



**GLADSTONE**  
REGIONAL COUNCIL

# **GENERAL MEETING MINUTES**

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

**On 7 July 2020**

**Commencing at 9.00am**

**Leisa Dowling  
CHIEF EXECUTIVE OFFICER**

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**Elected Members**

Councillor - Mayor M J Burnett  
Councillor G G Churchill  
Councillor K Goodluck  
Councillor R A Hansen  
Councillor D E Branthwaite  
Councillor D V O'Grady  
Councillor C B Cameron  
Councillor C A Trevor  
Councillor N Muszkat

**Officers**

Mrs L Dowling (Chief Executive Officer)  
Miss C Daly (Executive Secretary)  
Mrs T Whalley  
Mrs K Lee  
Mr M Holmes  
Mr M Francis  
Mrs S Hunter  
Miss S Farrington

**APOLOGIES**

Nil.

**CARRIED**

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

Nil.

**G/0.3.3.MESSAGES OF CONDOLENCE**

Nil.

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

### **MATERIAL PERSONAL INTEREST**

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

Councillor Desley O'Grady advised that she has a material personal interest in agenda item number G/3.4 REQUEST FOR NEGOTIATED DECISION TO DEVELOPMENT APPLICATION 26/2018 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A RELOCATABLE HOME PARK (190 SITES) (16 STAGES), in particular, the Round Hill Creek Channel Access Improvement initiative, as her family John, Mark and Neil Mergard and Ruth and Philip Geck have commercial businesses that use Round Hill Creek and may suffer a loss or gain a benefit dependent on the decision for this item.

Cr O'Grady elected to leave the room for the consideration of Item G/3.4 unless discussions or decisions relating to Round Hill Creek Channel Access Improvement can be considered separately.

#### **Cr Trevor**

Councillor Chris Trevor advised that he has a material personal interest in Item G/3.4 REQUEST FOR NEGOTIATED DECISION TO DEVELOPMENT APPLICATION 26/2018 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A RELOCATABLE HOME PARK (190 SITES) (16 STAGES) as his wife, Colleen Trevor, and Cr Trevor are directors of Warabale Pty Ltd as trustee for the CA Trevor Family Trust which jointly owns a large parcel of vacant land, very close to the proposed development and may suffer a loss or gain a benefit dependent on the decision for this item.

Cr Trevor will leave the room for the consideration of Item G/3.4.

### **CONFLICT OF INTEREST**

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

Councillor Desley O'Grady advised that she has a perceived conflict of interest in agenda item number G/3.6. GLADSTONE REGIONAL COUNCIL 2020 STATE ELECTION STRATEGIC PRIORITIES, in particular, the Boyne Burnett Inland Rail Trail initiative, as she was interim chair for 7 months of the Boyne Burnett Inland Rail Trail group and currently holds the position of Patron of the Boyne Burnett Inland Rail Trail group.

However, Cr O'Grady determined that this personal interest was not of sufficient significance that would lead Cr O'Grady to make a decision on the matter that is contrary to the public interest. Cr O'Grady advised that she will best perform her responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

Cr O'Grady elected to remain in the room subject to Council's decision.

#### **G/20/4246 Council Resolution:**

That Cr O'Grady does have a perceived conflict of interest in Item G/3.6.

Moved Cr Goodluck  
Seconded Cr Muszkat

**CARRIED**

**G/20/4247 Council Resolution:**

Cr O'Grady may remain in the room.

Moved Cr Goodluck  
Seconded Cr Branthwaite

**CARRIED**

**Cr Trevor**

Councillor Chris Trevor advised that he has a conflict of interest in Item G/8.1. WRITE OFF REPORT 2019/2020 as his legal practice Chris Trevor and Associates has acted for one of the debtors referred to in the report for many years.

Cr Trevor elected to leave the room for the consideration of Item G/8.1.

**Cr Hansen**

Councillor Rick Hansen advised that in agenda item number G/8.2 GLADSTONE AQUATIC CENTRE COVID-19 UTILITY SUPPORT, he has a conflict of interest in the item as he is a current board member for Gladstone Community Linking Agency who utilise the pool at the Gladstone Aquatic Centre.

**G/20/4248 Council Resolution:**

Moved Cr Trevor  
Seconded Cr Muszkat

That Cr Rick Hansen does have a conflict of interest in Item G/8.2.

**CARRIED**

**G/20/4249 Council Resolution:**

Moved Cr Trevor  
Seconded Cr Churchill

That Cr Rick Hansen leave the room during the consideration of Item G/8.2.

**MOTION LOST**

**G/20/4250 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr O'Grady

That Cr Hansen may remain in the room during the consideration of Item G/8.2.

**CARRIED**

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

I would like to thank my fellow Councillors, Council team and our Committee Recovery and Economic Recovery Committees for helping us deliver the Budget that was carried earlier this morning. For those whom did not see the live stream of the earlier Special Budget Meeting, Council has made the decision to freeze all rates and charges for our rural, residential, commercial and light industrial rate payers. The discount period has been extended to a 10% discount for 60 days previously being 10% discount for 30 days and 5% discount for the following 30 days. The extension of the discount period will give more people more opportunity to take advantage of the 10% discount.

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

### **G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 16 JUNE 2020**

**File Ref:** CM7.2

**Purpose:**

Confirmation of the minutes of the General Meeting held on 16 June 2020.

**Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 16 June 2020 be confirmed.

**G/20/4251 Council Resolution:**

Moved Cr Branthwaite  
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

**CARRIED**



### **G/3. OFFICERS' REPORTS**

#### **G/3.1. AMENDMENT TO MINUTES FOR THE GENERAL MEETING OF 19 MAY 2020**

**File Ref:** CM7.2

**Purpose:**

To recommend an amendment to the confirmed minutes of the General Meeting of 19 May 2020.

**Officer's Recommendation:**

That the Minutes of the General Meeting of 19 May 2020 for Item G8.1. TENDER 223-20 GOONDOON STREET PAVEMENT RECONSTRUCTION be amended to replace the words "Doval Constructions (Qld) Pty Ltd" with the words "Oaka Constructions QLD Pty Ltd".

**G/20/4252 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

**CARRIED**

**G/3.2. INLAND QUEENSLAND ROADS ACTION PROJECT (IQ-RAP)  
WORKING GROUP REPRESENTATION**

**File Ref:** CM7.1

**Purpose:**

The purpose of this report is for Council to consider its representative on the Inland Queensland Roads Action Project (IQ-RAP) Working Group.

