



ORDINARY MEETING

MINUTES

21 MAY 2019

The resolutions contained within these minutes were confirmed at the Council meeting on 4 June 2019.

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<p>MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 21 MAY 2019 COMMENCING AT 8.35AM</p>

1 OPENING

2 PRESENT

Members Present:

Acting Mayor, Councillor Nigel Hutton (Chairperson)
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
Mr Nick Sheehan - Chief Human Resources Officer
Miss Sue Schluter – Executive Assistant to Mayor

3 LEAVE OF ABSENCE / APOLOGIES

Leave of Absence for the meeting was previously granted to Councillor Bill Ludwig at Ordinary Meeting 19 February 2019.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 7 May 2019 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

**5 DECLARATIONS OF INTEREST IN MATTERS ON THE
 AGENDA**

Nil

6 PUBLIC FORUMS/DEPUTATIONS

Nil

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4.1

Attachments: 1. Business outstanding as at 21 May 2019 [⇒](#)

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 Mather

Seconded by: Councillor Kelly

MOTION CARRIED

8 PRESENTATION OF PETITIONS

Nil

9 MAYORAL MINUTE

Nil

10 COUNCILLOR/DELEGATE REPORTS

Nil

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

Nil

12 REPORTS

12.1 COUNCILLOR AGENDA ITEM REQUESTS

File No: GV13.4.1
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Sue Schluter - Executive Assistant to Mayor

SUMMARY

This report is to provide information in relation to Councillor requests for agenda items.

COUNCIL RESOLUTION

THAT Council receive the report in relation to the following items requested by Councillors for inclusion in an agenda:

- Reticulated Water to Mabel Edmund Park
- Audit of Shire Intersections
- Breakwater Drive

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

**12.2 YEPPOON RUGBY LEAGUE FOOTBALL CLUB - REQUEST TO WAIVE
SEWERAGE CONNECTION CHARGES****File No:** FM12.1.10**Attachments:**

1. Request for Waiver of Connection Fees⇒
2. Quotation for Sewerage Connection⇒

Responsible Officer: Chris Murdoch - Chief Executive Officer**Author:** Dan Toon - Executive Director Infrastructure

SUMMARY

The Yeppoon Rugby League Football Club has requested Council consider waiving the fees associated with providing a connection to the sewerage system for the club facilities at Webb Park.

COUNCIL RESOLUTION

THAT Council resolve to:

1. endorse payment of the amount of \$1,900.00 from the Mayor's Discretionary Fund towards the cost of the sewerage connection fee of \$2,042.90; and
2. waive the balance of the sewerage connection fee of \$142.90 and the cost of the infrastructure contribution in the sum of \$4,250.00.

Moved by: Councillor Eastwood**Seconded by:** Councillor Wyatt**MOTION CARRIED UNANIMOUSLY**

12.3 RURAL ADDRESSING POLICY (V3)**File No:** 4.7.28**Attachments:**
1. Draft Policy (v3) [↗](#)
2. Ordinary Meeting Agenda 7 February 2017 [↗](#)**Responsible Officer:** Dan Toon - Executive Director Infrastructure**Author:** Carrie Burnett - Policy & Planning Officer

SUMMARY*This report seeks Council's adoption of Version 3 of the Rural Addressing Policy.***COUNCIL RESOLUTION**

THAT Council adopt the Rural Addressing Policy (v3).

Moved by: Councillor Kelly**Seconded by:** Councillor Mather**MOTION CARRIED UNANIMOUSLY**

12.4 METERING OF FIRE LINES POLICY (V2)**File No:** 4.7.32**Attachments:**

1. Draft Policy (v2) [⇒](#)
2. Ordinary Meeting Agenda 27 September 2016 [⇒](#)

Responsible Officer: Dan Toon - Executive Director Infrastructure**Author:** Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Council's adoption of Version 2 of the Metering of Fire Lines Policy.

COUNCIL RESOLUTION

THAT Council adopt the Metering of Fire Lines Policy (v2).

Moved by: Councillor Belot**Seconded by:** Councillor Eastwood**MOTION CARRIED UNANIMOUSLY**

12.5 OPENING OF UNCONSTRUCTED ROADS POLICY AND PROCEDURE (V2)**File No:** 4.7.28**Attachments:**

1. Draft Policy (v2) [⇒](#)
2. Draft Procedure (v2) [⇒](#)
3. Ordinary Meeting Agenda 8 March 2016 [⇒](#)

Responsible Officer: Dan Toon - Executive Director Infrastructure**Author:** Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Council's adoption of Version 2 of the Opening of Unconstructed Roads Policy.

COUNCIL RESOLUTION

THAT Council:

1. Adopt the Opening of Unconstructed Roads (v2); and
2. Endorse the approval of the Opening of Unconstructed Roads Procedure (v2) by the Executive Director Infrastructure.

