



**GLADSTONE**  
REGIONAL COUNCIL

## **GENERAL MEETING MINUTES**

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

**On 20 November 2018**

**Commencing at 9.00am**

**Leisa Dowling  
CHIEF EXECUTIVE OFFICER**

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**Elected Members**

Councillor - Mayor M J Burnett  
Councillor K Goodluck  
Councillor R A Hansen  
Councillor P J Masters  
Councillor D V O'Grady  
Councillor P J Sobhanian  
Councillor C A Trevor

**Officers**

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

**APOLOGIES**

**G/18 /3575 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Sobhanian

That an apology for Cr Churchill be received.

## **G/0.3.2. DISCLOSURE OF INTERESTS**

### **MATERIAL PERSONAL INTEREST AND CONFLICTS OF INTEREST**

#### **G/3.6.1. STATIONERY VENDING ON COUNCIL LAND COMMERCIAL OCCUPATION FEE**

##### **Cr Sobhanian**

Cr Sobhanian requested clarification on a potential Material Person Interest or Conflict of Interest as he has a local business in the Gladstone region.

The Chief Executive Officer noted that under the definition of 'ordinary business matter' (*Local Government Act 2009* Schedule 4, Dictionary), point (d) reads as follows:

*the making or levying of rates and charges, or the fixing of a cost-recovery fee, by the local government*

As this report relates to the fixing of a charge this is defined as an ordinary business matter and therefore Material Personal Interest and Conflict of Interest does not apply.

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

The Prime Minister Hon Scott Morrison MP visited the region on 7 November and yesterday 19 November we received a visit from the Acting Prime Minister Hon Michael McCormack MP. I handed both a snapshot of our region, an update of Federally funded projects and a list of priority for our community. I also presented The Australian Local Government Association Federal election campaign to return “just 1%” of Commonwealth taxation to Local Governments across Australia. This was previously 2% to Local Government and now a sitting at .055%. If the campaign is successful it will benefit local communities right across Australia. Thank you to Member for Flynn Ken O’Dowd for organising the meetings.

Following the Council General Meeting on 8 November Leisa Dowling was appointed as the new Chief Executive Officer. Our congratulations go to Leisa.

Thank you to all Councillors for attending the Remembrance Day services across the region and laying wreaths on Council’s behalf.

On 13 November Councillors farewelled Cr Cindi Bush whose departure resulted in the By-Election held on 17 November.

On 14 November I launched the Mayor’s Giving Tree and the Kmart Wishing Tree in partnership with the Salvation Army. Gifts from the community, local charities, the Mayor’s Carols by Candlelight and the Ulysses Toy Run are also included. A big thank you to everyone involved and I encourage all to give generously.

That afternoon I was fortunate to visit the local Ausproof facility in Callemondah. Ausproof is a worldwide industrial leader in the manufacturing of electrical cable couplers used specifically in mining and tunnelling. It is an international company based in Gladstone and employing locals.

On the weekend Cr Masters in conjunction with the Calliope Rotary Club organised a City versus Country football match in aid of the drought appeal. Thanks to Cr Trevor and Goodluck for joining Cr Masters in the game and supporting a good cause. Another local event on the weekend was the 2018 Miriam Vale Woodchop and annual community fundraiser day. Organised by the Miriam Vale Hotel over the last few years, the event is going from strength to strength. Congratulations to Cr O’Grady who won two events.

The Gladstone Regional Council By-Election was held last Saturday to find a successor to former Councillor Cindi Bush. Congratulations to Natalia Muszkat on her successful election win. Natalia will be sworn in later this week.

**G/2. CONFIRMATION OF MINUTES**

**G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR  
6 NOVEMBER 2018**

**File Ref:** CM7.2

**Purpose:**

Confirmation of the minutes of the General Meeting held on 6 November 2018.

**Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 6 November 2018 be confirmed.

**G/18 / 3576 Council Resolution:**

Moved Cr Masters  
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

**CARRIED**

**G/3. OFFICERS' REPORTS**

**G/3.1. OFFICE OF THE CEO**

Nil.

**G/3.2. STRATEGY AND TRANSFORMATION**

Nil.



**G/3.3. STRATEGIC ASSET PERFORMANCE**

Nil.

**G/3.4. OPERATIONS**

Nil.

