



**GLADSTONE**  
REGIONAL COUNCIL

# **GENERAL MEETING MINUTES**

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

**On 21 May 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 D V O'Grady  
Councillor P J Sobhanian  
Councillor C A Trevor  
Councillor N Muszkat

## **Officers**

Mrs L Dowling (Chief Executive Officer)  
Mrs H Ning (Executive Secretary)  
Mr M Holmes  
Mr J Tumbers  
Mrs T Pienaar  
Mr M Francis  
Mrs C Quinn  
Ms A Scott  
Mrs T McDonald  
Mrs B Saunders

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

Nil.

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

Nil.

## **G/0.3.4. 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/3.6.1 DEVELOPMENT APPLICATION 46/2018 MATERIAL CHANGE OF USE OF PREMISES FOR A SERVICE STATION AT 749 KIRKWOOD ROAD, KIRWOOD QLD 4680**

##### **Cr Hansen**

Cr Hansen declared a Material Personal Interest in Item G/3.6.1 DEVELOPMENT APPLICATION 46/2018 MATERIAL CHANGE OF USE OF PREMISES FOR A SERVICE STATION AT 749 KIRKWOOD ROAD, KIRWOOD QLD 4680, as his business, Clinton Foodworks, would operate in competition with the proposed development and may stand to gain a benefit or a detriment depending on the decision made for this item.

Cr Hansen advised that he will leave the room during the consideration of Item G/3.6.1.

#### **G/8.1 POSSIBLE PURCHASE OF LOT 1 SP289749 – ROUND HILL ROAD, AGNES WATER**

##### **Cr Trevor**

Cr Trevor declared a Material Personal Interest in Item G/8.1 POSSIBLE PURCHASE OF LOT 1 SP289749 – ROUND HILL ROAD, AGNES WATER, as his wife Colleen Trevor and himself are directors of Warabale Pty Ltd as trustee for the CA Trevor Family Trust, which has a 50 per cent share in a large parcel of vacant land near the subject site.

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

### **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/3.2.1 REQUEST FOR ADDITIONAL FUNDS FOR WORKS FOR QUEENSLAND 2017-19 PROJECT CALLIOPE AND DISTRICT MULTI PURPOSE FACILITY**

##### **Cr Churchill**

Cr Churchill declared a Personal Interest in Item G/3.2.1 REQUEST FOR ADDITIONAL FUNDS FOR WORKS FOR QUEENSLAND 2017-19 PROJECT CALLIOPE AND DISTRICT MULTI PURPOSE FACILITY, as his son Tim Churchill and daughter-in-law Lauren Churchill's company The Shed Company was one of the tenderers for this Project.

Cr Churchill advised that he will leave the room during the consideration of Item G/3.2.1.

### **Cr Masters**

Cr Masters declared a perceived Conflict of Interest in Item G/3.2.1 REQUEST FOR ADDITIONAL FUNDS FOR WORKS FOR QUEENSLAND 2017-19 PROJECT CALLIOPE AND DISTRICT MULTI PURPOSE FACILITY, as he is the current Patron of the Calliope Junior Rugby League and has had a long association with the club.

Cr Masters advised that he will leave the room during the consideration of Item G/3.2.1.

### **Cr Trevor**

Cr Trevor declared a perceived Conflict of Interest in Item G/3.2.1 REQUEST FOR ADDITIONAL FUNDS FOR WORKS FOR QUEENSLAND 2017-19 PROJECT CALLIOPE AND DISTRICT MULTI PURPOSE FACILITY, as Steve Bennet and Grant Taylor have done renovations to a property of Cr Trevor's or a related company of which Cr Trevor is a director in Endeavour Street, Gladstone in the past.

However, Cr Trevor has determined that this personal interest is not of sufficient significance that it would lead him to make a decision on the matter that is contrary to the public interest. Cr Trevor advised that he will best perform his responsibility of serving the overall public interest of the whole Council area by participating in the discussion and therefore, he proposed to stay in the room for voting on this matter.

### **G/19 /3770 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Sobhanian

Cr Trevor does not have a conflict of interest in item G/3.2.1.

**CARRIED**

### **G/3.3.1 GATES AND GRIDS**

### **Cr Masters**

Cr Masters declared a personal interest in Item G/3.3.1 GATES AND GRIDS, as he has mates who are rural landowners and beef producers within the Gladstone Region who either could or will be affected by the outcome of this decision.

