



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING MINUTES

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

On 18 April 2023

Commencing at 9.00am

**Leisa Dowling
CHIEF EXECUTIVE OFFICER**

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Elected Members

Councillor - Mayor M J Burnett
Councillor G G Churchill
Councillor K Goodluck
Councillor R A Hansen
Councillor D 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 B Newton (General Manager Operations, Acting)
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 K Marxsen (Manager Arts and Entertainment)
Ms F Barker (Team Leader Entertainment Operations)
Ms L Cattermole (Community Investment Officer)
Ms V Hankinson (Governance Business Partner)
Ms B Janson (Manager Community Partnerships)

G/0.3.2. APOLOGIES AND LEAVE OF ABSENCE

GM/23/4975 Council Resolution:

Moved Cr Trevor
Seconded Cr O'Grady

That an apology for Cr Branthwaite be received.

CARRIED

G/0.3.3. MESSAGES OF CONDOLENCE

Nil

G/0.3.4. DECLARATION OF INTERESTS

Cr Goodluck

Councillor Kahn Goodluck advised that he has a declarable conflict of interest in Agenda Item G/4.3. BOYNE TANNUM TURTLEWAY ARTSCAPE PROPOSED PROJECTS as he is the President of the Boyne Tannum Arts Business and Community Association which auspices the Turtleway Artscape group.

Cr Goodluck advised that he would leave the meeting room for the consideration of Item G/4.3.

Cr Churchill

Councillor Glenn Churchill advised that he has a declarable conflict of interest in Agenda Item G/4.4. COMMUNITY INVESTMENT PROGRAM - DESTINATION EVENT APPLICATION as he provides volunteer services as an honorary percussion tutor and member of the International Percussion Society, to perform for and play with the Gladstone Thistle Pipes and Drums. The band has previously been invited to lead the parade and may do so again in 2023. Cr Churchill received no remuneration for this service. Cr Churchill further advised that he is a member of a country rock and rhythm band called SAND and that SAND is 3 qualified musicians who perform a variety of gigs for community, events, charities, fundraisers and negotiated contracted performance agreements. Cr Churchill advised that SAND have been invited to appear and perform in this year's "1770 Festival" program on the Main Stage on Sunday 21 May 2023.

Cr Churchill advised that as SAND's performance is likely to be a remunerated gig, he would leave the meeting room for the consideration of item G/4.4.

G/1. MAYORAL STATEMENT OF CURRENT ISSUES

I would like to give a shout out to everyone involved in Easter in Gladstone, particularly Kylie Lee, General Manager Community Development and Events, and Kim Marxsen, Manager Arts and Entertainment and her team and all the volunteers, not only at Gladstone Festival and Events, but the Port Curtis Sailing Club, Queensland Cruising Yacht Club, Volunteer Marine Rescue and right across the Gladstone Region for what was a fantastic Easter in Gladstone. Our village was absolutely pumping; the Yacht Club was pumping; the Harbour Festival was packed; and it wasn't just in the City, the Boyne Valley Music Camp out was a huge success as well. Well done to everyone involved in Easter in Gladstone. The 75th Brisbane to Gladstone Yacht Race, congratulations to Celestial who took out line honours, and Joanne Brodie who won the Courier Mail Cup and well done to everyone who participated in that event. 75 years of our Brisbane to Gladstone Yacht Race is a pretty significant milestone. The live stream was very well done again. Well done to Grant Cooper and the team at Cooper McKenzie Marketing, the Queensland Cruising Yacht Club, partnering with Council, and major sponsor of the race, the Gladstone Ports Corporation, the event wouldn't happen without the sponsors.

Also in the last few weeks, we have celebrated Youth Week. Well done again to our events team and our Youth Council for putting on a fantastic Youth Week program. I attended one of the events at the cinemas and the younger generation seemed to have a fantastic Youth Week experience. There was also a trip up to the caves and a number of other events not just in the Gladstone Region but right around Central Queensland, so well done to everyone involved in Youth Week.

And of course, the speedway is back in Gladstone at our fantastic Motor Sport Precinct. Well done to everyone involved, Bob McCosker, Kirk Porter and everyone who has done so much in getting our speedway back together at our Motor Sport Precinct at Benaraby. It is the right place to host speedway events, we have the motorcross, drag racing, car club and learn to drive and now the speedway at the Motor Sport Precinct, which is the envy of many other speedway organisations right around the country because they have built it right. It was a sold out first event, approximately 2,700 people attended on the weekend. Well done to everyone involved in making that happen. I know that so many volunteer hours have gone into that facility. This includes many small businesses getting involved to build the track to the standard that it is, national quality. I look forward to the next speedway at our amazing Motor Sport Precinct.

