



**RECORD OF MATTERS DISCUSSED AT THE COUNCIL AGENDA FORUM MEETING NO. 3/21
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS, HERVEY BAY COUNCIL CHAMBERS,
TAVISTOCK STREET, HERVEY BAY
ON WEDNESDAY, 17 MARCH 2021 COMMENCING AT 10:00AM**

PRESENT: Councillor George Seymour (Chairperson)
Councillor James Hansen
Councillor Phil Truscott
Councillor Paul Truscott
Councillor Daniel Sanderson
Councillor Jade Wellings
Councillor David Lewis
Councillor Darren Everard
Councillor Denis Chapman
Councillor David Lee
Councillor Zane O'Keefe

STAFF IN ATTENDANCE: Chief Executive Officer, Mr Ken Diehm
Director Development and Community, Mr Gerard Carlyon
Director Organisational Services, Mr Keith Parsons
Director Infrastructure Services, Mr Davendra Naidu
Director Wide Bay Water and Waste Services, Mr Mark Vanner
Meeting Secretary, Ms Colette Kloet
Observer, Ms Lauren De Vere

CAF 1 APOLOGIES

The Chair noted an apology from Councillor David Lee who was delayed due to urgent business but was expected to later join the meeting.

CAF 2 DISCLOSURE OF INTERESTS

1. Councillor Jade Wellings informed the meeting that she had a declarable conflict of interest in Item ORD16.2.1 - 'Maryborough Residential Growth'.

- (a) The nature of Councillor Jade Wellings interest was that her father is one of the developers that is named in the report.
 - (b) Councillor Jade Wellings advised that she intended to leave the Chambers during discussion of the matter.
2. Councillor Darren Everard informed the meeting that he had a declarable conflict of interest in Item ORD10.2.5 – ‘CCTV Infrastructure Implementation Requests Received’.¹
3. Councillor David Lee informed the meeting that he had a declarable conflict of interest in Item ORD10.3.6 – ‘Preliminary Approval – Material Change of Use – Multiple Units and Business Activity Uses up to 16 storeys in height; Development Permit – Material Change Of Use – Food and drink outlet, Hotel, Market and Shopping centre; and Development Permit for Reconfiguring A Lot - Subdivision of four lots into four lots and access easements at 10 and 16-18 Charles Street and 57 Watson Street, Pialba’.²
4. Councillor Jade Wellings informed the meeting that she had a declarable conflict of interest in Item ORD15.1 – ‘Extension of Rates Concession for Royal Hotel’.³

CAF 3 ORDINARY MEETING AGENDA

The following discussion and questions occurred:

ORD 4 MAYORAL MINUTES

ORD 4.1 Penalties - Illegal Parking in Disabled Parking Bays

- (a) Councillors received and considered the report titled Penalties - Illegal Parking In Disabled Parking Bays dated 24 March 2021.
- (b) Councillor George Seymour requested further information regarding the number of fines issued as well as information on the percentage of these fines that are disability fines.

ORD 5 CONFIRMATION OF MINUTES OF MEETINGS

ORD 5.1 Ordinary Meeting No.2/21 – 24 February 2021

Councillors received and considered the Minutes of the Ordinary Council Meeting No.1/21 held on 24 February 2021.

¹ See page 5 for the declaration

² See page 5 for the declaration

³ See page 9 for the declaration

ORD 5.2 Special Meeting No.1/21 – 17 February 2021

Councillors received and considered the Minutes of the Special Meeting No.1/21 held on 17 February 2021.

ORD 6 ADDRESSES/PRESENTATIONS

ORD 6.1 Public Participation

Nil

ORD 7 DEPUTATIONS

Nil

ORD 8 PETITIONS

ORD 8.1 Receipt of Petitions

Nil

ORD 8.2 Anti-Social Behaviour - Maaroom Boat Ramp Carpark, Maaroom

Councillors received and considered the report titled Anti-Social Behaviour - Maaroom Boat Ramp Carpark, Maaroom dated 24 March 2021.

ORD 9 COMMITTEES' AND DELEGATES' REPORTS

ORD 9.1 Informal Meetings - Record of Matters Discussed

Councillors received and considered the report titled Informal Meetings - Record Of Matters Discussed dated 24 March 2021.

10:05 - Councillor James Hansen joined the meeting.