However, Cr Masters advised that he has determined that this personal interest is not of sufficient significance that it would lead him to make a decision on the matter that is contrary to the public interest. Cr Masters advised he will best perform his responsibility of serving the overall public interest of the whole Council area by participating in the discussion and therefore, he proposed to stay in the room for voting on this matter.

### **G/19 /3771 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Goodluck

Cr Masters does not have a conflict of interest in item G/3.3.1.

**CARRIED**

**Cr Burnett**

Cr Burnett declared a perceived personal interest in Item G/3.3.1 GATES AND GRIDS, as his close friend Leonie Creed, who passed away recently had previously made a \$1,000 donation to his 2016 Mayoral Election Campaign. Cr Burnett elected to stay in the room for voting on this matter.

**G/19 /3772 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Muszkat

Cr Burnett does not have a conflict of interest in item G/3.3.1.

**CARRIED**

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

I want to start by saying the Mayor's Charity Ball on the 11<sup>th</sup> of May was a fantastic event. I would like to congratulate the volunteer committee and everybody at the Gladstone Entertainment Convention Centre for organising our fantastic event. Port Curtis District Scouts, Zonta Club of Gladstone, Creative Recycling Centre, Gladstone Community Linking Agency were all local charities and my initial tallies to date so far are that we raised close to \$95,000, so that's fantastic.

Also coming up this weekend we have the 1770 Festival, that kicks off Wednesday with the Arts Shows, in the lead up to Cook 250 next year, so looking forward to a fantastic event this weekend. Unfortunately I can't make the re-enactment on Friday as I will be in Brisbane but I will be at the Festival fun run with Councillor O'Grady.

Ecofest is of course coming on the second of June, and this will be another fantastic event in the Gladstone Tondoon Botanic Gardens.

The weekend following that we have the Gladstone Show back on a weekend on the 7<sup>th</sup> and 8<sup>th</sup> of June; reminding residents that the Gladstone Region Public Holiday is on the 12<sup>th</sup> of August.

It would also like to mention the outstanding result for our Prime Minister Scott Morrison on the weekend. Scott Morrison was returned as the Prime Minister in Government. Congratulations to Scott Morrison, Deputy Prime Minister Michael McCormack and of course our Local Member Ken O'Dowd.

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

### **G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 7 MAY 2019**

**File Ref:** CM7.2

**Purpose:**

Confirmation of the minutes of the General Meeting held on 7 May 2019.

**Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 7 May 2019 be confirmed.

**G/19 /3773 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Trevor

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/3. OFFICERS' REPORTS**

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

#### **G/3.1.1. ATTENDANCE FOR SAIKI DELEGATION**

**File Ref:** CM6.1

**Purpose:**

Approval is sought for Mayor Burnett and the Chief Executive Officer to attend the Saiki Delegation in Saiki, Japan in July (as below) as part of Council's Declaration of Friendship between the cities.

**Officer's Recommendation:**

That Council:

1. Authorise Mayor Burnett to attend the Saiki Delegation on 1 – 7 July 2019.
2. Authorise the Chief Executive Officer, Leisa Dowling to attend the Saiki Delegation on 1 – 7 July 2019

**G/19 /3774 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Sobhanian

That the Officer's Recommendation be adopted.

**CARRIED**

### **G/3.1.2. LEAVE OF ABSENCE FOR MAY 2019**

**File Ref:** CM7.2

**Purpose:**

Reporting on Councillors' leave of absences proposed as at May 2019 as required under section 6.1.1 of the Council Meetings Procedures Policy (P-2018-27).

**Officer's Recommendation:**

That Council grant the following leave of absences:-

1. Cr O'Grady from 2 - 9 July 2019 (inclusive)
2. Cr Sobhanian from 2 – 16 July 2019 (inclusive)
3. Cr Churchill from 15 – 20 June 2019 (inclusive)

**G/19 /3775 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Goodluck

That Council grant the following leave of absences:-

1. Cr O'Grady from 27 June - 12 July 2019 (inclusive)
2. Cr Sobhanian from 2 – 16 September 2019 (inclusive)
3. Cr Churchill from 15 – 20 June 2019 (inclusive)

**CARRIED**

## **G/3.2. STRATEGY AND TRANSFORMATION**

### **G/3.2.1. REQUEST FOR ADDITIONAL FUNDS FOR WORKS FOR QUEENSLAND 2017-19 PROJECT CALLIOPE AND DISTRICT MULTI PURPOSE FACILITY**