Coming up in the Gladstone Region we have the 70th Anniversary of the Miriam Vale Rodeo, which is this weekend (Saturday 22 April 2023) at Miriam Vale Showgrounds. Gates open at 6am with the rodeo starting at 8am. If you like your rodeo, make sure you get to Miriam Vale this weekend for the 70th anniversary rodeo.

The 1770 Festival is coming up, Friday 19 May - Sunday 21 May 2023, which includes the art show which commences on Wednesday 17 May - Sunday 21 May 2023.

We have the Boyne Tannum Hook Up commencing Friday 28 April - Sunday 30 April 2023. Make sure you get involved and get your tickets to Australia's Largest Family Fishing Festival. There is a whole bunch of prizes that you can win, many that you don't even have to catch a fish for. Good to see however this year that there are more prizes for the people who are catching fish as well. Well done to the volunteers at the Boyne Tannum Hook Up, it will be an amazing weekend.

This Saturday, 22 April 2023, BITS Medical Centre is celebrating 15 years, congratulations to Dr Gaston and his team. It is a fantastic facility to have in Boyne Island, now operating for 15 years. Dr Les Diefenbach is celebrating 50 years, a very well respected Doctor in our region and he has been operating out of the BITS Medical Centre for many years. Most people in our region, especially the locals, will have been to see him at some point in time. Congratulations Dr Diefenbach, Nerrilyn and the family, thank you for your service to the Gladstone Region over 50 years.

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Walking for Warriors Endurance Challenge is this Saturday (22 April 2023) as well.

Before our next Council meeting, it will be ANZAC Day. If you would like to hop onto the Council website, you will see up to date information and times for services. ANZAC Day services will be held in Gladstone; Boyne Island; Calliope; Mt Larcom; Agnes Water; Rosedale; Miriam Vale; Bororen; Turkey Beach; and Ubobo.

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 4 APRIL 2023

Responsible Officer: Chief Executive Officer

Council Meeting Date: 18 April 2023

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 4 April 2023.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 4 April 2023 be confirmed.

GM/23/4976 Council Resolution:

Moved Cr Churchill
Seconded Cr Cameron

That the Officer's Recommendation be adopted.

CARRIED

G/3. DEPUTATIONS

Nil

G/4. OFFICERS' REPORTS

G/4.1. MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 MARCH 2023

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 18 April 2023

File Ref: FM15.1

Purpose:

This report seeks Council adoption of the Monthly Financial Statements for the year 2022-23 to date, for the period ended 31st March 2023.

Officer's Recommendation:

That Council adopt the Monthly Financial Statements attached to the officer's report for the 2022-23 year to date, for the period ended 31 March 2023 as required under Section 204 Local Government Regulation 2012.

GM/23/4977 Council Resolution:

Moved Cr Hansen

Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

CARRIED

G/4.2. AMENDMENTS TO STATUTORY DELEGATIONS - COUNCIL TO CEO

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 18 April 2023

File Ref: CM9.2

Purpose:

This report seeks Council review of statutory delegations to the Chief Executive Officer as a result of legislative change made during the period September 2022 to February 2023.

Officer's Recommendation:

That the powers contained in Addendum 1 be delegated by Council to the Chief Executive Officer pursuant to Section 257 of the *Local Government Act 2009*.

GM/23/4978 Council Resolution:

Moved Cr Goodluck
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

CARRIED

G/4.3. BOYNE TANNUM TURTLEWAY ARTSCAPE PROPOSED PROJECTS

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 18 April 2023

File Ref: CC2.1

Cr Goodluck (declarable conflict of interest)
left the room for Agenda Item G/4.3 and did not participate in the decision.
(refer G/0.3.1. Disclosure of Interest section of the minutes - page 4)

Purpose:

The purpose of this report is to present Council with a public art 5-year plan proposal, received from Boyne Tannum Turtleway Artscape, seeking approval to install public art installations in various locations in Boyne Island and Tannum Sands, as detailed in the report.

Officer's Recommendation:

That Council:

1. Support the public art plan received by Boyne Tannum Turtleway Artscape and approve the use of the following locations for the proposed art installations:
 - (a) Pathway from Wyndham Park to Boyne Smelters Limited;
 - (b) Canoe Point Wetlands;
 - (c) Tannum Sands Boat Ramp, near Ibis Park (end of Tiller Street);
 - (d) Boyne River mouth at Island Esplanade, near Wyndham Park;
 - (e) Boat Ramp on the corner of Malpas Street, Blue Water Drive and the Boyne Island Outdoor Gym;
 - (f) Pathway along the Dennis Park Sports Fields; and
2. Endorses an in-kind contribution valued at \$2500, for the installation of four concrete slabs for the park bench project; and
3. Delegates authority to the CEO to negotiate a public art agreement with the Boyne Tannum Turtleway Artscape for the approved projects.