**G/3.5. COMMUNITY DEVELOPMENT AND EVENTS**

Nil.

**G/3.6. CUSTOMER EXPERIENCE**

**G/3.6.1. STATIONARY VENDING ON COUNCIL LAND COMMERCIAL  
OCCUPATION FEE**

**File Ref:** LE2.1

**Purpose:**

To seek endorsement via Council resolution on the introduction of a Stationary Vending Commercial Occupation of Council Land Fee.

**Officer's Recommendation:**

That Council adopt (in accordance with Section 262 (3)(c) of the Local Government Act 2009) a fee of \$10 per day of operation for Stationary Vending Commercial Occupation of Council Land.

**G/18 /3577 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Masters

That Council adopt (in accordance with Section 262 (3)(c) of the *Local Government Act 2009*) a fee of \$5 per day of operation for Stationary Vending Commercial Occupation of Council Land.

**CARRIED**

**G/3.6.2. DEVELOPMENT APPLICATION 53/2017 PRELIMINARY APPROVAL S242 FOR A MATERIAL CHANGE OF USE FOR A HEALTH AND WELLBEING PRECINCT AND A RECONFIGURATION OF A LOT (1 INTO 2 LOTS) AT LOT 2 CAPTAIN COOK DRIVE, AGNES WATER QLD 4677**

**File Ref:** DA/53/2017; DB1.1

**Development Application:**

<b>Application Number:</b>	DA/53/2017
<b>Applicant:</b>	Sunshine State Developments Pty Ltd and Jamworth Pty Ltd
<b>Owner:</b>	Jamworth Pty Ltd and Sunshine State Developments Pty Ltd
<b>Date Of Receipt:</b>	13 June 2017
<b>Location:</b>	Lot 2 SP 117407, Captain Cook Drive, AGNES WATER QLD 4677
<b>RPD:</b>	Lot 2 SP 117407, Uxbridge
<b>Area:</b>	88.19 hectares
<b>Current Use Of Land:</b>	Vacant
<b>Zoning:</b>	Emerging Communities
<b>Proposal:</b>	Preliminary Approval s242 for a Material Change of Use for a Health and Wellbeing Precinct; and Development Permit for a Reconfiguration of a Lot (One into Two Lots).
<b>Submissions Close Date:</b>	6 August 2018
<b>Number Of Submissions:</b>	Two Not Properly Made Submissions

**Purpose:**

The purpose of this report is to assess Development Application 53/2017 for a Preliminary Approval s242 for a Material Change of Use for a Health and Wellbeing Precinct; and Development Permit for a Reconfiguration of a Lot (One into Two Lots) at Lot 2 Captain Cook Drive, Agnes Water, against the *State Planning Policy July 2017*, and the *Our Place Out Plan Gladstone Regional Council Planning Scheme Version 1* under the *Planning Act 2016*.

**Officer's Recommendation:**

That the Development Application 53/2017 for a Preliminary Approval s242 for a Material Change of Use for a Health and Wellbeing Precinct (Retirement Facility & Hospital) and Development Permit for a Reconfiguration of a Lot (One into Two Lots) on land at Lot 2 Captain Cook Drive, Agnes Water, be approved subject to the following conditions:

**Preliminary Approval s242 for a Material Change of Use for a Health and Wellbeing Precinct (Retirement Facility & Hospital)**

**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
SK02	A	Proposed Structure Plan	Zone Planning Group	23/03/2017
SK03	C	Proposed Precinct Master Plan	Zone Planning Group	28/08/2018
PEG0305-DA-SK01	B	Service Connection Strategy	Pinnacle Engineering Group	23/05/2018
PEG0305-DA-SK02	B	Road Master Plan Layout and Details	Pinnacle Engineering Group	22/05/2018

And supporting documents

Document Number	Revision	Description	Author	Date
N/A	June 2018	Agnes Water Health and Wellbeing Centre Zone Code	Zone Planning Group	June 2018