**Cr Churchill (declared Personal Interest)**  
**left the room during the consideration and voting of Item G/3.2.1.**  
(refer G/0.3.4 Disclosure of Interest section of the minutes – pages 6 - 8)

**Cr Masters (declared perceived Conflict of Interest)**  
**left the room during the consideration and voting of Item G/3.2.1.**  
(refer G/0.3.4 Disclosure of Interest section of the minutes – pages 6 - 8)

**File Ref:** GS3.2

#### **Purpose:**

The purpose of this item is to allow Council to consider the attached request from Calliope Junior Rugby League Club for additional time and funds to complete Calliope District Multipurpose Facility project.

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

That Council:

1. Endorse the project to proceed fully funded to the amount of \$1,417,254, providing approval is received from the Department of Infrastructure, Local Government and Planning on an extension of the project completion date to 13 September 2019.
2. Make all efforts to recover funds where possible by applying to the Department of Infrastructure, Local Government and Planning to re-assign any unspent funds allocated to Gladstone Regional Council in the 2017-19 Works for Queensland Program, to the Calliope Multipurpose Facility project.
3. Allocate the required shortfall up to a maximum of \$617,254 additional funds in the 2019/2020 Operating Budget for the Calliope Multipurpose Facility project.

#### **G/19 /3776 Council Resolution:**

Moved Cr Trevor  
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

**CARRIED**

### **G/3.3. STRATEGIC ASSET PERFORMANCE**

#### **G/3.3.1. GATES AND GRIDS**

**File Ref:** CM28.2

**Purpose:**

To obtain direction from Council on the future management of gates and grids in the Gladstone Region to allow the Gates and Grids policy review to be finalised.

**Officer's Recommendation:**

That Council:

1. Adopt Option 1a as the position to be reflected in a revised drafting of Local Law and policy, whereby the ownership of all gate and grid structures to be transferred to Council, with cost recovery to occur through the general rate.
2. In recognition of the time it will take to amend the policy and local law, authorise the Chief Executive Officer to administer an amnesty period for the current fees and charges under the existing policy P-2015-27 Gates and Grids.

**G/19 /3777 Council Resolution:**

Moved Cr Trevor  
Seconded Cr Sobhanian

That the Officer's Recommendation be adopted.

**MOTION LOST**

**G/19 /3778 Council Resolution:**

Moved Cr Burnett  
Seconded Cr Hansen

That Council:

1. Adopt an amended version of Option 2 as the position to be reflected in revised drafting of Local Law and Policy, whereby ownership of gates and grids transfers to Council and at the end of a gate or grid's useful life the structure is either replaced at the request and cost of the impacted landowner/s or removed by Council.
2. In recognition of the time it will take to amend the policy and local law, authorise the Chief Executive Officer to administer an amnesty period for the current fees and charges under the existing policy P-2015-27 Gates and Grids.

**CARRIED**

**The meeting adjourned for morning tea at 10.40 am  
and reconvened at 10.59 am.**

## **G/3.4. OPERATIONS**

Nil.

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

Nil.

## **G/3.6. CUSTOMER EXPERIENCE**

### **G/3.6.1. DEVELOPMENT APPLICATION 46/2018 MATERIAL CHANGE OF USE OF PREMISES FOR A SERVICE STATION AT 749 KIRKWOOD ROAD, KIRKWOOD QLD 4680**

**Cr Hansen (declared Material Personal Interest)**  
**left the room during the consideration and voting of Item G/3.6.1.**  
(refer G/0.3.4 Disclosure of Interest section of the minutes – pages 6 - 8)

**File Ref:** DB1.1 and DA/46/2018

#### **Development Application:**

**Application Number:** DA/46/2018  
**Applicant:** Capita Management No.8 Pty Ltd  
**Owner:** Capita Management No.8 Pty Ltd  
**Date of Receipt:** 8 January 2019  
**Location:** 749 KIRKWOOD ROAD, KIRKWOOD  
**RPD:** 1SP294287  
**Area:** 13.48 hectares  
**Current Use of Land:** Vacant  
**Zoning:** Neighbourhood Centre Precinct (Summit Estate Planning Code) and Emerging Community Zone (*Our Place Our Plan Gladstone Regional Council Planning Scheme (2015) Version 2*)  
**Proposal:** Service Station  
**Submissions Close Date:** 12 April 2019  
**Number of Submissions:** One Properly Made

#### **Purpose:**

The purpose of this report is to assess Development Application 46/2018 for a Material Change of Use of Premises for a Service Station at 749 Kirkwood Road, Kirkwood against the *State Planning Policy – July 2017*, *Summit Estate Planning Code* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* (Planning Scheme).

