

ORDINARY MEETING

MINUTES

7 AUGUST 2018

The resolutions contained within these minutes were confirmed at Council Meeting on 21 August 2018.

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MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPOON ON TUESDAY, 7 AUGUST 2018 COMMENCING AT 9:00AM

1 OPENING

2 PRESENT

Members Present:

Mayor, Councillor Bill Ludwig (Chairperson)
Deputy Mayor, Councillor Nigel Hutton
Councillor Adam Belot
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 Rod Chapman – Senior Investigations Officer
Mrs Debra Howe – Director Strategic Growth and Development
Mrs Sonia Barber – Senior Economic Development Officer
Mrs Lucy Merry – Acting Coordinator Executive Support

3 LEAVE OF ABSENCE / APOLOGIES

3.1 LEAVE OF ABSENCE FOR COUNCILLOR PAT EASTWOOD - 6 - 10 AUGUST 2018

File No: GV13.4.1

Attachments: Nil

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Pat Eastwood has requested leave of absence for 6 – 10 August 2018 inclusive.

COUNCIL RESOLUTION

THAT leave of absence be granted to Councillor Pat Eastwood for 6 – 10 August 2018 inclusive.

Moved by: Councillor Kelly Seconded by: Councillor Mather

4 PUBLIC FORUMS/DEPUTATIONS

5 MAYORAL MINUTE

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 17July 2018 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly Seconded by: Councillor Wyatt

MOTION CARRIED

RECOMMENDATION

THAT the minutes of the Ordinary Meeting held on 19 July 2018 be taken as read and adopted as a correct record.

Moved by: Councillor Mather Seconded by: Councillor Kelly

MOTION CARRIED

RECOMMENDATION

THAT the minutes of the Ordinary Meeting held on 23 July 2018 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly Seconded by: Councillor Wyatt

MOTION CARRIED

RECOMMENDATION

THAT the minutes of the Ordinary Meeting held on 24 July 2018 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly Seconded by: Councillor Belot

7 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

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 - 7 August

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

9 PRESENTATION OF PETITIONS

10 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE REPORTS

11 COUNCILLOR/DELEGATE REPORTS

12 REPORTS

12.1 AUSTRALIA DAY AWARDS COMMITTEE 2019

File No: CR2.215

Attachments: Nil

Responsible Officer: Brett Bacon - Executive Director Liveability and

Wellbeing

Author: Meegan Armstrong - Coordinator Stakeholder

Engagement and Events

SUMMARY

This report discusses the administration of the 2019 Australia Day Awards, which will be launched in September 2018. In accordance with Council's Terms of Reference (January 2017), Council is required to appoint committee members and the chairperson.

COUNCIL RESOLUTION

THAT Council resolve to:

- 1) Adopt the Terms of Reference of the Australia Day Awards Committee, as contained in Attachment Two:
- 2) Appoint the following to its Australia Day Awards committee for 2019
 - (a) Cr Jan Kelly;
 - (b) Cr Pat Eastwood:
 - (c) Danielle McKenzie (2018 Citizen of the Year);
 - (d) Peter Conaghan;
 - (e) Helen Schweikert;
 - (f) Sue Hutchinson;
 - (g) up to two representatives from Indigenous and South Sea Islander community; and
 - (h) Pinefest Ambassador 2018;
 - (i) Malcolm Wells Landcare President; and/or
 - (j) Jet James 2018 Arts and Cultural winner; and
- 3) appoint Councillor Nigel Hutton as chairperson of its Australia Day Awards committee for 2019.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

12.2 ADMINISTRATIVE CHANGES TO POLICY DOCUMENTS

File No: CM4.7.13

Attachments: 1. Council Adopted Policy Documents⇒

2. Example Policy ⇒

Responsible Officer: Rodney Chapman - Acting Coordinator Corporate

Governance

Andrea Ellis - Chief Financial Officer

Author: Poala Santini - Corporate Compliance & Governance

Officer

SUMMARY

This report proposes administrative changes to be made to Council adopted policies in line with the recently adopted organisational structure. This report was presented to the Planning, Finance, Innovation and Business Excellence Committee on the 16 July 2018 for review and is now presented to Council for adoption.

