



**GLADSTONE**  
REGIONAL COUNCIL

**GENERAL MEETING MINUTES**

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

**On Tuesday 6 December 2022**

**Commencing at 9.00am**

**Leisa Dowling  
CHIEF EXECUTIVE OFFICER**

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## **GENERAL MEETING MINUTES 6 DECEMBER 2022**

### **Elected Members**

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

### **Officers**

Mrs L Dowling (Chief Executive Officer)  
Mrs R Millett (Executive Secretary)  
Mrs T Whalley (Manager Governance and Risk)  
Mr M Holmes (General Manager Finance Governance and Risk)  
Ms C Quinn (General Manager Strategy and Transformation)  
Ms K Lee (General Manager Community Development and Events)  
Mr J Tumbers (General Manager Operations)  
Mr M Francis (General Manager Strategic Asset Performance)  
Mr R Huth (General Manager Customer Experience)  
Mr T Mienie (General Manager People Culture and Safety)  
Ms H Robertson (Manager Development Services)  
Mr M Harris (Media Advisor)  
Ms H Miers (Communications and Public Relations Specialist, Acting)  
Ms L Platt (Social Media Officer)  
Mr E Noakes (Strategic Project Specialist)  
Ms J Rossow (Systems Modelling and Metrics Specialist, Acting)  
Mr S Rajapakse (Cost Analyst, Acting)  
Ms L Cattermole (Community Investment Officer)  
Ms K Marxsen (Manager Arts and Entertainment)  
Ms E Landman (Manager Revenue Services)  
Ms T Bolton (Senior Revenue Officer)

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

#### **GM/22/4882 Council Resolution:**

Moved Cr Churchill  
Seconded Cr O'Grady

That an apology for Councillor Darryl Branthwaite be received.

**CARRIED**

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

Nil

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

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

Councillor Desley O'Grady declared a declarable conflict of interest in agenda Item G/4.3 REQUEST FOR NEGOTIATED DECISION NOTICE FOR DA/28/2022 MATERIAL CHANGE OF USE OF PREMISES FOR AN EDUCATIONAL ESTABLISHMENT (3 STAGES) AT 2774 ROUND HILL ROAD, AGNES WATER as her brothers, Neil and John Mergard, own property within 150m of the proposed development site.

Cr O'Grady advised that although she has a declarable conflict of interest, she believes it would be in the public interest for me to participate in the decision for the following reasons:

- she is confident in her ability to make an unbiased decision that is in the public's interest; and
- her knowledge of the Agnes Water area and community will assist Council to make the best decision in the public interest.

#### **GM/22/4883 Council Resolution:**

Moved Cr Goodluck  
Second Cr Cameron

That notwithstanding Cr O'Grady's declarable conflict of interest, it is in the public interest for Cr O'Grady to remain in the room and participate in the decision without restriction.

**CARRIED**

#### **Mayor Burnett**

Mayor Burnett advised that he has previously declared a declarable conflict of interest in relation to the agenda Item G/4.1 COMMERCIAL LEASE PROPOSAL FOR PRIVATE AQUATIC CENTRE DEVELOPMENT, BOYNE ISLAND and will leave the meeting room while the matter is considered and voted on.

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

It has been a bit of a busy time in the Gladstone region getting into the festive season.

Recently we saw the opening of the Aquaculture Gladstone, I know many Councillors attended that with the team at the Gladstone Area Water Board (GAWB). It is the new multi species fish hatchery at Awoonga Dam. It is fantastic to see that new facility open.

On Wednesday 23 November 2022, we saw the launch of the 75th Brisbane to Gladstone Yacht Race which will take place from Good Friday at Shorncliffe and arriving in Gladstone over the Easter weekend for the 75-year celebration of that blue water classic.

On Friday 25 November 2022 we had the Calliope Carols, and Councillor Desley O'Grady attended that. And the Boyne Carols on the Sunday before that.

The Mayor's Carols were on Friday night just gone (2 December 2022) and I can tell you it was an absolutely huge event, probably the biggest carols and biggest crowd I've seen for many many years. Well done to 4CC and the team for organising that. And of course, to all the volunteers that get involved in the Mayor's carols. Thank you to Santos GLNG for sponsoring as well.

On Saturday 3 December 2022, the day straight after that, we had the Ulysses Christmas Toy Run who were organising toys for the Salvation Army. And the Philip Street Communities and Families Precinct celebrated its first birthday, and we opened the library precinct there as well. For those residents around the Sun Valley, Kin Kora and Clinton Park area you now have a library a lot closer to you than the main street. It is fantastic to see that open.

