



ORDINARY MEETING

MINUTES

4 JUNE 2019

The resolutions contained within these minutes were confirmed at the Council meeting on 20 June 2019.

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<p>MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 4 JUNE 2019 COMMENCING AT 8.34AM</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.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 21 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

Cr Belot disclosed a conflict of interest in the matter of agenda item 12.5 (as defined by section 175D of the Local Government Act 2009) as follows: -

Cr Belot declared that his daughter Sarah Carr has trained at, and been an employee of, the Yeppoon Gymnastics and Movement Centre

Cr Belot dealt with this declared conflict of interest by leaving the meeting while this matter was discussed and voted on.

6 PUBLIC FORUMS/DEPUTATIONS

Nil

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

Nil

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
- Letter to State Govt re Support for Gallilee Basin coal mining

Moved by: Councillor Kelly
Seconded by: Councillor Mather

MOTION CARRIED

12.2 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 13 MAY 2019

File No: GV13.4.2
Attachments: Nil
Responsible Officer: Rodney Chapman - Coordinator Governance
Author: Tanya Callaghan - Support Services Officer

SUMMARY

The Audit, Risk and Business Improvement Committee met on 13 May 2019 and this report provides the recommendations from the Committee for consideration and adoption by Council. The reports from the meeting are available for viewing by Councillors on the Councillor Portal.

COUNCIL RESOLUTION

THAT the unconfirmed minutes of the Audit, Risk and Business Improvement Committee held on 13 May be received and the following recommendations contained within those minutes be adopted.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

THAT the minutes of the Audit, Risk and Business Improvement Committee held on 28 February 2019 be taken as read and adopted as a correct record.

7.1 COMMITTEE WORK PROGRAM STATUS

THAT the Committee receives the status of the Annual Works Program.

7.2 AUDIT COMMITTEE SELF ASSESSMENT

THAT the planned Audit Committee self-assessment be deferred to a later date due to the recent inclusion of two (2) new members to the committee.

7.3 EXECUTIVE LEADERSHIP TEAM UPDATE TO THE COMMITTEE

THAT the Committee receives the verbal updates provided by the Leadership Team on key activities or issues.

7.4 2018-19 POSITION PAPERS

THAT Council note that the 2018-19 Position Papers as endorsed by ARABIC.

7.5 2018-19 NON CURRENT ASSET REVALUATIONS

THAT the Audit, Risk and Business Improvement Committee receive this report on the outcome of the Site Improvements revaluation.

7.6 CFO UPDATE

THAT the Audit Risk and Business Improvement Committee receive the Chief Financial Officer's update.

7.7 SHELL GENERAL PURPOSE FINANCIAL STATEMENTS FOR YEAR ENDING 30 JUNE 2019

THAT the Audit, Risk and Business Improvement Committee;

1. Receive the shell general purpose financial statements for 2018-19; and
2. Note that any recommended changes to the shell financial statements for 2018-2019 be reflected in the draft general purpose financial statements that will be submitted to the Audit, Risk and Business Improvement Committee meeting scheduled for the 26 August 2019.

7.8 EXTERNAL AUDIT UPDATE

THAT the Committee receive the update from the External Auditors.

7.9 RESPONSE TO QAO PAYROLL FRAUD ALERT

THAT the Committee note the information in the report and the actions taken by the payroll team to mitigate the risk of fraudulent payroll activities.

7.10 DRAFT INTERNAL AUDIT PLAN - 2019-20 TO 2022-23

THAT the Committee receive the Draft Internal Audit Plan.

7.11 INTERNAL AUDIT REPORT - ICT SECURITY MANAGEMENT

THAT the Committee endorse this Internal Audit Report on ICT Security Management. This report is to be brought back to Council as a separate agenda item for their consideration.

7.12 INTERNAL AUDIT REPORT - PURCHASE CARD MANAGEMENT

THAT the Committee receive the Internal Audit Report on Purchase Card Management.

7.13 INTERNAL AUDIT REPORT - EXTERNAL GRANT-SEEKING PROCESSES

THAT the Committee receive the Internal Audit Report – External Grant Seeking.

7.14 INTERNAL AUDIT UPDATE

THAT the Committee receive the report on Internal Audit and endorse the proposed changes to the 2018-19 Internal Audit Plan.

7.15 FRAUD RISK MANAGEMENT OVERVIEW

THAT the Committee receive this report on Fraud Risk Management Overview.

7.16 REVIEW OF OPERATIONAL RISK REGISTER - PEOPLE AND CULTURE

THAT the update of the overview of Operational Risks provided by the Chief Human Resources Officer be received.

7.17 BUSINESS TRANSFORMATION TEAM WORKS PROGRAMME HIGHLIGHTS AND UPDATES

THAT the Audit, Risk and Business Improvement Committee receive this report.

11.1 RISK MANAGEMENT UPDATE

THAT the Committee receive the Risk Management Report for information.

11.2 CEO UPDATE ON EMERGING ISSUES

THAT the Committee receive the verbal update provided by the Chief Executive Officer on emerging issues.