COUNCIL RESOLUTION

THAT the Governance Team be given permission to make administrative changes as detailed in the below commentary to Council adopted policies as listed in Attachment 1 - Council Adopted Policy Documents.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

12.3 LIFTING MATTERS LYING ON THE TABLE

File No: GV13.4.1

Attachments: Nil

Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Lucy Merry - Executive Support Officer

SUMMARY

The Business Outstanding Table is used as a tool to identify when reports are due back to the 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 7 August 2018.

COUNCIL RESOLUTION

THAT the following matters, '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.

- Notice of Motion Councillor Glenda Mather Disability Access 1 Adelaide Park Road – Meeting 17 April 2018
- Distribution of Records Meeting 17 July 2018

Moved by: Councillor Mather

Seconded by: Deputy Mayor, Councillor Hutton

13 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

13.1 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - DISABILITY ACCESS 1 ADELAIDE PARK ROAD

File No: GV13.4.4

Attachments: 1. NOM - Disability Access 1 Adelaide Park

Road⇒

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 17 April 2018, as follows:

COUNCIL RESOLUTION

THAT due to widespread public concerns over the construction of a prominent disability access encroaching onto a traffic thoroughfare on a blind corner adjacent to 1 Adelaide Park Road, Council organise the earliest removal of the structure, and review all other alternative options for the access.

Table granted for the motion to be withdrawn at the request of Councillor Mather.

13.2 NOTICE OF MOTION - COUNCILLOR ADAM BELOT - DUTY ECONOMIC DEVELOPMENT OFFICER

File No: GV13.4.4

Attachments: 1. NOM - Duty Economic Development Officer ⇒

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Adam Belot has indicated his intention to move the following Notice of Motion at the next Council Meeting 7 August 2018, as follows:

COUNCIL RESOLUTION

THAT LSC provide a report for the provision of the following service;

'Council to broaden the services provided by the Economic Development team, to include a Duty Economic Development officer, similar to the Duty Planner role that Council currently provides to the general public, in order to improve and streamline processes for people wanting to do business within the LSC community'.

Moved by: Councillor Belot Seconded by: Councillor Mather

MOTION LOST

13.3 NOTICE OF MOTION - COUNCILLOR GLENDA MATHER - TRACKING BUDGET EXPENDITURE

File No: GV13.4.4

Attachments:

1. NOM - Tracking Budget Expenditure

Responsible Officer: Chris Murdoch - Chief Executive Officer

SUMMARY

Councillor Glenda Mather has indicated her intention to move the following Notice of Motion at the next Council Meeting 7 August 2018, as follows:

COUNCIL RESOLUTION

THAT

- a) A monthly report be provided to the table from Infrastructure, giving a progressive expenditure update on all capital projects in the 2018-19 budget, and
- b) Council also be provided with a progressive expenditure update on both the rural and urban roads' maintenance program.

Moved by: Councillor Mather Seconded by: Councillor Belot

COUNCIL RESOLUTION

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

Moved by: Councillor Kelly Seconded by: Councillor Wyatt

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

9.26AM

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 Questions on Notice - Councillor Glenda Mather - Tenders for Earthworks

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.

15.2 Response to Questions on Notice - Tender for Earthworks - Capricorn Homemaker Centre

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 Distribution of Records

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 Acquisition of Easements Scenic Highway Statue Bay

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.

15.5 Placeholder Report - Capricorn Enterprise Board Membership

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.

15.6 Capricorn Enterprise - appointment to Board and Committees

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.

15.7 Invest Capricorn Coast Region Economic Development Plan Update

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.

15.8 Yeppoon Town Centre Smart City Projects Update

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.

15.9 Interest Charges on outstanding water usage charges

This report is considered confidential in accordance with section 275(1)(d), of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

Moved by: Councillor Wyatt Seconded by: Councillor Kelly

MOTION CARRIED

09:53AM Deputy Mayor, Councillor Hutton left the meeting.

09:55AM Deputy Mayor, Councillor Hutton returned to the meeting.

COUNCIL RESOLUTION

10:24AM

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

Moved by: Councillor Kelly Seconded by: Councillor Mather

MOTION CARRIED

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

Leave granted.

Meeting procedures were suspended at 10:29AM.

Meeting procedures resumed at 10:48AM.

COUNCIL RESOLUTION

10:48AN

THAT the meeting moves into closed session to discuss report 15.8 Yeppoon Town Centre Smart City Projects Update.