Congratulations again to Kylie Lee, General Manager Community Development and Events and her team at the Philip Street Communities and Families Precinct for putting on that event. I believe it was around 1,200 sausages and 400 cheeseburgers and the cake and 300 cupcakes were all gone, so the community certainly came out in force to enjoy the Philip Street Communities and Families Precinct first birthday and community fun day. And Councillor Glenn Churchill attended the Baffle Creek Men's Shed opening on Saturday 3 December as well.

Then on Sunday 4 December 2022, many Councillors were attending, as was the community, the Christmas Street Party and the lighting of the Christmas Tree in Goondoon Street.

Yesterday, 5 December 2022, I launched the Stockland Mayor's Giving Tree. Similar to the Kmart Wishing Tree, where the idea is you put a gift under the tree which will be handed to the Salvation Army who will make sure a family in our local community have those gifts for Christmas and ensure all our children in the Gladstone Region, and all families, have an opportunity to celebrate Christmas.

Upcoming events in our region are the 25th Birthday Celebrations for the Boyne Library and Christmas Tree Decorating Extravaganza at the Boyne Tannum Community Centre, Boyne Island. Then we have our New Year's Eve Party on Saturday 31 December, all the details are on Council's website. It will be at the Gladstone Ports Corporation (GPC) Marina Park Lands. We have our Festival of Summer from the 9 to 13 January 2022, encouraging every family to get involved in that as well. There are lots of activities for the kids, many of them free or some are very inexpensive activities to keep the kids entertained at that time of the Christmas holidays when they are starting to get bored. And our Australia Day Event next year, in partnership with GPC, for the first time ever, will be held at East Shores, which is fantastic. Looking forward to our first ever Australia Day festivities on January 26 2023 at East Shores.

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More importantly today, Councillors, members of the gallery and those watching online, it gives me great pleasure to recognise the service and contribution of Col Armour, Council's longest serving employee in known history. Col and his wife, Angela, are in attendance in the gallery today. On the 23 January 1975, Col started his career with Council as a truck driver. Col's 47 years of experience and skills are welcomed in our operations team as part of our roads program delivery team, and he will be missed as he enjoys long service leave over the coming months. Col has a multi-generational connection with Council with himself working for Council for 47 years, his father also working for Council for more than 40 years, and I believe his grandfather worked for Council as well, so his families' connections to Council around about 100 years for our local community. This is an outstanding commitment, not only just to Council, but to our community as well, and we sincerely thank you Col for your dedication and your commitment. We wish you health and happiness as you enjoy your long service leave and no doubt possibly retirement after that, but long service leave at this point. We just want to say thank you on behalf of our community and on behalf of everyone here at Council.

**G/2. CONFIRMATION OF MINUTES**

**G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 15 NOVEMBER 2022**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 6 December 2022

**File Ref:** CM7.2

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**Purpose:**

Confirmation of the minutes of the General Meeting held on 15 November 2022.

**Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 15 November 2022 be confirmed.

**GM/22/4884 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Trevor

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/3. DEPUTATIONS**

### **G/3.1. NBN LOCAL**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 6 December 2022

**File Ref:** CM7.6

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**Purpose:**

To introduce Council to nbn™ Local.

**Officer's Recommendation:**

That the deputation from nbn™ Local be received.

**GM/22/4885 Council Resolution:**

Moved Cr Muszkat

Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

**CARRIED**



## **G/4. OFFICERS' REPORTS**

### **G/4.1. COMMERCIAL LEASE PROPOSAL FOR PRIVATE AQUATIC CENTRE DEVELOPMENT, BOYNE ISLAND**

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

**Council General Meeting Date:** 6 December 2022

**File Ref:** PRJ279/D, ED6.1

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**Mayor Burnett (declared Conflict of Interest)**  
**left the room for Agenda Item G/4.1 and did not participate in the decision.**  
(refer G/0.3.4. Disclosure of Interest section of the minutes - page 4)

**Deputy Mayor Kahn Goodluck chaired the meeting for Agenda Item G/4.1.**

#### **Purpose:**

For Council's consideration of the ZenDev Pty Ltd proposal to enter into a commercial lease agreement for the private aquatic centre development at Boyne Island.

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

That Council decline to proceed with the ZenDev Pty Ltd proposal to enter a commercial lease for the private aquatic centre development at Boyne Island.

