



**MINUTES OF THE ORDINARY MEETING NO. 3/25  
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS, HERVEY BAY COUNCIL CHAMBERS, 77  
TAVISTOCK STREET, HERVEY BAY  
ON WEDNESDAY, 26 MARCH 2025 COMMENCING AT 10:00AM**

**PRESENT:** Councillor George Seymour (Chairperson)  
Councillor Michelle Byrne  
Councillor Phil Truscott  
Councillor Paul Truscott  
Councillor Daniel Sanderson  
Councillor Michelle Govers  
Councillor Lachlan Cosgrove  
Councillor John Weiland  
Councillor Denis Chapman  
Councillor Sara Faraj  
Councillor Zane O'Keefe

**STAFF IN ATTENDANCE:** Chief Executive Officer, Mr Ken Diehm  
Director Strategy, Community & Development, Mr Gerard Carlyon  
Director Organisational Services, Mr Keith Parsons  
Director Infrastructure Services, Mr Davendra Naidu  
Director Water & Waste Services, Mr Mark Vanner  
Executive Manager Development, Mr James Cockburn  
Senior Planner, Mr Tim Kitzelman  
Meeting Secretary, Ms Chloe Hansen

Mayor George Seymour acknowledged the traditional owners of the land upon which we meet today, the Butchulla people and paid respects to the elders past, present and emerging.

**ORD 1            OPENING PRAYER**

George Seymour  
Mayor – Fraser Coast Regional Council

**ORD 2            APOLOGIES**

Nil

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**ORD 3            DISCLOSURE OF INTERESTS**  
Nil

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**ORD 4            MAYORAL MINUTES**

**PROCEDURAL MOTION** (George Seymour)

That the meeting be adjourned for 5 minutes to reconvene at 10:10am due to livestreaming issues.

**Carried Unanimously**

**PROCEDURAL MOTION** (George Seymour)

That the meeting be reconvened.

**Carried Unanimously**

**ORD 4.1        2032 Olympic and Paralympic Games**

**RESOLUTION** (George Seymour)

That Council:

1. Note that on 25 March 2025 the State Government announced that Maryborough would be the venue for archery at the 2032 Olympic and Paralympic Games
2. Expresses its appreciation to the State Government and other organising parties for their confidence in our region.
3. Commits to working with the State Government, the Games Organising Committee, and Archery bodies to making the event a success.
4. Reaffirms its continuing support to also provide pre-games training and acclimatisation venues.

**Carried Unanimously**

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**ORD 5            CONFIRMATION OF MINUTES OF MEETINGS**

**ORD 5.1        Ordinary Meeting No. 2/25 – 26 February 2025**

**RESOLUTION** (Michelle Byrne/Paul Truscott)

That the minutes of the Ordinary Meeting No. 2/25 held on 26 February, 2025 be confirmed.

**Carried Unanimously**

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**ORD 6            OUTSTANDING ACTIONS**

**ORD 6.1        Open Resolutions Register - March 2025**

**RESOLUTION** (Sara Faraj/Lachlan Cosgrove)

That Council receive and note the Open Resolutions Register – March 2025 as per Attachment 1 (eDocs#3752248).

**Carried Unanimously**

**PROCEDURAL MOTION** (George Seymour)

That the meeting be adjourned for 10 minutes to reconvene at 10:20am due to livestreaming issues.

**Carried Unanimously**

**PROCEDURAL MOTION** (George Seymour)

That the meeting be reconvened.

**Carried Unanimously**

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**ORD 7            ADDRESSES/PRESENTATIONS**

**ORD 7.1        Community Presentations**

Elaine Lawrence

Elaine Lawrence spoke in opposition to MCU24/0009; Material Change Of Use -Service Station & Food And Drink Outlet; And Reconfiguring A Lot - One (1) Lot Into Two (2) Lots At - 82 Boundary Road, Urangan (Lot 13 Rp 153688)

Flo Sawers

Flo Sawers spoke in opposition to MCU24/0009; Material Change Of Use -Service Station & Food And Drink Outlet; And Reconfiguring A Lot - One (1) Lot Into Two (2) Lots At - 82 Boundary Road, Urangan (Lot 13 Rp 153688).