11.3 CONFIRM WHETHER MEMBERS' BRIEFING SESSION IS REQUIRED

THAT the recommendation was dismissed as the Committee agreed that no briefing session was required.

Moved by: Councillor Kelly

Seconded by: Councillor Eastwood

MOTION CARRIED

12.3 QUARTERLY BUDGET REVIEW (19Q3)**File No:** FM12.5.2**Attachments:**

1. 2018-19 Revised Budget Statements (19Q3)⇒
2. 2018-19 Revised Budget (19Q3) Measures of Financial Sustainability⇒
3. 2018-19 Revised Budget (19Q3) Percentage of change in rates and charges⇒
4. 2018-19 Revised Budget (19Q3) Estimated Activity Statements⇒

Responsible Officer: Chris Murdoch - Chief Executive Officer**Author:** Andrea Ellis - Chief Financial Officer

SUMMARY

The Quarterly Budget Review (19Q3) is presented to Council for adoption recognising changes to the financial position since the Revised Budget (19Q2) was adopted on 19 February 2019. The third quarter budget review for 2018-19 has been input into the Long Term Financial Forecast. Impacts on this and future financial years have been reviewed and some of the forecast assumptions have been amended.

COUNCIL RESOLUTION

THAT Council resolve to adopt, pursuant to Section 107A of the *Local Government Act 2009* and Sections 169 and 170 of the *Local Government Regulation 2012*, the Quarter 3 Revised Budget (19Q3) for the financial year 2018-19 and the Long Term Financial Forecast for the financial years 2018-19 to 2027-28 as contained in the document entitled 2018-19 Revised Budget and Long Term Financial Forecast (Attachment 1) and set out in the pages contained therein:

- i. Statement of Financial Position (Attachment 1);
- ii. Statement of Cash Flows (Attachment 1);
- iii. Statement of Income and Expenditure (Attachment 1);
- iv. Statement of Changes in Equity (Attachment 1);
- v. Long-Term Financial Forecast (Attachment 1);
- vi. Relevant Measures of Financial Sustainability (Attachment 2);
- vii. Total Value of change in the rates and charges expressed as a percentage (Attachment 3);
- viii. Revised estimated business activity costs for the period ending 30 June 2019 (Attachment 4).

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

Cr Mather requested that her vote against the above motion be recorded in the minutes.

12.4 REVENUE POLICY 2019-20**File No:** CM4.7.12**Attachments:** 1. Revenue Policy [⇒](#)**Responsible Officer:** Andrea Ellis - Chief Financial Officer**Author:** Priscilla Graham - Coordinator Revenue

SUMMARY

Councils 2019-20 Revenue Policy has been reviewed and is now present to Council for adoption.

COUNCIL RESOLUTION

THAT pursuant to Section 193(3) of the *Local Government Regulation 2012*, Council adopt the 2019-20 Revenue Policy as contained in Attachment 1.

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

09:07AM Councillor Belot left the meeting due to a conflict of interest due to family reasons as outlined in Item 5, associated with Agenda item 12.5, part one.

**12.5 REQUEST FOR APPLICATION OF RATES, FEES, AND CHARGES
CONCESSION FROM NOT-FOR-PROFIT COMMUNITY ORGANISATIONS**

File No: CP5.9.2

Attachments:

1. Correspondence from Yeppoon Gymnastics and Movement Centre Incorporated [⇒](#)
2. Correspondence from Emu Park Sport and Recreation Association Incorporated [⇒](#)

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

Author: Jared Thomsen - Senior Sport & Education Officer

SUMMARY

This report discusses the application of concessions by Council to not-for-profit community organisations in line with requests received outlining financial hardships and change of circumstances for the respective groups.

COUNCIL RESOLUTION

THAT Council resolve to provide a concession under Section 122 of the *Local Government Regulation 2012*, with consideration for Sections 119-121, to the following not-for-profit community organisations:

1. Yeppoon Gymnastics and Movement Centre Incorporated for rates, fees, and charges accrued throughout the 2018/19 financial year associated with Lot 1 on SP201927; and
2. Emu Park Sport and Recreation Association Incorporated for rates, fees, and charges accrued throughout the 2017/18 and 2018/19 financial years associated with Lot 1 on LN813152.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Eastwood

MOTION CARRIED

Councillor Glenda Mather posed a question without notice requesting a report be prepared for Councillors that shows an overall summary of concessions that have been given by Council to not-for-profit as it impacts on the budget.

9.20AM Councillor Belot returned to the meeting.

12.6 LIVINGSTONE SHIRE COUNCIL ACCESS AND INCLUSION CONSULTATION.

File No: CR2.14.1

Attachments:

1. Livingstone Access and Inclusion Consultation. [⇨](#)
2. Inclusive Community Policy [⇨](#)

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

The Livingstone Shire Council Access and Inclusion Consultation details the diversity of Livingstone Shire and collates the feedback of participants in relation to access and inclusion matters and concerns.

COUNCIL RESOLUTION

THAT Council endorses the Access and Inclusion Consultation Report, as contained within Attachment One.

