



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING MINUTES

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

On 19 February 2019

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 P J Masters
Councillor N Muszkat
Councillor D V O'Grady
Councillor P J Sobhanian
Councillor C A Trevor

Officers

Mrs L Dowling (Chief Executive Officer)
Ms L Hendrick (Executive Assistant)

APOLOGIES

Nil.

G/0.3.2. APOLOGIES AND LEAVE OF ABSENCE

Nil.

G/0.3.3. MESSAGES OF CONDOLENCE

Nil.

G/0.3.2. DISCLOSURE OF INTERESTS

MATERIAL PERSONAL INTERESTS

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

G/3.2.1. ROUND HILL CREEK FINAL STUDY

Cr O'Grady

Cr O'Grady declared a Material Personal Interest in Item G/3.2.1. ROUND HILL CREEK FINAL STUDY, as her family, John, Mark and Neil Mergard and Ruth and Philip Geck have commercial business's that use Round Hill Creek and may gain or suffer a loss in relation to this matter. Cr O'Grady advised she will leave the room during the consideration of Item G/3.2.1.

G/3.6.1. REQUEST FOR A NEGOTIATED DECISION NOTICE TO DEVELOPMENT APPLICATION 30/2017 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A MULTIPLE DWELLING AND ACCOMMODATION BUILDING AT 576 CAPTAIN COOK DRIVE, SEVENTEEN SEVENTY

Cr O'Grady

Cr O'Grady declared a Material Personal Interest in Item G/3.6.1. REQUEST FOR A NEGOTIATED DECISION NOTICE TO DEVELOPMENT APPLICATION 30/2017 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A MULTIPLE DWELLING AND ACCOMMODATION BUILDING AT 576 CAPTAIN COOK DRIVE, SEVENTEEN SEVENTY, as her family, John, Mark and Neil Mergard and Ruth and Philip Geck have commercial business's within 500 metres and may gain or suffer a loss in relation to this matter. Cr O'Grady advised that she will leave the room during the consideration of Item G/3.6.1.

G/3.5.1. ASSESSMENT OF SPONSORSHIP FUNDING

Cr Hansen

Cr Hansen declared a Material Personal Interest in Item G/3.5.1. ASSESSMENT OF SPONSORSHIP FUNDING – Officers Recommendation (2) for Boyne Tannum Hook Up, as his wife, Lyndall Hansen, is a paid consultant for the event. Cr Hansen advised that he will leave the room for this part of the consideration of Item G/3.5.1.

Cr Trevor

Cr Trevor declared a Material Personal Interest in Item G/3.5.1 ASSESSMENT OF SPONSORSHIP FUNDING – Officers Recommendation (2) for Boyne Tannum Hook Up, as he has been a financial sponsor of the Boyne Tannum Hook Up and its honorary solicitor since the day of its inception. Whilst the latter under the new legislation does not conflict him, in his opinion financial sponsorship now does. Cr Trevor advised that he will leave the room for this part of the consideration of Item G/3.5.1.

G/8.1. COMPLIANCE MATTER AT 27B 33 AGNES STREET GLADSTONE

Cr Trevor

Cr Trevor declared a Material Personal Interest in Confidential Item G/8.1. – COMPLIANCE MATTER AT 27B 33 AGNES STREET GLADSTONE, as he suspects a former lawyer of his firm until 2010 would have advised the aggrieved in this matter at some stage.

Cr Trevor advised that he will leave the room for this part of the consideration of Item G/8.1.

G/8.2. SALE OF LAND FOR ARREARS OF RATES

Cr Trevor

Cr Trevor declared a Material Personal Interest in Confidential Item G/8.2. SALE OF LAND FOR ARREARS OF RATES, as he has no doubt that his firm would have represented some of the owners of these properties on purchase (unknown names and addresses).

Cr Trevor advised that he will leave the room for this part of the consideration of Item G/8.2.

CONFLICTS OF INTEREST

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

G/8.3. GLADSTONE AIRPORT CORPORATION BOARD OF DIRECTORS

Cr Hansen

Cr Hansen declared a perceived Conflict of Interest in Confidential Item number G/8.3. GLADSTONE AIRPORT CORPORATION BOARD OF DIRECTORS, as he is the Council Representative on the Gladstone Airport Corporation Board.

Cr Hansen advised that he wishes to remain in the room during the consideration of Item G/8.3.

G/19 /3649 Council Resolution:

Moved Cr Burnett
Seconded Cr Sobhanian

Council has determined that Cr Hansen does not have a perceived Conflict of Interest in Item G/8.3. and can remain in the room and vote on Item G/8.3.