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

That Development Application (DA/46/2018) for a Material Change of Use of Premises for a Service Station on land at 749 Kirkwood Road, Kirkwood be approved. The approval is supported by a Notice of Reasons and subject to reasonable and relevant conditions.

#### **Notice of Reasons:**

The following provides the Notice of Reasons under section 63(5) of the *Planning Act 2016*:

#### **Description of the development:**

The approved development is for a Material Change of Use of premises for a Service Station.

#### **Assessment benchmarks:**

<b>Benchmarks applying to the development</b>	<b>Benchmark reference</b>
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> <li>• State Interest – Natural Hazards, Risk &amp; Resilience; and</li> <li>• State Interest – Strategic Airports and Aviation Facilities.</li> </ul>
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> <li>• Strategic Framework;</li> <li>• Bushfire Overlay Code;</li> <li>• Regional Infrastructure Overlay Code;</li> <li>• Development Design Code; and</li> <li>• Landscaping Code.</li> </ul>
<i>Summit Estate Planning Code</i>	<ul style="list-style-type: none"> <li>• Neighborhood Centre Precinct Code</li> </ul>

**Reasons for the assessment managers decision:**

1. The Application was properly made in accordance with the *Planning Act 2016* and the Development Assessment Rules; and
2. The Application is deemed compliant with the relevant benchmarks of the *State Planning Policy July 2017* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.
3. The Summit Estate Planning Code

**Reasons for approval despite any non-compliance with certain benchmarks:**

<b>Benchmarks reference:</b>	<b>Reasons for the approval despite non-compliance with benchmark.</b>
Biodiversity Overlay Code – Table 8.2.3.3.1 - Assessment Benchmarks	Compliance with Biodiversity Overlay Code - Table 8.2.4.3.1 via a condition
Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 4.1 and 4.2.	Compliance with Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 4.1 and 4.2 via a condition.
Landscaping Code – 9.3.5.3.1 – Assessment benchmarks	Compliance with the Landscaping Code – Table 9.3.5.3.1 – via a condition
Summit Estate Master Plan Code – Table 6.9.1 – Performance Outcome 10	Compliance with Summit Estate Master Plan Code – Table 6.9.1 – Performance Outcome 10.

**Relevant matters for impact assessable development:**

N/A

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

<b>Matter raised in submission:</b>	<b>How matter was dealt with</b>
The western portion of Lot 1 on SP211059 is proposed for residential lots and is located at the bottom of a gully downstream from the proposed service station site. However, there is no acoustic or odour	To ensure that the proposal operates within reasonable trading hours so to reduce impacts on future residential land uses, a condition has been recommended that operating hours are to be restricted to

reports to demonstrate how the proposed use satisfies Performance Outcomes 23 and 27 of the Summit Estate Planning Code.	between 5am and 10pm. Conditions pertaining to the screening of plant and air conditioning as well as the location of lighting away from residential land uses have been recommended as part of any future Development Permit. Whilst Noise Impact Assessment was not provided as part of the common material, it is considered that the proposal for a Service Station is a suitable land use in accordance with the Summit Estate Planning Scheme and potential issues pertaining to noise are managed by the <i>Environmental Protection (Noise) Policy 2008</i> .
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### Matters prescribed by a regulation:

1. The *State Planning Policy – July 2017 – Part E*;
2. The *Central Queensland Regional Plan*; and
3. The *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.

### Conditions of Approval:

The following provides the conditions of approval under Section 63(5) of the *Planning Act 2016*.

### Approved Documentation

1. Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:

Drawing Number	Revision	Description	Author	Date
DA -10	B	Site Elevations	TRG	05/11/2018
DA -12	B	Building 1 - Plan	TRG	05/11/2018
DA -13	B	Building 1 - Elevations	TRG	05/11/2018

And supporting documents

Document number	Revision	Description	Author	Date
L18002	B	Statement of Landscape Intent	Zone	12/2018
R2014004	3	Stormwater Management Plan	Cardno	25/02/2018
Z16082	-	Waste Management Report	Zone	11/2018
-	-	Traffic Impact Assessment	HTC	07/12/2018
R2014004 - CI	-	Commercial Site Waste Master Planning Kirkwood Road, Gladstone Sketch	Cardno	14/11/2017

### Special Conditions

2. Operating hours are limited to between 5am and 10pm, 7 days per week.

3. Upon commencement of the use, noise levels are to be maintained within the maximum limits prescribed by the *Environmental Protection (Noise Policy) 2008* under the *Environmental Protection Act 1994*.
4. Prior to the lodgement of a Development Application for Operational Works, the Applicant is to demonstrate that the development footprint and associated civil works remain outside of the mapped Matters of State Environmental Significance (MSES) areas.