GM/23/4979 Council Resolution:

Moved Cr Hansen
Seconded Cr Muszkat

That the Officer's Recommendation be adopted.

CARRIED

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

Against the motion: Nil

Not eligible: Cr Goodluck

Absent: Cr Branthwaite

G/4.4. COMMUNITY INVESTMENT PROGRAM - DESTINATION EVENT APPLICATION

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 18 April 2023

File Ref: GS3.1

Cr Churchill (declarable conflict of interest)
left the room for Agenda Item G/4.4 and did not participate in the decision.
(refer G/0.3.1. Disclosure of Interest section of the minutes - page 4)

Purpose:

To consider the recommendation of the Community Investment Panel on an application received under the Destination Event 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	Recommended Amount
DEST00002-R2-22/23	Discovery Coast Tourism & Commerce Inc.	1770 Festival	\$30,000
Total Funding Recommended			\$30,000 cash

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/23/4980 Council Resolution:

Moved Cr Goodluck
Seconded Cr Cameron

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, Mayor Burnett

Against the motion: Nil

Not eligible: Cr Churchill

Absent: Cr Branthwaite

G/5. COUNCILLORS REPORT

Councillor Desley O'Grady mentioned that Ride 4 Lives Suicide Awareness Ride is on Saturday 13 May 2023. Cr O'Grady noted that the event was originally going to include mountain bike riding, however it was unable to be included in this event. Cr O'Grady encouraged everyone to sign up and register via Ride 4 Lives website, with a \$35 package and \$50 package available. Cr O'Grady mentioned that SAND and other local bands will be performing and noted that people don't have to complete the bike ride to attend. Cr O'Grady further mentioned that Council is holding a movie night on the night prior to the event (Friday 12 May 2023).

Councillor Glenn Churchill gave a shout out to the volunteers and everyone involved in the Harbour Festival. Cr Churchill gave a special mention to Jayden Allen, Josh Valks, Josh Lovi, Luke Low, Kyle Weekes, Tom Hooley, Ben Behrendt, Dan Clark and Kai Tapera, Council's Gladstone Entertainment Convention Centre (GECC) technicians who are actively involved in front of house, monitor, behind the scenes and lighting. Cr Churchill noted that when the community enjoy the great productions that are held regularly, even though they are remunerated, they are the ones packing up at 3am. Cr Churchill mentioned that they are there every time for these major events, ensuring what is delivered is delivered professionally, effectively and is enjoyable.

Councillor Rick Hansen mentioned that Cr O'Grady, Councillor Chris Cameron and himself attended the Port Curtis District Scouts reports evening and the Awonga Camp Site Executive Team report for 2022 / 2023 year. Cr Hansen noted that everything is going well and although they are losing some scouts, moving forward it is very positive. Cr Hansen congratulated them and wished them all the best for the future.

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 9:40am.