ORD 9.2 Minutes of Heritage Advisory Committee February 2021

Councillors received and considered the report titled Minutes Of Heritage Advisory Committee February 2021 dated 24 March 2021.

ORD 9.3 Fraser Coast Regional Council Audit and Risk Committee Meeting Minutes - 23 February 2021

Councillors received and considered the report titled Fraser Coast Regional Council Audit And Risk Committee Meeting Minutes - 23 February 2021 dated 24 March 2021.

ORD 9.4 Wide Bay Water and Waste Services Advisory Committee Meeting Minutes - 19 February 2021

Councillors received and considered the report titled Wide Bay Water And Waste Services Advisory Committee Meeting Minutes - 19 February 2021 dated 24 March 2021.

ORD 10 OFFICERS' REPORTS

ORD 10.2.1 Open Resolutions Register - March 2021

- (a) Councillors received and considered the report titled Open Resolutions Register - March 2021 dated 24 March 2021.
 - (b) Councillor James Hansen requested further information on the progress made on identifying an alternative method or location within Howard to acknowledge Mal Chard and the contribution he made to the Howard district.
 - (c) Councillor David Lewis requested further information on the progress made on the revegetation at Mant Street.
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ORD 10.2.2 Councillor Meeting Attendance for April 2021

- (a) Councillors received and considered the report titled Councillor Meeting Attendance For April 2021 dated 24 March 2021.
 - (b) Councillor George Seymour requested further information on the requirements for councillors to attend briefing session and other meetings.
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ORD 10.2.3 Lease - Hervey Bay Basketball Association

Councillors received and considered the report titled Lease - Hervey Bay Basketball Association dated 24 March 2021.

10:30am - Councillor David Lee joined the meeting.

ORD 10.2.4 Council Meetings At Small Community Locations

Councillors received and considered the report titled Council Meetings At Small Community Locations dated 24 March 2021.

Councillor Darren Everard informed the meeting that he had a declarable conflict of interest in Item ORD 10.2.5 - CCTV Infrastructure Implementation Requests Received.

- (a) The nature of Councillor Darren Everard interest was that he is the President of the Hervey Bay Surf Life Saving Club and that the Hervey Bay Surf Club has a patrol tower that is on the list for consideration for future CCTV.
- (b) Councillor Darren Everard advised that he intended to leave the Chambers during discussion of the matter.

Councillor Darren Everard left the Chamber at 10:33am and was not present during discussion on the below matter.

ORD 10.2.5 CCTV Infrastructure Implementation Requests Received

- (a) Councillors received and considered the report titled CCTV Infrastructure Implementation Requests Received dated 24 March 2021.
- (b) Councillor Paul Truscott requested further information on the costing as well as information on the disparity in the estimated cost between the various areas.
- (c) Councillor James Hansen requested further information on the low assessment of Howard's Skate Park and whether consultation took place with the police as part of the assessment process.

Councillor Darren Everard returned to the Chamber at 10:48am.

Councillor David Lee informed the meeting that he had a declarable conflict of interest in Item ORD10.3.6 - Preliminary Approval – Material Change of Use – Multiple Units and Business Activity Uses up to 16 storeys in height; Development Permit – Material Change Of Use – Food and drink outlet, Hotel, Market and Shopping centre; and Development Permit for Reconfiguring A Lot - Subdivision of four lots into four lots and access easements at 10 and 16-18 Charles Street and 57 Watson Street, Pialba.

- (a) The nature of Councillor David Lee interest was that he is a Director of the Queensland Baptist Education Company Ltd (Bayside Christian College) and has engaged with Urban Planet and Parups Waring Architects in all matters related to the design of the school.
- (b) Councillor David Lee advised that he intended to leave the Chambers during discussion of the matter.

ORD 10.2.6 Request for New Lease - Bauple & District Recreation Ground Association Inc.

- (a) Councillors received and considered the report titled Request for New Lease – Bauple & District Recreation Ground Association Inc. dated 24 March 2021.
- (b) Councillor Phil Truscott requested that councillors are provided with a copy of the new drafted lease and previous leases issued and that clarity is provided on the access and use of the facility including information allowing RV camping.

Councillor George Seymour left the Chamber at 11:10am and was not present during the discussion of the below matter.

Councillor Darren Everard presided as the Chair.

