



**GLADSTONE**  
REGIONAL COUNCIL

**GENERAL MEETING MINUTES**

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

**On Tuesday 17 May 2022**

**Commencing at 9.00am**

**Leisa Dowling  
CHIEF EXECUTIVE OFFICER**

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## **GENERAL MEETING MINUTES 17 MAY 2022**

### **Elected Members**

Mayor, Acting K Goodluck  
Councillor G G Churchill  
Councillor R A Hansen  
Councillor D V O'Grady  
Councillor C A Trevor  
Councillor C Cameron  
Councillor D Branthwaite

### **Officers**

Mrs L Dowling (Chief Executive Officer)  
Mrs R Millett (Executive Secretary)  
Mrs T Whalley (Manager Governance and Risk)  
Ms C Quinn (General Manager Strategy and Transformation)  
Mr M Holmes (General Manager Finance Governance and Risk)  
Mr J Tumbers (General Manager Operations)  
Mr L Griffiths (General Manager Community Development and Events, Acting)  
Mr M Francis (General Manager Strategic Asset Performance)  
Mr T Mienie (General Manager People Culture and Safety)  
Mr R Huth (General Manager Customer Experience)  
Mr M Harris (Media Advisor)  
Ms V-J Wood (Engineer) (via teams)  
Ms T McDonald (Manager Development Services, Acting)  
Ms S Farrington (Senior Planning Specialist)  
Ms K Wockner (Manager Contracts and Procurement)

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

Mayor Burnett and Councillor Muszkat were an apology with an approved leave of absence.

### **G/0.3.3. MESSAGES OF CONDOLENCE**

Councillor Desley O'Grady passed on condolences to Cheryl Lee's family. Cr O'Grady mentioned that Cheryl Lee passed away a few weeks ago with her funeral held yesterday. Cr O'Grady mentioned that Cheryl Lee was very respected in the real estate industry, which she had worked in for over 40 years in Gladstone. Cr O'Grady mentioned that Cheryl Lee was 75 and still working prior to her passing and will be dearly missed. Cr O'Grady sent condolences to Cheryl Lee's children Kim, Katherine and Stephen and partner John Holgate.

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

#### **Cr Hansen**

Councillor Rick Hansen advised that in agenda item G/3.1 NOT FOR PROFIT HOUSE he had a prescribed conflict of interest as his wife, Lyndal Hansen, is CEO of Not for Profit (NFP) House, whom is seeking to enter into a service arrangement with Council.

Cr Hansen elected to leave the meeting room while the matter was considered and voted on.

#### **Cr Churchill**

Councillor Glenn Churchill advised that in agenda item G/4.6 LEASE RENEWAL - PCYC GLADSTONE he had a prescribed conflict of interest in accordance with Section 150EI of the *Local Government Act 2009* as he is the current and long-time Chairman of the Gladstone Region Police Citizens Youth Club (PCYC) and even though he is Council's appointment representative to the PCYC Committee, he has been associated in many ways with State Queensland Police Citizens Youth Welfare Association (QPCYWA) (various PCYC's) from when he was 15. Cr Churchill further advised that he is a Diamond Life Member for his volunteer contributions and will continue as long as his life makes it possible. Cr Churchill advised that his wife, Sue Churchill, is also a Life Member of PCYC.

Cr Churchill elected to leave the meeting room while the matter was considered and voted on.

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

On Wednesday 4 May 2022, we had a great announcement from Sunshine Hydro with their Flavian project, a \$2 billion project, the world's first super hybrid pumped hydro project pitched for Miriam Vale. That's a fantastic project, renewable energy, reliable, base load, pumped hydro and they'll be working now on their community consultation and planning approvals. I look forward to seeing that project progress.

On Sunday 21 August 2022 we have the Port to Park run. The event will run in Gladstone Port Corporation's (GPC) beautiful parklands, highlighting all three areas - East Shores, The Gladstone Marina and Spinnaker Park. All the money raised for the event goes towards supporting our local schools. Council is proud to be a supporter of this great event. So if you're looking to get involved you can register at [www.gpcl.com.au](http://www.gpcl.com.au).