CARRIED

G/3.5.1. ASSESSMENT OF SPONSORSHIP FUNDING

Cr Muszkat

Cr Muszkat declared a perceived Conflict of Interest in Item G/3.5.1. ASSESSMENT OF SPONSORSHIP FUNDING – Officers Recommendation (1) for Gladstone Harbour Festival (Gladstone Festival and Events Association Inc.), as an employee of Gladstone Festival and Events Association Inc. helped Cr Muszkat (not in a financial manner) during polling day at last year's by-election.

Cr Muszkat advised that she wishes to remain in the room during the consideration of Item G/3.5.1.

G/19 /3650 Council Resolution:

Moved Cr Goodluck
Seconded Cr Churchill

Council has determined that Cr Muszkat does not have a perceived Conflict of Interest in Item G/3.5.1. and can remain in the room and vote on Item G/3.5.1.

CARRIED

Cr Churchill

Cr Churchill declared a perceived Conflict of Interest in Item G/3.5.1. ASSESSMENT OF SPONSORSHIP FUNDING – Officers Recommendation (1) for Gladstone Harbour Festival (Festival and Events Association Inc), as his wife, Susan Churchill, is a volunteer for Gladstone Harbour Festival.

Cr Churchill advised that he wishes to remain in the room during the consideration of Item G/3.5.1.

G/19 /3651 Council Resolution:

Moved Cr Hansen
Seconded Cr Masters

Council has determined that Cr Churchill does not have a perceived Conflict of Interest in Item G/3.5.1. and can remain in the room and vote on Item G/3.5.1.

CARRIED

Cr Goodluck

Cr Goodluck declared a perceived Conflict of Interest in G/3.5.1. ASSESSMENT OF SPONSORSHIP FUNDING – Officers Recommendation (2) for Boyne Tannum Hook Up, as he is the Chair of the Boyne Tannum Arts Business and Community Association Inc. which has a partnership in the Boyne Tannum Hook Up event.

Cr Goodluck advised that he wishes to remain in the room during the consideration of Item G/3.5.1.

G/19 /3652 Council Resolution:

Moved Cr Trevor
Seconded Cr O'Grady

Council has determined that Cr Goodluck has a perceived Conflict of Interest in Item G/3.5.1.

CARRIED

G/19 /3653 Council Resolution:

Moved Cr Muszkat
Seconded Cr Burnett

Council has determined that Cr Goodluck can remain in the room and vote on Item G/3.5.1.

MOTION LOST

G/19 /3654 Council Resolution:

Moved Cr Trevor
Seconded Cr O'Grady

Council has determined that Cr Goodluck will leave the room for this part of the consideration of Item G/3.5.1.

CARRIED

Cr Sobhanian

Cr Sobhanian declared a perceived Conflict of Interest in G/3.5.1. ASSESSMENT OF SPONSORSHIP FUNDING – Officers Recommendation (2) for Boyne Tannum Hook Up, as he is member of the Boyne Tannum Arts Business and Community Association Inc. which has a partnership in the Boyne Tannum Hook Up event.

Cr Sobhanian advised that he wishes to remain in the room during the consideration of Item G/3.5.1.

G/19 /3655 Council Resolution:

Moved Cr Masters
Seconded Cr Trevor

Council has determined that Cr Sobhanian does not have a perceived Conflict of Interest in Item G/3.5.1. and can remain in the room and vote on Item G/3.5.1.

CARRIED

Cr Masters

Council has determined that Cr Masters does not have a perceived Conflict of Interest in Item G/3.5.1 and can remain in the room and vote on Item G/3.5.1.

Cr Masters declared a perceived conflict of interest in Item G/3.5.1. ASSESSMENT OF SPONSORSHIP FUNDING – Officers Recommendation (2) for Boyne Tannum Hook Up, as he is a volunteer in a business that is participating in the Boyne Tannum Hook Up event in 2019.

Cr Masters advised that he wishes to remain in the room during the consideration of Item G/3.5.1.

G/19 /3656 Council Resolution:

Moved Cr Churchill
Seconded Cr Sobhanian

Council has determined that Cr Masters does not have a perceived Conflict of Interest in Item G/3.5.1. and can remain in the room and vote on Item G/3.5.1.

CARRIED

Cr Masters

Cr Masters declared a perceived conflict of interest in Item G/3.6.1 REQUEST FOR A NEGOTIATED DECISION NOTICE TO DEVELOPMENT APPLICATION 30/2017 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A MULTIPLE DWELLING AND ACCOMMODATION BUILDING AT 576 CAPTAIN COOK DRIVE, SEVENTEEN SEVENTY as one of the persons who made a submission has two children that made electoral donations to his campaign in the 2016 Gladstone Regional Council election.