ORD 10.2.7 Burrum Heads & Scarness Beachfront Tourist Parks Master Plans

Councillors received and considered the report titled Burrum Heads & Scarness Beachfront Tourist Parks Master Plans dated 24 March 2021.

Councillor George Seymour returned to the Chamber at 11:19am.

Councillor George Seymour resumed as the Chair.

ORD 10.2.8 Public Wi-fi Trial Survey Report

Councillors received and considered the report titled Public Wi-Fi Trial Survey Report dated 24 March 2021.

ORD 10.2.9 Appointment of Deputy Mayor

- (a) Councillors received and considered the report titled Appointment Of Deputy Mayor dated 24 March 2021.
- (b) Councillor George Seymour requested that further information is obtained by Council from the Department of Local Government, Racing and Multicultural Affairs that will provide clarity on the legal compliance of conducting a secret ballot during the voting and appointment of the Deputy Mayor.

Councillor David Lewis left the Chamber at 11:34am and was not present during discussion of the below matter.

ORD 10.2.10 Fraser Coast Regional Council Audit and Risk Committee - Position of Chairperson

Councillors received and considered the report titled Fraser Coast Regional Council Audit And Risk Committee - Position Of Chairperson dated 24 March 2021.

Councillor David Lewis returned to the Chamber at 11:35am.

ORD 10.3.1 Amendment to the Amenity and Aesthetics Considerations for Development – Removal/Relocation of a Dwelling (Amenity and Aesthetic Impact of Particular Building Work) and Associated Building Requirements

Councillors received and considered the report titled Amendment To The Amenity And Aesthetics Considerations For Development – Removal/Relocation Of A Dwelling (Amenity And Aesthetic Impact Of Particular Building Work) And Associated Building Requirements dated 24 March 2021.

Councillor David Lee left the Chamber at 11:38am and returned at 11:40am.

ORD 10.3.2 Proposed Bunnings Development Submissions

Councillors received and considered the report titled Proposed Bunnings Development Submissions dated 24 March 2021.

Councillor Paul Truscott left the Chamber at 11:41am and returned at 11:45am.

Councillor Jade Wellings left the Chamber at 11:43am and returned at 11:45am.

ORD 10.3.3 Provision of Council Dog Off Leash Areas

Councillors received and considered the report titled Provision Of Council Dog Off Leash Areas dated 24 March 2021.

ORD 10.3.4 Feasibility Study for Inclusive Amenities Block

Councillors received and considered the report titled Feasibility Study For Inclusive Amenities Block dated 24 March 2021.

ORD 10.3.5 COVID-19 Economic Stimulus Projects

Councillors received and considered the report titled COVID-19 Economic Stimulus Projects dated 24 March 2021.

PROCEDURAL MOTION (George Seymour)

12:15pm - That the meeting be adjourned for 20 minutes to reconvene at 12:35pm

Carried Unanimously

PROCEDURAL MOTION (George Seymour)

12:38pm – That the meeting be reconvened.

Carried Unanimously

Councillor David Lee left the Chamber at 12:38pm and was not present during discussion of the below matter.

ORD 10.3.6 Preliminary Approval – Material Change of Use – Multiple Units and Business Activity Uses up to 16 storeys in height; Development Permit – Material Change Of Use – Food and drink outlet, Hotel, Market and Shopping centre; and Development Permit for Reconfiguring A Lot - Subdivision of four lots into four lots and access easements at 10 and 16-18 Charles Street and 57 Watson Street, Pialba

Councillors received and considered the report titled Preliminary Approval – Material Change Of Use – Multiple Units And Business Activity Uses Up To 16 Storeys In Height; Development Permit – Material Change Of Use – Food And Drink Outlet, Hotel, Market And Shopping Centre; And Development Permit For Reconfiguring A Lot - Subdivision Of Four Lots Into Four Lots And Access Easements At 10 And 16-18 Charles Street And 57 Watson Street, Pialba dated 24 March 2021.

Councillor Phil Truscott left the Chamber at 1:06pm and returned at 1:16pm.

Councillor Zane O'Keefe left the Chamber at 1:36pm and returned at 1:37pm.

Councillor Daniel Sanderson retired from the meeting at 1:39pm.

Councillor Jade Wellings left the Chamber at 1:52pm and returned at 1:55pm.

Councillor David Lee returned to the Chamber at 2:01pm.

ORD 10.4.1 Fraser Coast Waterbody Management Strategy

Councillors received and considered the report titled Fraser Coast Waterbody Management Strategy dated 24 March 2021.