### **Operational Works**

5. 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, driveways and footpaths);
  - c. Water Infrastructure
  - d. Stormwater Management (quantity, quality and drainage control);
  - e. Sewer infrastructure;
  - f. Street lighting, electrical and telecommunications; and
  - g. Landscaping, environmental protection and associated works.
6. Development Applications for Operational Works shall be designed and constructed in accordance with Australian Standards and the Engineering Design Planning Scheme Policy under the Gladstone Regional Planning Scheme.

*Advisory Note: The Capricorn Municipal Development Guidelines within the Engineering Design Planning Scheme Policy is the primary document for preparing any Development Application for Operational Works which is found at <http://www.cmdg.com.au/index.htm>.*

### **Building and Plumbing Works**

7. The Applicant is required to obtain a Development Permit for Building Works in accordance with the *Planning Act 2016*. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.
8. The Applicant is required to obtain a Development Permit for Plumbing Works in accordance with the *Planning Act 2016*. Construction is to comply with the *Plumbing and Drainage Act 2002* and the requirements of other relevant authorities.
9. 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.
10. The development is to incorporate a variety of at least two different textures, colours and designs within the external façade of the building. 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.
11. 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 future adjoining uses of the site.

## **Earthworks and Retaining Walls**

12. As part of any Development Application for Operational Works the Applicant must submit to and obtain approval from Council, for any works relation to retaining walls that are visible from the road reserve. The documents submitted to Council must illustrate the following.
  - a. Proposed new wall height and any proposed step backs from existing retaining walls;
  - b. The material proposed and/or surface treatments to be applied to the retaining walls;
  - c. Complementary design incorporating any driveways, pathways, and existing retaining walls (where retained);
  - d. Any proposed soft scape finishes proposed to complement the retaining walls; and
  - e. Demonstrate that the retaining walls do not visually dominate the street.

## **Water Infrastructure**

13. Prior to the lodgement of a Development Application for Operational Works, the Applicant must submit documentation that the water demand for the proposed Service Station is in accordance with the water master plan for the Summit Estate and specify a water main size and connection location to the existing water network based on this demand. The calculated demand, water main size and connection must be approved by Council.
14. As part of the first Operational Works application, the Applicant must construct a water main from Council's existing water infrastructure to the connection point for the Service Station in accordance with Condition 13 of this approval.
15. Prior to the commencement of the use, a 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.
16. 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.
17. At all times, private water infrastructure to provide sufficient fire fighting flow on the site must comply with Council's Direct Connection of Booster Pumps to Council's Reticulated Water Network Policy or as amended.

## **Sewerage Infrastructure**

18. Prior to the lodgement of a Development Application for Operational Works, the Applicant must submit documentation demonstrating that the sewerage demand for the proposed Service Station is in accordance with the sewerage master plan for the Summit Estate and specify a sewer main size and connection location to the existing sewerage network based on this demand. The calculated demand, sewer main size and connection location must be approved by Council.
19. As part of the first Operational Works application, the Applicant must construct a sewer main from Council's existing sewerage infrastructure to the connection point for the Service Station in accordance with Condition 18 of this approval.
20. 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. The location and size of the sewer service is to be determined in consultation with Council.

21. Prior to the commencement of the use, connections to Council's live sewerage network must be carried out under the supervision of Council. The cost of these works is to be borne by the Applicant.

