESPONSE TO QUESTIONS ON NOTICE - KINKA BEACH SEWERAGE AND WATER**File No:** SD29.9.1**Attachments:** 1. Questions On Notice [⇒](#)**Responsible Officer:** Dan Toon - Executive Director Infrastructure Services**Author:** Michael Prior - Manager Infrastructure Operations

SUMMARY

This report provides a response to Questions on Notice which Councillor Glenda Mather tendered to the Council meeting on 2 October 2018.

COUNCIL RESOLUTION

THAT this report be received as an appropriate response to the Questions on Notice relating to water supply and sewerage for the Kinka Beach area.

Moved by: Councillor Mather**Seconded by:** Councillor Belot**MOTION CARRIED**

12.8 REGIONAL ARTS DEVELOPMENT FUND ASSESSMENT PANEL – COUNCIL REPRESENTATIVE

File No: GS15.2.5
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Brett Bacon - Executive Director Liveability and Wellbeing

SUMMARY

This report pertains to the nomination of a Councillor as one of Council's representatives on its Regional Arts Development Fund Assessment Panel.

COUNCIL RESOLUTION

THAT Council resolves to appoint Councillor Pat Eastwood as one of its two representatives on its Regional Arts Development Fund Assessment Panel.

Moved by: Councillor Kelly
Seconded by: Councillor Belot
MOTION CARRIED

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

Nil

Mayor Ludwig sought leave of the meeting to suspend meeting procedures for morning tea.

Leave granted.

Meeting procedures were suspended at 9.43AM.

Meeting procedures resumed at 9:52AM.

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.

COUNCIL RESOLUTION

9:53AM

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 ARaBIC External Member Remuneration

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 it.

15.2 Potential Sale of Lots 2 and 3 - The Gateway Business and Industry Park

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

15.3 Potential Sale of Lots 2 and 3 - The Gateway Business and Industry Park

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

15.4 Negotiation of Tenancy – Centre of Excellence for Disaster Management , Innovation and Community Resilience (The Hub)

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 it.

15.5 Proposed Lease of Land at Barmaryee to the Yeppoon and District Show Society Inc.

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

Moved by: Councillor Wyatt

Seconded by: Councillor Kelly

MOTION CARRIED

9:55AM Councillor Mather returned to the meeting.

9:59AM Mayor Ludwig left the meeting due to perceived conflict of interest in relation to items 15.2 and 15.3.

10:00AM Deputy Mayor, Councillor Hutton left the meeting due to perceived conflict of interest in relation to items 15.2 and 15.3.

COUNCIL RESOLUTION**10:02AM**

THAT the meeting moves out of closed session to take a vote on perceived conflict of interest declared by Deputy Mayor, Councillor Hutton.

Moved by: Councillor Kelly
Seconded by: Councillor Mather

MOTION CARRIED

COUNCIL RESOLUTION**10:04AM**

THAT Councillor Adam Belot be appointed chairperson in the absence of Mayor Ludwig and Deputy Mayor, Councillor Hutton.

Moved by: Councillor Mather
Seconded by: Councillor Wyatt

MOTION CARRIED

COUNCIL RESOLUTION**10:06AM**

THAT Councillor Hutton be allowed to return to the meeting and vote due to his perceived conflict of interest being noted as not having an impact on the outcome of agenda items 15.2 and 15.3.

Moved by: Councillor Eastwood
Seconded by: Councillor Kelly

MOTION CARRIED

Councillor Mather recorded against for the above resolution.

10:07PM Deputy Mayor, Councillor Hutton returned to the meeting.

COUNCIL RESOLUTION**10:08AM**

THAT the meeting be closed to the public to discuss items 15.2 and 15.3.

Moved by: Councillor Mather
Seconded by: Councillor Kelly

MOTION CARRIED

COUNCIL RESOLUTION**10:28AM**

THAT the meeting be open to the public to resolve items 15.2 and 15.3.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

10:30AM

Mayor Ludwig returned to the meeting.

COUNCIL RESOLUTION**10:33AM**

THAT the meeting be closed to the public to further discuss the remaining items on the agenda.