**Officer's Recommendation:**

That Council appoint Cr \_\_\_\_\_ as Council's representative on the Inland Queensland Roads Action Project Working Group for the current term of Council with Cr \_\_\_\_\_ to serve as proxy delegate.

**G/20/4253 Council Resolution:**

Moved Cr Muszkat  
Seconded Cr Churchill

That Council appoint Cr Kahn Goodluck as Council's representative on the Inland Queensland Roads Action Project Working Group for the current term of Council with Cr Darryl Branthwaite to serve as proxy delegate.

**CARRIED**

**G/3.3. DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A TOURIST PARK (14 SITES) AT 135 NEWTONS ROAD, ROSEDALE QLD 4674**

**File Ref:** DA/50/2019 and DB 1.7

**Development Application:**

<b>Application Number:</b>	50/2019
<b>Applicant:</b>	Burnett Country Certifiers Pty Ltd
<b>Owner:</b>	Ms D M Laurie
<b>Confirmation Notice</b>	4 November 2019
<b>Location:</b>	135 Newtons Road, Rosedale QLD 4674
<b>RPD:</b>	Lot 15 RP619121
<b>Area:</b>	16.08 hectares
<b>Current Use of Land:</b>	Dwelling House with associated structures and Camping Grounds
<b>Zoning:</b>	Rural Zone
<b>Proposal:</b>	Tourist Park (14 Sites and Lodge (12 Guests))
<b>Planning Scheme:</b>	<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>
<b>Public Notification Period:</b>	22 November 2019 to 12 December 2019
<b>Number of Submissions:</b>	One (1) Properly Made Submission

**Purpose:**

The purpose of this report is to assess Development Application 50/2019 for a Material Change of Use of Premises for a Tourist Park (14 Sites and Lodge (12 guests)) at 135 Newtons Road, Rosedale against the *State Planning Policy July 2017* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* under the *Planning Act 2016* (the Act).

**Officer's Recommendation:**

That Development Application 50/2019 for a Material Change of Use of Premises for a Tourist Park (14 Sites and Lodge) located at 135 Newtons Road, Rosedale Qld 4674, be approved subject to reasonable and relevant conditions.

**Notice of Reasons:**

The following provides the Notice of Reasons under section 63(5) of the *Planning Act 2016*:

**Description of the development:**

The approved development is for a Material Change of Use of Premises for a Tourist Park (14 Sites and Lodge).

**Assessment Benchmarks:**

<b>Benchmarks applying to the development:</b>	<b>Benchmark reference:</b>
<i>State Planning Policy July 2012</i>	<ul style="list-style-type: none"> <li>• Biodiversity; and</li> <li>• Natural Hazards, Risk and Resilience</li> </ul>
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme, Version 2</i>	<ul style="list-style-type: none"> <li>• Strategic Framework;</li> <li>• Acid Sulfate Soils Overlay Code;</li> </ul>

	<ul style="list-style-type: none"> <li>• Bushfire Hazard Overlay Code;</li> <li>• Coastal Hazard Overlay Code;</li> <li>• Scenic Amenities Overlay Code;</li> <li>• Rural Zone Code;</li> <li>• Development Design Code; and</li> <li>• Landscaping Code</li> </ul>
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**Reasons for the Assessment Managers Decision:**

1. The Application was properly made in accordance with the *Planning Act 2016* and the Development Assessment Rules; and
2. The Application is generally compliant with the relevant benchmarks of the *State Planning Policy July 2017* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme, Version 2* despite conflicts within the Rural Zone Code.

**Reasons for approval despite any non-compliance with certain benchmarks:**

<b>Benchmark reference:</b>	<b>Reasons for the approval despite non-compliance with benchmark:</b>
Strategic Framework – 3.3 Gateway to the World – Strategic Outcome 3.3.1 (14)	Generally compliant with Strategic Framework – 3.3 Gateway to the World – Strategic Outcome 3.3.1 (14)
Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (9)	Generally compliant with Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (9)
Strategic Framework – 3.7 Our environment and heritage – Strategic Element 3.7.2 – Sustainable management of the natural environment and resources	Generally compliant with Strategic Framework – 3.7 Our environment and heritage – Strategic Element 3.7.2 – Sustainable management of the natural environment and resources
Strategic Framework – 3.8 Our rural and coastal townships and places – Strategic Outcome 3.8.1 (1)	Generally compliant with Strategic Framework – 3.8 Our rural and coastal townships and places – Strategic Outcome 3.8.1 (1)
Strategic Framework – 3.8 Our rural and coastal townships and places – Strategic Outcome 3.8.1 (6)	Generally compliant with Strategic Framework – 3.8 Our rural and coastal townships and places – Strategic Outcome 3.8.1 (6)
Strategic Framework – 3.8 Our rural and coastal townships and places – Strategic Element 3.8.2 – Southern townships and place	Generally compliant with Strategic Framework – 3.8 Our rural and coastal townships and places – Strategic Element 3.8.2 – Southern townships and place
Acid Sulfate Soils Overlay Code – Table 8.2.1.3.1	Compliance with Acid Sulfate Soils Overlay Code – Table 8.2.1.3.1 via conditions.
Bushfire Hazard Overlay Code - Table 8.2.4.3.1 – Performance Outcome 1	Compliance with Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Performance Outcome 1 via a condition
Coastal Hazard Overlay Code - Table 8.2.5.3.1 – Performance Outcome 2	Generally compliant with Coastal Hazard Overlay Code – Table 8.2.5.3.1 – Performance Outcome 2