### **Stormwater Infrastructure**

22. As part of the first Operational Works application, the detailed design for stormwater is to be generally in accordance with the approved Site Based Stormwater Management Plan (SWMP) prepared by Cardno, dated 3 December 2018. Where changes are required to the SWMP as a result of detailed stormwater design for operational works, the Applicant is to submit (for approval) a revised SWMP as part of the Operational Works application. The plan must address quantity aspects of stormwater management in accordance with the Queensland Urban Drainage Manual 2013, the State Planning Policy - July 2014 and CMDG and be certified by a RPEQ experienced in this type of work. The Site Based SWMP is to demonstrate that a Lawful Point of Discharge is achieved and that the proposal achieves no worsening. For the SWMP and stormwater design the responsible RPEQ shall certify that:

*'I am aware that the Gladstone Regional Council may rely upon the content and findings of this report including the recommendations, conclusions, results, calculations, plans, graphs, tables, attachments etc., for the purposes of development assessment. In my opinion, the Council can rely upon the information contained within the report and there are no reservations or qualifications in respect to the information provided other than as set out below and previously agreed to in writing with Council's Director Engineering Services. I confirm that the development site is above the controlling 1% AEP flood level, that there will be no worsening of stormwater runoff from the site as a result of the proposed development of the site and that a "lawful point of discharge" as defined in the Queensland Urban Drainage Manual, has been achieved for all areas of the site.'*

### **Transportation Services**

23. As part of the first Operational Works application, proposed "Road A" must be constructed from Kirkwood Road to the proposed roundabout located approximately 180m from the intersection of proposed "Road A" and Kirkwood Road at a 2 lane Distributor Road standard in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*. Details of the design of the works must be submitted as part of the Operational Works application.
24. As part of the first Operational Works application, the proposed roundabout located on proposed "Road A" approximately 180m from the intersection of proposed "Road A" and Kirkwood Road must be constructed at the termination point of proposed "road A" in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and the Austroads Guide to Road Design. Detail of the design of the works must be submitted as part of the Operational Works application.
25. As part of the first Operational Works application, the access to the proposed development must be constructed from proposed "Road A". Vehicles are permitted to perform all movements at the access to the proposed shopping Centre (i.e. left-in, left-out, right-in and right-out) provided that:
  - a. The queue length of vehicles in the right turn lane to enter the proposed development does not exceed the length of the lane and extend into the through

lane on proposed "Road A" (as determined in the detailed design of the intersection in the Development Application for Operational Works) due to the safety and traffic flow impacts of this occurring.

Should the all turns intersection be deemed to fail by a RPEQ Certified Traffic Engineer, the Applicant/Owner must, at their expense, install a concrete median on proposed "Road A" to prevent the right turn movement into and out of the site on proposed "Road A".

26. As part of the first Operational Works application, the Applicant must demonstrate that sufficient sight distance in accordance with the Austroads Guide to Road Design is available at the intersection of the access to the proposed shopping centre and proposed "Road A". This must be demonstrated with consideration to all works as part of this development approval and the associated Operational Works application, including the impact of a bus being stopped at the bus stop on the western side of proposed "Road A" and proposed landscaping. The location and design of the access to the proposed shopping centre must comply with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and AS2890.1. Details of the works must be submitted as part of the Development Application for Operational Works.
27. Advisory note: The above requirements do not preclude Council from undertaking separate investigations and works (if required) in conjunction with the Applicant/Owner following traffic congestion concerns in relation to this access/egress location.
28. As part of the first Operational Works application, a concrete median strip must be constructed for the length of proposed "Road A" from the intersection with Kirkwood Road to the access to the proposed development and from the access to the proposed development to the proposed roundabout located approximately from the intersection of proposed "Road A" and Kirkwood Road.
28. Prior to the commencement of the use, the Applicant must dedicate the proposed "Road A" road reserve to Council, which is to be a minimum of 25m wide, and is to include the footprint of the proposed roundabout required to be constructed approximately 180m from the intersection of proposed "Road A" and Kirkwood Road at no cost to Council. The exact size of the required road reserve will be dictated by the design of the road infrastructure as part of the Operational Works application.
29. As part of the first Operational Works application, a Commercial Driveway is to be constructed in accordance with Council's Standard Drawing for an 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>*

30. As part of the first Operational Works application, a 2.5 metre wide minimum concrete footpath must be constructed for the full extent of the proposed "Road A" frontage of the site 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>*

31. Prior to the commencement of the use, a total of eight (8) car parking spaces are to be constructed on site generally in accordance with the approved plans, including designated disabled car parking spaces. These spaces and all vehicle movement areas are to be constructed, sealed, line marked and maintained in accordance with the Engineering

Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and AS2890.1.

32. Prior to the commencement of the use, a total of six (6) bicycle parking spaces are to be constructed on site. All bicycle spaces are to be constructed in accordance with AS2890, as amended.
33. 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 specification (Council's Standard Drawing CMDG-R-043 Commercial Driveway Slab Type B - Two Lane Access).