Christian Fritz

Christian Fritz spoke in opposition to MCU24/0009; Material Change Of Use -Service Station & Food And Drink Outlet; And Reconfiguring A Lot - One (1) Lot Into Two (2) Lots At - 82 Boundary Road, Urangan (Lot 13 Rp 153688).

Stephen Murphy

Stephen Murphy spoke in opposition to MCU24/0009; Material Change Of Use -Service Station & Food And Drink Outlet; And Reconfiguring A Lot - One (1) Lot Into Two (2) Lots At - 82 Boundary Road, Urangan (Lot 13 Rp 153688).

Yolande Bromet

Yolande Bromet requested that Council close Rosendale Park to RV's and campers immediately.

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David Harper

David Harper raised his concerns in relation to the need for replenishment of beach sand between the wooden boat ramp in Scarness and Aqua View Torquay.

Suzanne Taylor

Suzanne Taylor requested Council to undertake repairs to Bengston Road to service the Riverhead RV Park

**RESOLUTION** (Paul Truscott/Michelle Govers)

That Council note the verbal report provided by the Chief Executive Officer on the matters raised during Community Presentations.

**Carried Unanimously**

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**ORD 8            DEPUTATIONS**  
Nil

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**ORD 9            PETITIONS**

**ORD 9.1          Receipt of Petitions**

**ORD 9.1.1       Objection to a Rates Increase for 19 Taylor Street, Pialba**

Councillor Sara Faraj tabled a petition from chief petitioner, William Woods containing 10 signatures regarding an objection to a rates increase for 19 Taylor Street, Pialba.

**RESOLUTION** (Sara Faraj/Lachlan Cosgrove)

That the petition be received.

**Carried Unanimously**

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**ORD 9.1.2       Request for Council clear a mudslide off pedestrian pathway and prevent any future occurrences outside Ozcare in Kawungan.**

Councillor Sara Faraj tabled a petition from chief petitioner, Joan Skilleter containing 34 signatures regarding a request for Council clear a mudslide off the pedestrian pathway and prevent any future occurrences outside Ozcare in Kawungan.

**RESOLUTION** (Sara Faraj/Lachlan Cosgrove)

That the petition be received.

**Carried Unanimously**

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**ORD 9.1.3      Objection to MCU 24-0009 at 82 Boundary Road, Urangan**

Councillor John Weiland tabled a petition from chief petitioner, Kelly and Christian Fritz containing 87 signatures regarding an objection to MCU 24-0009 at 82 Boundary Road, Urangan.

**RESOLUTION** (John Weiland/Michelle Govers)

That the petition be received.

**Carried Unanimously**

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**RESOLUTION** (John Weiland/Daniel Sanderson)

That order of business be amended to consider item ORD 11.3.7 – MCU24/0009; RAL24/0009 - Material Change of Use - Service Station & Food and Drink Outlet; and Reconfiguring a Lot - One (1) Lot into Two (2) Lots - 82 Boundary Road, Urangan (Lot 13 RP 153688).

**Carried Unanimously**

**Councillor Zane O'Keefe left the Chamber at 11:05am.**

**Councillor Zane O'Keefe returned to the Chamber at 11:06am.**

**Councillor Daniel Sanderson left the Chamber at 11:23am.**

**Councillor Paul Truscott left the Chamber at 11:23am.**

**Councillor Daniel Sanderson returned to the Chamber at 11:25am.**

**Councillor Paul Truscott returned to the Chamber at 11:25am.**

**Councillor John Weiland left the Chamber at 11:28am.**

**Councillor John Weiland returned to the Chamber at 11:29am.**

**ORD 11.3.7      MCU24/0009; RAL24/0009 - Material Change of Use - Service Station & Food and Drink Outlet; and Reconfiguring a Lot - One (1) Lot into Two (2) Lots - 82 Boundary Road, Urangan (Lot 13 RP 153688)**

**RESOLUTION** (John Weiland/Lachlan Cosgrove)

That Council refuse the proposal based upon the inability to meet several assessment benchmarks of the Fraser Coast Planning Scheme 2014 as follows;

1. The proposal is in conflict with the Strategic framework of the planning scheme with regard to Part 3.3 Settlement pattern theme, point 3.3.2.6 Incompatible land uses as the interface between land uses is not able to be effectively managed relative to protecting sensitive uses health, wellbeing, amenity and safety from adverse externalities involving air, noise, odour and lighting that is further influenced by siting conflict, inadequate buffering and transport / vehicle movements not intended within the low density residential zone.
  2. The proposal conflicts with the Low density residential zone code Purpose 1, Overall Outcome 2(a),(b) and (c) and Performance Outcome 3, 4 and 11 as the development is not an intended land use within the zone, does not service the
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needs of the local community, is not compatible and creates conflicts with the ability to protect residential amenity in regard to externality impacts from noise, odour, fumes and lighting that includes the safe function of the local road network from vehicle movements.