Coastal Hazard Overlay Code - Table 8.2.5.3.1 – Performance Outcome 4	Compliance with Coastal Hazard Overlay Code Table 8.2.5.3.1 – Performance Outcome 4 via a condition
Coastal Hazard Overlay Code - Table 8.2.5.3.1 – Acceptable Outcome 5.1	Compliance with Coastal Hazard Overlay Code Table 8.2.5.3.1 – Acceptable Outcome 5.1 via a condition
Coastal Hazard Overlay Code - Table 8.2.5.3.1 – Acceptable Outcome 5.2	Compliance with Coastal Hazard Overlay Code Table 8.2.5.3.1 – Acceptable Outcome 5.2 via a condition
Coastal Hazard Overlay Code - Table 8.2.5.3.1 – Acceptable Outcome 6	Compliance with Coastal Hazard Overlay Code Table 8.2.5.3.1 – Acceptable Outcome 6 via a condition
Coastal Hazard Overlay Code - Table 8.2.5.3.1 – Performance Outcome 12	Compliance with Coastal Hazard Overlay Code Table 8.2.5.3.1 – Performance Outcome 12 via a condition
Scenic Amenity Overlay Code – Table 8.2.11.3.1 – Performance Outcome 2	Generally compliant with Scenic Amenity Overlay Code – Table 8.2.11.3.1 – Performance Outcome 2
Rural Zone Code – Table 6.2.22.3.1 – Performance Outcome 10	Generally compliant with Rural Zone Code – Table 6.2.22.3.1 – Performance Outcome 10
Rural Zone Code – Table 6.2.22.3.1 – Performance Outcome 11	Generally compliant with Rural Zone Code – Table 6.2.22.3.1 – Performance Outcome 11
Rural Zone Code – Table 6.2.22.3.1 – Performance Outcome 14	Generally compliant with Rural Zone Code – Table 6.2.22.3.1 – Performance Outcome 14
Rural Zone Code – Table 6.2.22.3.1 – Performance Outcome 15	Compliance with Rural Zone Code Table 6.2.22.3.1 – Performance Outcome 15 via a condition
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 1.2	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 1.2 via a condition
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 2.2	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 2.2 via a condition
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 5.1	Generally compliant with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 5.1
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 11.1	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 11.1 via a condition
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 15	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 15 via a condition
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 16	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 16 via a condition
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 19	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 19 via a condition

Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 21	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 21 via a condition
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 31	Generally compliant with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 31
Development Design Code – Table 9.3.2.3.1 – Performance Outcome 38	Compliance with Development Design Code – Table 9.3.2.3.1 – Performance Outcome 38 via a condition
Landscaping Code – Table 9.3.5.3.1	Generally compliant with Landscaping Code – Table 9.3.5.3.1

**Relevant Matters under Section 45(5)(b) of the Act that the Development was Assessed Against:**

1. The subject site is not constrained by Flood Hazard Overlay under the Planning Scheme. However, updated flood information and data is considered relevant in the assessment of this proposal.

**Matters raised in Submissions and Council's response in dealing with these matters:**

Tabled in this report.

**Matters prescribed by a Regulation:**

1. The *State Planning Policy – July 2017 – Part E*;
2. The *Central Queensland Regional Plan*; and
3. The *Our Place Our Plan Gladstone Regional Council Planning Scheme, Version 2*.

**Conditions of Approval:**

The following provides the Conditions of Approval under section 63(2)(3e) of the *Planning Act 2016*:

**Approved Documentation**

1. Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:

Drawing Number	Revision	Description	Author	Date
PD 2198	3	Site Plan	John Poulsen Building Design	22/5/20
PD 2200	-	Proposed Toilets No. 2 Floor Plan	John Poulsen Building Design	21/5/19
PD 2200	-	Proposed Toilets No. 2 Elevations	John Poulsen Building Design	21/5/19
PD 2201	-	Proposed Toilets No.3 Floor Plan	John Poulsen Building Design	21/5/19

PD 2201	-	Proposed Toilets No.3 Elevations	John Poulsen Building Design	21/5/19
PD 2202	-	Proposed Toilet No. 4 Floor Plan	John Poulsen Building Design	21/5/19
PD 2202	-	Proposed Toilet No. 4 Elevations	John Poulsen Building Design	21/5/19
PD 2203	-	Proposed Toilet No. 5 Floor Plan	John Poulsen Building Design	21/5/19
PD 2203	-	Proposed Toilet No. 5 Elevations	John Poulsen Building Design	21/5/19
PD 2204		Proposed Toilet No. 6 Floor Plan	John Poulsen Building Design	21/5/19
PD 2204	-	Proposed Toilet No. 6 Elevations	John Poulsen Building Design	21/5/19

### Special Conditions

2. At all times, the total number of guests must not exceed 45 people on site during the operation of the 14 Camp Sites and Lodge (12 guests).
3. The Operation of the Tourist Park shall be monitored by the onsite Manager with respect to the number of a guests and compliance with conditions of this approval.
4. At all times, open campfires are prohibited unless a permit from Rural Fire Services has been obtained.
5. Boundaries are to be clearly delineated for Campers to mitigate trespassing on adjoining properties. Camping is to remain within the approved Camping Areas 1 and 2 and outside of the Esplanade reserve.
6. Prior to the commencement of the use, the Applicant must submit an Emergency Response and Evacuation Plan to Council for approval. The Plan is to:
  - a. Be prepared by a suitably qualified person;
  - b. Be provided for the whole of the site;
  - c. Provide an evacuation and emergency plan in the event of a bushfire or flood event;
  - d. Be implemented by the Applicant for the life of the approval.

### *Bushfire Event*

- i. Identify of the location and severity of all bushfire risks including vegetation, topography and bushfire history;
- ii. Identify fire risk reduction features including fire-fighting facilities to be installed and their ongoing maintenance schedule; and
- iii. Demonstrate that the site will be adequately serviced with onsite firefighting equipment.

*Flood and Cyclone Event*

- i. Identify an alternative evacuation route in order to achieve an acceptable level of flood risk;
  - ii. Identify any influence including storm tide which alters the behaviour of flood hazard; and
  - iii. Identify of the location and severity of all flood risks including creeks, waterways and floodplains.
7. As part of any Development Application for Building Works, the Applicant is to construct all internal roads with a minimum width of 6m and a minimum formed width of 4m and with a maximum grade of 12.5%.
8. As part of Building Works, a cleared fire break is to be provided at a minimum of 10m *of the immediate development footprint*.
9. Prior to the commencement of the use, a water tank of a minimum size of 50,000 litres is to be constructed prior to the commencement of the use for the purpose of on-site potable water.
10. At all times, an adequate supply of water must be provided and maintained for the purposes of drinking, cooking and personal hygiene. The water supply for drinking purposes must be potable water in accordance with the *Water Supply (Safety and Reliability) Act 2008*.

*Advisory Note: If water obtained from a particular water outlet in the campground is not suitable for drinking, a sign must be permanently displayed at the outlet stating that it is "Unsuitable for Drinking".*

11. As part of Building Works, the Applicant is to provide an easily accessible concrete water storage tank or in-ground swimming pool or dam. The water storage infrastructure is:
  - a) To be constructed with fire brigade fittings;
  - b) To have a minimum capacity of 5,000 litres;
  - c) To be located within 100m of the immediate development footprint;
  - d) To be located outside of the Coastal Hazard Overlay; and
  - e) To be readily identifiable with clear signage.