Tomorrow we have the Parks and Leisure Australia Queensland 2022 Region Conference being held at the Gladstone Entertainment Convention Centre (GECC). There will be hundreds of delegates from right across the state. It is fantastic to see that we've been fortunate enough to host this conference right here in the Gladstone Region and showcase some of the great park lands, award winning parks like the Tondoon Botanical Gardens, Lions Park in Gladstone, Lions Park in Miriam Vale and I'm sure they'll be talking about many interesting initiatives and how the Gladstone Region is looking to improve the liveability of our region. I understand Councillor Darryl Branthwaite will be mc'ing some of the activities and Councillor Desley O'Grady will be assisting as well. That is going to be a great opportunity to showcase our region to those hundreds of delegates from the state.

This week is National Volunteers Week and we've been hosting volunteer recognition events right across the region for all of the fantastic volunteers right across the region that work in so many ways to improve our community. Thank you to all the volunteers and I know we look forward to acknowledging your efforts over the course of the week.

We have the 1770 Festival, celebrating 30 years since the first event was held in 1992. This years event is a free event, kicking off this Friday (20 May 2022) down at the SES grounds at 1770, so make sure you head down there. There is live music, events for the kids, re-enactments, workshops and more. There is definitely going to be a great event there at 1770 so head down there this weekend. I know myself and many councillors will be in attendance as well.

And the Old Station Fly In and Heritage Show is kicking off at 2pm on Saturday 28 May 2022 at the Old Station which is on Langmorn Road in Raglan. The event includes tractor pulling, truck shows, war bird adventure flights and Queensland's only air show. Make sure you head up there to Raglan and check all that out.

There is plenty to do in the Gladstone Region, absolutely no excuse to be bored over the coming couple of weeks.

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

### **G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 3 MAY 2022**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 17 May 2022

**File Ref:** CM7.2

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**Purpose:**

Confirmation of the minutes of the General Meeting held on 3 May 2022.

**Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 3 May 2022 be confirmed.

**GM/22/4740 Council Resolution:**

Moved Cr Hansen

Seconded Cr Branthwaite

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/3. DEPUTATIONS**

### **G/3.1. NOT FOR PROFIT HOUSE**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 17 May 2022

**File Ref:** CM7.6

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**Councillor Hanson (prescribed Conflict of Interest) left the room for Agenda Item G/3.1 Not for Profit House consideration and did not participate in the decision.**  
(refer G/0.3.4 Disclosure of Interest section of the minutes - page 4)

#### **Purpose:**

Not For Profit House (NFP House) will provide an update to Council of NFP House strategic direction and current activities.

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

That the deputation from Not For Profit House be received.

#### **GM/22/4741 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Trevor

That the Officer's Recommendation be adopted.

**CARRIED**

**In favour of the motion:** Cr Branthwaite, Cr Trevor, Cr O'Grady, Cr Cameron, Cr Churchill, Cr Goodluck

**Against the motion:** Nil

**Not eligible:** Cr Hansen

## G/4. OFFICERS' REPORTS

### G/4.1. NEGOTIATED DECISION TO DEVELOPMENT APPLICATION 56/2021 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR AN EDUCATIONAL ESTABLISHMENT, CARETAKERS ACCOMMODATION AND SHOP LOCATED AT 4 JEFFERY COURT, AGNES WATER QLD 4677

**Responsible Officer:** General Manager Customer Experience

**Council Meeting Date:** 17 May 2022

**File Ref:** DA.56.2021; DB1.7

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#### Development Application:

<b>Application Number:</b>	DA/56/2021
<b>Applicant:</b>	Inholoex Investments Pty Ltd C/- Zone Planning Group
<b>Owner:</b>	Inholoex Investments Pty Ltd
<b>Date Of Receipt:</b>	16 March 2022
<b>Location:</b>	4 Jeffery Court, Agnes Water QLD 4680
<b>RPD:</b>	Lot 20 RP 613382
<b>Area:</b>	1,066m <sup>2</sup>
<b>Current Use of Land:</b>	Dwelling House
<b>Zoning:</b>	Mixed Use – Jeffery Court Precinct
<b>Proposal:</b>	Educational Establishment, Shop and Caretaker's Accommodation
<b>Submissions Close Date:</b>	26 November 2021 to 17 December 2021
<b>Number Of Submissions:</b>	Four (4) Submissions

#### Purpose:

The purpose of this report is to consider the request for a Negotiated Decision to Development Application 56/2021 for a Material Change of Use of Premises for an Educational Establishment, Caretakers Accommodation and Shop located at 4 Jeffery Court, Agnes Water QLD 4677, approved at Council's General Meeting on 15 February 2022. The Applicant lodged representations against conditions 1, 2, 6, 16, 22 and 28 to negotiate flexibility for the developer to commence the use, and remove additional design and operation restrictions.