3. The proposal conflicts with the Service Station Code Purpose 1, Overall Outcomes 2(a), (b) and (d) and Performance Outcomes 2, 3 and 4 as the development is not located on land zoned for its purpose of an industrial or specialised centre nature, is not adequately separated from boundaries to protect amenity and is not providing for safe and manageable road access.
4. The proposal conflicts with the Transport and Parking Code Purpose 1, Overall Outcomes 2(b) and Performance Outcomes 2 as the development is not providing transport infrastructure that operates in a safe and efficient manner and creates a servicing arrangement not intended for a residential area that includes out of sequences infrastructure costs.

**Carried (9/2)**

**FOR:** Councillor George Seymour  
Councillor Michelle Byrne  
Councillor Phil Truscott  
Councillor Daniel Sanderson  
Councillor Michelle Govers  
Councillor Lachlan Cosgrove  
Councillor John Weiland  
Councillor Sara Faraj  
Councillor Zane O'Keefe

**AGAINST:** Councillor Paul Truscott  
Councillor Denis Chapman

**FORESHADOWED MOTION (Denis Chapman)**

That Council approve the application by Possum Paradise Pty Ltd C/- Urban Planet Town Planning Consultants for a Development Permit for Material Change Of Use - Service Station & Food and Drink Outlet; and Development Permit for Reconfiguring a Lot - One (1) Lot into Two (2) Lots on land described as Lot 13 RP 153688 situated at 82 Boundary Road, Urangan QLD 4655 be approved generally as detailed in the submitted application material, subject to development conditions and the below amendment:

1. Change condition 16 to read as follows:  
"Hours of operation for the 'Service Station' and 'Food and Drink Outlet' are to occur only between the hours of 6:00am to 8:00pm (Monday to Sunday). Waste collection, fuel tanker access/ refuelling and delivery vehicle access and associated loading and unloading are to occur only between the hours of 7:00am to 8:00pm Monday to Saturday only (excluding Sundays and public holidays)."

**DETAILS OF THE APPROVAL**

Type of Decision:	Approved in full with conditions
Type of Approval:	Development Permit - Material Change Of Use - Service Station & Food and Drink Outlet; and Development Permit - Reconfiguring a Lot - One (1)

Lot into Two (2) Lots.

This application is not taken to have been approved (a deemed approval) under section 64(5) of the *Planning Act 2016*.

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reconfiguring a lot under the <i>Land Title Act 1994</i>	Schedule 10, part 14, division 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### VARIATION APPROVAL DETAILS

Not applicable.

#### APPROVED PLANS AND DOCUMENTS

The following plans/documents are Approved plans for the development:

Plan/Document No.	Rev.	Plan Name	Date
02-4	P11	Aerial Plan - Proposed, prepared by Adax Drafting Design Solutions	5 August 2024
02-5	P11	Site Plan, prepared by Adax Drafting Design Solutions	5 August 2024
03-1	P11	Floor Plan – Service Station, prepared by Adax Drafting Design Solutions	5 August 2024
03-2	P11	Floor Plan – Food Outlet, prepared by Adax Drafting Design Solutions	5 August 2024
04-1	P11	Elevations – Service Station, prepared by Adax Drafting Design Solutions	5 August 2024
04-2	P11	Elevations – Food Outlet, prepared by Adax Drafting Design Solutions	5 August 2024