#### **GM/22/4886 Council Resolution:**

Moved Cr Muszkat  
Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

**CARRIED**

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

**Against the motion:** Nil

**Not eligible:** Mayor Burnett

**Absent:** Cr Branthwaite

## **G/4.2. HARVEY ROAD SPORTS AND EVENTS PRECINCT BUSINESS CASE AND FEASIBILITY ASSESSMENT**

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

**Council Meeting Date:** 6 December 2022

**File Ref:** PRJ280, ED6.1

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### **Purpose:**

Present the Final Feasibility Assessment Report and Business Case for the Harvey Road Sports and Events Precinct.

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

That Council:

1. Adopt the Harvey Road Sports and Events Precinct Final Feasibility Assessment Report and Business Case; and
2. Maintain Harvey Road Sports and Events Precinct as a Strategic Priority and continue to advocate for funding.

### **GM/22/4887 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

**CARRIED**

**G/4.3. REQUEST FOR NEGOTIATED DECISION NOTICE FOR DA/28/2022 MATERIAL CHANGE OF USE OF PREMISES FOR AN EDUCATIONAL ESTABLISHMENT (3 STAGES) AT 2774 ROUND HILL ROAD, AGNES WATER**

**Responsible Officer:** General Manager Customer Experience

**Council Meeting Date:** 6 December 2022

**File Ref:** DA/28/2022

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**Cr O'Grady (declared Conflict of Interest)**  
**remained in the room for Agenda Item G/4.3 and participated in the decision.**  
(refer G/0.3.4. Disclosure of Interest section of the minutes - page 4)

**Development Application:**

**Application Number:** DA/28/2022  
**Applicant:** Goora Gan Steiner School Incorporated  
C/- Angelo Oliaro Town Planning  
**Owner:** Goora Gan Steiner School Incorporated  
**Confirmation Notice:** 29 April 2022  
**Location:** 2744 Round Hill Road, AGNES WATER QLD 4677  
**RPD:** Lot 36 RP 619982  
**Area:** 1.9 hectares  
**Current Use of Land:** Vacant Lot  
**Zoning:** Rural Residential – Bicentennial Drive Enterprise Precinct  
**Proposal:** Educational Establishment (3 Stages)  
**Planning Scheme:** Our Place Our Plan Gladstone Regional Council Planning Scheme, Version 2  
**Public Notification Period:** 22 June 2022 to 13 July 2022  
**Number of Submissions:** One (1) Not Properly Made Submission

**Purpose:**

The Purpose of this report is to consider the applicants representations in regard to the Decision Notice dated 2 September 2022. Specifically in relation to Conditions 4, 15, 16, 20, 22, 23, 24 and 25 of the Notice of Decision.

**Officer's Recommendation:**

That the request for a Negotiated Decision Notice for Development Application 28/2022 for a Material Change of Use for an Educational Establishment (3 stages) located at 2744 Round Hill Road, Agnes Water, be approved in part subject to the following 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 an Educational Establishment (3 Stages).

**Assessment Benchmarks:**

Benchmarks applying to the development	Benchmark reference
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> <li>• <i>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>Bushfire Hazard Overlay Code</i></li> <li>• <i>Emerging Community Zone Code;</i></li> <li>• <i>Development Design Code;</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:**

Benchmark reference	Reasons for the approval despite non-compliance with benchmark
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 8.1.	Compliance with Development Design Code – Table 9.3.2.3.1 – Performance Outcome 8 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 18.	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 18 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.
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 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:**

N/A

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**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:

<b>Drawing Number</b>	<b>Revision</b>	<b>Description</b>	<b>Author</b>	<b>Date</b>
A110	3	Site Plan and Landscape Plan	WD Architects	01/03/2022
A120	1	Roadworks and Parking Layout	WD Architects	01/03/2022
A130	1	Staging Plan	WD Architects	01/03/2022
A300	2	Administration Building Floor Plan	WD Architects	01/03/2022
A400	2	Administration Building Sections	WD Architects	01/03/2022
A500	2	Administration Building Elevations	WD Architects	01/03/2022
A900	2	Administration Building Perspectives	WD Architects	01/03/2022
A300	2	Classroom Building Floor Plan	WD Architects	01/03/2022
A400	2	Classroom Building Sections	WD Architects	01/03/2022
A500	2	Classroom Building Elevations	WD Architects	01/03/2022
A900	2	Classroom Building Perspectives	WD Architects	01/03/2022
A300	1	Proposed Library/Resource Centre Floor Plan	WD Architects	01/03/2022
A500	1	Proposed Library/Resource Centre Elevations and Sections	WD Architects	01/03/2022
A900	1	Proposed Library/Resource Centre Perspectives	WD Architects	01/03/2022
A300	2	Specialty Classroom and Workshop Floor Plan	WD Architects	01/03/2022
A500	2	Specialty Classroom	WD Architects	01/03/2022

