



SPECIAL MEETING

MINUTES

9 AUGUST 2024

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT	1
3	LEAVE OF ABSENCE / APOLOGIES	2
	NIL	2
4	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA	2
5	BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS	2
	NIL	2
6	PRESENTATION OF PETITIONS.....	2
	NIL	2
7	QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS	2
	NIL	2
8	COUNCILLOR REPORTS	2
	NIL	2
9	COMMITTEE REPORTS.....	2
	NIL	2
10	REPORTS.....	2
	NIL	2
11	AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS.....	2
	NIL	2
12	URGENT BUSINESS\QUESTIONS	2
13	CLOSED SESSION	3
	14.1 LIMESTONE CREEK ROAD APPEAL UPDATE	
14	CONFIDENTIAL REPORTS.....	4
	14.1 LIMESTONE CREEK ROAD APPEAL UPDATE.....	4
15	CLOSURE OF MEETING.....	5

MINUTES OF THE SPECIAL MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPOON ON FRIDAY, 9 AUGUST 2024 COMMENCING AT 10:30 AM**1 OPENING****Welcome to Country**

Delivered by Cr Warcon

"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."

2 PRESENT**Members Present:**

Councillor Pat Eastwood (Chairperson)
Mayor, Councillor Adam Belot (via phone)
Councillor Glenda Mather
Councillor Wade Rothery
Councillor Lance Warcon
Councillor Andrea Friend

Members Absent

Councillor Rhodes Watson

Officers in Attendance:

Andrea Ellis – Acting Chief Executive Officer
Sonia Tomkinson – Acting General Manager Communities
Michael Kriedemann – General Manager Infrastructure
Matthew Willcocks - Chief Technology Officer
Kristy Mansfield - Chief Human Resources Officer

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA**5 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS**

Nil

6 PRESENTATION OF PETITIONS

Nil

7 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

Nil

8 COUNCILLOR REPORTS

Nil

9 COMMITTEE REPORTS

Nil

10 REPORTS

Nil

11 AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORTS

Nil

12 URGENT BUSINESS\QUESTIONS

13 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

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.

14.1 Limestone Creek Road Appeal Update

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.

Moved by: Councillor Friend

Seconded by: Councillor Warcon

MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

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

Moved by: Councillor Warcon

Seconded by: Councillor Friend

MOTION CARRIED UNANIMOUSLY

14 CONFIDENTIAL REPORTS

14.1 LIMESTONE CREEK ROAD APPEAL UPDATE

File No: D-514-2022

Attachments: 1. Decision Notice (Refusal)

Responsible Officer: Sonia Tomkinson - Manager Economy and Places

Author: Greg Abbotts - Manager Development and Environment

Previous Items: 11.4 - D-514-2022 Material Change of Use for a Relocatable Home Park and Reconfiguring a Lot (one lot into two and access easement) and (one lot into one hundred and twenty nine lots) and preliminary approval for a variation request (to vary the effect of the Planning Scheme) for Rural Living to Low Density Residential - Ordinary Council - 21 Nov 2023 9.00am
11.3 - Development & Environment Committee Minutes 2 July 2024 - Ordinary Council - 16 Jul 2024 9:00 AM

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

On 21 November 2023, Council at its Ordinary Meeting, decided to refuse Development Application for Material Change of Use for a Relocatable home park (391 units), Reconfiguring a Lot (one lot into two lots and access easement) and (one lot into 132 lots) and a Preliminary Approval (variation request) to vary the effect of the Local Planning Instrument (Livingstone Planning Scheme 2018) from rural zone to low density residential zone. The refusal was based on six (6) grounds.

The Decision Notice Refusal was subsequently appealed by the Applicant through the Planning and Environment Court. As part of the Court ordered mediation and through without prejudice meetings, Council officers and the applicant have sought to resolve various matters through peer review to seek to resolve the matters outside of a trial.

COUNCIL RESOLUTION

THAT Council delegates the power to resolve the appeal to the Chief Executive Officer.

Moved by: Councillor Mather

Seconded by: Councillor Warcon

MOTION CARRIED UNANIMOUSLY

15 CLOSURE OF MEETING

There being no further business the meeting closed at 11.13am.

<Insert Chairperson Name>
CHAIRPERSON

DATE

Unconfirmed