**Building, Plumbing and Drainage Works**

12. The Applicant is required to obtain a Development Permit and Building Final for Building Works in accordance with the *Planning Act 2016*. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.
13. The Applicant is required to obtain a Development Permit and Building Final for Building Works to reclassify the current Dwelling House to a Class 1b prior to the commencement of use.

*Advisory Note: A final inspection is required prior to the commencement of operation.*

14. The Applicant is required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final in accordance with the *Planning Act 2016*. Construction is to comply with the *Plumbing and Drainage Act 2018* and the requirements of other relevant authorities.
15. Details of the proposed colour scheme, materials and finishes for all external areas of the new structures are to be submitted to Council for approval prior to the issue of a Development Permit for Building Works.



16. As part of Building Works, all outdoor lighting is to comply with Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.
17. Prior to the commencement of the use, all lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting.

### **Environmental and Health**

18. Provide and maintain adequate toilet and showering facilities as per the *Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011* as follows:
  - a. at least 2 showers (in separate cubicles) for each sex, for every 14 individual camp sites (within the camping ground);
  - b. at least 2 handbasins; and
  - c. for water closets – for every 14 individual camp sites (within the camping group) –
    - i. for males – at least 2 water closet pedestals and 0.9 metres of urinal stall; and
    - ii. for females – at least 4 water closet pedestals.

### **Sewerage Infrastructure**

19. As part of any Development Application for Plumbing and Drainage Works, any on-site effluent disposal systems are to be designed to withstand inundation during a Flood Event.
20. Prior to the commencement of the use, the Applicant must construct a suitably sized on-site sewerage treatment system, designed by a suitably qualified professional to cater for the development.

### **Transportation Services**

21. Prior to the commencement of use, the Applicant is to construct all internal driveways with a minimum cleared width of 6m and a minimum formed width of 4m and with a maximum grade of 12.5%.
22. Prior to the commencement of the use, a 7m wide Rural Road Access driveway is to be constructed in accordance with Council's Standard Drawing Rural Roads Access.

*Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <http://www.cmdg.com.au/index.htm>.*

23. Prior to the construction of any works within Council's road reserve, the Applicant shall obtain a Works on a Council Road Approval in conformity with Council's Subordinate Local Law No. 1.15.

*Advisory Note: Council's Local Law No. 1.15 – Application to Construct (and maintain) a Driveway (vehicle crossover) is found at <http://www.gladstone.qld.gov.au/forms>*

### **Waste Management**

24. As part of any Development Application for Building Works, a Waste Management Plan is to be submitted and approved by Council. The Waste Management Plan is to be in accordance with the Waste Management Planning Scheme Policy of the Our Place Our Plan Gladstone Regional Council Planning Scheme.

25. Prior to the commencement of the use, refuse bins are to be provided in accordance with Table SC6.7.3.2 of Schedule 6.7 Waste Management at a rate of one 240L waste storage bin and one 240L recycling bin per 4 campsites.
26. Prior to the commencement of the use, open storage areas shall be adequately screened so as not to detract from the visual amenity of the area. One way of achieving compliance with this condition is as follows:
  - a. Outdoor storage areas are situated in locations not visible from the street; and
  - b. A 1.8m solid screen fence is located around storage areas.

### **Miscellaneous**

27. Prior to the commencement of the use, the Applicant must submit a Property Pest Management Plan for approval by Council. The Plan is to detail what restricted matter under the *Biosecurity Act 2014* (Qld) the Plan relates to; the location of restricted matter on the site; and what actions will be undertaken to manage the restricted matter before, during and after the development activity. The Plan must be drafted by a suitably qualified person who has a minimum of five years of experience in invasive species management. Upon approval of the Pest Management Plan, the Applicant must undertake all recommended actions.

*Advisory Note: Council's Regulatory Services Division (Pest Management Section) can provide support in the development of this Property Pest Management Plan which are contactable on (07) 4970 0700.*

28. At all times, the development must achieve the noise generation levels set out in the *Environmental Protection (Noise) Policy 2008*. That is the development must prevent or minimise the generation of any noise or vibration such that nuisance is not caused to other nearby sensitive land uses.

### **Lawful Commencement**

29. Prior to the commencement of this use, the Applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
30. Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the Applicant is to notify Council within 20 business days that this approved use has lawfully commenced.

### **END OF CONDITIONS**

#### **G/20/4254 Council Resolution:**

Moved Cr O'Grady  
Seconded Cr Cameron

That the Officer's Recommendation be adopted.

**CARRIED**

**G/3.4. REQUEST FOR NEGOTIATED DECISION TO DEVELOPMENT APPLICATION 26/2018 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A RELOCATABLE HOME PARK (190 SITES) (16 STAGES)**

**File Ref:** DA/26/2018 and DB1.7

Cr Chris Trevor (declared Material Personal Interest)  
**left the room during the consideration and voting of Item G/3.1.**  
**(refer G/0.3.4 Disclosure of Interest section of the minutes – page 3)**

**Development Application:**

**Application Number:** 26/2018  
**Applicant:** Vellamo Lifestyle Pty Ltd C/- Urban Planet Town Planning Consultants  
**Owner:** ARDNEH Developments Pty Ltd & Auckland Point Pty Ltd  
**Date Of Receipt:** 18 May 2020  
**Location:** Lot 101 Bryant Street, Agnes Water  
**RPD:** Lot 101 SP 176830  
**Area:** 11.07 hectares  
**Current Use Of Land:** Vacant  
**Zoning:** Emerging Community Zone  
**Proposal:** Material Change of Use of Premises for a Relocatable Home Park (190 sites) over 16 stages  
**Number Of Submissions:** 19 Properly Made Submissions & Two (2) Not Properly Made Submissions

**Purpose:**

The purpose of this report is to consider the request for a Negotiated Decision to Development Application 26/2018 for a Material Change of Use of Premises for a Relocatable Home Park (190 sites over 16 stages) located at Lot 101 Bryant Street, Agnes Water, approved at Council's General Meeting on 28 April 2020. The Applicant lodged representations against condition 2, 3, 7, 10, 25, 26 and 34 to negotiate flexibility for the developer to commence the use, remove additional design and operation restrictions and associated timing of additional technical reports.

**Officer's Recommendation:**

That the request for a Negotiated Decision Notice to Development Application 26/2018 for a Material Change of Use of Premises for a Relocatable Home Park (190 sites over 16 stages) located at Lot 101 Bryant Street, Agnes Water, be recommended for approval in part. The approval is supported by a Negotiated Decision Notice.