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		and Workshop Elevations and Sections		
A900	2	Specialty Classroom and Workshop Perspectives	WD Architects	01/03/2022

And supporting documents

Document Number	Revision	Description	Author	Date
21562	-	Effluent Disposal Report	Engineers Plus	April 2022
21562		Site Specific Stormwater Management Report	Engineers Plus	April 2022
-	-	Traffic Impact Assessment	Access Traffic Consulting	March 2022
21110	-	Noise Impact Assessment	SoundBase Consulting Engineers	21 April 2022

### Operational Works

2. A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction for Stage 1. The Development Application for Operational Works is to include the following:
  - a. Earthworks (including retaining walls);
  - b. Road works (including signage);
  - c. Pedestrian / Cycle Footpath works;
  - d. Stormwater Management (quantity, quality, flood and drainage control);
  - e. Street lighting, electrical and telecommunications; and
  - f. Landscaping, environmental protection and associated works.
3. 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>.*

### Building, Plumbing and Drainage Works

4. The Applicant is required to obtain a Development Permit and Building Final for Building Works in accordance with the *Planning Act 2016* for each stage. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.

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5. 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* for each stage. Construction is to comply with the *Plumbing and Drainage Act 2018* and the requirements of other relevant authorities.
6. 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 other uses in the surrounding area.
7. 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 sites.

### Water Infrastructure

8. Prior to the lodgement of any Operational Works application, the Applicant must submit for approval to Council, an Engineering Services Report prepared by a Registered Professional Engineer of Queensland (RPEQ) that assess and recommends the necessary onsite water requirements for the entire proposed development, noting the relevant water standard qualities that must be adhered to.
9. Prior to the commencement of the use for each stage, the Applicant must install and construct the necessary water facilities as per Condition 8 approved Engineering Services Report for onsite Water.

### Sewerage Infrastructure

10. As part of any Development Application for Plumbing and Drainage Works, the Applicant must design and construct the onsite effluent disposal system as recommended in the approved Effluent Disposal Report.
11. As part of the Development Application for Plumbing and Drainage Works for Stage 1, the Applicant must install the recommended fencing and planting as outlined in the approved Effluent Disposal Report.
12. Any future request to connect into Council Sewerage Infrastructure once available shall be at the expense of the owner.

### Stormwater Infrastructure

13. As part of the Development Application for Operational Works for Stage 1, the Applicant is to submit for approval by Council an amended Site Based Stormwater Management Plan. The Site Based Stormwater Management Plan must address both stormwater quantity and quality and be in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Our Place Our Plan Gladstone Regional Council Planning Scheme* and the *State Planning Policy – July 2017*. The Site Based Stormwater Management Plan must be certified by a Registered Professional Engineer of Queensland experienced in this type of work

## Transportation Services

14. As part of the Development Application for Operational Works for Stage 1, the Applicant must construct the channelised right turn treatment lane as per the approved Traffic Impact Assessment Report.
15. As part of the first application for Operational Works, the Applicant is to submit a Pedestrian/Cycle Network Plan demonstrating provision of a concrete footpath with a minimum width of 2.5 metres to be located within the road reserve and to be constructed:-
  - along the frontage of the subject site;
  - inclusive of a delineated road crossing of Round Hill Road;
  - continue along the northern side of Round Hill Road; and
  - connect into the footpath network at the frontage of 2853 Round Hill Road (Lot 214 on SP262272) required as a Condition of DA/18/2017 for the Shopping Centre.

The design of which shall comply with Austroads Standards and Council's Standard Drawing Concrete Pathway/Bikeway Details and is to be certified by an RPEQ experienced in that type of work. The footpath is to be constructed and on maintenance prior to the commencement of use of the first stage.

*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>.*

16. An Operational Plan to address Pedestrian & Cycle safety of patrons of the facility shall be submitted to Council prior to commencement of the use.
17. Prior to the commencement of Stage 1, a minimum of 18 car parking spaces are to be constructed 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 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.
18. Prior to the commencement of Stage 1, a minimum of 10 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.
19. As part of the Development Application for Operational Works for Stage 1, a 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>.*
20. Prior to the commencement of Stage 1, shade street trees are to be constructed within the designated vehicle parking area at a rate of 1 tree per 6 vehicle parking spaces 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.