Cr Masters advised that he wishes to remain in the room during the consideration of Item G/3.6.1.

G/19 /3657 Council Resolution:

Moved Cr Masters
Seconded Cr Trevor

Council has determined that Cr Masters does not have a perceived Conflict of Interest in Item G/3.6.1. and can remain in the room and vote on Item G/3.6.1.

CARRIED

G/1. MAYORAL STATEMENT OF CURRENT ISSUES

I will start with February 13 and Mercurius. Premier Anastacia Palaszczuk and I met with Mercurius during a trade mission to San Diego in 2017 from there we invited them to the Gladstone Region and encouraged them to develop their patented biotechnology which aims to produce cost-effective drop-in biofuels and bio-chemicals from non-food feedstocks like sugarcane waste – all without directly producing a CO2 by-product.

On February 13 as I said, Mercurius president and CEO Karl Seck announced Mercurius will be proceeding with their pilot plant in the Gladstone region at the Northern Oil Refinery site. Mercurius has commenced detailed design of the pilot refinery and construction will commence in the next couple of months. This has been a team effort and I would like to specifically thank my fellow Councillors, Council Officers, Trade Investment Queensland and Life Sciences Queensland. This may only be a pilot plant, but it is the start of the future energy hub for Queensland and Australia right here in Gladstone.

The Agnes Blues Roots and Rock festival 2019 kicked off on February 15. I was very pleased to be on stage with Councillor Desley O’Grady and our Member for Gladstone Glenn Butcher for the start of a very successful event and a very busy night. Discovery Coast Tourism and Commerce group have informed me that the 2019 event was the most successful and had the highest attendance since the festival inception, congratulations to the team at DCTC. Accommodation businesses also noted an increase in visitors this year with 1770 camp ground, Captain Cook Holiday Village, Agnes Water Beach Club and Sandcastles were all booked to capacity and probably many more.

On 16 February we had our first community debrief hosted in Mount Larcom regarding the bushfire event that happened in the Gladstone Region last year. It was a very well attended event and we received some very good feedback. We will also be hosting community debriefs in Agnes Water and in Wartburg where Council will also be holding a community recovery event. The Band Together event will be headlined by Adam Harvey and supported by local artists Kissing the Flint and Beautifully Broken 1770. All funds raised throughout the evening will be donated to those directly affected by the 2018 bushfires.

Our community musical Anything Goes starts on Thursday night February 21, I will be attending Friday night and am looking forward to it. If you haven’t already, don’t forget to get your tickets.

We will welcome with a civic reception the cruise ship MS Albatross on the 22 February. It is always very exciting to welcome a new cruise ship to our region. Don’t forget this event will also include the Feast on East markets, and live music at Library Square.

Gladstone will be hosting the 2019 LG Finance & Strategic Leadership Summit over 26-27 February 2019. Just proving again that Gladstone hosts the best conferences and the Gladstone Entertainment and Convention Centre is doing a great job.

Gladstone Entertainment Convention Centre will become a science playground on the 2 March with a free family-friendly event for everyone to enjoy, the World Science Festival.

To conclude, the Gladstone Regional Youth Council appointed Nikita Korableff as Chair and Sarah Chadwick as Deputy Chair. This was decided last night by majority vote at the first official Youth Council meeting for the year. Sarah is our only returning member of the 2018 Gladstone Regional Youth Council. Congratulations to them both and I look forward to hearing more from the Youth Council over the next 12 months.

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 5 FEBRUARY 2019

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 5 February 2019.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 5 February 2019 be confirmed.

G/19 /3658 Council Resolution:

Moved Cr Hansen
Seconded Cr Sobhanian

That the Officer's Recommendation be adopted.

CARRIED

G/3. OFFICERS' REPORTS

G/3.1. OFFICE OF THE CEO

G/3.1.1. 2019 LG FINANCE & STRATEGIC LEADERSHIP SUMMIT ATTENDANCE REQUEST

File Ref: CM6.1

Purpose:

Approval is sought for Cr Hansen to attend the 2019 Local Government Finance & Strategic Leadership Summit in Gladstone, from Tuesday 26 to Wednesday 27 February 2019.

Officer's Recommendation:

That Council authorise Cr Hansen to attend the 2019 Local Government Finance and Strategic Leadership Summit during 26 to 27 February in Gladstone.