#### CONDITIONS OF APPROVAL

**MATERIAL CHANGE OF USE – SERVICE STATION AND FOOD & DRINK OUTLET**

CONDITIONS OF APPROVAL	Condition Timing
<b>Administrative</b>	
1. Carry out the development in accordance with the Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
2. Carry out the development in accordance with the approved plans and documents as endorsed unless otherwise varied by a development condition or otherwise approved in writing by the Assessment Manager.	At all times
3. Meet the costs of all works associated with this development including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations.	At all times
<b>Operational Works</b>	
4. Submit an Operational Works application to Council detailing all civil engineering site works, earthworks, roadworks, sewer and water main construction, stormwater management and drainage works within and external to the site and any other works as required by conditions of this approval. The design of these works must be approved by Council before any works commence on the site. All such works are to be completed to Council's satisfaction prior to the commencement of the approved use. All final designs must be designed, supervised and certified by a Registered Professional Engineer of Queensland (RPEQ).	Prior to commencing any Operational Work on-site
5. All works associated with this development must be accepted by Council as being 'on maintenance' or 'practically complete' prior to the commencement of use unless approved otherwise by Assessment Manager. Contact Council to arrange a final inspection of the works immediately upon completion of the works associated with this approval.	Prior to the commencement of use
6. Lodge a General Performance Bond with Council in accordance with Planning Scheme Policy for Development Works SC6.3, (PSP SC6.3) (minimum \$10,000.00) prior to the commencement of any building or operational works associated with this development. The bond (less any deductions) will be refunded when: <ul style="list-style-type: none"> <li>a. Works to revert to Council have been accepted 'On Maintenance'; and</li> <li>b. All building and operational works on the site</li> </ul>	Prior to commencing any construction work on-site



have been completed and a Final Certificate (if applicable) has been issued by Council.

If required, the bond must cover the cost of any remedial action undertaken by Council to:

Ensure compliance with the conditions of the development permit;

- a. Control dust, smoke or noise nuisance emanating from a development site;
- b. Clean silt from downstream waterways or stormwater drains that has resulted from erosion attributed to the development works;
- c. Repair upstream or downstream erosion attributed to the development works;
- d. Rectify damage to adjacent private property or common fencing; and
- e. Repair damage to any Council infrastructure.

If substantial compliance problems are experienced in any stage of the development, the bond amount may be increased by Council to reflect the conditions of the site. The increased bond must be paid prior to commencement of any subsequent stage.

#### Landscaping and Fencing

7. Submit to Council for approval, detailed Landscape Plans, generally in accordance with the approved plans and including the following details:
  - (a) The areas set aside for landscaping as noted as 'Landscape Buffer Planting' on the approved Site Plan. This is to include landscape buffers for the full length of proposed Lot 1's site boundaries except where interrupted by driveway/s, pedestrian pathways or the refuse enclosure. The buffer/s are to comprise a mixture of trees, ground covers and shrubs;
  - (b) A plan and schedule of all proposed trees, shrubs and ground covers which identifies:
    - a. the location and size at maturity of all plants;
    - b. the botanical names of all plants;
    - c. low maintenance planting that incorporate at least 70% local endemic species in accordance with the Fraser Coast Planting Guide which forms part of SC6.3 Planning scheme policy for development works;
  - (c) Clear delineation of garden areas and the details of any design treatments;
  - (d) The location of all areas to be covered by turf or other surface material including paving and surface treatment details;
  - (e) Identification of important spot levels and/or contours. The levels of trees to be retained must be provided in relation to the finished levels of

Prior to the  
lodgement of  
Building Works

- the proposed buildings. In addition, the heights and levels of retaining structures must be indicated on the plan;
- (f) Details of all fencing proposed within the development. The fencing provided is to include:
    - Acoustic attenuation fencing (as conditioned in this approval);
    - 2m high solid screen fencing along the length of the proposed Lot 1 and proposed Lot 2 common property boundaries; and
    - screening of waste storage areas;
  - (g) Details of all retaining walls proposed within the development, including materials and treatments to be provided to ensure a high level of amenity is maintained;
  - (h) Inclusion of a fully-reticulated watering system;
  - (i) Incorporation of Crime Prevention through Environmental Design (CPTED) principles;
  - (j) Incorporation of Water Sensitive Urban Design (WSUD) principles in accordance with Council's Water Sensitive Urban Design Guidelines October 2011 to ensure appropriate uptake of nutrients and minimise water consumption;
  - (k) Measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;
  - (l) The location of proposed services including stormwater pits and pipes, sewerage and water lines and electricity lines for comparison with plant locations;
  - (m) Horticultural specification to successfully establish and ensure a quality landscape product such as imported soil quality, staking and planting techniques of advanced stock, reference to Australian Standards where applicable, fertiliser type and application, turf-laying detail, garden bed preparation techniques, minimum soil depths, plant quality details and proposed maintenance regime for establishment (usually 3 months); and
  - (n) Hardscape details proposed including hard edging specification, raised planter construction details, paving types and details, external and internal fencing types and heights and key spot levels.