## Landscaping

21. As part of the Development Application for Operational Works for Stage 1, all grassed footpath areas disturbed by the development are to be top dressed and turfed following completion of construction activity.
22. As part of the Development Application for Operational Works for Stage 1, a full Landscaping 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 Landscaping Plan must include all recommendations outlined in the supporting approved reports, approved plans and conditioned within this package. The full Landscaping Plan is to be certified by a Landscape Architect.
23. As part of the first Development Application for Operational Works for Stage 1, 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 full 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>.*

24. As part of the Development Application for Operational Works for Stage 1, street trees are to be constructed along the Round Hill Road frontage, at a rate of 1 tree per 10m 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.

*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>.*

25. **Prior to the commencement of use of Stage 1, construction of a minimum 1.8m high screen fence for the full extent of the development footprint to the western side boundary and a 1.2m high post and wire fence for the remaining western boundary and the full extent of the eastern and rear boundaries must be completed. Details of which are to be included within any Development Application for Building Works.**

## Waste Management

26. As part of any Development Application for Operational Works for Stage 1, 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 Gladstone Regional Planning Scheme.
27. Prior to the commencement of the use for Stage 1, refuse bins are to be provided in accordance with the Waste Management Plan.
28. Prior to the commencement of the use for Stage 1, 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.

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29. Prior to the commencement of the use for Stage 1, 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:
- g. Outdoor storage areas are situated in locations not visible from the street; and
  - h. A 1.8m solid screen fence is located around storage areas.

### Environmental Health

30. At all times, the development must achieve the noise generation levels set out in the *Environmental Protection (Noise) Policy 2019*, as amended.
31. At all times, the development must achieve the air quality design objectives set out in the *Environmental Protection (Air) Policy 2019*, as amended.
32. Upon commencement of the use, should service deliveries occur outside the timeframes of 7am-7pm, an Environmental Management Plan is to be submitted to Council for approval which outlines the management strategies to minimise noise impacts to the adjacent residential uses. The Environmental Management Plan is to be in accordance with the maximum limits as per the *Environmental Protection (Noise Policy) 2008* under the *Environmental Protection Act 1994*.

### Lawful Commencement

33. 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.
34. 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/22/4888 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Trevor

That the Officer's Recommendation be adopted.

**CARRIED**

**In favour of the motion:** Mayor Burnett, Cr Goodluck, Cr Trevor, Cr Cameron, Cr Muszkat, Cr Hansen, Cr Churchill

**Against the motion:** Cr O'Grady

**Absent:** Cr Branthwaite

#### **G/4.4. ANIMAL INSPECTION PROGRAM 2023**

**Responsible Officer:** General Manager Customer Experience

**Council Meeting Date:** 6 December 2022

**File Ref:** LE2.1

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**Purpose:**

The purpose of this report is to seek Council approval to implement a Systematic Approved Inspection Program under the *Animal Management (Cats & Dogs) Act 2008* (the Act) for dogs.

The objectives of the program are to carry out house to house inspections to identify if dogs are being kept and if the animals are registered in accordance with requirements of the Act and Councils *Local Law No. 2 (Animal Management) 2011*.

**Officer's Recommendation:**

That Council adopt the Approved Systematic Inspection Program - Animal Inspection Program for Registration and Renewal of Animals 2023 for the period 01 February 2023 to 30 July 2023.

**GM/22/4889 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Cameron

That the Officer's Recommendation be adopted.

**CARRIED**

**The meeting was adjourned for morning tea at 10:21am and reconvened at 11:10am.**

## **G/4.5. REGIONAL ARTS DEVELOPMENT FUND COMMITTEE - ANNUAL GENERAL MEETING OUTCOME REPORT AND INCOMING COMMITTEE**

**Responsible Officer:** General Manager Community Development and Events

**Council Meeting Date:** 6 December 2022

**File Ref:** CC7.16

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### **Purpose:**

The purpose of this report is to seek endorsement of the 2023 Regional Arts Development Fund (RADF) Committee.

