



**GLADSTONE**  
REGIONAL COUNCIL

## **GENERAL MEETING MINUTES**

**HELD AT THE COUNCIL CHAMBERS - CIVIC CENTRE  
101 GOONDOON STREET, GLADSTONE**

**On 4 June 2019**

**Commencing at 9.00am**

**Leisa Dowling  
CHIEF EXECUTIVE OFFICER**

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**Elected Members**

Councillor C A Trevor (Chair – Acting Mayor)  
Councillor G G Churchill  
Councillor K Goodluck  
Councillor R A Hansen  
Councillor P J Masters  
Councillor D V O'Grady  
Councillor P J Sobhanian  
Councillor N Muszkat

**Officers**

Mrs L Dowling (Chief Executive Officer)  
Mrs H Ning (Executive Secretary)  
Mr M Francis  
Mrs T McDonald  
Mrs B Saunders  
Mrs K Lee  
Mr J Tumbers  
Mr E Noakes

## **G/0.3.2. APOLOGIES AND LEAVE OF ABSENCE**

### **APOLOGIES**

#### **G/19 /3790 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Sobhanian

That an apology for Mayor Burnett be received, as he is attending the Bio International Convention in Philadelphia, USA.

**CARRIED**

**G/0.3.3. MESSAGES OF CONDOLENCE**

Nil.

## **G/0.3.4. DISCLOSURE OF INTERESTS**

### **MATERIAL PERSONAL INTERESTS**

Pursuant to section 175(C) of the Local Government Act 2009, where a Councillor declares a Material Personal Interest in an agenda item, the Councillor must leave the room for the agenda item.

#### **G/3.6.1 DEVELOPMENT APPLICATION 57/2017 REQUEST FOR NEGOTIATED NOTICE OF DECISION FOR A RECONFIGURATION OF A LOT (1 INTO 2 LOTS) AT LOT 214 ROUND HILL ROAD, AGNES WATER QLD 4677**

##### **Cr O'Grady**

Councillor Desley O'Grady declared a Material Personal Interest in Item G/3.6.1. DEVELOPMENT APPLICATION 57/2017 REQUEST FOR NEGOTIATED NOTICE OF DECISION FOR A RECONFIGURATION OF A LOT (1 INTO 2 LOTS) AT LOT 214 ROUND HILL ROAD, AGNES WATER QLD 4677 as her brother, John Mergard, owns a block at 2717 Roundhill Road, Agnes Water. John may suffer a loss or gain a benefit dependent on the decision for this item.

Cr O'Grady advised that she will leave the room during the consideration of Item G/3.6.1.

##### **Cr Trevor**

Councillor Chris Trevor declared a Material Personal Interest in Item G/3.6.1. DEVELOPMENT APPLICATION 57/2017 REQUEST FOR NEGOTIATED NOTICE OF DECISION FOR A RECONFIGURATION OF A LOT (1 INTO 2 LOTS) AT LOT 214 ROUND HILL ROAD, AGNES WATER QLD 4677, as he and his wife, Colleen Trevor, are directors of Warabale Pty Ltd as trustee for the CA Trevor Family Trust, which jointly owns a large parcel vacant land very close to this development.

Cr Trevor advised that he will leave the room during the consideration of Item G/3.6.1.

#### **G/19 /3791 Procedural Motion:**

Moved Cr Trevor  
Seconded Cr Churchill

That in the absence of Cr Trevor as acting Mayor, Cr Hansen be appointed to act as Chairperson for Item G/3.6.1.

**CARRIED**

#### **G/3.6.2 REQUEST TO APPLY INFRASTRUCTURE CHARGES ECONOMIC DEVELOPMENT INCENTIVE SCHEME TO DEVELOPMENT APPROVAL 32/2017 FOR NATURE BASED TOURISM AT 2546 ROUND HILL ROAD, ROUND HILL QLD 4677**

##### **Cr O'Grady**

Councillor Desley O'Grady declared a Material Personal Interest in Item G/3.6.2. REQUEST TO APPLY INFRASTRUCTURE CHARGES ECONOMIC DEVELOPMENT INCENTIVE SCHEME TO DEVELOPMENT APPROVAL 32/2017 FOR NATURE BASED TOURISM AT 2546 ROUND HILL ROAD, ROUND HILL QLD 4677 as her brother, John Mergard, owns a block at 2717 Roundhill Road, Agnes Water. John may suffer a loss or gain a benefit dependent on the decision for this item.

Cr O'Grady advised that she will leave the room during the consideration of Item G/3.6.2.

## **CONFLICTS OF INTEREST**

Pursuant to section 175(E) of the Local Government Act 2009, where a Councillor declares a Conflict of Interest and elects to leave the room for an agenda item, a resolution of Council is not required.