#### Officer's Recommendation:

That the request for a Negotiated Decision Notice to Development Application 56/2021 for a Material Change of Use of Premises for an Educational Establishment, Shop and Caretakers Accommodation located at 4 Jeffery Court, Agnes Water QLD 4677 be approved in part.

#### Statement 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 an Educational Establishment, Shop and Caretakers Accommodation.



**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>• <i>State Interest – Natural Hazards, Risk and Resilience</i></li> </ul>
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> <li>• <i>Strategic Framework;</i></li> <li>• <i>Acid Sulfate Soils Overlay Code;</i></li> <li>• <i>Bushfire Hazard Overlay Code;</i></li> <li>• <i>Flood Hazard Overlay;</i></li> <li>• <i>Mixed Use Zone Code;</i></li> <li>• <i>Development Design Code; and</i></li> <li>• <i>Landscaping Code.</i></li> </ul>

**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 deemed 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*.

**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>
Acid Sulfate Soils Overlay Code – Table 8.2.1.3.1 – Acceptable Outcome 1.1	Compliance with Acid Sulfate Soils Overlay Code – Table 8.2.1.3.1 – Acceptable Outcome 1.1 via a condition
Mixed Use Zone Code – Table 6.2.21.3.1 - Acceptable Outcome 1.2 and 1.4	Compliance with Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 1 via conditions
Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 16 to 21	Compliance with Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 16 to 21 via conditions
Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 26 and 27	Compliance with Mixed Use Zone Code – Table 6.2.21.3.1 - Performance Outcome 26 and 27 via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 1.1 and 2.1.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 1.1 and 2.1 via conditions.
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 5.1 to 6.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 5.1 to 6 via conditions.
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 9.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 9 via a condition.
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 13.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 13 via a condition.
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 21 and 22.1.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 21 and 22.1 via a condition.

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Landscaping Code – Table 9.3.5.3.1 – Performance Outcome 6.	Compliance with Landscaping Code – Table 9.3.5.3.1 – Performance Outcome 6 via a condition.
Landscaping Code – Table 9.3.5.3.1 – Acceptable Outcome 7.1 and 7.2.	Compliance with Landscaping Code – Table 9.3.5.3.1 – Acceptable Outcome 7.1 and 7.2 via a condition.

**Relevant matters for impact assessable development:**

Nil

**Matters raised in submissions for impact assessable development:**

<b>Submission</b>	<b>Officer’s Response</b>
<b>Tourism benefits</b>	
<p>This state of the art, innovative experience fully matches Tourism and Events Queensland's Experience Framework (under Reef). Today's guests want more than just to see the sights. They are looking for experiences that emotionally connect them with real and authentic people, places and cultures – experiences they will never forget. The experience proposed aligns with the State Government's Tourism Plan.</p> <p>Seeking tourism investment into a region is expensive and takes a long time. A golden opportunity from an experienced, industry-leading operator with state-of-the-art operations in NSW. This business will immediately be able to use their existing processes and generate income and exposure for the region</p>	<p>The multifaceted operation proposed at the subject site aligns with the local Planning Scheme vision for tourism operations and appreciation of the surrounding pristine coast and reef/island opportunities.</p> <p>The site’s location, proposed design and connections to external destinations and/or businesses provide sufficient justification to support the development.</p>
<b>Attraction for visitors</b>	
<p>The proposed development is going to bring visitors year-round, creating further sustainability to the region and being able to generate more employment. The average length of stay (ALOS) of a diving guest is 5-10 days, which is more than the current ALOS.</p> <p>The proposed development is a great asset to the existing tourism, noting diving is better in the winter months as its better visibility and this is predominantly Agnes Water regions low season which will further stimulate accommodation, food outlets, clothing stores, etc would benefit greatly.</p>	
<b>Educational/Skill benefits</b>	
<p>A dive centre in the area means an attractive opportunity for students to come to know Agnes Water, learn about the Great Barrier</p>	