G/19 /3659 Council Resolution:

Moved Cr Churchill
Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

CARRIED

G/3.2. STRATEGY AND TRANSFORMATION

**Cr O'Grady (declared Material Personal Interest)
left the room during the consideration and voting of Item G/3.2.1.
(refer G/0.3.2 Disclosure of Interest section of the minutes – pages 6-10)**

G/3.2.1. ROUND HILL CREEK FINAL STUDY

File Ref: ED3.1

Purpose:

The purpose of this report is to present the Round Hill Creek Channel Options report prepared by BMT WBM Pty Ltd dated January 2019 for consideration.

Officer's Recommendation:

That Council accepts the Round Hill Creek Channel Options Report, January 2019, prepared by BMT WBM Pty Ltd and provide to the community for use in advocating for funding to deliver the project

G/19 /3660 Council Resolution:

Moved Cr Trevor
Seconded Cr Goodluck

That Council accepts the Round Hill Creek Channel Options Report, January 2019, prepared by BMT WBM Pty Ltd and provide to the community and for use in advocating for funding to deliver the project and calls upon the state and federal governments to immediately fund the project.

CARRIED

G/3.3. STRATEGIC ASSET PERFORMANCE

G/3.3.1. MARINE PARKS (GREAT SANDY) ZONING PLAN 2017 SUBMISSION

File Ref: GR 3.1

Purpose:

This report details matters contained within the Great Sandy Marine Park discussion paper and provides options for consideration regarding feedback to the Department of Environment and Science.

Officer's Recommendation:

That Council endorse completion of the Great Sandy Marine Park opportunities survey by Council Officers and the submission of written feedback opposing any changes to the Great Sandy area that would negatively impact recreational and/or commercial activities.

G/19 /3661 Council Resolution:

Moved Cr Trevor
Seconded Cr Sobhanian

That the Officer's Recommendation be adopted.

CARRIED

G/3.4. OPERATIONS

Nil.

G/3.5. COMMUNITY DEVELOPMENT AND EVENTS

G/3.5.1. ASSESSMENT OF SPONSORSHIP FUNDING

File Ref: GS3.1

Purpose:

The purpose of this report is to seek approval to provide financial assistance for three (3) regionally significant events under Council's grant and sponsorship objectives.

Officer's Recommendation:

That Council fund the events recommended subject to conditions being met:

- 1) Gladstone Harbour Festival** (Gladstone Festivals and Events Association Inc.)
 - a) A three (3) year sponsorship agreement developed between the parties that provides for an annual investment of \$70,000 cash sponsorship and \$44,500 in-kind contribution towards the 2019, 2020 and 2021 events, subject to the annual approval of Council's budget.
- 2) Boyne Tannum Hook Up** (Boyne Tannum Hook Up Association Inc.)
 - a) A three (3) year sponsorship agreement developed between the parties that provides for an annual investment of \$33,333 cash sponsorship towards the 2019, 2020 and 2021 events, subject to the annual approval of Council's budget
- 3) Captain Cook 1770 Festival** (Discovery Coast Tourism and Commerce Inc.)
 - a) A (1) year sponsorship agreement developed between the parties that provides for \$40,000 cash sponsorship towards the 2019 event.

G/19 /3662 Procedural Motion:

Moved by Cr Burnett
Seconded Cr O'Grady

That Item 3.5.1. Assessment of Sponsorship Funding be split into each event for consideration as separate resolutions:

1. **Gladstone Harbour Festival** (Gladstone Festivals and Events Association Inc.)
2. **Boyne Tannum Hook Up** (Boyne Tannum Hook Up Association Inc.)
3. **Captain Cook 1770 Festival** (Discovery Coast Tourism and Commerce Inc.)

CARRIED

- 1) Gladstone Harbour Festival** (Gladstone Festivals and Events Association Inc.)
 - a) A three (3) year sponsorship agreement developed between the parties that provides for an annual investment of \$70,000 cash sponsorship and \$44,500 in-kind contribution towards the 2019, 2020 and 2021 events, subject to the annual approval of Council's budget.

G/19 /3663 Council Resolution

Moved by Cr Masters
Seconded Cr Trevor

That the Officer's Recommendation be adopted.

CARRIED

Cr Hansen (declared Material Personal Interest)
left the room for this part of the consideration and voting of Item G/3.5.1.
(refer G/0.3.2 Disclosure of Interest section of the minutes - pages 6-10)

Cr Trevor (declared Material Personal Interest)
left the room for this part of the consideration and voting of Item G/3.5.1.
(refer G/0.3.2 Disclosure of Interest section of the minutes - pages 6-10)

Cr Goodluck (declared perceived Conflict of Interest)
left the room for this part of the consideration and voting of Item G/3.5.1.
(refer G/0.3.2 Disclosure of Interest section of the minutes - pages 6-10)

- 2) Boyne Tannum Hook Up** (Boyne Tannum Hook Up Association Inc.)
- a) A three (3) year sponsorship agreement developed between the parties that provides for an annual investment of \$33,333 cash sponsorship towards the 2019, 2020 and 2021 events, subject to the annual approval of Council's budget

G/19 /3664 Council Resolution

Moved by Cr Churchill
Seconded Cr Sobhanian

That the Officer's Recommendation be adopted.