### **G/3.6.2 REQUEST TO APPLY INFRASTRUCTURE CHARGES ECONOMIC DEVELOPMENT INCENTIVE SCHEME TO DEVELOPMENT APPROVAL 32/2017 FOR NATURE BASED TOURISM AT 2546 ROUND HILL ROAD, ROUND HILL QLD 4677**

#### **Cr Trevor**

Councillor Chris Trevor declared a Personal Interest in Item G/3.6.2 REQUEST TO APPLY INFRASTRUCTURE CHARGES ECONOMIC DEVELOPMENT INCENTIVE SCHEME TO DEVELOPMENT APPROVAL 32/2017 FOR NATURE BASED TOURISM AT 2546 ROUND HILL ROAD, ROUND HILL QLD 4677, in that the proponents are inter alia real estate agents in Agnes Water owning PRD Agnes Water and he currently has 2 properties listed for sale with them.

However, Cr Trevor advised that he has determined that this personal interest is not of sufficient significance that it would lead him to make a decision on the matter that is contrary to the public interest. Cr Trevor advised he will best perform his responsibility of serving the overall public interest of the whole Council area by participating in the discussion and therefore, Cr Trevor proposed to stay in the room for voting on this matter.

#### **G/19 /3792 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Masters

Cr Trevor has a perceived conflict of interest in agenda item G/3.6.2.

**CARRIED**

#### **G/19 /3793 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Churchill

Cr Trevor can remain in the room during the consideration and voting of Item G/3.6.2.

**CARRIED**

It is noted that Cr O'Grady refrained from voting on Cr Trevor's personal interest due to Cr O'Grady previously declaring a Material Personal Interest in the same agenda item.

**G/1. MAYORAL STATEMENT OF CURRENT ISSUES**

Nil.



## **G/2. CONFIRMATION OF MINUTES**

### **G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 21 MAY 2019**

**File Ref: CM7.2**

**Purpose:**

Confirmation of the minutes of the General Meeting held on 21 May 2019.

**Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 21 May 2019 be confirmed.

**G/19 /3794 Council Resolution:**

Moved Cr Hansen  
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

**CARRIED**

**G/3. OFFICERS' REPORTS**

**G/3.1. OFFICE OF THE CEO**

Nil.

**G/3.2. STRATEGY AND TRANSFORMATION**

Nil.

**G/3.3. STRATEGIC ASSET PERFORMANCE**

Nil.

**G/3.4. OPERATIONS**

Nil.

**G/3.5. COMMUNITY DEVELOPMENT AND EVENTS**

Nil.

## **G/3.6. CUSTOMER EXPERIENCE**

### **G/3.6.1. DEVELOPMENT APPLICATION 57/2017 REQUEST FOR NEGOTIATED NOTICE OF DECISION FOR A RECONFIGURATION OF A LOT (1 INTO 2 LOTS) AT LOT 214 ROUND HILL ROAD, AGNES WATER QLD 4677**

**Cr O'Grady (declared Material Personal Interest)**  
**left the room during the consideration and voting of Item G/3.6.1.**  
(refer G/0.3.4 Disclosure of Interest section of the minutes – pages 6 - 7)

**Cr Trevor (declared Material Personal Interest)**  
**left the room during the consideration and voting of Item G/3.6.1.**  
(refer G/0.3.4 Disclosure of Interest section of the minutes – pages 6 - 7)

**File Ref: DA/57/2017 and DB1.1**

#### **Development Application:**

**Application Number:** DA/57/2017  
**Applicant:** Captain Cook Holdings Pty Ltd C/- Zone Planning Group Pty Ltd  
**Owner:** Captain Cook Holdings Pty Ltd (under contract to Stockwell Development Group)  
**Appeal Period Suspended:** 12 January 2018  
**Representations Initially Lodged:** 9 February 2018  
**Location:** Lot 214 Round Hill Road, Agnes Water QLD 4677  
**RPD:** Lot 214 on SP 262272  
**Area:** 30.686 hectares  
**Current Use Of Land:** Vacant  
**Zoning:** Emerging Communities  
**Proposal:** Reconfiguration of a Lot (1 into 2 lots)  
**Submissions Close Date:** N/A  
**Number Of Submissions:** N/A

#### **Purpose:**

The purpose of this report is to consider the Change Representations against the approved conditions of a Development Approval for a Reconfiguration of a Lot (1 into 2 lots) over land at Lot 214 Round Hill Road, Agnes Water.

#### **Officer's Recommendation:**

That the request for a Negotiated Decision Notice to Development Permit 57/2017 for a Reconfiguration of a Lot (1 into 2 lots) on land at Lot 214 Round Hill Road, Agnes Water be refused.

**G/19 /3795 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Masters

That the Officer's Recommendation be adopted.

**CARRIED**



**G/3.6.2. REQUEST TO APPLY INFRASTRUCTURE CHARGES ECONOMIC DEVELOPMENT INCENTIVE SCHEME TO DEVELOPMENT APPROVAL 32/2017 FOR NATURE BASED TOURISM AT 2546 ROUND HILL ROAD, ROUND HILL QLD 4677**

**Cr O'Grady (declared Material Personal Interest)**  
**left the room during the consideration and voting of Item G/3.6.2.**  
(refer G/0.3.4 Disclosure of Interest section of the minutes – pages 6 - 7)

**Cr Trevor resumed Chair of the meeting from this point forward.**

**File Ref: FM7.2; DA/32/2017**

**Purpose:**

The purpose of this report is to allow Council to consider a request to apply the Infrastructure Charges Economic Development Incentive Scheme Policy (P-2018-03) to a Nature Based Tourism approval located at 2546 Round Hill Road, Round Hill (DA/32/2017).