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<p>Reef and find a possible vocation.</p> <p>Through this facility, our community and those visitors wishing to access the reef will be able to do so under the guidance of a professional organisation.</p> <p>Additional opportunities may arise for the facility to approach schools and teach children about sustainability and reef management, beach clean ups, environmentally conscious education as these will be the pioneers of our future.</p>	
<b>New tourism activity</b>	
<p>I believe that the dive school benefits the community by providing the opportunity to participate in more positive activities and integrating different age groups.</p>	
<b>Development Design</b>	
<p>The design of the centre, building etc has been meticulously planned with sustainability at the forefront and industry-specific professionals.</p>	

**Matters prescribed by a regulation:**

1. *The State Planning Policy July 2017 – Part E;*
2. *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 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
GD1781	C	Site Plan	Gladstone Drafting	23/07/2021
GD1781	C	Rendered Views	Gladstone Drafting	23/07/2021
GD1781	C	Rendered Views	Gladstone Drafting	23/07/2021
<b>GD1781</b>	<b>C</b>	<b>Proposed Floor Plan</b>	<b>Gladstone Drafting</b>	<b>23/07/2021</b>
GD1781	C	Proposed Floor Plan	Gladstone Drafting	23/07/2021
GD1781	C	Proposed Elevations	Gladstone Drafting	23/07/2021
-	D	Landscape Concept Plan	LA3	December 2021
-	-	Operations Management Plan	Dive Spear and Sport Pty Ltd	-

And supporting documents

Document Number	Revision	Description	Author	Date
Z21133	-	Waste Management Plan	Zone Planning Group	11/10/2021
-	-	Stormwater Management Memo	AAA Design & Development Pty Ltd	24/08/2021

2. Upon commencement of the use, hours of operation for the Educational Establishment and Shop are limited between 7am and 9pm.

### Operational Works

3. A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction. The Development Application for Operational Works is to include the following:
  - a. Road Works (Driveway and footpath);
  - b. Landscaping, environmental protection and associated works.
4. 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>.*

### Acid Sulfate Soils

5. As part of any Development Application for Building Works, should any works associated with the Application result in the sediment at or below 5m AHD, the Applicant must immediately submit an Acid Sulfate Soil Investigation and Management Report to Council for approval and comply with the relevant recommendations. The Management Report is to:
  - a. Be prepared by a suitably qualified person experienced in the area of Acid Sulfate Soils
  - b. Determine whether the proposed works will expose/disturb Acid Sulfate Soils;
  - c. Detail the measures to be undertaken to reduce the risk of Acid Sulfate Soils during
  - d. construction and operation; and
  - e. Be in accordance with the Guidelines for Sampling and Analysis of Lowland Acid Sulfate
  - f. Soils in Queensland 1998 as per the Queensland Acid Sulfate Soil Technical Manual.

### Building, Plumbing and Drainage Works

6. Prior to the commencement of the use, the Applicant is to construct an entry statement/art piece, located adjacent to the proposed crossover. The entry statement/art piece is to be visible from Jeffery Court Precinct, as per the approved plans in Condition 1. The design is to be incorporated into the landscaping along the front of the site to promote a visually attractive piece for the local area.

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7. As per the approved Operational Plan, the Applicant must construct the shade sail over the pool and install all necessary sound proofing within the proposed sheds for the associated noise generating equipment prior to the commencement of the use.
8. Prior to the commencement of the use, the Applicant is required to obtain a Development Permit and Building Final for the reclassification of the existing to Dwelling House to the align with the new Educational Establishment and Caretaker's Accommodation operation onsite.
9. The Applicant is required to obtain a Development Permit and Building Final for all new 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.
10. 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.
11. Prior to the commencement of the use, 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 other uses in the surrounding area.
12. 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 to adversely affect the residential uses on this site and the adjoining the sites.
13. As part of Building Works, all outdoor lighting is to comply with Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.
14. As part of Building Works, the location of the proposed buildings shall comply with Queensland Development Design Code MP 1.4.

### Stormwater Infrastructure

15. Upon commencement of the use, all stormwater runoff must be piped from roofed areas and discharged to a kerb and channel drainage system in a Council controlled road, or an approved inter allotment stormwater drainage system, in accordance with the Queensland Urban Drainage Manual 2017.