- a. Prior to the lodgement of a request for Survey Plan Endorsement for any subsequent Development Application for a Reconfiguration of a Lot or as part of any Development Application for a Material Change of Use, provide an amended Agnes Water Health and Wellbeing Centre Zone Code to Council, and receive approval for, the following revisions:
  - i. Add the following sentence into the Assessment Criteria Column which relates to a Material Change of Use for a Retirement Facility or Hospital in the Health & Well Being Precinct – “As specified by Table 5.10 Categories of Development and Assessment: Overlays of the Planning Scheme current at the time of lodgement.”
  - ii. Add the following sentence into the Assessment Criteria Column which relates to a Code Assessable Reconfiguration of a Lot and Other Development in the Health & Well Being Precinct – “As specified by Table 5.10 Categories of Development and Assessment: Overlays of the Planning Scheme current at the time of lodgement.”
  - iii. Amend AO4 to the following: “non-residential use (frontage greater than 40m) – 2” and “non-residential use (frontage less than 40m) – 1”.
  - iv. Add Performance Outcome 5 to Table 4.3.1: PO5 Development is not to obtain direct access from the Agnes Water Second Arterial Route.
  - v. Delete PO19 – this is a duplication of PO9.

### Special Conditions

2. As part of the first Development Application for a Material Change of Use or Reconfiguring of a Lot (whichever is first), submit a Master Plan of proposed Lot 1 that includes location and indicative design of various proposed uses, supporting infrastructure and approximate staging. All works must be completed in accordance with the approved staging plan.
3. As part of the any Development Application for a Material Change of Use, submit to and receive approval from Council, architectural drawings and concept plans which detail how the proposed built form and other design elements will maintain Agnes Water’s coastal character.

*Advisory Note: Agnes Water is a small coastal community comprising largely of low scale detached dwellings nestled in a natural setting. Design of built form must maintain Agnes Water’s coastal character through the use of lightweight materials with generous roof forms, overhangs and balconies with open living areas, and the use of coastal inspired colours, materials and artwork. Buildings, structures and supporting infrastructure should be*

*interspersed and sympathetically sited amongst the coastal landscape and bushland elements.*

4. Upon the signing of the first Plan of Survey, the Applicant has 10 years to complete the development in accordance with this approval, prior to the Development Permit lapsing.

*Advisory Note: Should significant progress not be shown during this period, an extension of currency is unlikely to be approved.*

5. "Residential uses" must not commence on-site until "appropriate support services" have commenced on-site. Concurrent commencement is also acceptable.

*Advisory Note: For the purposes of this condition only;*

- a. "Residential uses" include a Community Residence, a Residential Care Facility or a Retirement Facility; and
- b. "Appropriate support services" are considered to be:
  - i. A Community Care Centre; and
  - ii. A Hospital or Health Care Services.

6. As part of the Master Plan of Development for each stage of development, the Applicant must submit a needs analysis which provides justification for the level of "appropriate support services" provided for the associated "residential uses" as described in the previous condition. The level of assistance must be commensurate to that expected by the associated residential use proposed (i.e. higher levels of medical and social assistance would be expected for a nursing facility compared to an assisted living retirement facility).
7. Prior to commencement of use, all unapproved structures must be demolished or otherwise removed from the site

## **Overlay Conditions**

8. Sensitive land uses, as defined in Schedule 24 of the *Planning Regulation 2017*, may not be located within the area mapped as medium or high storm tide inundation.
9. As part of the first Development Application for a Material Change of Use, submit to and receive approval from Council, a Bushfire Hazard Assessment and Management Plan. The Management Plan is to:
  - a. Be prepared by a suitably qualified person experienced in the area of bushfire management;
  - b. Be provided for the whole of the site;
  - c. Provide an evacuation and emergency plan in the event of a bushfire event which takes into account the limited mobility and transportation issues (including medical transport requirements) of its target demographic;
  - d. Identify an alternative evacuation route in order to achieve an acceptable level of bushfire risk;
  - e. Identify areas of vegetation clearing and maintenance;
  - f. Identify of the location and severity of all bushfire risks including vegetation, topography and bushfire history;
  - g. Identify fire risk reduction features including identified fire maintenance trails and fire-fighting facilities to be installed and their ongoing maintenance schedule; and
  - h. Be implemented by the Applicant for the life of the approval.
10. As part of the first Operational Works, submit to and receive approval from Council for a Vegetation Clearing and Management Plan (VCMP). The VCMP must comply with all other conditions of this approval and must include, but is not limited to, the following items:

- a. Details of all operational works likely to impact on existing vegetation;
  - b. Temporary and permanent exclusion and protection fencing;
  - c. Stockpiling and reuse of cleared vegetation;
  - d. A clearing sequencing plan showing the commencement of clearing and the direction of removal (this should allow the appropriate flushing of fauna to surrounding safe haven areas);
  - e. A detailed ongoing rehabilitation and maintenance plan including the restoration and enhancement of disturbed areas in the post construction phase and processes to maximise survival opportunities for areas of retained vegetation and newly rehabilitated areas; and
  - f. Specific details on the removal of potential habitat trees.
11. Prior to any vegetation clearing occurring, ensure that a wildlife spotter is present to check all potential habitat prior to removal. Where native vertebrate animals are found, clearing must only continue in coordination with a wildlife spotter. All native vertebrate animals located within, on and amongst vegetation or areas of vegetation proposed to be harmed in accordance with this approval are only to be managed under the guidance of a wildlife spotter (Department of Environment and Heritage Protection approved).
12. As part of any Development Application for a Material Change of Use or Reconfiguration of a Lot, demonstrate that a vegetated buffer of 25m (minimum) centred on the mapped Level 2 Watercourse must be provided except where it is spanned by a road or overlaps with a Bushfire Buffer area.

### **Operational Works**

13. A Development Permit for Operational Works for each stage 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/cycle ways);
  - c. Water Infrastructure;
  - d. Sewer Infrastructure;
  - e. Stormwater Management (quantity, quality, flood and drainage control);
  - f. Street lighting, electrical and telecommunications; and
  - g. Landscaping, environmental protection and associated works.
14. 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>.*

### **Water Infrastructure**

15. As part of the first Development Application, the Applicant is to provide to, for approval by Council, an amended Water Master Plan and Assessment for the entire development of proposed Lot 1 which reflects the approved staging plan, is prepared and certified by a



Registered Professional Engineer of Queensland experienced in this type of work and includes the following:

- a. Expected water demand (EP values) to be generated by each stage of the proposed development;
- b. Assessment of the required sizing for the proposed mains, including:
  - i. clarifying if connection is to be made to the High Level or Low Level Zone in accordance with the Water Supply Strategic Infrastructure Plan – Agnes Water Supply Scheme 2015 and the location of the connection along the proposed property boundary;
  - ii. Proposed staging (if required) to ensure all infrastructure is appropriately sized to achieve minimum pressure and fire fighting flows;
  - iii. Sizing of water mains required to service the development; and
  - iv. Assessment of the upgrades required to Council's existing and planned water supply, in accordance with the Water Supply Strategic Infrastructure Plan – Agnes Water Supply Scheme 2015 and Council's Local Government Infrastructure Plan for the Agnes Water System as the development is partially located outside of Council's DWSA.

*Advisory Note: Council's preferred Design EP's for each development type can be located in Table D11.C.01 in the Capricorn Municipal Development Guidelines D11 Water Supply Network Design & Construction.*

16. Operational Works (Water Infrastructure) must be completed in accordance with the approved Water Master Plan and the approved staging plan.

### **Sewerage Infrastructure**

17. As part of the first Development Application, the Applicant is to provide an amended Sewer Master Plan and Assessment for each stage of the entire development of proposed Lot 1, prepared and certified by a Registered Professional Engineer of Queensland experienced in this type of work, that includes the following:

- a. Expected sewer demand (EP values) to be generated by the proposed development;
- b. Assessment of the required sizing of the proposed mains, including:
  - i. Proposed staging (if required) to ensure all infrastructure is appropriately sized;
  - ii. Proposed grades and sizing of all mains in accordance with the *CMDG D12 Sewerage Network Design & Construction*; and
  - iii. Assessment of the upgrades required to Council's existing and planned sewer supply (including mains and pump stations), in accordance with Council's *Local Government Infrastructure Plan* for the Agnes Sewer System as the site has not been previously considered as it is partially located outside of Council's DSSA.

*Advisory Note: Council's preferred Design EP's for each development type can be located in Table D12.C.01 in the Capricorn Municipal Development Guidelines D12 Sewerage Network Design & Construction.*

18. Operational Works (Sewerage Infrastructure) must be completed in accordance with the approved Sewer Master Plan and the approved staging plan.