The submitted plan(s) must be in accordance with Council's Minimum Documentation Standards and provided to the Assessment Manager. When endorsed by the Assessment Manager, such plans will form part of the approved plans under this development approval.

- 8. Complete landscaping and fencing on-site in accordance with the approved landscaping plans and properly maintain the landscaping for the development in a Prior to the commencement of use and

<p>manner that ensures healthy, sustained, and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.</p>	<p>maintained at all times.</p>
<p><b>Building Appearance</b></p>	
<p>9. Submit final detailed plans to the Assessment Manager for approval that are generally in accordance with the approved plans and include the following design detail:</p> <ul style="list-style-type: none"> <li>(a) Final elevational plans for the proposed 'Service Station' and 'Food and Drink Outlet' buildings including detail of architectural features, materials, colours and finishes that demonstrate a visually interesting and aesthetically pleasing presentation.</li> <li>(b) Final floor plan/s for the 'Food and Drink Outlet' building.</li> </ul> <p>The submitted plans must be in accordance with Council's Minimum Documentation Standards and provided to the Assessment Manager. When endorsed by the Assessment Manager, such plans will form part of the approved plans under this development approval.</p>	<p>Prior to the lodgement of Building Works</p>
<p>10. The approved building(s) must be constructed such that it incorporates the external design features as shown on the Approved Plans and/or subsequent Assessment Manager endorsed detailed design drawings, with no inclusions or future alterations being made without approval in writing by the Assessment Manager.</p>	<p>At all times</p>
<p>11. Ensure that all materials and finishes selected are easily maintained and do not readily stain, discolour or deteriorate.</p>	<p>At all times</p>
<p>12. Any security screens on the premises consist of grille or translucent screens and not solid shutters, screens or roller-doors.</p>	<p>At all times</p>
<p>13. All mechanical plant such as refrigeration equipment, air-conditioning equipment etc., mechanical exhaust ventilation equipment must be suitably located and installed in acoustically attenuating housings/behind acoustically attenuating screenings to prevent causing an unlawful environmental nuisance. Mechanical plant must also visually integrated into the design and finish of the building, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.</p>	<p>At all times</p>
<p>14. No part of the site is to be used for outdoor storage of materials unless specified on the Approved Plans or the conditions of this development approval.</p>	<p>At all times</p>
<p>15. Building materials utilised in the development and hard surfaces used in landscape or streetscape works are not highly reflective, not likely to create glare, and not slippery or otherwise hazardous.</p>	<p>At all times</p>

<b>Hours of Operation</b>	
16. Hours of operation for the 'Service Station' and 'Food and Drink Outlet' are to occur only between the hours of 6:00am to 8:00pm (Monday to Sunday), including waste collection, fuel tanker access/ refuelling and delivery vehicle access and associated loading and unloading.	At all times
<b>Waste Collection and Management</b>	
17. Maintain and operate an adequate waste disposal service, including the maintenance of refuse bins, so as to not cause any nuisance, to the satisfaction of Council and in accordance with Council's Waste Services Policy.	At all times
18. All waste storage receptacles must be stored within a suitable waste receptacle storage area on-site. The waste receptacle storage area must: <ul style="list-style-type: none"> <li>(a) be of a suitable size to adequately contain all waste receptacles maintained on-site; and</li> <li>(b) be suitably screened for visual amenity; and</li> <li>(c) be constructed and located on an imperviously paved area that is bunded and drained to sewer; and</li> <li>(d) be provided with a hose cock and hose in the vicinity of the paved area to allow for on-site cleaning of waste receptacles.</li> </ul>	At all times
19. All internal surfaces of waste receptacles must be cleaned and sanitised on a regular basis to prevent the build-up of visible matter. Alternatively, an arrangement is to be made with a service provider to remove and replace soiled receptacles on a regular basis to prevent the build-up of visible matter.	At all times
20. All contaminated water generated from on-site activities must be suitably captured, contained and disposed of.	At all times
<b>Noise</b>	
21. All noise mitigation measures recommended in the Noise Impact Assessment Report prepared by ATP Consulting Engineers (November 2024) must be implemented. This is to include provision of a 2.0m high acoustic barrier which must be constructed as follows: <ul style="list-style-type: none"> <li>• The RL of the top of the acoustic barrier is minimum 2.0m above the RL of the vehicle forecourt.</li> <li>• Must be free of any gaps on the surface and at the base (except for drainage).</li> <li>• Must be constructed of a material with minimum surface density of 12.5kg/m<sup>2</sup>, such as overlapped timber palings with minimum thickness of 20mm, concrete blockwork, brick, autoclaved aerated concrete, or minimum 9mm thick compressed fibre</li> </ul>	Prior to the commencement of use and maintained at all times