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

That Council note the acceptance of eight (8) nominations, received during the 2022 Regional Arts Development Fund (RADF) Annual General Meeting (AGM);

1. Melissa Peacock – Visual arts, Craft, Community Cultural Development
2. Wezley Pitt – New media, film & TV, Music, Festivals, Community Cultural Development
3. Norma Tanna – Theatre & Music, Community Cultural Development
4. Lorna McGrath – Visual Arts, Theatre, Dance, Festivals, Writing & Music
5. Mark McLachlan – Heritage, New media, film & TV and Community Cultural Development
6. Wendy Barker – Dance
7. Wesley Walker – Drama, Theatre, Visual Arts
8. Jack Viljoen – Music, Festivals

Council appointed: Cr Glenn Churchill (Chair), Kim Marxsen (ex-officio), Claire Robinson (ex-officio), Felicity Barker (ex-officio) and Lisa Davies (RLO-Acting).

And that the nominated members, including current sitting and new members, are endorsed as a group of informed representatives who reflect the diverse arts, culture and geography of the Council area, to form the 2023 RADF Committee.

### **GM/22/4890 Council Resolution:**

Moved Cr Hansen  
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

**CARRIED**

## G/4.6. COMMUNITY INVESTMENT PROGRAM - ELEVATOR FUND APPLICATIONS

**Responsible Officer:** General Manager Community Development and Events

**Council Meeting Date:** 6 December 2022

**File Ref:** GS 3.1

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Mayor Burnett advised that he believed that it may be perceived that he has a conflict of interest in Agenda Item G/4.6. COMMUNITY INVESTMENT PROGRAM - ELEVATOR FUND APPLICATIONS, RSL Gladstone Sub Branch application given that he is a member of the Gladstone Foundation Board of Advice which allocated \$500,000 to the Gladstone ANZAC Memorial Bowls and Citizen Club Inc, which occupies the same premises as the RSL Gladstone Sub Branch and further that as a Labor Party candidate for Flynn in the recent Federal Election he secured funding of \$250,000 for the Gladstone ANZAC Memorial Bowls and Citizen Club.

Notwithstanding his declarable conflict of interest, Mayor Burnett advised that he believed that it would be in the public interest for him to participate in the decision for the following reasons:

- the RSL Gladstone Sub Branch is not a Council project, unlike the Boyne Tannum Aquatic Recreation Centre; and
- he is confident in his ability to make an unbiased decision that is in the public interest.

Mayor Burnett advised that notwithstanding this, he will respect any decision of his fellow councillors in relation to his participation in this matter.

### **GM/22/4891 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Goodluck

That notwithstanding the Mayor's declarable conflict of interest with respect to the RSL Gladstone Sub Branch application, it is in the public interest for the Mayor to participate in the decision without restriction.

**CARRIED**

### **Purpose:**

To consider the recommendation of the Community Investment Panel on an application received under the Elevator Fund.

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

That Council:

1. Adopt the Community Investment Panel recommendation of funding for the applications received under the categories of funding tabled below:

Application ID	Applicant	Project	Recommendation Amount
ELVTR001	Gladstone Chamber of Commerce & Industry	Buy Local 2023/24 campaign	\$18,000
ELVTR002	Gladstone Athletics Club	Elite discus cage	0

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ELVTR003	Calliope Garden Club	Install safe and presentable flooring	\$10,030
ELVTR006	RSL Gladstone Sub Branch	Veteran's drop-in centre fit out	\$13,600
<b>Total Funding Requested</b>			<b>\$ 41,630</b>

and

2. Authorise the Chief Executive Officer or delegate to finalise and execute funding agreements with the successful applicants detailing relevant entitlements and conditions.

**GM/22/4892 Council Resolution:**

Moved Cr Cameron  
Seconded Cr Trevor

That Council:

1. Adopt the Community Investment Panel recommendation of funding for the applications received under the categories of funding tabled below:

Application ID	Applicant	Project	Recommendation Amount
ELVTR001	Gladstone Chamber of Commerce & Industry	Buy Local 2023/24 campaign	\$18,000
ELVTR002	Gladstone Athletics Club	Elite discus cage	0
ELVTR003	Calliope Garden Club	Install safe and presentable flooring	\$10,030
ELVTR006	RSL Gladstone Sub Branch	Veteran's drop-in centre fit out	\$16,000
<b>Total Funding Requested</b>			<b>\$ 44,030</b>

and

2. Authorise the Chief Executive Officer or delegate to finalise and execute funding agreements with the successful applicants detailing relevant entitlements and conditions.