Moved by: Councillor Belot

Seconded by: Councillor Mather

MOTION CARRIED

COUNCIL RESOLUTION**10:49AM**

THAT the meeting be open to the public to resolve items 15.1 and 15.4 and 15.5.

Moved by: Councillor Kelly

Seconded by: Councillor Eastwood

MOTION CARRIED

15 CONFIDENTIAL REPORTS

15.1 ARABIC EXTERNAL MEMBER REMUNERATION

File No: CM4.2.1

Attachments: 1. 2018 Benchmark on Member Fees

Responsible Officer: Chris Murdoch - Chief Executive Officer

Author: Scott Williams - Internal Auditor

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 it.

SUMMARY

The report outlines the history of remuneration of members of the Audit, Risk and Business Improvement Committee (ARaBIC) and suggests a potential change to that remuneration.

COUNCIL RESOLUTION

THAT the remuneration for external members of the Audit, Risk and Business Improvement Committee be changed to that recommended in the conclusion of the report.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED

15.2 POTENTIAL SALE OF LOTS 2 AND 3 - THE GATEWAY BUSINESS AND INDUSTRY PARK**File No:** ED.8.5.5**Attachments:** 1. The Gateway Business and Industry Park Stage 1 and 2 Layout**Responsible Officer:** Brett Bacon - Executive Director Liveability and Wellbeing**Author:** Debra Howe - Director Strategic Growth & Development
Elle Wallin - Project Support Officer**Previous Items:** 15.1 - Potential Sale of Lots 2 and 3 - The Gateway Business and Industry Park - Ordinary Council - 01 May 2018 9:00am

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

SUMMARY

A local business has expressed interest in two lots within Stage One of The Gateway Business and Industry Park.

OFFICER'S RECOMMENDATION

THAT Council:

1. reconfirms its previous decision on 1 May 2018, to sell Lots 2 and 3, known as 3 and 5 Pineapple Drive, Hidden Valley, within Stage One of The Gateway Business and Industry Park, and acknowledges the nominated offer and new entity (purchaser) listed in this report; and
2. authorises the Chief Executive Officer to finalise negotiations and execute a contract of sale for the two lots, having due regard to the provisions for the disposal of non-current assets contained in the Queensland *Local Government Regulation 2012* and Livingstone Shire Council's Procurement Policy.

The above motion lapsed due to no mover or seconder.

15.3 POTENTIAL SALE OF LOTS 2 AND 3 - THE GATEWAY BUSINESS AND INDUSTRY PARK

File No: ED.8.5.5

Attachments:

1. The Gateway Business and Industry Park Stage 1 and 2 Layout
2. ASIC Organisation Extract - Hidden Valley Harvest (Facility)

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing

Author: Debra Howe - Director Strategic Growth & Development

Previous Items: 15.1 - Potential Sale of Lots 2 and 3 - The Gateway Business and Industry Park - Ordinary Council - 01 May 2018 9:00am

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

SUMMARY

A local business has expressed interest in purchasing two lots within Stage One of The Gateway Business and Industry Park.

A report on this matter was presented to the Ordinary Meeting on 18 September 2018 and was laid on the table pending further discussion, when all Councillors are present. Since then the interested purchaser has contacted Council to request consideration of two matters in relation to the potential sale, which are outlined in this report.

This report seeks reconfirmation from Council of its previous decision on 1 May 2018 to sell Lots 2 and 3, known as 3 and 5 Pineapple Drive, Hidden Valley, in The Gateway Business and Industry Park and the outcomes from deliberations on the requests from the purchaser.