Moved by: Councillor Mather**Seconded by:** Councillor Kelly**MOTION CARRIED UNANIMOUSLY**

12.6 ROADSIDE MEMORIALS POLICY (V3)**File No:** 4.7.28**Attachments:**

1. Draft Policy (v3) [⇒](#)
2. Ordinary Meeting Agenda 22 November 2016 [⇒](#)

Responsible Officer: Dan Toon - Executive Director Infrastructure**Author:** Carrie Burnett - Policy & Planning Officer

SUMMARY

This report seeks Council's adoption of Version 3 of the Roadside Memorials Policy.

COUNCIL RESOLUTION

THAT Council adopt the Roadside Memorials Policy (v3).

Moved by: Councillor Belot**Seconded by:** Councillor Eastwood**MOTION CARRIED UNANIMOUSLY**

12.7 WATER METER POLICY (V3)**File No:** 4.7.32**Attachments:**
1. Draft Policy (v3) [⇒](#)
2. Ordinary Meeting Agenda 18 April 2017 [⇒](#)**Responsible Officer:** Dan Toon - Executive Director Infrastructure**Author:** Carrie Burnett - Policy & Planning Officer

SUMMARY*This report seeks Council's adoption of Version 3 of the Water Meter Policy.***COUNCIL RESOLUTION**

THAT Council adopt the Water Meter Policy (v3).

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

Question without notice from Cr Mather – Could officers prepare a briefing for the information of Councillors on the timing of meter readings in relation to when water usage notices are issued.

12.8 LIVINGSTONE SHIRE COUNCIL BIOSECURITY PLAN 2019 - 2024

File No: EM11.12.7

Attachments:

1. Livingstone Shire Council Biosecurity Plan 2019 - 2024 [⇒](#)
2. Stakeholders to whom draft Biosecurity Plan was sent for comment [⇒](#)
3. Submissions received on draft Biosecurity Plan [⇒](#)

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing

Author: Leise Childs - Senior Land Protection Officer

SUMMARY

Livingstone Shire Council's five-year Biosecurity Plan has been developed for the benefit of the whole community and has application to the entire Shire. It is prepared in accordance with the requirements of the Queensland Biosecurity Act 2014.

The draft Livingstone Shire Council Biosecurity Plan was presented to Council on 4 March 2019 and subsequently key stakeholders were asked to provide feedback. The Livingstone Shire Council Biosecurity Plan (refer Attachment One) is now finalised.

Responsibilities for local government and the community are clearly identified in the Biosecurity Act 2014. Livingstone Shire Council has recognised its responsibilities and roles within the Biosecurity Act 2014 and has developed a biosecurity plan which addresses current legislation, guides effort and investment and endeavours to raise community awareness of invasive species and pest management. Limited resources continue to inhibit the achievement of desired pest management goals so the Biosecurity Plan prioritises actions to address invasive species which present the highest risk. It is anticipated that this plan will assist pest management planning and facilitate external partnerships in order to achieve pest management objectives.

COUNCIL RESOLUTION

That Council adopt the Livingstone Shire Council Biosecurity Plan 2019 – 2024, as contained within Attachment One. And that the plan be made available to the public for information and additional commentary for consideration.

Moved by: Councillor Kelly
Seconded by: Councillor Mather

MOTION CARRIED

Question without notice from Cr Mather – Could officers provide a briefing for Councillors in relation to how the Biosecurity Plan interacts with state owned land.

12.9 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 APRIL 2019**File No:** FM12.14.1**Attachments:** 1. Monthly Financial Report - April 2019 [⇒](#)**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 April 2019 by the Chief Financial Officer.

COUNCIL RESOLUTION

THAT the Livingstone Shire Council Monthly Financial Report for the period ending 30 April 2019 be received.

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

12.10 LOANS TO NON-PROFIT COMMUNITY GROUPS POLICY**File No:** FM12.11.1**Attachments:** 1. Loans to Non-Profit Community Groups Policy [⇒](#)**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Damien Cross - Coordinator Accounting Services

SUMMARY

Council's 'Loans to Non-Profit Community Groups Policy' has been reviewed and is now presented to Council for adoption.

COUNCIL RESOLUTION

THAT Council adopt the Livingstone Shire Council Loans to Non-Profit Community Groups Policy as contained in Attachment One.

Moved by: Councillor Kelly**Seconded by:** Councillor Eastwood**MOTION CARRIED**

12.11 OPERATIONAL PLAN 2018-19 Q3 PROGRESS REPORT**File No:** CM4.6.2**Attachments:**
1. Organisational KPI's [⇒](#)
2. Operational KPI's [⇒](#)**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Suzanne Pambid - Governance Officer

SUMMARY

The 2018-19 Operational Plan progress report for Quarter 3 as at 31 March 2019 is presented, pursuant to Section 174(3) of the Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT the 2018-19 Operational Plan progress report for Quarter 3 as at 31 March 2019 be received.