ORD 10.5.1 Wide Bay Water and Waste Services Quarter 2 Report (October - December 2020)

Councillors received and considered the report titled Wide Bay Water And Waste Services Quarter 2 Report (October - December 2020) dated 24 March 2021.

ORD 11 MATTERS/MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

ORD 11.1 Repeal of a resolution in the February Ordinary Council Meeting No.2/21

Councillors received and considered the report titled Repeal Of A Resolution In The February Ordinary Council Meeting No.2/21 dated 24 March 2021.

ORD 11.2 Request to name the Wood Chop area at the Maryborough Showgrounds

Councillors received and considered the report titled Request To Name The Wood Chop Area At The Maryborough Showgrounds dated 24 March 2021.

ORD 12 QUESTIONS ON NOTICE

ORD 12.1 Request to Prepare a Full Time Equivalent by Employment Category Report

Councillors received and considered the report titled Request To Prepare A Full Time Equivalent By Employment Category Report dated 24 March 2021.

ORD 12.2 Waste Management Public Benefit Assessment

Councillors received and considered the report titled Waste Management Public Benefit Assessment dated 24 March 2021.

Councillor Jade Wellings informed the meeting that she had a declarable conflict of interest in Item ORD 15.1 – ‘Extension of Rates Concession for Royal Hotel’

- (a) The nature of the declarable conflict of interest is that the owner of the Royal Hotel is purchasing a property from a company for which Councillor Wellings is the sole shareholder. The contract is not yet complete. Any benefit that passes on to the owner of the Royal Hotel may indirectly or directly affect the outcome of this sale settling.
 - (b) Councillor Jade Wellings advised that she intends to leave the Chambers during the discussion of the matter.
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ORD 12.3 Beelbi Creek Road - Toogoom Cane Road - Unsealed road assessment

Councillors received and considered the report titled Beelbi Creek Road - Toogoom Cane Road - Unsealed Road Assessment dated 24 March 2021.

ORD 13 CONSIDERATION OF ITEMS PLACED ON THE AGENDA WITH THE CONSENT OF THE MAYOR

Nil

ORD 14 GENERAL BUSINESS

Nil

ORD 16 Late Items

ORD 16.1 Late Open Reports

ORD 16.1.1 Request to Re-Form the Fraser Coast Youth Advisory Council

Councillors received and considered the report titled Request To Re-Form The Fraser Coast Youth Advisory Council dated 24 March 2021.

Councillor Zane O'Keefe and Councillor David Lee retired from the meeting at 2:50pm.

ORD 16.1.2 Organisational Performance Report - February 2021

Councillors received and considered the report titled Organisational Performance Report - February 2021 dated 24 March 2021.

ORD 15 CONFIDENTIAL

RESOLUTION (George Seymour)

In relation to agenda **ITEMS ORD 15.1, ORD 15.2 and ORD 16.2.1** pursuant to section 254J(3) of the *Local Government Regulation 2012*, Council resolved that the meeting be closed to the public so that councillors can discuss:

- (c) rating concessions
- (h) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967.
- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Carried Unanimously

Councillor Jade Wellings left the Chamber at 2:51pm and was not present during discussion of the below matter.

ORD 15.1 Extension of Rates Concession for Royal Hotel

Councillors received and considered the report titled Extension Of Rates Concession For Royal Hotel dated 24 March 2021.

**Councillor Darren Everard retired from the meeting at 2:52pm.
Councillor Jade Wellings returned to the Chamber at 2:57pm.**

ORD 15.2 Land Acquisition for McLiver Street- Further Information Report

Councillors received and considered the report titled Land Acquisition For Mcliver Street- Further Information Report dated 24 March 2021.

Councillor Jade Wellings retired from the meeting at 3:01pm.

ORD 16.2 Late Confidential Reports

ORD 16.2.1 Maryborough Residential Growth

Councillors received and considered the report titled Maryborough Residential Growth dated 24 March 2021.

RESUMPTION OF COUNCIL AGENDA FORUM

RESOLUTION (George Seymour)

That the meeting resume in open Forum.

Carried Unanimously

There being no further business, the Meeting closed at 3:10pm

Confirmed at Ordinary Meeting No. 4/21 of the Fraser Coast Regional Council at Maryborough on 28 April 2021

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MAYOR