### Sewerage

- 16. At all times, the existing private sewer connection must be maintained in the current location prior to connecting to Council's sewer main.**

### Transportation Services

17. At all times, any parking issues associated with the drop off/pick scheduling remain the responsibility of the operator and its Operational Plan.
18. Prior to the commencement of the use, a minimum of six (6) parking spaces and one (1) bus storage space are to be provided on site generally in accordance with the approved plans, including designated disabled car parking spaces. These spaces and all vehicle movement areas are to be

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constructed, sealed, line marked, signed and maintained in accordance with the Engineering Design Planning Scheme Policy under the Gladstone Regional Planning Scheme and AS2890.1.

19. Prior to the commencement of the use, a minimum of four (4) bicycle spaces are to be constructed onsite within 30m walking distance to the entry of the use. All bicycle spaces are to be constructed in accordance with AS2890.3 (2015).
20. As part of Operational Works, the Applicant is to upgrade the existing crossover accessing the development site from Jeffery Court to a Type B2 (minimum 6m) 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>.*

21. 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>.*

22. As part of Operational Works, a 2 metre wide concrete footpath for the full frontage of the subject site connecting into the existing footpath terminating at the corner of Agnes Street and Springs Road is to be constructed 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>.*

23. Provision is to be made for the loading and unloading of goods within the property. Goods delivered shall not be made from the street. No parking associated with the operation of the development shall be permitted along Jeffery Court.

### Acoustic and Air Quality

24. At all times, the Applicant must adhere to the recommendation of the proposed compressor use associated with the Educational Establishment as outlined in the approved Operational Plan.
25. At all times, the development must achieve the noise generation levels set out in the *Environmental Protection (Noise) Policy 2008*, as amended.
26. At all times, the development must achieve the air quality design objectives set out in the *Environmental Protection (Air) Policy 2008*, as amended.

### Landscaping

27. 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.
28. As part of Operational Works, landscaping must be installed as per the approved Landscaping Plan.

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29. As part of the Operational Works application, all landscaping areas are to be constructed with an appropriate irrigation system. Details of the irrigation system are to reflect the approved Landscaping Plan.

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

30. Prior to the commencement of the use, a minimum 1.8m high screen fence to the side and rear boundaries must be maintained at all times.

### Waste Management

31. Prior to the commencement of the use, refuse bins are to be provided in accordance with the approved Waste Management Plan.
32. Prior to the commencement of the use, the waste storage area/s 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.
33. 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.

### Easements

34. Prior to the commencement of the use, the Applicant is required to provide at no cost to Council, one copy of the fully executed Easement Documentation (in accordance with Councils Standard Easement Document) for the following:
  - a. Sewerage easement in favour of Council through burdening Lot 20 having a minimum width of 2m either side (4m in total) from the centreline of Councils asset;

*Advisory Note: Council's Standard Easement Document Form 9 Version 4 can be obtained through Councils Development Services Department.*

### Lawful Commencement

35. Prior to the commencement of this use, the Applicant is to request that a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
36. 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**

**GM/22/4742 Council Resolution:**

Moved Cr Trevor  
Seconded Cr Churchill

That the Officer's Recommendation be adopted with Condition 22 to be deleted and replaced with:

"As part of Operational Works, a 2 metre-wide concrete footpath for the full frontage of the subject site is to be constructed in accordance with Council's Standard Drawing Concrete Pathway/Bikeway Details."

**Statement of Reasons (s254H of the Local Government Regulations 2012):** As other properties are developed in the area they contribute to the remaining pathways or alternatively Council form a plan and vision for the future delivery of pathways to the area.

**CARRIED**



**G/4.2. 2021/22 OPERATIONAL PLAN QUARTER THREE REPORT**

**Responsible Officer:** General Manager Strategy and Transformation

**Council Meeting Date:** 17 May 2022

**File Ref:** CM14.2

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**Purpose:**

To present Council with the third quarterly performance report for the 2021-2022 Operational Plan.

**Officer's Recommendation:**

That Council endorse the 2021-2022 Operational Plan Quarter Three Report.

**GM/22/4743 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Branthwaite

That the Officer's Recommendation be adopted.