Moved by: Councillor Belot Seconded by: Councillor Kelly

COUNCIL RESOLUTION

11:28AV

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

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Wyatt

15 CONFIDENTIAL REPORTS

15.1 QUESTIONS ON NOTICE - COUNCILLOR GLENDA MATHER - TENDERS FOR EARTHWORKS

File No: GV13.4.4

Attachments: 1. QoN - Tenders for Earthworks

Responsible Officer: Chris Murdoch - Chief Executive 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

Councillor Glenda Mather indicated her intention to place the following questions on notice in relation to the tenders for earthworks at the next Council Meeting 7 August 2018.

COUNCIL RESOLUTION

THAT the questions on notice be received.

Moved by: Councillor Mather Seconded by: Councillor Belot

15.2 RESPONSE TO QUESTIONS ON NOTICE - TENDER FOR EARTHWORKS - CAPRICORN HOMEMAKER CENTRE

File No: FM12.7.1-2017.059

Attachments: Nil

Responsible Officer: Dan Toon - Executive Director Infrastructure Services

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

This report provides a response to Questions on Notice which Councillor Mather will be tendering to the Council meeting on 7 August 2018.

COUNCIL RESOLUTION

THAT the report providing a response to Councillor Mather's Questions on Notice regarding the tender for earthworks for the Capricorn Homemaker Centre be received.

Moved by: Councillor Mather Seconded by: Councillor Belot

15.3 DISTRIBUTION OF RECORDS

File No: GV13.4.1

Attachments: Nil

Responsible Officer: Chris Murdoch - Chief Executive Officer
Author: Chris Murdoch - Chief Executive 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

Council direction is sought regarding distribution of records detailed the report.

COUNCIL RESOLUTION

THAT Council resolves to send this matter to relevant advisory committee for further information.

Moved by: Councillor Kelly Seconded by: Councillor Mather

15.4 ACQUISITION OF EASEMENTS SCENIC HIGHWAY STATUE BAY

File No: 14-134

Attachments: 1. SP300025 - (Confidential)

2. Resumption Agreement - Lot 4 LN1023 - (Confidential)

3. SP303478 - (Confidential)

4. Resumption Agreement - Lot 5 LN1023 - (Confidential)

5. SP305209 - (Confidential)

6. Resumption Agreement - Lot 3 LN1023 - (Confidential)

7. Confidential Ordinary Agenda and Resolution 10 October 2016 - Report 1 (Lot 4 LN1023) -(Confidential)

8. Confidential Ordinary Agenda and Resolution 10 October 2016 - Report 2 (Lot 5 LN1023) -(Confidential)

Responsible Officer: Dan Toon - Executive Director Infrastructure Services

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 addresses the taking of easements required for the Statue Bay Remediation Project.

COUNCIL RESOLUTION

THAT Council resolves:

- 1. To endorse the execution of the Resumption Agreement between Council and the owners of Lot 4 LN1023 by the Chief Executive Officer;
- 2. To endorse the execution of the Resumption Agreement between Council and the owners of Lot 5 LN1023 by the Chief Executive Officer;
- 3. To endorse the execution of the Resumption Agreement between Council and the owners of Lot 3 LN1023 by the Chief Executive Officer;;
- 4. That it is satisfied that the land identified in The Schedule may be taken and should be taken for the purpose of works for any public works, or other work or purpose of a similar nature (being works to stabilise a cliff face being part of the road reserve for Scenic Highway), for which it is proposed to be taken; and
- 5. To declare, by gazette notice, that the land identified in The Schedule is taken for the purpose of works for any public works, or other work or purpose of a similar nature (being works to stabilise a cliff face being part of the road reserve for Scenic Highway).

The Schedule

Easement A in Lot 4 on LN1023 on SP300025

Easement F in Lot 5 on LN1023 on SP303478

Easement E in Lot 3 on LN1023 on SP305209

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Councillor Kelly

15.5 PLACEHOLDER REPORT - CAPRICORN ENTERPRISE BOARD MEMBERSHIP

File No: TBC
Attachments: Nil

Responsible Officer: Chris Murdoch - Chief Executive Officer

Author: Sue Schluter - Executive Assistant to Mayor

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

Officers will present a report (to be tabled) with regarding Capricorn Enterprise Board Membership

OFFICER'S RECOMMENDATION

THAT Councillors note the late report to be tabled.