*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>.*

34. 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.
35. 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.

## **Landscaping**

36. As part of the first Operational Works application, a full Landscaping 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 Version 2* and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification and must ensure that the proposed landscaping will not negatively impact vehicle sight distance. 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>.*

37. As part of the Development Application for Operational Works, 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.
38. As part of the first Operational Works application, street trees are to be constructed along the proposed Road A frontage, at a rate of 1 tree per 10 metres 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 Version 2* and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification.

39. *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>.*

## **Waste Management**

40. Prior to the commencement of the use, refuse bins are to be provided at a minimum rate and with a minimum capacity as detailed within the approved Waste Management Plan.
40. 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.

41. 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.
42. Prior to the commencement of the use, the Applicant is required to obtain a Trade Waste Permit to discharge trade waste to the Sewer in accordance with Councils Trade Waste Approval Process prior to Plumbing Final being issued.

*Advisory Note: Applications for Trade Waste Discharge can be found at <http://www.gladstone.qld.gov.au/trade-waste-approval-process>.*

43. Prior to the commencement of the use, sealed and raised bunding is to be provided around all holding tanks and forecourt areas on which a vehicle can stand while being fuelled or transferring petroleum products.
44. Prior to the commencement of the use, drainage from paved forecourt areas and areas on which a vehicle can stand while being fuelled or transferring petroleum products, shall be directed by appropriate surface grading into grated sumps, where it is treated in an approved manner or held and removed by an approved contractor.
45. The sump is to be of an appropriate capacity to capture runoff from the forecourt area around dispensing pumps. The forecourt area around the dispensing pumps must be paved and graded such that runoff discharges into the blind sump. The design must ensure stormwater does not ingress this area and all spillages and wash down waters are collected from the general forecourt refuelling area.
46. The capacity of the sump should be determined at Building Works and may be designed such that it is sufficient to hold both the volume of waste waters draining from the area as well as a potential major spill.
47. Collected waste water in the sump could be disposed in the following manner:
  - a. Collection and disposal by a licensed contractor to a liquid waste treatment facility;  
or
  - b. On site treatment of the waste water with a treatment device/system which separates oil, water and silt to a standard as required by this approval. The treated water may be used for irrigation purposes or discharged to the stormwater drainage system in accordance with water quality standards specified in this approval.

### **Miscellaneous**

48. Prior to the commencement of the use, a Compliance Inspection is to be undertaken by the relevant Council Officer, with all conditions to be appropriately addressed. The premises may be subject to a future compliance inspection as part of Council's routine compliance inspection process.

**END OF CONDITIONS**

**G/19 /3779 Council Resolution:**

Moved Cr Churchill  
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. PEOPLE AND CULTURE POLICY**

**File Ref:** CM28.2

**Purpose:**

To present the People and Culture Policy for Council's consideration.

**Officer's Recommendation:**

That Council:

1. Repeal P-2013-21 Salary Packaging Policy; and
2. Repeal P-2014/43 Non-Smoking Policy; and
3. Adopt P-2019-05 People and Culture Policy.

**G/19 /3780 Council Resolution:**

Moved Cr Sobhanian

That Council:

1. Repeal P-2013-21 Salary Packaging Policy; and
2. Adopt P-2019-05 People and Culture Policy.

**MOTION LAPSED FOR WANT OF A SECONDER**

**G/19 /3781 Council Resolution:**

Moved Cr Hansen

Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/3.8.2. MONTHLY FINANCIAL REPORTS FOR PERIOD ENDING 30 APRIL 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 30 April 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 30 April 2019 as required under Section 204 *Local Government Regulation 2012*.

### **G/19 /3782 Council Resolution:**

Moved Cr Muszkat  
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

**CARRIED**

## **G/4. DEPUTATIONS**

Nil.

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

Councillor Glenn Churchill and Councillor Desley O'Grady presented Mayor Matt Burnett with a certificate and thank you gift from Tim Andrews on behalf of the University of Queensland as a result of Gladstone Regional Council's involvement in the Australia Awards Africa Local Economic and Social Development in Extractives Artisanal and Small-scale Mining Short Course, including Course Leader Lynda Lawson and the 30 participants from Ghana, Nigeria, Cameroon, Senegal, Cote d'Ivoire, Tanzania and Madagascar. The group wished to thank Cr Churchill and the Gladstone Regional Council for their warm welcome to the region and the opportunity to speak about the extractives industry and how this is benefiting the community. It was noted that the lessons learned by the participants in the region are contributing to the economic and social development of their countries, and it was truly appreciated.