**CARRIED**

**The meeting was adjourned at 10:34am and reconvened at 11:00am.**

### **G/4.3. MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 APRIL 2022**

**Responsible Officer:** General Manager Finance Governance and Risk

**Council Meeting Date:** 17 May 2022

**File Ref:** FM15.1

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**Purpose:**

This report seeks Council adoption of the Monthly Financial Statements for the 2021-22 year to date, for the period ended 30 April 2022.

**Officer's Recommendation:**

That Council adopt the Monthly Financial Statements attached to the officer's report for the 2021-22 year to date, for the period ended 30 April 2022 as required under Section 204 *Local Government Regulation 2012*.

**GM/22/4744 Council Resolution:**

Moved Cr Branthwaite  
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

**CARRIED**

#### **G/4.4. SPECIALISED SUPPLIER - BENTLEY SYSTEMS INTERNATIONAL LIMITED**

**Responsible Officer:** General Manager Finance Governance and Risk

**Council Meeting Date:** 17 May 2022

**File Ref:** PE1.1

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**Purpose:**

This report seeks a resolution from Council to make use of provisions in s235 of the *Local Government Regulation 2012*, that allows for exceptions to the requirement for written quotes or tenders. The use of this provision is sought in relation to water and sewerage modelling software supplied by Bentley Systems International Limited.

**Officer's Recommendation:**

That Council resolves, in accordance with Section 235 (b) of the *Local Government Regulation 2012*, that it is satisfied that due to the specialised nature of the services sought, Bentley Systems International Limited can be engaged as a specialised supplier.

**GM/22/4745 Council Resolution:**

Moved Cr Branthwaite  
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/4.5. REVENUE POLICY**

**Responsible Officer:** General Manager Finance Governance and Risk

**Council Meeting Date:** 17 May 2022

**File Ref:** CM28.2

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**Purpose:**

To consider the annual review of the Revenue Policy prior to the adoption of the 2022/2023 budget.

**Officer's Recommendation:**

That Council:

1. Repeal P-2021-08 Revenue Policy; and
2. Adopt P-2022-03 Revenue Policy provided as Addendum 1 and apply to the 2022/2023 financial year.

**GM/22/4746 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Cameron

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/4.6. LEASE RENEWAL - PCYC GLADSTONE**

**Responsible Officer:** General Manager Strategic Asset Performance

**Council Meeting Date:** 17 May 2022

**File Ref:** CP8.2 CP8.8

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**Councillor Churchill (prescribed Conflict of Interest) left the room for Agenda Item G/4.6 Lease Renewal - PCYC Gladstone consideration and did not participate in the decision.**  
(refer G/0.3.4 Disclosure of Interest section of the minutes - page 4)

### **Purpose:**

To allow Council to consider the renewal of the lease to Queensland Police – Citizens Youth Welfare Association over part of Lot 377 on CTN1837, situated at Memorial Park.

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

That Council renews the lease to Queensland Police – Citizens Youth Welfare Association over part of Lot 377 on SP253044 for a term of 10 years and that the Chief Executive Officer be authorised to negotiate and finalise the lease.

### **GM/22/4747 Council Resolution:**

Moved Cr Trevor  
Seconded Cr O'Grady

That Council renews the lease to Queensland Police – Citizens Youth Welfare Association over part of Lot 377 on SP253044 for a term of 30 years and that the Chief Executive Officer be authorised to negotiate and finalise the lease.

**Statement of Reasons (s254H of the Local Government Regulations 2012):** That the 30 year lease would assist the Police Citizens Youth Welfare Association (PCYC) in applying for funding grants from local, state and federal governments; that the PCYC is a long established community based organisation; the risk to Council is minimal in the event of default; and it would assist the PCYC in the future depreciation of their assets.

**CARRIED**

**In favour of the motion:** Cr Branthwaite, Cr Trevor, Cr O'Grady, Cr Cameron, Cr Hansen, Cr Goodluck

**Against the motion:** Nil

**Not eligible:** Cr Churchill

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

Councillor Desley O'Grady mentioned that Central Queensland's largest environmental awareness event, Ecofest, will be on Sunday 5 June 2022 at the Tondoon Botanic Gardens and she hoped to see everyone there. Cr O'Grady mentioned that the event commences at 9:00am until 3:00pm with a gold coin donation for entry on the day. Cr O'Grady encouraged the community to head to Council's website for further information.