CARRIED

- 3) Captain Cook 1770 Festival** (Discovery Coast Tourism and Commerce Inc.)
- a) A (1) year sponsorship agreement developed between the parties that provides for \$40,000 cash sponsorship towards the 2019 event.

G/19 /3665 Council Resolution:

Moved Cr Hansen
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

CARRIED

The meeting adjourned for morning tea at 11.25 am and reconvened at 11.55 am.

G/3.6. CUSTOMER EXPERIENCE

Cr O'Grady (declared Material Personal Interest)
left the room during the consideration and voting of Item G/3.6.1.
(refer G/0.3.2 Disclosure of Interest section of the minutes – pages 6-10)

G/3.6.1. REQUEST FOR A NEGOTIATED DECISION NOTICE TO DEVELOPMENT APPLICATION 30/2017 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A MULTIPLE DWELLING AND ACCOMMODATION BUILDING AT 576 CAPTAIN COOK DRIVE, SEVENTEEN SEVENTY

File Ref: DA/30/2017; DB2.6

Development Application:

Application Number:	30/2017
Applicant:	Four King Pty Ltd C/- Zone Planning Group
Owner:	Palace Builders Pty Ltd
Location:	576 Captain Cook Drive, Seventeen Seventy QLD 4677
RPD:	Lot 5 S 8562
Area:	1,156m ²
Current Use Of Land:	Liquor Shop, Snack Bar and Residence
Zoning:	Medium Density Residential Zone
Proposal:	Multiple Dwelling & Accommodation Building
Submissions Close Date:	9 March 2018 to 29 March 2018
Number Of Submissions:	232 Properly Made Submissions and 28 Not Properly Made Submissions

Purpose:

The purpose of this report is to consider the request for a Negotiated Decision Notice to Development Application 30/2017 for a Material Change of Use of premises for a Multiple Dwelling and Accommodation Building at 576 Captain Cook Drive, Seventeen Seventy approved at Council's General Meeting on 18 September 2018. The Applicant lodged representations against conditions 1, 2, 4 and 33.

Officer's Recommendation:

That the request for a Negotiated Decision Notice to Development Application 30/2017 for a Material Change of Use of premises for a Multiple Dwelling and Accommodation Building at 576 Captain Cook Drive, Seventeen Seventy, be recommended to be approved in part.

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
GD0997-A00.01	I	Artistic View Photomontage	Gladstone Drafting	02.05.18
GD0997-A00.02	J	Artistic View 2	Gladstone Drafting	04.05.18
GD0997-A00.03	J	Artistic View 3	Gladstone Drafting	04.05.18
GD0997-A00.04	J	Artistic View 4	Gladstone Drafting	04.05.18
GD0997-A00.05	J	Artistic View 5	Gladstone Drafting	04.05.18
GD0997-A01.01	G	Existing Floor Plan	Gladstone Drafting	16.10.17
GD0997-A04.00	F	Proposed 1 st Floor Apartment Plan	Gladstone Drafting	05.10.17
GD0997-A04.01	F	Proposed 2 nd Floor Apartment Plan	Gladstone Drafting	05.10.17
GD0997-A04.03	I	Proposed 2 nd Floor Hotel Plan	Gladstone Drafting	02.05.18
GD0997-A04.02	J	Proposed 1 st Floor Hotel Plan	Gladstone Drafting	04.05.18
GD0997-A04.04	G	Proposed Plant Floor Plan	Gladstone Drafting	16.10.17
GD0997-A11.00	G	Building Elevations – Sheet 1	Gladstone Drafting	16.10.17
GD0997-A11.01	G	Building Elevations – Sheet 2	Gladstone Drafting	16.10.17
GD0997-C01	G	Site Plan	Gladstone Drafting	20.10.17
GD0997-CO2	C	Cross Section	Gladstone Drafting	20.10.17
GD0997-C12	A	Sight Distance Diagram	Gladstone Drafting	12.12.17

Special Condition

2. A Streetscaping Master Plan is to be developed and submitted as part of the Operational Works application and shall include, but not limited to the following elements:-