## Stormwater Infrastructure

19. As part of the first Development Application, the Applicant is to submit to and receive approval by Council for a Site Based Stormwater Master Plan for each stage of the proposed development. The Site Based Stormwater Master 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 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.
20. As part of any Development Application which is affected by the Flood Hazard Overlay or the Coastal Hazard Overlay, the Applicant must demonstrate via a Site-Specific Flood Study that risks associated with the development can be mitigated to an acceptable or tolerable level in accordance with the Flood Hazard Overlay Code and/or the Coastal Hazard Overlay Code, as applicable. The Site-Specific Flood Assessment must be certified by a Registered Professional Engineer of Queensland experienced in this type of work.

*Advisory Note: In accordance with "Table 8.2.7.3.2 Recommended flood immunity levels for community infrastructure" under the Flood Hazard Overlay, hospitals and associated institutions have a recommended flood immunity level of 0.2% AEP and is required to be able to function effectively during and immediately after flood events in accordance with Performance Outcome 11 of the Flood Hazard Overlay.*

21. Operational Works (Stormwater Infrastructure) must be completed in accordance with the approved Stormwater Master Plan and the approved staging plan.

## Transportation Services

22. As part of the first Development Application, the Applicant is to provide an amended Traffic Master Plan for the entire development, that includes the following:
  - a. Demonstrate that the proposed road reserve is at a minimum width of 40m, located in accordance with the adopted alignment for the Agnes Water Second Arterial Route.
  - b. Demonstrate that the proposed road design is provided to a standard adequate for the site in accordance with Performance Outcome 31 of the Development Design Code, including high level traffic volumes and vehicles types expected to be generated by the activities on the site.
  - c. Demonstrate the 'Arterial Road Typical Cross Section' identified in Drawing PEG0305-DA-SK02 Revision B aligns with the minimum requirements for a Sub Arterial Road in accordance with the CMDG.

*Advisory Note: In accordance with Council's Agnes Water Second Arterial Route Feasibility Design Report 2015, the proposed second arterial road link was assumed as a Sub Arterial Road Classification, not Arterial Road.*

- d. Demonstrate the 'Internal Road Typical Cross Section' identified in Drawing PEG0305-DA-SK02 Revision B aligns with the minimum requirements for the relevant road specifications in accordance with the CMDG.

*Advisory Note: Council considers that the minimum required road classification to connect to the existing Captain Cook Drive (2 Lane Distributor Road) for Commercial Access is a Residential/Commercial Collector Street in accordance with CMDG.*

- e. Provide amended vehicle swept path diagrams for the following intersections, that reflect the amended dimensions in item b and c;
  - i. Agnes Water Second Arterial Road and Captain Cook Drive intersection;
  - ii. Agnes Water Second Arterial Road and proposed access for southern portion of proposed Lot 1; and
  - iii. Captain Cook Drive, Hoskyns Way and proposed Internal Road intersection.

*Advisory Note: It is Council's preference that the proposed access for the southern portion of proposed Lot 1 is located a minimum 500m from the proposed Agnes Water Second Arterial Route and Captain Cook Drive Intersection in accordance with the CMDG. Due to the significance of the intersection, access within 500m is unlikely to be supported as it is not considered to be at a standard suitable for the traffic type and volume likely to be generated by the proposed Agnes Water Second Arterial Road.*

- f. Include a Pedestrian Network Plan which includes the installation of conveniently located bus stops with seating positioned at approximately 200m intervals, as a minimum interval, within the Health and Wellbeing Precinct.
23. As part of the first Development Application, the Applicant is to provide a Pedestrian Network Master Plan which includes the installation of conveniently located bus stops with seating positioned at approximately 200m intervals, as a minimum interval, within the Health and Wellbeing Precinct.
24. Operational Works (Road Infrastructure) must be completed in accordance with the approved Traffic Master Plan and the approved staging plan.
25. As part of any Development Application for Operational Works, the Applicant is to construct all internal roads with a minimum width of 6m and a minimum formed width of 4m and with a maximum grade of 12.5%.
26. As part of Operational Works, all assets entering Council ownership that require naming (including roads and parks) are to be named in accordance with Council's Naming of Infrastructure Assets Policy (P-2015/13), as amended. A formal requested for naming (including completion of the applicable form) is to be submitted prior to acceptance of the works associated with creation of these assets on maintenance.