**Notice of Reasons:**

The following provides the Notice of Reasons under section 63(5) of the *Planning Act 2016*:

**Description of the development:**

The approved development is for Material Change of Use for a Relocatable Home Park.

**Assessment Benchmarks:**

<b>Benchmarks applying to the development:</b>	<b>Benchmark reference:</b>
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> <li>• State Interest – Liveable Communities</li> <li>• State Interest – Water Quality</li> <li>• State Interest - Natural Hazards, Risk and Resilience</li> </ul>
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> <li>• Strategic Framework</li> <li>• Acid Sulphate Soils Overlay Code</li> <li>• Biodiversity Overlay Code</li> <li>• Bushfire Hazard Overlay Code</li> <li>• Emerging Communities Zone Code</li> <li>• Development Design Code</li> <li>• Landscaping Code</li> </ul>

**Reasons for the Assessment Manager's Decision:**

1. The Application was properly made in accordance with the *Planning Act 2016* and the Development Rules; and
2. Conditions have been recommended to mitigate inconsistencies with the relevant benchmarks of the *State Planning Policy July 2017* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.

**Reasons for Approval despite any Non-compliance with certain Benchmarks:**

<b>Benchmarks applying to the development</b>	<b>Reasons for the approval despite non-compliance with benchmark</b>
Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (1)	Compliance with Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (1) via a condition
Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (4)	Generally compliant with Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (4)
Strategic Framework – 3.4 Community Living – Strategic Element 3.4.2. – Housing Growth	Compliance with Strategic Framework – 3.4 Community Living – Strategic Element 3.4.2. – Housing Growth via conditions
Strategic Framework – 3.4 Community Living – Strategic Element 3.4.2 – Housing Mix	Generally compliant with Strategic Framework – 3.4 Community Living – Strategic Element 3.4.2 – Housing Mix
Strategic Framework – 3.5 Connecting Our Places – Strategic Outcome 3.5.1 (1) and (5)	Compliance with Strategic Framework – 3.5 Connecting Our Places – Strategic Outcome 3.5.1 (1) and (5) via a condition
Strategic Framework – 3.6 Building it Better – Strategic Outcome 3.6.1 (5)	Compliance with Strategic Framework – 3.6 Building it Better – Strategic Outcome 3.6.1 (5) via a condition
Strategic Framework – 3.6 Building it Better – Strategic Outcome 3.6.1 (8)	Compliance with Strategic Framework – 3.6 Building it Better – Strategic Outcome 3.6.1 (8) via a condition
Strategic Framework – 3.6 Building it Better – Strategic Element 3.6.2 - Building it better: New neighbourhoods	Compliance with Strategic Framework – 3.6 Building it Better – Strategic Element 3.6.2 - Building it better: New neighbourhoods via conditions

Strategic Framework – 3.7 Our Environment and Heritage – Strategic Outcome 3.7.1 (5) and Biodiversity Overlay Code	Generally compliant with 3.7 Our Environment and Heritage – Strategic Outcome 3.7.1 (5) and Biodiversity Overlay Code based on Concurrence Agency Decision Notice
Biodiversity Overlay Code – Table 8.2.3.3.1 – Performance Outcome 5.	Compliance with Biodiversity Overlay Code – Table 8.2.3.3.1 – Performance Outcome 5 via a condition.
Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Performance Outcome 1.	Compliance with Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Performance Outcome 1 via a condition.
Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 3.	Compliance with Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 3 via a condition.
Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 4.2.	Compliance with Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 4.2 via a condition.
Emerging Community Zone Code – Table 6.2.19.3.1 – Acceptable Outcome 4.1.	Compliance with Emerging Community Zone Code – Table 6.2.19.3.1 - Performance Outcome 4 via conditions.
Emerging Community Zone Code – Table 6.2.19.3.1 – Performance Outcome 7.	Compliance with Emerging Community Zone Code – Table 6.2.19.3.1 - Performance Outcome 7 via conditions.
Emerging Community Zone Code – Table 6.2.19.3.1 – Performance Outcome 8.	Compliance with Emerging Community Zone Code – Table 6.2.19.3.1 - Performance Outcome 8 via conditions.
Development Design Code – Table 9.3.2.3.1	Compliance with Development Design Code – Table 9.3.2.3.1 via conditions.
Landscaping Code – Table 9.3.5.3.1	Landscaping Code – Table 9.3.5.3.1 via conditions.

**Relevant Matters under Section 45(5)(b) of the Act that the Development was Assessed Against:**

N/A

**Matters raised in Submissions and Councils response in dealing with these matters:**

As listed in the report.

**Matters prescribed by a regulation:**

1. *The State Planning Policy – July 2017;*
2. *The Central Queensland Regional Plan; and*
3. *The Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2.*

**Conditions of Approval:**

The following provides the Conditions of Approval under section 63(2)(3e) of the *Planning Act 2016*:

**Approved Documentation**

1. Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:

Drawing Number	Revision	Description	Author	Date
SD100	6	Site Plan	PW Architecture	17/9/2019
SD101	2	Community Centre Floor Plan	PW Architecture	5/3/2018
SD102	2	Unit Floor Plans 1	PW Architecture	5/3/2018
SD101	2	Unit Floor Plans 2	PW Architecture	5/3/2018

And supporting documents

Document Number	Revision	Description	Author	Date
FC-16-078	0	Conceptual Stormwater Management Plan (Quality)	Engineering Solutions Qld Pty Ltd	4/4/2018
FC-16-078	1	Conceptual Stormwater Management Plan (Quantity)	Engineering Solutions Qld Pty Ltd	25/10/2018
FC-16-078	A	Sewerage Supply Analysis	Engineering Solutions Qld Pty Ltd	17/10/2018
FC-16-078	0	Engineering Services Report	Engineering Solutions Qld Pty Ltd	17/4/2018
-	1	Agnes Water Relocatable Home Park Economic Need Assessment	MacroPlan	October 2019

## Special Conditions

2. Deleted.
3. Prior to lodging the first Development Application to Council, the Applicant must amend the Site Plan to include the following changes:
  - a. Each dwelling site adjoining a Rural Residential Zone must be a minimum of 300m<sup>2</sup> in area; and
  - b. The proposed rear landscape buffer directly adjoining the Rural Residential Zone is to be increased to 5m off the boundary. The relevant dwellings must maintain an offset a minimum of 1.5m off the dwelling site boundary in addition to the landscape buffer.
4. Prior the lodging the first Development Application to Council, the Applicant must submit to Council for approval detailed Building Plans for the proposed dwelling types further outlining the

- a. a variety of at least four different textures, colours and designs within the external façade of the building must complement the established coastal character of the area. Details of the proposed colour scheme, materials and finishes for all external areas of the building
  - b. dwelling heights must not exceed 4.5 metres and one storey from ground level.
5. At all time, the Relocatable Home Park must operate in accordance with the *Manufactured Homes (Residential Uses) Act 2003*.
  6. At all times, the Relocatable Home Park must not exceed the development yield of 190 sites.
  7. At all times, strata titling of individual sites will not be permitted.
  8. Communal facilities must be accessible for the sole use of the residents and their guests and must be provided in a central location. Construction shall be in accordance with the *Disability Discrimination Act 1992*.
  9. Upon commencement of the use, the identified RV parking must remain as ancillary parking for the Relocatable Home Park residents.