<p>cement sheeting.</p> <ul style="list-style-type: none"> <li>• Must be of a durable construction.</li> </ul>	
22. Drive-through speaker devices are to be suitably located, directed and set at a volume that allows for adequate audibility for customers without causing an unlawful noise nuisance.	At all times
23. All mechanical plant such as refrigeration, air-conditioning and mechanical exhaust ventilation equipment must be suitably located and installed in acoustically attenuating housings/behind acoustically attenuating screenings to prevent causing an unlawful environmental nuisance.	At all times
24. Noise emissions from the premises shall not cause environmental harm or environmental nuisance as outlined within most current <i>Environmental Protection (Noise) Policy</i> . When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority.	At all times
<b>Lighting</b>	
25. All outdoor lighting installed and operated at the premises must comply with <i>Australian Standard 4282-2019 'The Control of the Obtrusive Effects of Outdoor Lighting'</i> . Where an authorised person ( <i>Environmental Protection Act 1994</i> ) believes that light spillage is causing nuisance, the person responsible for lighting shall provide an assessment report undertaken by an approved organisation or lighting professional and in accordance with the recommended procedure detailed in AS4282-2019.	At all times
26. Lighting used to illuminate any areas of the premises must be angled or shaded so that light or glare does not directly illuminate any nearby premises or roadways in such a manner as to contribute to environmental nuisance in accordance with the requirements of the <i>Environmental Protection Act 1994</i> .	At all times
<b>Air Quality</b>	
27. The release of noxious or offensive odours or any other noxious, offensive, or visible airborne contaminants resulting from the use, including dust, smoke, fumes and aerosols, does not cause an unlawful environmental nuisance, as defined under the <i>Environmental Protection Act 1994</i> . Council may request the approval holder to engage the services of an independent, suitably qualified and experienced consultant to undertake an air impact assessment should a complaint be received, and an authorised officer is of the reasonable opinion that an assessment is required to determine compliance with the <i>Environmental</i>	At all times

<i>Protection (Air) Policy 2019.</i>	
<b>Construction Management</b>	
28. Submit to Council as part of an Operational Works application, a Construction and Environmental Management Plan (CEMP) for the development prepared in accordance with the Planning Scheme Policy for Development Works SC6.3.	Prior to the approval of Operational Works
29. Design the development with the possibility of encountering acid sulphate soils. In this regard, the Developer must ensure that all works are in accordance with the State Planning Policy 2017 and Council's Planning Scheme Policy SC6.4.2 – <i>Acid sulfate soils (ASS) investigation and management plan.</i>	Prior to, or during construction of the development
30. Dust and other emissions, such as ash, fumes, light, or odour from the building work is to be confined on site and all reasonable steps are to be taken to prevent a release to neighbouring properties. In any instance, air emissions must not exceed the limits stated in the <i>Environmental Protection (Air) Policy 2008.</i>	During all phases of construction
31. The placing of building materials or the carrying out of building operations (inclusive of waste management) on the Road Reserve (inclusive of Council's footpaths and natural drains) is prohibited unless approval is obtained from Council.	During all phases of construction
32. Contain all litter building waste, and sediments on the building site by the use of a skip and any other reasonable means during construction to prevent release to a neighbouring properties or roads.	During all phases of construction
33. Dispose of construction and demolition waste only at an approved waste disposal facility. It is an offence to dispose of waste in other than an approved site. The burning of construction or demolition waste is not permitted.	During all phases of construction
34. Unless otherwise approved in writing by Council, works are not to be undertaken: (i) on a Sunday or public holiday, at any time; or (ii) on a business day or Saturday, before 6.30am or after 6.30pm.	During all phases of construction
<b>Erosion &amp; Sediment Control</b>	
35. Submit to Council as part of an Operational Works application, a Site-Specific Erosion and Sediment Control Plan. This Plan must be designed in accordance with the Planning Scheme Policy for Development Works (SC6.3), the International Erosion Control Association's (Australasia) Best Practice Erosion and Sediment Control Guidelines (Last Edition). The ESC Plan is to include the following activities: a. Establishment to site; b. Clear and strip; c. Earthworks; and	As part of the Operational Works application