**Officer's Recommendation:**

That Council advise Zone Planning Group (acting on behalf of Mr Tim Lawry) that the request for a reduction in the Infrastructure Charges for DA/32/2017 – Nature Based Tourism use at Lot 19 RP616664 under Policy P-2018-03 is refused as the application does not meet the required criteria listed in point 1 and point 3 of section “6.1 Application of Policy”.

**G/19 /3796 Council Resolution:**

Moved Cr Muszkat  
Seconded Sobhanian

That Council advise Zone Planning Group (acting on behalf of Mr Tim Lawry) that despite not meeting the prerequisites of the Infrastructure Charges Economic Development Incentive Scheme (P-2018-03), an Infrastructure Agreement be entered into for a reduction of 50% in the Infrastructure Charges for DA/32/2017 for the following reason:

- Unique application as a nature-based tourism project.

**CARRIED**

**G/3.7. PEOPLE CULTURE AND SAFETY**

Nil.

**G/3.8. FINANCE GOVERNANCE AND RISK**

Nil.

**G/4. DEPUTATIONS**

Nil.

## **G/5. COUNCILLORS REPORT**

**File Ref:** CM7.2

**Purpose:**

To brief Council on the ideas and content presented at the 4th Annual 2019 Welcoming Cities Symposium, which was attended by Councillor Natalia Muszkat on 2-3 April 2019 in Brisbane.

**Officer's Recommendation:**

That Council note the Conference Attendance report by Cr Natalia Muszkat on the 2019 Welcoming Cities Symposium.

**G/19 /3797 Council Resolution:**

Moved Cr Muszkat  
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

**CARRIED**

**The meeting adjourned for morning tea at 10.33 am  
and reconvened at 11.15 am.**

**G/6. URGENT BUSINESS**

Nil.

## **G/7. NOTICE OF MOTION**

### **G/7.1. BROADCASTING COUNCIL MEETINGS**

#### **Purpose:**

For Council to consider broadcasting Council Meetings to pave the way for even greater transparency to ratepayers.

#### **Councillor's Recommendation:**

That Council, in the interest of even greater public confidence in Council and greater transparency to ratepayers, commit to provide video streaming of Council's Meetings to the public via the internet as soon as possible (and no later than January 2021); and

- a. where possible, the video streaming be broadcasted live (noting that discussions that are held during closed meeting will not be broadcast);
- b. if for any reasonable, unforeseen circumstances video streaming is not possible, then at the very least audio streaming be rolled out by the stated due date.

#### **G/19 /3798 Council Resolution:**

Moved Cr Sobhanian  
Seconded Cr Churchill

That the Councillor's Recommendation be endorsed.

**MOTION LOST**

#### **G/19 /3799 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Trevor

That the following motion be added to the list of proposed motions for consideration by Gladstone Regional Council for the 2019 State LGAQ Conference:

- That the Gladstone Regional Council call upon the State Government to provide the principles of privilege, those same privileges of State and Federal Government of debate within Council General Meetings.

**CARRIED**

Cr Sobhanian requested that his vote be recorded in the negative.

## **G/8. CONFIDENTIAL ITEMS**

### **G/19 /3800 Procedural Motion:**

Moved by Cr Goodluck  
Seconded Cr Masters

That in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting be closed to the public to discuss business relating to the following: -

- e) contracts proposed to be made by it.

**CARRIED**

### **G/19 /3801 Procedural Motion:**

Moved by Cr Sobhanian  
Seconded Cr Churchill

That Council re-open the meeting to the public.

**CARRIED**

## **G/8.1. LIFEGUARD SERVICES SOLE SUPPLIER**

**File Ref:** PE1.1, SR7.1

### **G/19 /3802 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Masters

That Council:

1. Resolve, in accordance with section 235 (a) of the *Local Government Regulation 2012*, that it is satisfied that Surf Life Saving Queensland (SLSQ) is the only supplier reasonably available to provide lifeguard services for Tannum Sands and Agnes Water public beaches; and
2. Authorise the Chief Executive Officer to enter into an agreement with Surf Life Saving Queensland (SLSQ) for the provision of lifeguard services at Tannum Sands and Agnes Water beaches for up to 3 years as follows:
  - a. Monday to Saturday coverage at Tannum Sands beach during Queensland school holidays (September, Christmas and Easter);
  - b. Monday to Sunday coverage at Agnes Water beach commencing on September Queensland school holidays, until an agreed date in May each year;
  - c. Winter weekend coverage at Agnes Water beach between May and September.

**CARRIED**



There being no further business the Acting Mayor formally closed the meeting.

**THE MEETING CLOSED AT 12.53 pm**

**CERTIFICATION**

I hereby confirm that I have read the minutes and they are a true and correct record of the proceedings of the meeting.  
I certify that these 25 pages form the official copy of Gladstone Regional Council General Meeting Minutes of the 4 June 2019.

.....  
Acting Mayor Chris Trevor

...../...../.....  
Date