- a. A functional and aesthetically pleasing interface to further activate Captain Cook Drive frontage;
 - b. Landscaping;
 - c. Proposed street furniture, artwork and lighting;
 - d. Render surface treatments and improvement/alterations to existing retaining walls;
 - e. Delineated safe pedestrian access along the full frontage of the site; and
 - f. A delineated safe pedestrian point to cross to Air Sea Rescue Park.
3. As part of the Development Application for Operational Works, the Applicant is to submit and have approved by Council an amended Site Based Stormwater Management Plan. The amended Site Based Stormwater Plan should demonstrate the following:
- a. How all impervious areas are connected to the detention/retention tank;
 - b. Proposed size of the detention/retention tank outlet to Council's stormwater network; and
 - c. Schematic Plan detailing proposed detention and retention storage volumes and associated inlets and outlets.
4. **Prior to the lodgement of any Development Application for Operational Works, the Applicant is to submit and have approved by Council amended plans showing a total of 31 car parking spaces, prepared and certified by a Registered Professional Engineer of Queensland, experienced in this type of work, which demonstrates:**
- a. **The provision of 27 User Class 2 car parking spaces in accordance with AS2890 and signed for use by residents/motel.**
 - b. **The provision of 2 visitor car parking spaces in accordance with AS2890 that are suitably signed to ensure they are only utilised by visitors.**
 - c. **The provision of a 2 service vehicle spaces for utilisation by the accommodation buildings cleaning/maintenance staff. The service vehicle space must be clearly signed and constructed in accordance with AS2890.**
 - d. **The maximum provision of eight (8) tandem parking spaces for the four (4) two (2) bedroom Multiple Dwelling units. In these instances, the spaces are to be suitably signed to ensure each tandem space arrangement is utilised by individual apartment residents.**
 - e. **The provision of Disabled Car Parking is adequately located to ensure compliance with AS2890.6, including all shared areas.**
 - f. **Detailed manufacturing and maintenance specifications on the proposed car lift, including emergency evacuation measures.**
5. Prior to the lodgement of any Development Application for Building Works, demonstrate that the existing structures onsite are to be incorporated into the construction of the development to include the proposed colour palette and building materials to demonstrate a consistent onsite development.
6. Upon commencement of the use, service deliveries must occur within the timeframes of 7am-8pm, to minimise noise impacts to the adjacent residential uses.

Operational Works

7. 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. Earthworks (including retaining walls);
 - b. Road works (including signage and footpaths);
 - c. Water Infrastructure;
 - d. Sewer Infrastructure;
 - e. Stormwater Management (quantity, quality, flood and drainage control);

- f. Landscaping, environmental protection and associated works.
8. Development Applications for Operational Works shall be designed and constructed in accordance with Australian Standards, the Engineering Design Planning Scheme Policy 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

9. As part of any Development Application for Operational Works, the Applicant must submit an Acid Sulfate Soil Investigation and Management Report, for approval by Council. 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 construction and operation; and
 - d. Be in accordance with the Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland 1998 as per the Queensland Acid Sulfate Soil Technical Manual.

Steep Land

10. As part of any Development Application for Operational Works, the Applicant must submit a Site-Specific Geotechnical Report, for approval by Council. The report must:
 - a. Be prepared by a suitably qualified person experienced in the area of geology;
 - b. Certify that the stability of the site, including associated buildings and infrastructure, will be maintained during both the construction and operational life of the development;
 - c. Certify that the site is not subject to risk of landslide activity originating from other land, including land above the site;
 - d. Certify that the development will not increase the risk of landslide on the other land; and
 - e. Be in accordance with the Landslide Risk Management – Australian Geomechanics *Journal*.

Building, Plumbing and Drainage Works

11. The Applicant is required to obtain a Development Permit and Building Final for Building Works in accordance with the *Sustainable Planning Act 2009* for the removal any existing structures. The removal is to occur prior to any Building Works for the approved Development.
12. The Applicant is required to obtain a Development Permit and Building Final for Building Works in accordance with the *Sustainable Planning Act 2009*. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.
13. The Applicant is required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final in accordance with the *Sustainable Planning Act 2009*. Construction is to comply with the *Plumbing and Drainage Act 2002* and the requirements of other relevant authorities.