**G/6. URGENT BUSINESS**

Nil.

**G/7. NOTICE OF MOTION**

Nil.

## **G/8. CONFIDENTIAL ITEMS**

### **G/19 /3783 Procedural Motion:**

Moved by Cr Hansen  
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: -

(e) contracts proposed to be made by it.

**CARRIED**

### **G/19 /3784 Procedural Motion:**

Moved by Cr Hansen  
Seconded Cr Goodluck

That Council re-open the meeting to the public.

**CARRIED**

**G/8.1. POSSIBLE PURCHASE OF 1 SP289749 - ROUND HILL ROAD, AGNES WATER**

**Cr Trevor (declared Material Personal Interest)**  
**left the room during the consideration and voting of Item G/8.1.**  
(refer G/0.3.4 Disclosure of Interest section of the minutes – pages 6 - 8)

**File Ref:** CP2.1

**G/19 /3785 Council Resolution:**

Moved Cr Churchill  
Seconded Cr Masters

That Council receive and note the valuation report tabled at the meeting and the matter be placed on the Strategic Opportunities Committee meeting agenda for discussion.

**CARRIED**

## **G/8.2. BIG BELLY LITTERFENCE SOLE SUPPLIER**

**File Ref:** PE1.1

### **G/19 /3786 Council Resolution:**

Moved Cr Hansen  
Seconded Cr Masters

That Council:

1. Resolves, in accordance with Section 235(a) of the *Local Government Regulation 2012*, that it is satisfied EQ House Pty Ltd T/A Contained Waste Solutions is the only supplier reasonably available to it to supply and install four (4) Big Belly LitterFences to Council; and
2. Authorises the Chief Executive Officer to enter into a contract with EQ House Pty Ltd T/A Contained Waste Solutions for the supply and installation of four (4) Big Belly LitterFences at the Benaraby Landfill.

**CARRIED**

### **G/8.3. KRIARIS RECYCLABLE PROCESSING SOLE SUPPLIER**

**File Ref:** PE1.1

**G/19 /3787 Council Resolution:**

Moved Cr O'Grady  
Seconded Cr Muszkat

That Council:

1. Resolves, in accordance with Section 235(a) of the Local Government Regulation 2012, that it is satisfied Kriaris Transport Pty Ltd T/A Kriaris Recyclables Processing is the only supplier reasonably available to provide domestic recyclable processing services; and
2. Authorises the Chief Executive Officer to enter into a one (1) year contract with Kriaris Transport Pty Ltd Trading as Kriaris Recyclables Processing, commencing 1 January 2021, with a one (1) year extension option for the processing of domestic recyclables.

**CARRIED**

## **G/8.4. TENDER 194-19 AGNES WATER WASTE TRANSFER STATION UPGRADE**

**File Ref:** WS9.1, PE1.1

### **G/19 /3788 Council Resolution:**

Moved Cr Masters  
Seconded Cr Trevor

That Council:

1. Endorse the Tender Evaluation Panel's recommendation and accept the tender from Grycan Pty Ltd T/A Blomfield Excavations for \$1,499,836.93 (exclusive of GST), as per their submission for Tender 194-19 Agnes Water Transfer Station Upgrade; and
2. Authorise the Chief Executive Officer to enter into a contract for the Agnes Water Transfer Station Upgrade.

**CARRIED**

## **G/8.5. TENDER 181-19 ASPHALT OVERLAYS 2018-19**

**File Ref:** WS9.1, PE1.1

### **G/19 /3789 Council Resolution:**

Moved Cr Goodluck  
Seconded Cr Hansen

That Council:

1. Endorse the Tender Evaluation Panel's recommendation and accept the tender from Fulton Hogan Industries Pty Ltd for \$4,182,980.47 (exclusive of GST), as per their submission for Tender 181-19 Asphalt Overlays 2018-19; and
2. Authorise the Chief Executive Officer to enter into a contract for provision asphalt overlays of Urban Road networks that have been prioritised for renewal.

**CARRIED**

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

**THE MEETING CLOSED AT 12.42 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 41 pages  
form the  
official copy of Gladstone Regional Council  
General Meeting Minutes of the 21 May 2019.

.....  
Mayor Matt Burnett

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

**ATTACHMENTS**