Cr O'Grady mentioned the Old Station Fly In and Heritage show and acknowledged that Cr Goodluck mentioned it earlier in the Mayoral Statement and advised that the event runs over two days with the air show commencing at 2:00pm on Saturday 28 May 2022. Cr O'Grady advised that there is camping available from Friday 27 May 2022 and Saturday 28 May 2022 nights with access for campers from 12:00pm on Friday 27 May 2022. Cr O'Grady mentioned that due to CASA regulations, the event, including camping, is strictly no dogs. Cr O'Grady mentioned that it is a great weekend event with proceeds going to the RACQ Capricorn Helicopter Rescue and would love to see everyone there.

**G/6. URGENT BUSINESS**

Nil

**G/7. NOTICE OF MOTION**

Nil

**G/8. CONFIDENTIAL ITEMS**

Nil

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

**THE MEETING CLOSED AT 11:36am**

ATTACHMENTS

Addendum 1



**Gladstone Regional Council**

Council Policy

<b>Title</b>	<b>REVENUE</b>
<b>Policy Number</b>	<b>P-2022-03</b>
<b>Business Unit/s</b>	<b>FINANCE GOVERNANCE AND RISK</b>
<b>Date of Adoption</b>	
<b>Resolution Number</b>	
<b>Review Date</b>	
<b>Date Repealed</b>	

**1.0 PURPOSE:**

Under section 169(2)(c) of the *Local Government Regulation 2012* (Regulation), Gladstone Regional Council's (Council) budget must include a Revenue Policy, with section 193 of the Regulation setting out what the Revenue Policy must state.

Section 193(3) also requires that "a local government must review its revenue policy annually and in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year".

This policy seeks to meet the above requirements.

**2.0 SCOPE:**

In accordance with section 193(1) of the Regulation, the scope of this policy is to set out the principles to be used by Council in the framing of its rates and charges for the 2022/2023 year in the following areas:

- levying of rates and charges; and
- granting of concessions for rates and charges; and
- purpose for granting concessions for rates and charges; and
- recovery of overdue rates and charges; and
- setting of cost recovery methods; and
- the extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development.

A Revenue Policy may also (under section 193(2) of the Regulation) state guidelines that may be used for preparing the local government's Revenue Statement. No such guidelines have been included in this policy.

**3.0 RELATED LEGISLATION:**

- *Human Rights Act 2019;*
- *Local Government Act 2009;*
- *Local Government Regulation 2012.*





**4.0 RELATED DOCUMENTS:**

- Revenue Statement;
- Debt Administration Corporate Standard;
- Rates and Charges Concessions and Exemptions Policy.

**5.0 DEFINITIONS:**

To assist in interpretation of this policy, definitions that apply are available in the dictionary of the:

- *Local Government Act 2009*; and
- *Local Government Regulation 2012*.

**6.0 POLICY STATEMENT:**

**6.1 General Principles**

Council will raise its revenue in accordance with two basic principles of revenue collection:

- requirement-to-pay principle; and
- benefit principle.

Council will use a combination of the requirement-to-pay principle and the benefit principle, applied consistently across the region, as a rational and generally equitable means of raising its revenue.

**6.1.1 Requirement-to-Pay Principle**

By this principle, landowners (and some land occupiers) are levied with a tax (a general rate) based on the value of their land.

The general rate funds programs where there is not a direct link between the service recipient and the service. Examples include parks, roads, community services, cultural development, disaster management, statutory services, economic development, and general administration.

**6.1.2 Benefit Principle**

The benefit principle requires that individuals in the community pay for goods and services:

- from which they derive a special benefit; or
- for which they especially generate a need; or
- that they acquire individually from Council.

The benefit principle will be applied where there is a clear link between the service recipient and the use of the goods or services. Examples include connection to a water supply or sewerage service.

**6.2 Principles Used for the Levying of Rates and Charges**

Section 94 of the *Local Government Act 2009* (Act) obliges Council to levy general rates on all rateable land within its local government area.

Council will be guided by its legislative obligations under the Act and the Regulation and will give due consideration to:

- the requirement to balance its service levels;
- the needs and expectations of the community; and
- the setting of appropriate rates and charges to adequately resource its roles and responsibilities.