**CARRIED**

**Statement of Reasons (s254H of the Local Government Regulations 2012):** That the applicant, RSL Gladstone Sub Branch, has had serious financial set back with delays and the cost of the construction material and that the project is to assist our veteran community and returned soldiers with medical conditions including but not limited to, post traumatic stress disorder associated with their service to this nation.

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

**Against the motion:** Cr Muszkat, Cr Hansen

**Absent:** Cr Branthwaite

## **G/4.7. PROPOSED PUBLIC ART INSTALLATION - TARAGOOLA TREES**

**Responsible Officer:** General Manager Community Development and Events

**Council Meeting Date:** 6 December 2022

**File Ref:** CC2.1

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### **Purpose:**

The purpose of this report is to present Council with a public art proposal received from local artist, Katrina Elliott seeking approval to install a public art installation on the trees on Taragoola Road, Calliope throughout December 2022 and January 2023.

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

That Council support the public art proposal received by artist Katrina Elliott and approve the use of the trees along Taragoola Road, Calliope for the proposed short-term art installation.

### **GM/22/4893 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

**CARRIED**

**G/4.8. REALF'S DIVING AND SALVAGE SOLE SUPPLIER**

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

**Council Meeting Date:** 6 December 2022

**File Ref:** PE1.1

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**Purpose:**

This report seeks resolution from Council to make use of the provisions in s235 of the Local Government Regulation 2012, that allows for the exceptions to the requirement for written quotes or tenders. The use of this provision is sought in relation to the South Trees Waste Water Treatment Plant Effluent outfall structure remedial works.

**Officer's Recommendation:**

That Council resolves, in accordance with Section 235(a) of the Local Government Regulation 2012, that it is satisfied that Realf's Diving & Salvage is the only supplier reasonably available to Council to perform remedial works to the South Trees Waste Water Treatment Plant Effluent outfall structure.

**GM/22/4894 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Cameron

That the Officer's Recommendation be adopted.

**CARRIED**



## G/4.9. AMENDMENT TO 2022/2023 FEES AND CHARGES

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

**Council Meeting Date:** 6 December 2022

**File Ref:** FM7.1

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### **Purpose:**

The purpose of this report is to seek Council's endorsement of the proposed amendments to the 2022/2023 Register of Fees and Charges.

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

That Council endorse the amendment of the 2022/2023 Register of Fees and Charges to reflect the following charges as below:

1. Introduction of New Fee - Tree Replacement Fee (*as part of driveway application assessment only*) of \$494.00 per tree, Excluding GST
2. Re-introduction of Camping Fees at the Island Campgrounds, namely:
  - a. Camping Fees – Island Grounds – Family (2 Adults and 2 Children under 17 years) from \$Nil to \$20.50 per day, Including GST
  - b. Camping Fees – Island Grounds – Per Person from \$Nil to \$6.80 per day, Including GST
  - c. School Groups – attending an approved school excursion from \$Nil to \$3.20 per day, Including GST
3. Introduction of New Fees - Memorial Plaques on Council removable assets and park furniture:
  - a. Administration Cost \$110.00 per application Including GST
  - b. Cost of Plaque \$60.00 per each, Including GST
  - c. Installation \$250.00 per each, Including GST
4. Amend - Maxine Brushe Community Meeting Place Room Hire, namely:
  - a. Room Hire (*Not-for-profit Volunteer Organisation with no paid employees, up to 12 hours per week*) \$Nil (No Charge) per room per hour
  - b. Room Hire (*Not-for-profit Volunteer Organisation with no paid employees, over 12 hours per week*) \$10.00 per room per hour, Including GST

### **GM/22/4895 Council Resolution:**

Moved Cr O'Grady  
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/4.10. QUEENSLAND AUDIT OFFICE FINAL MANAGEMENT REPORT**

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

**Council Meeting Date:** 6 December 2022

**File Ref:** FM4.4

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### **Purpose:**

To present a copy of the Final Management Letter and Report to ensure transparency and accountability of Council regarding audit findings.

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

That Council note the Final Management Letter and Report in accordance with Section 213 of the *Local Government Regulation 2012*.

### **GM/22/4896 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Trevor

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/4.11. COUNCILLOR APPOINTMENT TO CAPRICORN PEST MANAGEMENT GROUP**

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

**Council Meeting Date:** 6 December 2022

**File Ref:** CM7.2

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### **Purpose:**

To allow the Council the opportunity to appoint a councillor representative to Capricorn Pest Management Group.

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

That Council nominate Cr \_\_\_\_\_ as a voting representative for Gladstone Regional Council's membership to Capricorn Pest Management Group Inc.