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ATTACHMENTS
Addendum 1

REGISTER OF DELEGATIONS - EXERCISE OF STATUTORY POWERS
COUNCIL TO CHIEF EXECUTIVE OFFICER

NO.	LEGISLATION	SECTION	DESCRIPTION OF POWER DELEGATED	DELEGATE	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
ACPA6	Animal Care and Protection Act 2001	Section 28(4)	Power, as the operator of a pound or animal shelter, to give a person a certificate stating that the dog had the debarking procedure performed on it before the pound or animal shelter took possession of the dog.	Chief Executive Officer		
ACPA7	Animal Care and Protection Act 2001	Section 29(4)	Power, as the operator of a pound or animal shelter, to give a person a certificate stating that the animal had the regulated procedure performed on it before the pound or animal shelter took possession of the animal.	Chief Executive Officer		
ACPA8	Animal Care and Protection Act 2001	Section 29A	Power to keep a certificate for a supplied animal and if required by an inspector, make the certificate available for inspection.	Chief Executive Officer		
IRAI41	Industrial Relations Act 2016	Section 63(3)(a)	Power, as the employer, to require the employee to provide sufficient evidence to satisfy a reasonable person that the employee is pregnant and the expected date of birth.	Chief Executive Officer		
IRAI42	Industrial Relations Act 2016	Section 64(3)(a)	Power, as the employer, to require the employee to provide sufficient evidence to satisfy a reasonable person that the employee's spouse is pregnant and the expected date of birth.	Chief Executive Officer		
IRAI60	Industrial Relations Act 2016	Section 179A(2)	Power, as one of the negotiating parties, to consent to the full bench referring arbitration of the matter to a commissioner sitting alone.	Chief Executive Officer		
IRAI61	Industrial Relations Act 2016	Section 483B	Power, as an employer, to apply to the Commission for an order declaring an entity, other than an organisation, to be an ineligible entity.	Chief Executive Officer		
LA168	Land Act 1994	Section 50(1)(b) and 50(2)	Power, as trustees, to resign by signed notice of resignation given to the Minister and agree with the Minister on the day the resignation takes effect.	Chief Executive Officer		
NCAIMR21	Nature Conservation (Animals) Regulation 2020	Section 27(1)	Power, as an affected person, to apply to the chief executive for a review of the decision.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCAIMR22	Nature Conservation (Animals) Regulation 2020	Section 27(2)	Power, as an affected person, to ask the chief for an information notice for the decision.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCAIMR23	Nature Conservation (Animals) Regulation 2020	Section 28(1)	Power to agree to a longer period for the chief executive to comply with section 28(1).	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCAIMR24	Nature Conservation (Animals) Regulation 2020	Section 28(2)	Power, as an affected person, to apply to QCAT for a stay of the operation of a decision.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCAIMR25	Nature Conservation (Animals) Regulation 2020	Section 28(3)	Power to apply to QCAT for a review of an internal review decision.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCR26	Nature Conservation (Hants) Regulation 2020	Section 120(1)	Power, as an affected person, to apply for a review of a decision.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCR29	Nature Conservation (Hants) Regulation 2020	Section 120(2)	Power, as an affected person, to ask the chief executive for an information notice for the decision.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCR30	Nature Conservation (Hants) Regulation 2020	Section 120(3)	Power to agree to a longer period for the chief executive to comply with section 120.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCR31	Nature Conservation (Hants) Regulation 2020	Section 120(4)	Power, as an affected person, to apply to QCAT for a stay of the operation of a decision.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCR32	Nature Conservation (Hants) Regulation 2020	Section 120(5)	Power, in the circumstances set out in subsection 120(1), to apply to QCAT for a review of an internal review decision.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
NCA15	Nature Conservation Act 1992	Sections 143E(1)	Power, as an affected person for an original decision, to apply to the chief executive for a review of the decision.	Chief Executive Officer		
NCA16	Nature Conservation Act 1992	Section 143E(2)	Power, as an affected person for an original decision, to ask the chief executive for an information notice for the decision.	Chief Executive Officer		
NCA17	Nature Conservation Act 1992	Section 143E(3)	Power, as an affected person, to agree with the chief executive to a longer period for the chief executive to comply with section 143E(1).	Chief Executive Officer		
NCA18	Nature Conservation Act 1992	Section 143H(2)	Power, as an affected person, to apply to QCAT for a stay of the operation of the decision.	Chief Executive Officer		
NCA19	Nature Conservation Act 1992	Section 143I(2)	Power, as an affected person, to apply to QCAT for a review of the internal review decision.	Chief Executive Officer		
RTRA426	Residential Tenancies and Rooming Accommodation Act 2008	Section 214	Power to give a resident a notice requiring the resident to leave the premises if resident's employment ends or terminates to occupy under employment ends.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	

REGISTER OF DELEGATIONS - EXERCISE OF STATUTORY POWERS
COUNCIL TO CHIEF EXECUTIVE OFFICER

NO.	LEGISLATION	SECTION	DESCRIPTION OF POWER DELEGATED	DELEGATE	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
RTRA430	Residential Tenancies and Rooming Accommodation Act 2008	Section 212	Power to give a notice terminating a periodic or fixed term agreement without grounds.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
RTRA432	Residential Tenancies and Rooming Accommodation Act 2008	Section 274(1)	Power to give a resident a notice requiring the resident to leave the premises if resident's employment ends or terminates to occupy under employment ends.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
RTRA456	Residential Tenancies and Rooming Accommodation Act 2008	Section 209(2)	Power to ask the tenant in writing to state the tenant's new residential address.	Chief Executive Officer	7-June-2022 Resolution No. GM/22/4754	
RTRA472	Residential Tenancies and Rooming Accommodation Act 2008	Section 76B	Power to give a prospective resident the information prescribed by regulation.	Chief Executive Officer		
RTRA473	Residential Tenancies and Rooming Accommodation Act 2008	Section 184D(2)	Power to respond to the tenant's request to keep a pet at the premises.	Chief Executive Officer		
RTRA474	Residential Tenancies and Rooming Accommodation Act 2008	Section 221B(1)	Power to apply to the tribunal for an extension of time to comply with a repair order.	Chief Executive Officer		
RTRA475	Residential Tenancies and Rooming Accommodation Act 2008	Section 256D(2)	Power to respond to a resident's request to keep a pet.	Chief Executive Officer		
RTRA476	Residential Tenancies and Rooming Accommodation Act 2008	Section 35(1)	Power to apply to the tribunal for the issue of a warrant of possession.	Chief Executive Officer		