*Note: Use of the site for accommodation in Caravans/RVs for the general public for short term holiday purposes is not permitted.*

### **Operational Works**

10. A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction of each applicable stage. The Development Application for Operational Works is to include the following:
  - a. Earthworks (including retaining walls) (as applicable);
  - b. Road works (including extensions, private access gates, signage and footpaths) (Stage 1);
  - c. Water Infrastructure (Stage 1);
  - d. Sewer Infrastructure (Stage 1);
  - e. Stormwater Management (quantity, quality, flood and drainage control) (as applicable);
  - f. Erosion and Sediment Control (as applicable);
  - g. Construction Management (as applicable);
  - h. Street lighting, electrical and telecommunications (Stage 1); and
  - i. Landscaping, environmental protection and associated works (as applicable).
11. As part of each Operational Works application, the submission of a Construction Management Plan for the proposed works for each stage must be submitted for approval by Council. The Construction Management Plan must identify:-
  - a. How the relocatable homes will be transported to site;
  - b. The route/s that construction/delivery traffic will utilise;
  - c. Times of the day delivery to site is scheduled;
  - d. Number of vehicle trips to/from site scheduled per day;
  - e. Details of approvals from other authorities;
  - f. Provide evidence of information being issued to adjoining residents; and
  - g. Any other critical elements raised by Council in consideration of the Operational Works application.
12. As part of the first Development Application for Operational Works, the Applicant is to provide a Water Master Plan (including modelling) for approval by Council for the entire development

site. The assessment shall include a staging assessment to ensure all infrastructure is appropriately sized.

13. As part of the first Development Application for Operational Works, the Applicant must extend Council's water supply infrastructure, within the western verge of Bryant Street, to the end of the proposed cul-de-sac.
14. As part of the first Development Application for Operational Works, a water service connection is to be provided from Council's water supply infrastructure to the front property boundary (Bryant Street). The location and size of the water service (and any associated fire service) is to be determined in consultation with Council.

*Advisory Note: Only (one) water connection point is permitted to the development, further stages must connect to the existing connection point.*

15. As part of the first Development Application for Operational Works, connections to Council's live water reticulation network must be carried out by Council. The cost of these works is to be borne by the Applicant.

*Advisory Note: Council's Application for Water Service is found at <http://www.gladstone.qld.gov.au/forms>.*

16. As part of the first Development Application for Operational Works, the proposed development must provide a master meter at the property boundary and sub meters for each dwelling in accordance with the Queensland Plumbing and Drainage Code. Sub-meters must be purchased from Council.

*Note: Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.*

17. As part of the first Development Application for Operational Works, the Applicant is to provide a Sewer Master Plan (including modelling) for the approval by Council for the entire development site. The assessment shall include a staging assessment to ensure all infrastructure is appropriately sized.
18. As part of the first Development Application for Operational Works, the Applicant is to construct a gravity sewer main from Manhole 217072 or 217073, along the northern verge of Bicentennial Drive and north through Lot 28 RP858105, such that the proposed development can obtain a connection Council's sewerage network.
19. As part of the first Development Application for Operational Works, all sanitary drainage is to drain into a new 1050mm diameter privately owned maintenance hole within the south-western corner of the development site, prior to connecting to Council's sewerage infrastructure. The location and size of the sewer service is to be determined in consultation with Council.
20. As part of the first Development Application for Operational Works, connections to Council's live sewerage network must be carried out under the supervision of Council. The cost of these works are to be borne by the Applicant.

*Advisory Note: Council's Application for Sewer is found at <http://www.gladstone.qld.gov.au/forms>.*

21. As part of Operational Works, the retention basins must be constructed at the following stages of the development:
  - a. Stage 1 – Western Basin; and



b. Stage 7 – Eastern Basin.

22. As part of the first Development Application for Operational Works, the Applicant is to extend Bryant Street as an 11m wide Residential Collector, within a 22m (minimum) wide road reserve, to an appropriately designed cul-de-sac, on the alignment shown on the approved Site Plan, in accordance with Council's Road Hierarchy Policy.
23. As part of the first Development Application for Operational Works, the Applicant is to submit a Traffic Impact Assessment Report that:
- Provides swept path analysis for the largest design vehicle accessing the development within the internal road network;
  - Demonstrate that emergency vehicle access and parking facilities will be provided onsite;
  - Demonstrate sufficient queuing area is provided between the cul-de-sac and vehicular control point (entrance gate), such that the influx of traffic will not adversely affect traffic or pedestrian flows along Bryant Street, in accordance with AS2890.
  - As part of the first Development Application for Operational Works, the Applicant must construct a 2 metre wide concrete footpath for the full extent of Bryant Street , along the eastern verge, connecting into the existing footpath located along Donohue Drive, in accordance with Council's Standard Drawing Concrete Pathway/Bikeway Details.

*Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <http://www.cmdg.com.au/index.htm>.*

24. As part of any Development Application for Operational Works, any new retaining walls which are visible from the road reserve, must receive a surface treatment such as rendering or cladding to maintain the visual amenity of the streetscape. The treatments must complement with the proposed colour pallet of the proposed buildings.
25. As part of the first Development Application for Operational Works, a Master Landscaping and Rehabilitation Plan is to be provided in accordance with Table 9.3.5.3.2 - Plant Species List of the Landscaping Code of the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification. The Master Landscaping Plan is to be certified by a Landscape Architect and/or a suitably qualified environmental consultant. It must include a detailed ongoing rehabilitation and maintenance plan for the area marked as "Revegetated Open Space and Activity Area" including the revegetation, enhancement and weed management of the disturbed area.

*Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <http://www.cmdg.com.au/index.htm>.*

26. **As part of the relevant Development Application for Operational Works, the Applicant must construct a minimum 1.8m high solid acoustic fence for the following:**
- Stage 1 – the entire northern and western boundary; and**
  - Stage 4 and onwards – remaining eastern and southern boundary as per the staging plan.**
27. Development Applications for Operational Works shall be designed and constructed in accordance with Australian Standards, the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme* or any other applicable standards at the time of lodgement. Prior to the commencement of the use, all

Operational Works conditioned by this approval must be accepted "on maintenance" by Council.

*Advisory Note: The Capricorn Municipal Development Guidelines within the Engineering Design Planning Scheme Policy is the current document for preparing any Development Application for Operational Works which is found at <http://www.cmdg.com.au/index.htm>.*

### **Bushfire Hazard**

28. Prior to the commencement of the use for Stage 1, the Applicant must submit a Bushfire Hazard Assessment and Evacuation Plan to Council for approval. The Management Plan is to:
  - a. Be prepared by a suitably qualified person experienced in the area of bushfire management;
  - b. Be provided for the whole of the site;
  - c. Provide an evacuation and emergency plan in the event of a bushfire event;
  - d. Identify of the location and severity of all bushfire risks including vegetation, topography and bushfire history;
  - e. Identify fire risk reduction features including fire-fighting facilities to be installed and their ongoing maintenance schedule;
  - f. Demonstrate that each stage is adequately serviced with onsite firefighting equipment; and
  - g. Be implemented by the Applicant for the life of the approval.
29. The Applicant is to construct all internal roads with a minimum formed width of 6m and with a maximum grade of 12.5%.

### **Building, Plumbing and Drainage Works**

30. The Applicant is required to obtain a Development Permit and Building Final for Building Works for each site in accordance with the *Planning Act 2016*. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.
31. The Applicant is required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final for each site in accordance with the *Planning Act 2016*. Construction is to comply with the *Plumbing and Drainage Act 2018* and the requirements of other relevant authorities.
32. As part of Building Works, all outdoor lighting is to comply with Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.
33. As part of any Building Works, the location of the proposed buildings shall comply with Council Policy P-2015/36 Building Over or Adjacent to Council Infrastructure.
34. As part of any Building Works, where a habitable room window is within 9m of another habitable room window or private open space of another Dwelling adjacent to the premise:
  - a. Windows are provided with fixed translucent glazing, such as frosted or textured glazing, for any part of the window less than 1.5m above floor level; or
  - b. Windows are provided with fixed with permanent external screens that are:
    - i. Solid translucent screens; or
    - ii. Perforated panels or trellises that have a maximum of 50% openings, with a maximum opening dimension of 50mm, and that are permanently fixed and durable; and

- iii. Offset a minimum of 300mm from the wall of the building.
35. Prior to the commencement of the use for each stage, all plant and equipment (including air conditioners, exhaust fans and the like) are to be housed, screened and located so that these do not cause environmental nuisance or harm to residential uses in the surrounding area.
36. Prior to the commencement of the use for each stage, all lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting to adversely affect the residential uses on this site and the adjoining the sites.

### **Stormwater Infrastructure**

37. Prior to the commencement of the use, all stormwater infrastructure is to be constructed on the site generally in accordance with the approved Site Based Stormwater Management Plan and any associated Operational Works approval, including quality and quantity infrastructure. The stormwater infrastructure is to be in accordance with the Engineering Design Planning Scheme Policy under the Gladstone Regional Planning Scheme, State Planning Policy and Queensland Urban Drainage Manual.

### **Transportation Services**

38. Prior to the commencement of the use of Stage 1, a C2 Commercial Driveway is to be constructed in accordance with Council's Standard Drawing Urban Commercial/Industrial Driveway.

*Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <http://www.cmdg.com.au/index.htm>.*

39. Prior to the commencement of Stage 1, a minimum of 8 visitor car parking, and 16 RV parking spaces are to be constructed on site generally in accordance with the approved plans, including designated disabled car parking spaces. The communal spaces and associated vehicle movement areas are to be constructed, sealed, line marked, provided with wheel stops and maintained in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and AS2890.1.
40. Prior to the commencement of the use of Stage 1, a minimum of four (4) bicycle spaces are to be constructed onsite within 20m of the communal facilities. All bicycle spaces are to be constructed in accordance with AS2890.3 (2015).
41. Prior to the commencement of the use, any damage to the driveway crossing and kerb and channel shall be repaired at the owner's expense and to Council's Standard Drawing Urban Commercial/Industrial Driveway.

*Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <http://www.cmdg.com.au/index.htm>.*

42. Prior to the commencement of the use for each stage, all grassed footpath areas disturbed by the development are to be top dressed and turfed following completion of construction activity.
43. Prior to the commencement of the use, any manholes located on the proposed driveway are to be covered with Class D Covers to AS 3996, maintained at finished surface levels and must remain accessible at all times.

44. At all times, each relocatable home site must access the internal road network only. Direct access to any Council road not permitted.
45. At all times, individual relocatable home sites must be able to accommodate a minimum of two car parking spaces and, if applicable, one recreational vehicle parking space.

### **Landscaping**

46. Prior to commencement of the use for each stage, all landscaping areas are to be constructed with an appropriate irrigation system. Details of the irrigation system are to be provided as part of the Master Landscaping Plan.

### **Waste Management**

47. Prior to the commencement of the use of each stage, refuse bins are to be provided in accordance with the approved Waste Management at a rate of:
  - a. Residential Dwellings: 1 x 240L General Waste wheelie bin and 1 x 240L Recyclable Waste wheelie bin per dwelling; and
  - b. Community Facilities: 1 x 1.1m<sup>3</sup> General Waste Bulk Bins and 1 x 1.1m<sup>3</sup> Recyclable Waste Bulk Bins.
48. Prior to the commencement of the use of each stage, the waste storage area/s at the community facilities are to be sufficient in size to house all waste collection containers including recycling waste containers. The waste storage area/s must be suitably enclosed and imperviously paved, with a hose cock and hose fitted in close proximity to the enclosure to ensure the area can be easily and effectively cleaned.
49. Prior to the commencement of the use of each stage, open storage areas shall be adequately screened so as not to detract from the visual amenity of the area. One way of achieving compliance with this condition is as follows:
  - a. Outdoor storage areas are situated in locations not visible from the street; and
  - b. A 1.8m solid screen fence is located around storage areas.