*Advisory Note: Council's Policy Naming of Infrastructure Assets (P-2015/13) is located at [www.gladstone.qld.gov.au/naming-roads-and-assets](http://www.gladstone.qld.gov.au/naming-roads-and-assets).*

## **Landscaping**

27. As part of the first Development Application for Material Change of Use or Operational Works, a full Landscaping Master Plan is to be provided in accordance with Table 9.3.4.3.2 - 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 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>.*

28. Prior to commencement of 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.

**Miscellaneous**

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

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

**Development Permit for a Reconfiguration of a Lot (One into Two Lots)**

**Approved Documentation**

30. 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
SK04	B	Proposed Reconfiguring a Lot Plan (1 Lot into 2)	Zone Planning Group	21/05/2018

**Water Infrastructure**

31. Prior to the lodgement of a request for Survey Plan Endorsement, a water service connection is to be provided from Council's water supply infrastructure to the property boundary of each lot. The location and size of the water service (and any associated fire service) is to be determined in consultation with Council.
32. Prior to the lodgement of a request for Survey Plan Endorsement, 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.

**Sewerage Infrastructure**

33. Prior to the lodgement of a request for Survey Plan Endorsement, separate sewer connections are to be provided from Council's reticulated sewer infrastructure to the front property boundary of each lot. The location and size of the sewer service is to be determined in consultation with Council.
34. Prior to the lodgement of a request for Survey Plan Endorsement, 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.

## Transportation Services

35. Prior to the lodgement of a request for Survey Plan Endorsement and in accordance with Council's Standard Drawing Concrete Pathway/Bikeway Details, construction of a 2m wide concrete footpath for the full extent of the frontage of the site to Captain Cook Drive.

*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>.*

## Electrical, Telecommunication and Gas services

36. Prior to the lodgement of a request for Survey Plan Endorsement, all electrical (and telecommunication) conduits are to be installed (including conduits under roads, under concrete pathways and beneath retaining walls etc.) together with the associated infrastructure (including electrical pits, light pole and sub-station footings etc.) as part of the Operational Works.

37. Prior to the lodgement of a request for Survey Plan Endorsement, a Certificate of Supply shall be provided to demonstrate connection of electricity supply to each proposed lot.

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

38. Prior to the lodgement of a request for Survey Plan Endorsement, a Certificate of Supply shall be provided to demonstrate connection of telecommunication supply to each proposed lot.

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

## Survey Plan Endorsement

39. As part of the lodgement for Survey Plan Endorsement, the Applicant is to provide at no cost to Council, one copy of the fully executed Easement Documentation (in accordance with Councils Standard Easement Document) for the following:

- a. Sewerage easement(s) in favour of Council burdening Lot 1 having a minimum width of 2m either side (4m in total) from the centreline of Councils asset;
- b. Drainage easement(s) in favour Council burdening proposed Lot 1 having a minimum width of 2m from the centreline of Councils asset;
- c. Water supply easement(s) in favour of Council burdening Lot 1 having a minimum width of 2m either side (4m in total) from the centreline of Councils asset.

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

40. At the time of registration of the Survey Plan(s), the Applicant is to dedicate to Council the following land as road reserve at no cost to Council:

- a. A 40m metre wide strip of land for the purpose of the future Agnes Water Second Arterial Route as shown on the proposed Precinct Master Plan.

41. Lodgement of Survey Plan Endorsement must include the following:

- a. Completion of Council's Request - Assessment and Endorsement of a Survey Plan Form;
- b. All survey marks in their correct position in accordance with the Survey Plan;

- c. A Compliance Report demonstrating compliance with all associated Development Permit(s);
- d. One copy of the Survey Plan, Easement Documentation each fully executed for the lodgement with the Titles Office;
- e. Payment of any outstanding rates and charges in accordance with Schedule 18, Item 2(1)(c) of the *Planning Regulation 2017*; and
- f. Payment of any outstanding Adopted Infrastructure Charges.

*Advisory Note: Council's Request - Assessment and Endorsement of a Survey Plan Form is found at <http://www.gladstone.qld.gov.au/forms>.*

**END OF CONDITIONS**

**G/18 /3578 Council Resolution:**

Moved Cr Hansen  
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

**CARRIED**

**G/3.6.3. SOLE SUPPLIER ARRANGEMENT – ULTIMATE POSITIONING GROUP**

**Purpose:**

To seek endorsement via Council resolution on the introduction of a Stationary Vending Commercial Occupation of Council Land Fee.