Moved by: Councillor Kelly

Seconded by: Councillor Mather

MOTION CARRIED UNANIMOUSLY

12.7 USE OF STANAGE BAY TOWNSHIP FOR EXERCISE TALISMAN SABRE 2019

File No: TT30.11.2
Attachments: 1. request from the Australian Defence Simulation and Training Centre [📄](#)
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Brett Bacon - Executive Director Liveability and Wellbeing

SUMMARY

This report considers a request from the Australian Defence Simulation and Training Centre for Council's approval for troops participating in Exercise Talisman Sabre 2019 to undertake activities within the township of Stanage Bay.

COUNCIL RESOLUTION

THAT Council resolves to approve the request from the Australian Defence Simulation and Training Centre for troops participating in Exercise Talisman Sabre 2019 to undertake activities within the township of Stanage Bay.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Mather

MOTION CARRIED

Cr Kelly requested that her vote against the above motion be recorded in the minutes.

**12.8 CENTRAL QUEENSLAND REGIONAL ORGANISATION OF COUNCILS'
RECOGNITION OF THE ECONOMIC CONTRIBUTION OF THE RESOURCE
INDUSTRY TO THE CENTRAL QUEENSLAND REGION.**

File No: ED8.5.12

Attachments: Nil

Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing

Author: Sonia Barber - Principal Economic Development and Innovation Officer

SUMMARY

This report discusses the Galilee Basin and potential for the Council's within central Queensland to maximise the benefit of local content commitments for their respective communities.

Suspension of Standing Orders

COUNCIL RESOLUTION

9.32AM

That pursuant to s2.16 and s2.19 of Council's *Meeting Procedures Policy* the provisions of the Council meeting procedures be suspended to allow adequate time for informal discussion on Items 12.8 and 12.9 prior to entering into formal debate.

Moved by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

Resumption of Standing Orders

COUNCIL RESOLUTION

9.41AM

That pursuant to s2.16 and s2.19 of Council's *Meeting Procedures Policy* the provisions of the Council Meeting Procedures be resumed.

Moved by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

COUNCIL RESOLUTION

THAT Livingstone Shire Council lead a recommendation to the Central Queensland Regional Organisation of Councils to reinforce local government's commitment to work with the Galilee Basins first, and future movers to maximise the local content commitments of the projects and ensure supporting infrastructure is placed within these local communities.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

MOTION CARRIED UNANIMOUSLY

12.9 CR BELOT - REQUEST FOR MOTION REGARDING GALILEE BASIN

File No: GV13.4.4
Attachments: Nil
Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Sue Schluter - Executive Assistant to Mayor

SUMMARY

Cr Belot presented the following motion at the Ordinary meeting of 21 May 2019.

COUNCIL RESOLUTION

THAT in supporting our local businesses and the broader CQ economy, Council notify the Qld State Government, that it reaffirms its support in principal, to the further development of coal and other associated mining in the Galilee Basin, including the Carmichael Adani Project.

Moved by: Councillor Belot
Seconded by: Councillor Mather

MOTION CARRIED

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 10.27am 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 Kerr Park Installation of Playground Equipment and Shade Structures - Amendment to Resolution made for Purchasing Policy Compliance

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 Wyatt

MOTION CARRIED

COUNCIL RESOLUTION

THAT the meeting moves out of closed session at 10.31am and be opened to the public.

Moved by: Councillor Kelly

Seconded by: Councillor Mather

MOTION CARRIED

14 CONFIDENTIAL REPORTS

14.1 KERR PARK INSTALLATION OF PLAYGROUND EQUIPMENT AND SHADE STRUCTURES - AMENDMENT TO RESOLUTION MADE FOR PURCHASING POLICY COMPLIANCE

File No: P-17-100

Attachments:

1. Confidential Ordinary Meeting Report dated 7 May 2019 - Kerr Park - Purchasing Policy Compliance for Installation of Playground Equipment and Shade Structures
2. Council resolution dated 7 May 2019

Responsible Officer: Dan Toon - Executive Director Infrastructure

Author: Kat Groves - Executive Assistant to Director Infrastructure Services

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 seek a resolution to supersede the one adopted by Council on 7 May 2019 in relation to purchasing policy compliance for the installation of previously purchased playground equipment and shade structures for Kerr Park, Emu Park.

COUNCIL RESOLUTION

That Council resolves for the Emu Park Village and Foreshore – Kerr Park Project to;

1. Award the installation of the playground equipment purchased by Council and softfall to Playscape Creations as a Sole Supplier; and
2. Award the installation of the shade structure purchased by Council to Fabritecture Australia as a Sole Supplier;

in accordance with the exceptions provided by s235(a) of the *Local Government Regulation 2019*.

Moved by: Councillor Eastwood

Seconded by: Councillor Wyatt

MOTION CARRIED

15 URGENT BUSINESS\QUESTIONS

16 CLOSURE OF MEETING

There being no further business the meeting closed at 10.33 am.



Acting Mayor, Councillor Nigel Hutton
CHAIRPERSON

20/06/2019

DATE