- d. Completion of all works.

#### Dust Management

36. Submit to Council as part of an Operational Works application, a Dust Management Plan. The Dust Management Plan must include the following details.
- Methods proposed for dust suppression treatment.
  - Proposed frequency for dust suppression treatment.

As part of the Operational Works application

*Advice Note: Water in extreme conditions is not an acceptable solution and further treatment measures such as chemical dust treatment and stop work procedure must be included in the dust management strategy.*

#### Earthworks

37. Submit to Council as part of an Operational Works application, a bulk earthworks plan of the development showing the finished surface levels for the entire development. All earthworks are to be constructed in accordance with the Australian Standard AS 3798-2007 - Guidelines on Earthworks for Commercial and Residential Developments. The earthworks plan must demonstrate the following.
- Staging arrangements.
  - Drainage discharge arrangements.
  - Site fill extents.
  - Total earthworks balance, including the volume of cut to fill within the site.
  - The import and export of material balance.
- Details of the source of external fill imported to the site (where known) and the proposed transport route.
38. All batters and/or retaining structures, associated with cutting and filling, must be wholly located within private property and within the lot they serve.

As part of the Operational Works application

As part of the Operational Works application and maintained at all times

#### Retaining Walls

39. Submit to Council as part of an Operational Works application, a design of all proposed retaining walls and associated fences in accordance with Planning Scheme Policy SC6.3 (Development works); also, a certification from a Registered Professional Engineer Queensland (RPEQ) confirming that all retaining structures have been designed in accordance with the Australian Standard AS 3798-2007 and Australian Standard AS 4678-2002 – Earth-Retaining Structures is to be included.

As part of the Operational Works application

Retaining walls are to include subsoil drainage systems to be connected to internal stormwater pits to reach a lawful point of discharge, rather than external properties or the atmosphere.

**Stormwater Management & Water Quality**

40. Submit to Council as part of an Operational Works application, a Site Specific Stormwater Management Plan (SSSMP) for review and approval. The SSSMP must generally be in accordance with the documentation provided by Engineering Solutions Qld – Dated 5 December 2024 – Their Ref: FC-21-020 and the *Concept Stormwater Drainage Layout Drawing Z-008-1 & Long Section Drawing Z-008-2 – Dated 5/12/2024* (Docs #5122841).
- As part of the Operational Works application

41. All stormwater discharge from the site will be required to be piped to the south within the Senorita Parade road reserve and discharge to the existing open drainage reserve (Lot 85 RP 172638) located between No. 34 and No. 38 Senorita Parade. The existing culvert road crossing and headwalls in Senorita Parade may require upgrading.
- As part of the Operational Works application

*Advice Note: The designs of stormwater drainage systems must be undertaken and/or supervised and duly certified by a Registered Professional Engineer of Queensland (RPEQ).*

42. The stormwater drainage system for the development must not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves.
- At all times

*Advice Note: In the event that a material change to the pre-development stormwater flow will occur, the developer must produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land including road reserves.*

43. The stormwater drainage system must not result in restrictions to existing or developed stormwater flows from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development, as set out in PSP SC6.3 *Planning Scheme Policy for Development Works*.
- At all times

44. Any stormwater works associated with the development must not cause the following.
- At all times
- a. Adverse effects external to the subject site arising from any increase in velocity, volume and/or redirection of flow.
  - b. An increase in the duration of inundation outside