**Officer's Recommendation:**

That Council resolve, in accordance with section 235 (a) of the *Local Government Regulation 2012*, to approve the engagement of a Sole Supplier Arrangement for Ultimate Positioning Group to administer and facilitate the continual Annual Maintenance/Support for Councils Survey and GPS Equipment for 12 months.

**G/18 /3579 Council Resolution:**

Moved Cr Masters  
Seconded Cr Sobhanian

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 PERIOD ENDING 31 OCTOBER 2018**

**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 October 2018, 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 October 2018 as required under Section 204 *Local Government Regulation 2012*

**G/18 /3580 Council Resolution:**

Moved Cr Hansen  
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/4. COUNCILLORS REPORT**

### **G/4.1. GLADSTONE HOSPITAL AUXILLIARY ANNUAL GENERAL MEETING**

**File Ref:** CC1.1

**Purpose:**

Cr Sobhanian submits a report on the Gladstone Hospital Auxiliary Annual General Meeting held on Thursday 1 November 2018.

**Officer's Recommendation:**

That the report be received.

**G/18 /3581 Council Resolution:**

Moved Cr Sobhanian  
Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/5. URGENT BUSINESS**

Cr Trevor raised the following item.

### **GLADSTONE REGIONAL COUNCIL BY-ELECTION - VOTING**

**File Ref:** CM8.3, CM8.5

#### **Purpose:**

On 20 November Cr Trevor gave notice of an urgent matter on the application of fines for non-voters at the Gladstone Regional Council By-Election held on 17 November 2018.

#### **G/18 /3582 Council Resolution:**

Moved Cr Trevor  
Seconded Cr Masters

That the Mayor write to the relevant Stakeholder Minister requesting Ministerial discretion be exercised in favour of not fining constituents who did not vote in the recent Council By-Election held on 17 November 2019 due to the following reasons:

1. Despite the best efforts by the Electoral Commission of Queensland and Council, many residents were still unaware of the election and I am confident that, had our request for a postal vote ballot been approved, voter participation would have been higher.
2. That the By-Election was necessary as a result of the resignation of a Councillor due to ill health.
3. That in all previous By-Elections held by the relevant Councils for the area, both prior to and subsequent to amalgamation, the discretion has always been exercised by Council not to issue a fine for not voting and accordingly and people may have been lulled, quite incorrectly, into a false sense of security.

Should the Queensland Government decide to fine non-voters, it would be Council not the Government, that would be at the forefront of any backlash.

There is no disrespect intended whatsoever for those who were aware of the By-Election and chose to exercise their democratic right to vote. The discretion is not with Council and is with the State Government.

**CARRIED**

**G/6. NOTICE OF MOTION**

Nil.

**The meeting adjourned for morning tea at 10.51 am  
and reconvened at 11.40 am.**

## **G/7. CONFIDENTIAL ITEMS**

### **G/18 /3583 Procedural Motion:**

Moved Cr Masters  
Seconded Cr Goodluck

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: -

- (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/18 /3584 Procedural Motion:**

Moved Cr Sobhanian  
Seconded Cr Goodluck

That Council re-open the meeting to the public.

**CARRIED**

## **G/7.1. HARVEY ROAD VARIATION**

**File Ref:** RD1.8, FM7.2

### **G/18 /3585 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Trevor

That Council reallocate a maximum of \$7,000 exclusive of GST to RDC0490 – Harvey Road Upgrade from RDC0643 – Asphalt Overlays from approved capital budget for 2018/2019.

**CARRIED**

**G/7.2. APPOINTMENT OF EXTERNAL MEMBER TO THE BUSINESS IMPROVEMENT COMMITTEE**

**File Ref:** CM26.2

**G/18 /3586 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Masters

That Council offer external member positions on the Business Improvement Committee to Sandra Collins and Stephen Coates for an initial period of 18 months at the schedule of rates nominated in their Expression of Interest submissions, with the option to extend for the maximum tenure term, being a further period of 3.5 years, subject to the extension being mutually agreed.

**CARRIED**

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

**THE MEETING CLOSED AT 11.45 am**

**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 32 pages form the official copy of Gladstone Regional Council General Meeting Minutes of the 20 November 2018.

.....  
Mayor Matt Burnett

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

**ATTACHMENTS**

Nil.