15.6 CAPRICORN ENTERPRISE - APPOINTMENT TO BOARD AND COMMITTEES

File No: ED8.5.22

Attachments: 1. Letter to Capricorn Enterprise - confirmation

of funding for 2018/19

2. Capricorn Enterprise letter to Council Appointment to Board and Committees

Responsible Officer: Brett Bacon - Executive Director Liveability and

Wellbeing

Author: Debra Howe - Executive Director Liveability and

Wellbeing

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

At the Special Meeting held on 24 July, 2018, Council adopted its budget for the 2018/19 financial year. A component of this budget includes a funding contribution of \$265,000 (plus goods and services tax) to Capricorn Enterprise for the 2018/19 financial year.

During budget deliberations, Council reaffirmed its commitment to working in partnership with Capricorn Enterprise in order to increase tourism and economic development in the Livingstone Shire and Capricorn Coast region by agreeing to enter into a four-year funding agreement, 2018 – 2022.

Council also indicated its desire to hold a position on the Board and other relevant Committees of Capricorn Enterprise, namely the Economic Development Committee and Tourism Management Committee. The purpose of this report is to confirm Council's nominated representatives.

COUNCIL RESOLUTION

THAT Council resolve to support the appointment of Deputy Mayor Nigel Hutton to the Board of Capricorn Enterprise and the appointment of the Director Strategic Growth and Development to Capricorn Enterprise's Economic Development Committee and Tourism Management Committee and submit the required Nomination Forms to Capricorn Enterprise by Wednesday, 8 August 2018.

Moved by: Mayor Ludwig Seconded by: Councillor Kelly

15.7 INVEST CAPRICORN COAST REGION ECONOMIC DEVELOPMENT PLAN UPDATE

File No: 8.5.16

Attachments: 1. Invest Capricorn Coast Region Economic

Development Plan

2. Facebook Content Creation Course 24 July

2018 Training Feedback

Responsible Officer: Brett Bacon - Executive Director Liveability and

Wellbeing

Author: Debra Howe - Executive Director Liveability and

Wellbeing

Sonia Barber - Senior Economic Development 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 provides a work in progress update on actions being undertaken by Council to implement the strategic initiatives of the Invest Capricorn Coast Region Economic Development Plan for the 2017/19 financial year and the activities planned for 2018/19.

COUNCIL RESOLUTION

THAT Council note the strategic initiatives and activities delivered under the Invest Capricorn Coast Region Economic Development Plan for the financial year 2017/18 and acknowledge the initiatives and activities planned for 2018/19.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Mayor Ludwig

15.8 YEPPOON TOWN CENTRE SMART CITY PROJECTS UPDATE

File No: E.8.5.17

Attachments: 1. Yeppoon Lagoon Proposed Paid Parking

Area Map

2. Yeppoon Lagoon Proposed Paid Parking

Area Western Side

Responsible Officer: Debra Howe - Executive Director Liveability and

Wellbeing

Brett Bacon - Executive Director Liveability and

Wellbeing

Author: Sonia Barber - Senior Economic Development 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 outlines options for the consideration of inclusion of smart paid parking around the Yeppoon Lagoon within the Yeppoon Town Centre Smart Lighting project.

This report also provides an update on the status of the two Yeppoon Town Centre smart projects, being the Yeppoon Town Centre Smart Lighting and the Yeppoon Town Centre Smart Precinct projects.

COUNCIL RESOLUTION

THAT

- a) Council resolves to implement paid parking on Lagoon Place and Anzac Parade around the Yeppoon Lagoon (excluding disabled bays), to be funded from the Yeppoon Town Centre Smart Lighting Project.
- b) Community consultation with key stakeholders occur around the parameters of the proposed paid parking, once the details have been fully documented.

Moved by: Mayor Ludwig
Seconded by: Councillor Wyatt

15.9 INTEREST CHARGES ON OUTSTANDING WATER USAGE CHARGES

File No: RV.25.3.3

Attachments: 1. First Water Reminder Notice 20 June 2018

Responsible Officer: Chris Murdoch - Chief Executive Officer

Author: Andrea Ellis - Chief Financial Officer

This report is considered confidential in accordance with section 275(1)(d), of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

SUMMARY

This report provides information on an issue involving higher than normal water use.

COUNCIL RESOLUTION

THAT Council note no further action is required on this matter.

Moved by: Councillor Mather Seconded by: Councillor Kelly

16 URGENT BUSINESS\QUESTIONS

17 CLOSURE OF MEETING

There being no further business the meeting closed at 11.29AM

Bill Ludwig CHAIRPERSON

DATE