### **GM/22/4897 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Churchill

That Council nominate Cr Hansen as a voting representative for Gladstone Regional Council's membership to Capricorn Pest Management Group Inc.

**CARRIED**

**G/4.12. CANCELLATION OF GENERAL MEETING 3 JANUARY 2023**

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

**Council Meeting Date:** 6 December 2022

**File Ref:** CM7.2

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**Purpose:**

To allow Council to consider the cancellation of the 3 January 2023 General Meeting.

**Officer's Recommendation:**

That the General Meeting for 3 January 2023 be cancelled.

**GM/22/4898 Council Resolution:**

Moved Mayor Burnett  
Seconded Cr Goodluck

That the General Meeting for 3 January 2023 and 2 January 2024 be cancelled.

**CARRIED**

## G/5. COUNCILLORS REPORT

Councillor Rick Hansen advised that the Central Queensland Region of Councils Limited (CQROC) Resource Recovery Plan is coming to finalisation and being assessed by the committee before being provided to CQROC board. Cr Hansen noted that within the plan there are some items which are cost prohibitive and highlighted that there will be some firm decisions required by council's to go ahead with some of the recommendations. Cr Hansen advised that once the plan is finalised it will be provided to councillors.

Councillor Desley O'Grady advised that she recently attended the Advance Rockhampton luncheon and noted that they spoke about Rookwood Weir and what was happening in the area as they will have extra water. Cr O'Grady noted that macadamia nut farming has started in that area. Cr O'Grady mentioned that at the luncheon they also advised that Heritage Minerals will be reopening the Mount Morgan gold mine which will be fantastic for Mount Morgan.

Councillor Natalia Muszkat noted that she is a member of the Council's Audit Risk and Improvement Committee (ARIC) and noted that at the last meeting, Council said goodbye to the chair and Cr Muszkat wanted to thank Kerry Phillips, the chair, publicly for all the work she has done over the years for Council. Cr Muszkat thanked Kerry and noted that she will be missed. Cr Muszkat mentioned that an existing ARIC member will be commencing as chair next year. Mayor Burnett thanked Kerry for her work as chair and wished her all the best.

Cr Muszkat mentioned that she, along with some other councillors, attended the Disability Community Network launch last Friday. Cr Muszkat noted that the chair, Kate Duffy, has been involved with Council in a number of different roles including the Philip Street Communities and Families Precinct. Cr Muszkat noted that the network will allow them to advocate in a more structured way around accessibility and for people with different abilities in our region. Cr Muszkat further noted that in Council's Operational Plan for next year there are items about improving Council's accessibility and inclusion around the region. Cr Muszkat mentioned that next year has been announced as the Year of Accessible Tourism and noted that it might be a good opportunity to dedicate more resources and apply for more funding, that is expected to be available, to allow our region to be more accessible for everybody.

Cr Muszkat mentioned that one of the first tasks that the Disability Community Network has announced is the awareness of the Companion Card, which is a card that a carer or companion will be able to use to gain discounted entry fees to places they accompany the person with a different ability. Cr Muszkat noted that there are only 9 businesses in the 4680 post code that are registered to accept the Companion Card and that she would like that number to improve and encouraged everyone to promote the card and encouraged businesses to register. Cr O'Grady suggested that the group approach the Chamber of Commerce regarding promotion of the Companion Card and Cr Muszkat acknowledged that the group will be approaching businesses as part of their advocacy. Cr Muszkat encouraged everyone to support the use of the card and noted that information regarding the Companion Card can be found on the Queensland Government website or by searching Companion Card in Google. Cr Muszkat suggested that at Council's premises, it should be displayed that Council accept the card to promote the spirit of inclusion and willingness to go the extra mile to make everybody feel welcome. Cr Hansen noted that there is a process attached to Council's project management that when a new facility or asset is constructed or renewed, accessibility is included in the construction. Cr Muszkat recognised Cr Hansen for his advocacy over the years on this topic. Councillor Chris Cameron suggested that when the group undertake advocacy and reviewing accessibility issues with buildings to review the building standards as under the building act, building standards must be complied with and to include the Australian Standards Association in any advocacy to ensure building standards are reviewed to address any accessibility concerns.

**G/6. URGENT BUSINESS**

Nil

**G/7. NOTICE OF MOTION**

Nil

**G/8. CONFIDENTIAL ITEMS**

Nil

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

**THE MEETING CLOSED AT 12:10pm.**