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

12.12 LIVINGSTONE COMMUNITY GRANTS ROUND THREE 2018/19 ASSESSMENT.

File No: CR2.15.3

Attachments: 1. Livingstone Community Grants Procedure [↗](#)

Responsible Officer: Jared Thomsen - Senior Sport & Education Officer
David Mazzaferri - Manager Disaster Management, Recovery and Resilience
Brett Bacon - Executive Director Liveability and Wellbeing

Author: Molly Saunders - Community Development Officer

SUMMARY

This report outlines the outcome of assessments completed by the Assessment Panel for applications received to the Livingstone Community Grants Scheme, Round Three, 2018/19.

COUNCIL RESOLUTION

THAT in accordance with the recommendation from the Livingstone Community Grants Assessment Panel, Council resolves to fund the following applicants:

Applicant	Initiative	Amount Allocated
Yeppoon AFL Club	New line marking machine	\$1999.00
The Caves Progress and Agricultural Society inc.	Repairs to the range hood fan in the cookhouse.	\$2000.00
Rotary Club of the Capricorn Coast	Purchase of Sandstone for Mulambin Beach Park development.	\$2000.00
Yeppoon Junior Rugby League Club	Purchase of shade shelters.	\$1963.50
Yeppoon State School Parents & Citizens	Purchase of air-conditioner for tuckshop.	\$2000.00
QCWA Emu Park	Purchase of ballet barres.	\$2000.00
SeaQboardriders Inc.	Communication system.	\$2000.00
Cap Coast Landcare	Equipment and tools.	\$816 (partial)
Yeppoon Scouts	Tents.	\$600 (partial)
TOTAL		\$15,378.50

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED UNANIMOUSLY

Question without notice from Cr Kelly – Could officers provide future report in relation to amending the Community Grants Policy to allow for additional rounds to be undertaken when funds still remain after two rounds.

13 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

THAT the meeting be closed to the public at 9.54am to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

14.1 Acquiring Land and Easements for Infrastructure Projects Policy (v3) and Procedure (v2)

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 Mather

Seconded by: Councillor Kelly

MOTION CARRIED

COUNCIL RESOLUTION

THAT the meeting moves out of closed session at 10.03am and be opened to the public.

Moved by: Councillor Mather

Seconded by: Councillor Eastwood

MOTION CARRIED

14 CONFIDENTIAL REPORTS

14.1 ACQUIRING LAND AND EASEMENTS FOR INFRASTRUCTURE PROJECTS POLICY (V3) AND PROCEDURE (V2)

File No: 4.7.28

Attachments:

1. Draft Policy (v3)
2. Draft Procedure (v2)
3. Confidential Ordinary Meeting Agenda 13 January 2015
4. Confidential Ordinary Meeting Agenda 10 February 2015

Responsible Officer: Dan Toon - Executive Director Infrastructure

Author: Carrie Burnett - Policy & Planning Officer

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

SUMMARY

This report seeks Council's adoption of Version 3 of the Acquiring Land and Easements for Infrastructure Projects Policy.

COUNCIL RESOLUTION

THAT Council:

1. Adopt the Acquiring Land and Easements for Infrastructure Projects Policy (v3); and
2. Endorse the approval of the Acquiring Land and Easements for Infrastructure Projects Procedure (v2) by the Executive Director Infrastructure.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED UNANIMOUSLY

15 URGENT BUSINESS\QUESTIONS

Councillor Belot raised the following matter of urgent business.

“That in supporting our local businesses and the broader CQ economy, Council notify the Qld State Government, that it supports in principal, the further development of coal mining in the Galilee Basin, including the Carmichael Adani Project. Effective immediately”

The Chairman ruled that Cr Belot’s motion was not urgent business.

In making that decision, the Chairman indicated that he had given careful consideration to the motion, however rejected it as a matter of urgent business as there was no urgency for Council to have to make the decision on that day and he believed that for Councillors to fulfil their role to ensure they are making informed and considered decisions additional information was required.

In particular, the Chairman indicated that Councillors would want to know what actual work Council has already undertaken in relation to this matter and also understand Council’s role as a Reef Guardian Council and any issues that need to be considered prior to making a formal resolution.

The Chairman requested that Cr Belot’s motion be received as a request for an item on the next agenda and that officers provide further advice to Councillors in relation to:

- details of Council’s involvement in this matter to date; and
- confirm Livingstone Shire Council’s role as a Reef Guardian Council and any relationship to this matter prior to returning to the table for resolution.

PROCEDURAL MOTION

That pursuant to s2.19 and s2.19.11 Council Meeting Procedures the Chairperson’s ruling be dissented from.

Moved by: Councillor Belot

MOTION LOST

Acting Mayor Councillor Hutton exercised his casting vote.

16 CLOSURE OF MEETING

There being no further business the meeting closed at 10.14 am.

Acting Mayor, Councillor Nigel Hutton
CHAIRPERSON

DATE