14. 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 residential uses in the surrounding area.
15. Prior to the commencement of the use, the development is to incorporate a variety of at least four different textures, colours and designs within the external façade of the building generally in accordance with the approved plans. Details of the proposed colour scheme, materials and finishes for all external areas of the building are to be submitted to Council for approval prior to the issue of a Development Permit for Building Works.
16. As part of Building Works, all outdoor lighting is to comply with Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.
17. Prior to the commencement of the use, all lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting to adversely affect the residential uses on this site and the adjoining sites.
18. Prior to building work proceeding beyond the first floor level, certification is to be received from a Cadastral Surveyor that the first floor level is in accordance with the approved plans in the form of a Form 16.
19. The Applicant is to demonstrate the complete development does not exceed the height in accordance with the approved plans. Certification of the development height is to be provided by a Cadastral Surveyor in the form of a Form 16 and provided prior to the issue of the Building Final Certificate.
20. As part of Building Works, where a habitable room window is within 9m of another habitable room window or private open space of another Dwelling House either on the premises or an adjacent premise:
 - a. Windows are provided with fixed translucent glazing, such as frosted or textured glazing, for any part of the window less than 1.5m above floor level; or
 - b. Windows are provided with fixed with permanent external screens that are:
 - i. Solid translucent screens; or
 - ii. Perforated panels or trellises that have a maximum of 50% openings, with a maximum opening dimension of 50mm, and that are permanently fixed and durable; and
 - iii. Offset a minimum of 300mm from the wall of the building.

Water Infrastructure

21. Prior to the commencement of the use, a single water service connection is to be provided from Council's water supply infrastructure to the front property boundary. The location and size of the water service (and any associated fire service) is to be determined in consultation with Council.
22. Prior to the commencement of the use, connections to Council's live water reticulation network must be carried out by Council. The cost of these works is to be borne by the Applicant.

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

Sewerage Infrastructure

23. Prior to the commencement of the use, all sanitary drainage is to drain into a new 1050mm diameter privately owned maintenance hole within the development site, before connection to Council's sewerage infrastructure. Connection to Council's infrastructure is to be via a maceration tank (including appropriate sized storage tanks and provision of a duty standby pump arrangement), details of which are to be submitted as part of the Operational Works application. The location and size of the sewer service is to be determined in consultation with Council at Operational Works stage.
24. Prior to the commencement of the use, connections to Council's live sewerage network must be carried out by Council. The cost of these works is to be borne by the Applicant.

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

Stormwater Infrastructure

25. Prior to the commencement of the use, all stormwater infrastructure is to be constructed on the site generally in accordance with the approved amended Site Based Stormwater Management Plan outlined in Condition 3, including quantity and quality infrastructure. The stormwater infrastructure is to be in accordance with the Engineering Design Planning Scheme Policy under the Gladstone Regional Planning Scheme, Queensland State Planning Policy and Queensland Urban Drainage Manual (QUDM).
26. As part of any Development Application for Operational Works, the Applicant is required to demonstrate a drainage system that has the ability to effectively and efficiently remove any water that may enter the car park ensuring safe and efficient access for vehicles and pedestrians. Furthermore, an appropriate emergency evacuation plan for the car park is to be submitted. Details of the emergency evacuation plan and drainage system must be provided with the Operational Works application.

Transportation Services

27. Prior to the commencement of the use, a total of 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).
28. Prior to the commencement of the use, all existing disused invert crossings are to be reinstated with kerb and channel, type match existing, in accordance with Council's Standard Drawing Residential Driveway Slab and Tracks.

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>.

29. Prior to the commencement of the use, a 6m wide Commercial Driveway is to be constructed in accordance with Council's Standard Drawing Urban Commercial/Industrial Driveway.

Advisory Note: The Applicant is to obtain approval from the Department of State Development, Manufacturing, Infrastructure and Planning for construction of the driveway located within a Queensland heritage Place, prior to lodging a Driveway Application to Council.

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

30. 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>.

31. Prior to the commencement of the use, all grassed footpath areas disturbed by the development are to be top dressed and turfed following completion of construction activity.
32. Prior to the commencement of the use, any manholes located on the proposed driveway are to be covered with Class D Covers to AS 3996 and are to be maintained at finished surface levels and remain accessible at all times.
33. As part of any Development Application for Operational Works, the Applicant is to construct a minimum 1.5m wide concrete footpath from the corner of Elliot Street to 576 Captain Cook Drive for the full extent 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>.

Retaining Walls

34. As part of any Development Application for Operational Works, any existing and new retaining walls which are visible from the road reserve, must receive a surface treatment such as rendering or cladding to improve the visual amenity of the development. The treatments must complement the proposed colour pallet of the proposed building. Details of the proposed colour scheme and materials are to be submitted as part of the Streetscaping Master Plan.

Landscaping

35. As part of any Development Application for Operational Works, a full Landscaping Plan is to be provided for the entire site in accordance with the Plant Species List of the Miriam Vale Shire Planning Scheme 2009 and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification. The side and rear boundaries of the subject site are to provide a landscaping with a minimum width of 3m. The full Landscaping Plan is to be certified by a Landscape Architect.

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>.