### **Electrical, Telecommunication and Gas services**

50. All electrical (and telecommunication) conduits are to be installed (including conduits under roads, under concrete pathways and beneath retaining walls etc.) together with the associated infrastructure (including electrical pits, light pole and sub-station footings etc.).
51. Prior to the commencement of Stage 1, a Certificate of Supply shall be provided to demonstrate connection of electricity supply to the subject site.

*Advisory Note: The Ergon Energy Rockhampton Office are available on (07) 49311012.*

52. Prior to commencement of Stage 1, a Certificate of Supply shall be provided to demonstrate connection of telecommunication supply to the subject site.

*Advisory Note: The Telstra Smart Communities Team are available on 1800 226 543.*

### **Survey Plan Endorsement**

53. The Applicant is to provide registered easement documents in favour of Council and at no cost to Council over relevant infrastructure (access, water supply, sewerage, stormwater, etc.) within the development and over other parts of the development property

as may be deemed necessary by Council having considered the engineering drawings submitted with the Operational Works application for a particular stage of the development.

**Lawful Commencement**

54. Prior to the commencement of the use for each stage, the Applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
55. Upon receipt of confirmation from Council that the relevant conditions of this staged Development Permit are considered compliant, the Applicant is to notify Council within 20 business days that this approved use has lawfully commenced.

***END OF CONDITIONS***

**G/20/4255 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

**CARRIED**

### **G/3.5. ECONOMIC DEVELOPMENT INCENTIVES**

**File Ref:** ED6.2, FM7.2, CM28.2

**Purpose:**

The purpose of this report is to report back to Council on Economic Development Incentives options as they relate to P-2019-28 Infrastructure Charges Rebate Scheme Policy and to seek endorsement of the Policy as amended.

**Officer's Recommendation:**

That Council note the report on Economic Development Incentives as provided in response to resolution **G/19/3983**, dated 19 November 2019.

**G/20/4256 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Muszkat

That the Officer's Recommendation be adopted.

**CARRIED**

**G/3.6. GLADSTONE REGIONAL COUNCIL 2020 STATE ELECTION STRATEGIC PRIORITIES**

**File Ref:** ED6.2

Cr Desley O'Grady (declared Material Personal Interest)

**left the room during the consideration and voting of Item G/3.1. so far as it pertained to Round Hill Creek Channel Access Improvement (refer G/0.3.4 Disclosure of Interest section of the minutes – page 3)**

**Purpose:**

The purpose of this report is to seek Council's endorsement of the Gladstone Regional Council 2020 State Election Strategic Priorities Document.

**Officer's Recommendation:**

That Council endorse the Gladstone Regional Council 2020 State Election Priorities Document.

**G/20/4257 Council Resolution:**

Moved Cr Churchill  
Seconded Cr O'Grady

That Council endorse the Gladstone Regional Council 2020 State Election Priorities Document with the exception of the Round Hill Creek Channel Access Improvement.

**CARRIED**

**G/20/4258 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Branthwaite

That Council endorse the inclusion of the Round Hill Creek Channel Access Improvement within the Gladstone Regional Council 2020 State Election Priorities Document.

**CARRIED**

**G/3.7. FUNDING SUPPORT FOR ROSEDALE STATE SCHOOL COMMUNITY AMENITIES PROJECT**

**File Ref:** DB8.1, ED5.1

**Purpose:**

To provide Councillors with information required to inform a decision to fund construction of the Rosedale State School Stage 2 Sporting Complex.

**Officer's Recommendation:**

That Council approve allocation of \$50,000 towards a multi-use sporting complex within the property boundaries of Rosedale State School.

**G/20/4259 Council Resolution:**

Moved Cr Churchill  
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

**CARRIED**



**G/3.8. COUNCIL MEETING LIVE-STREAMING**

**File Ref:** CM7.2

**Purpose:**

To seek a decision from Council on the continuation of live streaming Council's General Meetings.

**Officer's Recommendation:**

That Council support the continued delivery of live streaming for General Meetings and the purchase of \$40,000 of audio-visual equipment to be installed in the Boardroom at 101 Goondoon Street.

**G/20/4260 Council Resolution:**

Moved Mayor Burnett  
Seconded Cr Hansen

That Council support the continued delivery of live streaming for General Meetings and the purchase of appropriate audio-visual equipment to be installed in the Boardroom at 101 Goondoon Street.

**CARRIED**

**G/4. DEPUTATIONS**

Nil.

**G/5. COUNCILLORS REPORT**

Nil.

**G/6. URGENT BUSINESS**

An urgent business item was raised regarding the Gladstone Aquatic Centre COVID-19 Utility Support and will be discussed during the Confidential Items.

**G/7. NOTICE OF MOTION**

Nil.

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

### **G/20/4261 Procedural Motion:**

Moved Cr Churchill  
Seconded Cr Trevor

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:

- (d) Rating concessions; and
- (h) other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage.

**The meeting was re-opened to the public (no procedural motion was recorded).**

**G/8.1. WRITE OFF REPORT 2019/2020**

**File Ref:** RV4.2

**Cr Chris Trevor (declared Material Personal Interest)**  
left the room during the consideration and voting of Item G/3.1.  
(refer G/0.3.4 Disclosure of Interest section of the minutes – page 3)

**Reason for Confidentiality:**

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

(d) rating concessions.

**G/20/4262 Council Resolution:**

Moved Cr Churchill  
Seconded Cr O'Grady

That the outstanding rates and general debtors identified below be written off:

1. \$3,320.83 for rates assessment 35781-4
2. \$3,032.44 for rates assessment 35782-2
3. \$295.60 for general debtor account 50730-1
4. \$299.70 for general debtor account 52907-3

**CARRIED**

**G/8.2. GLADSTONE AQUATIC CENTRE COVID 19 UTILITY SUPPORT**

**File Ref:** SR7.3

**Reason for Confidentiality:**

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

(h) other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage.

**G/20/4263 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Cameron

That Council delegate to the Chief Executive Officer the authority to conduct and conclude negotiations with BlueFit Pty Ltd regarding both the reopening of aquatic centres and conduct of major works within the facilities under management.

**CARRIED**

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

**THE MEETING CLOSED AT 1:35 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 18 pages  
form the  
official copy of Gladstone Regional Council  
General Meeting Minutes of the 19 May 2020.

.....  
Mayor Matt Burnett

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

**ATTACHMENTS**