Council will apply the following principles in the 2022/2023 financial year:

- Council will be transparent in its revenue raising activities and will endeavour to use systems and practices able to be understood by the community;
- Council will be accountable to ratepayers and service recipients to ensure revenue is applied effectively and efficiently in satisfying the objectives for which the revenue was raised;
- Council will ensure it manages revenue diligently, having in place a revenue system that is simple and inexpensive to administer whilst having regard to its long term financial plan, relevant drivers, and price paths;
- Section 74 of the Regulation requires Council to use property valuations for raising rate revenue, Council will monitor the impact of valuation changes and limit increases to rates and charges where possible; and
- Council will establish different rating categories based on land use and the potential use of the land to recognise the different demands placed on Council resources.

### **6.3 Principles Used and Purposes for the Granting of Concessions for Rates and Charges**

Chapter 4, Part 10 of the Regulation provides Council with the power to grant a ratepayer a concession for rates and charges for land.

Council will grant concessions in accordance with the criteria set out in section 120 of the Regulation and will be guided by the principles of:

- encouraging pensioners to be independent and live in their own home where possible which Council believes has a "quality of life" benefit;
- acknowledging the role of community and sporting organisations by providing financial assistance to those non-profit organisations that would otherwise have difficulty in paying their general rates without such concession; and
- applying the same treatment for ratepayers with similar circumstances.

### **6.4 Principles Used for the Recovery of Overdue Rates and Charges**

Council will exercise its rate recovery powers under Chapter 4, Part 12 of the Regulation in order to reduce the overall rate burden on ratepayers.

Council will be guided by the principles of:

- Ratepayers are expected to pay all rates and charges by the due date and Council will consider legal action if rates and charges remain outstanding;
- Council will make clear the obligations of ratepayers and the processes used by Council in assisting them to meet their financial obligations;
- Council will ensure it manages overdue rates and charges diligently, having in place a recovery system that is simple and inexpensive to administer; and
- Council will apply the same treatment for ratepayers with similar circumstances.

#### 6.5 Principles Used for Cost-Recovery Methods

Section 97 of the Act provides Council with the power to set cost-recovery fees.

Council considers that in almost all instances it is appropriate and in the community interest to apply full cost recovery to its water, sewerage, and waste management services.

The recovery methods used may include obtaining a return on capital for assets used in the delivery of these services as appropriate and where identified in the long term financial forecast. A return on capital will only be calculated and charged where permissible under the Act or Regulation.

Council will achieve efficiency and sustainable financial management by imposing charges that accurately reflect the full cost of the provisions of services where appropriate.

From time to time, Council may decide to subsidise a fee or a charge when Council believes that it is in the community interest to do so.

#### 6.6 Principles Used for Funding Physical and Social Infrastructure Costs for a New Development

Council will fund the physical and social costs of any new development by levying charges upon that development so that the burden on existing ratepayers is minimised, noting that this may be subject to legislative constraint in accordance with the provisions of the *Planning Act 2016*.

Council may decide to subsidise from other sources (e.g. general rate revenue) the charges payable for the development:

- when Council believes that it is in the community interest to do so having regard for the capability to pay within the community; and
- in recognition that there may be broader economic issues, at times, that may require the flexibility in the determination of infrastructure charges by Council.

#### 7.0 ATTACHMENTS:

Nil.

#### 8.0 REVIEW MECHANISM:

This policy will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or the CEO; or
3. Annually in preparation of budget adoption.



TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	03 June 2008	08/241	
Amendment 1	16 June 2009	09/334	
Amendment 2	15 June 2010	10/194	
Amendment 3	21 June 2011	G/11/588	
Amendment 4	03 July 2012	G/12/1114	
Amendment 5	04 June 2013	G/13/1568	
Amendment 6	20 May 2014	G/14/2010	
Amendment 7	5 May 2015	G/15/2410	
Amendment 8	17 May 2016	G/16/2811	
Amendment 9	06 June 2017	G/17/3065	
Amendment 10	19 June 2018	G/18/3436	Changes to financial year and Planning legislation update
Amendment 11	18 June 2019	G/19/3815	Prior Policy P-2018-19
Amendment 12	19 May 2020	G/20/4194	Formerly P-2019-12.
Amendment 13	18 May 2021	GM/21/4511	Formerly P-2020-04.
Amendment 14			Formerly P-2021-08

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**LEISA DOWLING**  
 CHIEF EXECUTIVE OFFICER

DRAFT