COUNCIL RESOLUTION

THAT Council:

1. reconfirms its previous decision on 1 May 2018, to sell Lots 2 and 3, known as 3 and 5 Pineapple Drive, Hidden Valley, within Stage One of The Gateway Business and Industry Park, at the nominated offer and acknowledges the new entity (purchaser) listed in this report;
2. confirms its preparedness to accept the option two payment terms and conditions for Lots 2 and 3, outlined in this report, and if deemed acceptable to the purchaser through further negotiation;
3. confirms in lieu of discounting infrastructure charges, it would favourably consider entering into an infrastructure agreement for the deferred payment of infrastructure charges, in accordance with the general terms prescribed by Council's *Development Incentive Policy for Reconfiguring a Lot*, based on the terms outlined in this report; and if deemed acceptable to the purchaser through further negotiations;
4. authorises the Chief Executive Officer to finalise negotiations with the purchaser, taking into consideration the terms and conditions outlined in this report, and execute a contract of sale for Lots 2 and 3, having due regard to the provisions for the disposal of non-current assets contained in the Queensland *Local Government*

Regulation 2012 and Livingstone Shire Council's Procurement Policy;

Moved by: Councillor Kelly

Seconded by: Councillor Belot

MOTION CARRIED

15.4 NEGOTIATION OF TENANCY - CENTRE OF EXCELLENCE FOR DISASTER MANAGEMENT, INNOVATION AND COMMUNITY RESILIENCE (THE HUB)**File No:** ED8.5.8**Attachments:** Nil**Responsible Officer:** Brett Bacon - Executive Director Liveability and Wellbeing**Author:** Debra Howe - Director Strategic Growth & Development
Mark McLean - Principal Property Officer

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

SUMMARY

The purpose of this report is to provide information in relation to interest from the State Government seeking to locate within the Centre of Excellence for Disaster Management, Innovation and Community Resilience (The Hub).

COUNCIL RESOLUTION

THAT Council resolve that the exception mentioned in Section 236(1)(b)(i) of the *Local Government Regulation 2012* may apply in its dealing with The State of Queensland (represented by the Department of Housing and Public Works) on the lease of a tenancy at the Centre of Excellence for Disaster Management, Innovation and Community Resilience (The Hub).

Moved by: Deputy Mayor, Councillor Hutton**Seconded by:** Councillor Wyatt**MOTION CARRIED**

15.5 PROPOSED LEASE OF LAND AT BARMARYEE TO THE YEPPON AND DISTRICT SHOW SOCIETY INC.**File No:** LEA254**Attachments:** 1. Lot 11 RP848831 Survey and Aerial**Responsible Officer:** David Mazzaferri - Manager Disaster Management, Recovery and Resilience
Brett Bacon - Executive Director Liveability and Wellbeing**Author:** Mark McLean - Principal Property Officer

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

SUMMARY

The purpose of this report is to provide information in relation to a proposed lease to the Yeppoon and District Show Society Inc. over Lot 11 on Registered Plan 848831 at Barmaryee.

COUNCIL RESOLUTION

THAT Council resolve to:

- 1) apply the exception mentioned in Section 236(1)(b)(ii) of the *Local Government Regulation 2012* to its dealings with the Yeppoon and District Show Society Inc. for the issue of a lease over Lot 11 on Registered Plan 848831; and
- 2) provide the Yeppoon and District Show Society Inc. with a five (5) year lease over Lot 11 on Registered Plan 848831 for the purpose of undertaking due diligence on the site in relation to its possible future use as the location of the Yeppoon Showgrounds and an Equestrian Centre of Excellence; and
- 3) delegate to the Chief Executive Officer to negotiate the terms of the lease to the Yeppoon and District Show Society Inc. over Lot 11 on Registered Plan 848831; and
- 4) agree in principle to a possible further lease of Lot 11 on Registered Plan 848831 to the Yeppoon and District Show Society Inc. for the primary purposes of a showground for the conduct of the Yeppoon and District Agricultural Show and an Equestrian Centre of Excellence; and
- 5) indicate to the Yeppoon and District Show Society Inc. that it provides agreement in principle to a suite of secondary uses (such as that mentioned in the report), which would be subject to all relevant approvals, under any further lease of Lot 11 on Registered Plan 848831.

Moved by: Mayor Ludwig**Seconded by:** Deputy Mayor, Councillor Hutton**MOTION CARRIED**

16 URGENT BUSINESS\QUESTIONS

17 CLOSURE OF MEETING

There being no further business the meeting closed at 10:52AM.

Bill Ludwig
CHAIRPERSON

DATE