36. Prior to commencement of the use, 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.
37. Prior to the commencement of the use, construction of an 1.8m high screen fence to side and rear boundaries, the details of which are to be submitted with any Development Application for Building Works.

Waste Management

38. As part of any Development Application for Operational Works, a Waste Management Plan is to be submitted and approved by Council. The Waste Management Plan should include but not be limited to the following:
- a. Demonstrate safe, sufficient and effective storage and servicing of the waste bins; and

- b. Provide control measures to reduce odour from the onsite waste bins;
39. 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.
40. 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.

Lawful Commencement

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

END OF CONDITIONS

G/19 /3666 Council Resolution:

Moved Cr Hansen
Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

CARRIED

G/3.7. PEOPLE CULTURE AND SAFETY

Nil.

G/3.8. FINANCE GOVERNANCE AND RISK

**G/3.8.1. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDING
31 JANUARY 2019**

File Ref: FM15.1

Purpose:

This report seeks Council adoption of the Monthly Financial Statements for the 2018-19 year to date, for the period ended 31 January 2019, as required under Section 204 Local Government Regulation 2012.

Officer's Recommendation:

That Council adopt the Monthly Financial Statements attached to this report for the 2018-19 year to date, for the period ended 31 January 2019 as required under Section 204 *Local Government Regulation 2012*.

G/19 /3667 Council Resolution:

Moved Cr Goodluck
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

CARRIED

G/4. DEPUTATIONS

Nil.

G/5. COUNCILLORS REPORT

Nil.

G/6. URGENT BUSINESS

Nil.

G/7. NOTICE OF MOTION

Nil.

G/8. CONFIDENTIAL ITEMS

G/19 /3668 Procedural Motion:

Moved by Cr Goodluck
Seconded Cr O'Grady

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

- (f) starting or defending legal proceeding involving the local government.
- (h) other business for which a public discussion would be likely to prejudice the interest of the local government or someone else or enable a person to gain a financial advantage.

CARRIED

G/19 /3669 Procedural Motion:

Moved by Cr Masters
Seconded Cr Sobhanian

That Council re-open the meeting to the public.

CARRIED

**Cr Trevor (declared Material Personal Interest)
left the room during the consideration and voting of Item G/8.1.
(refer G/0.3.2 Disclosure of Interest section of the minutes – pages 6-10)**

G/8.1. COMPLIANCE MATTER AT 27B 33 AGNES STREET GLADSTONE

G/19 /3670 Council Resolution:

Moved Cr Masters
Seconded Cr Muszkat

That Council progress the proceedings in line with mediation to date including:

1. Acquiring the lot known as 27B Agnes Street for \$1.00 from the property owner;
2. Seeking an order dismissing the Original Application with each party bearing their own costs on the basis that the matter has been resolved at mediation;
3. Undertaking the works and selling the lot at Council's discretion to recover the costs associated with the works; and
4. Returning any net surplus funds to the property owner

MOTION LOST

G/19 /3671 Council Resolution:

Moved Cr Goodluck
Seconded Cr Churchill

That Council hold the legal action in abeyance to proceed through the sale of land for arrears of rates.

CARRIED

Cr Trevor (declared Material Personal Interest)
left the room during the consideration and voting of Item G/8.1.
(refer G/0.3.2 Disclosure of Interest section of the minutes – pages 6-10)

G/8.2. SALE OF LAND FOR ARREARS OF RATES

File Ref: RV6.2

G/19 /3672 Council Resolution:

Moved Cr Churchill
Seconded Cr O'Grady

That:

1. Council sell the 198 properties identified in Attachment 1 of the officer's report, with the addition of Lot 7 SP260270, in accordance with the provisions of Section 140 of the Local Government Regulation 2012, for arrears of rates and;
2. The properties identified are to be sold by way of auction for arrears of rates with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to the requirements of the Local Government Act 2009 and associated regulations.

CARRIED

G/8.3. GLADSTONE AIRPORT CORPORATION BOARD OF DIRECTORS

File Ref: FM19.1

G/19 /3673 Council Resolution:

Moved Cr Goodluck
Seconded Cr Sobhanian

That Council accept the recommendation of the Gladstone Airport Corporation and reappoint Adrienne Ward, Brad Bowes and Leigh Zimmerlie to the Board of the Gladstone Airport Corporation for a further three year term commencing 1 July 2019.

CARRIED

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

THE MEETING CLOSED AT 1.10 pm

CERTIFICATION

I hereby confirm that I have read the minutes and they are a true and correct record of the proceedings of the meeting.

I certify that these 37 pages form the official copy of Gladstone Regional Council General Meeting Minutes of the 19 February 2019

.....
Mayor Matt Burnett

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

ATTACHMENTS

Nil.