<p>the site where such increased inundation could cause loss or damage.</p> <p>45. Design and construct all stormwater management structures, including underground pipes, open drains, bio-rétention systems, and detention basins in accordance with a design approved by Council. The design must comply with Council's policies and the Queensland Urban Drainage Manual as adopted by Council.</p> <p>The legal point of discharge for the site is the existing open drainage reserve (Lot 85 RP 172638) located between No. 34 and No. 38 Seniorita Parade.</p>	<p>At all times</p>
<p>46. Design and construct all water quality control systems (WSUD) to treat the stormwater runoff from the development in accordance with Council's Planning Scheme Policy Section SC6.3.2.2 Stormwater Quality. Ensure that all stormwater runoff from the site is treated within the site boundaries prior to release at the legal point of discharge. The design of the stormwater system must incorporate Water Sensitive Urban Design (WSUD) techniques in accordance with Council's Water Sensitive Urban Design Guidelines, October 2011.</p> <p><i>Advice Note: All water quality treatment devices installed as a result of this development is private infrastructure and must be maintained by the owner in perpetuity.</i></p> <p><b>Roadworks</b></p>	<p>At all times</p>
<p>47. Submit to Council as part of the Operational Works application, details of remedial measures at the intersection, including pavement widening, kerb realignment, and line marking, generally in accordance with the <i>Proposed Conceptual Layout with Line Markings – Prepared by ESQ – Dated 07.08.2024</i> (Council Ref #5111014), to allow the swept path of a 19 metre semi-trailer.</p> <p>48. Submit to Council as part of the Operational Works application, details of frontage works for the subject site along Seniorita Parade and Boundary Road, generally in accordance with Council's <i>Boundary Road Upgrade (Robert Street to Booral Road) – Option 2C, Sheet 2 of 3, dated February 2025</i>. Frontage works are to include the following.</p> <p><u>Boundary Road Frontage</u></p> <ul style="list-style-type: none"> <li>a) Kerb &amp; channel along the southern side of Boundary Road.</li> <li>b) Concrete footpath 2.5 metres wide along the southern side of Boundary Road.</li> <li>c) Verge reinstatement along the southern side of</li> </ul>	<p>As part of the Operational Works application</p> <p>As part of the Operational Works application</p>

Boundary Road.

Senorita Parade Frontage

- a) Kerb & channel along the Senorita Parade leg of the intersection.
- b) Pavement works for the Senorita Parade leg of the intersection, in accordance with an Urban Residential Minor Collector.
- c) Linemarking within the Senorita Parade leg of the intersection.
- d) Concrete footpath 1.3 metres wide along the eastern side of Senorita Parade, generally in accordance with the *Site Plan – Job # 24009 - Drawing No. 02-5 – Rev. P11 – prepared by ADAX Drafting – dated 05/08/2024.*
- e) Verge reinstatement in the road reserve as required.

**Advice Note:** *In lieu of undertaking the frontage works, Council will accept a contribution based on the value of the works required by this condition. A contractor's estimate of the value of the works is to be submitted to Council for review in conjunction with the operational works development application. The contribution is to be paid prior to the approval of the plan of subdivision for the development.*

**Vehicular Access**

- 49. Submit to Council as part of the Operational Works application and prior to the commencement of works on-site, details of two access driveways to proposed Lot 1, minimum 6m wide Type B sealed vehicular cross overs from the edge of the road pavement on Senorita Parade to the property boundary generally in accordance with *Drawing No. 02-5 – Proposed Service Station & Food Outlet - Site Plan – Rev (P11) – Dated 05.08.2024, prepared by Adax Drafting Design Solutions* and in accordance with the Planning Scheme.
 

To be constructed prior to the acceptance of practically complete or on-maintenance

Access driveways shall be constructed in accordance with *Standard Drawing FC-230-02 'Commercial Driveway Crossing – Heavy Duty Slab'* and the Planning Scheme Policy for Development Works SC6.3.

- 50. The driveways must operate as one way in and one way out and must be clearly marked as such.
 

At all times
- 51. Remove all disused or redundant vehicle crossings and reinstate kerb and channel and footpaths as required.
 

Prior to the acceptance of practically complete or on-maintenance
- 52. All stripped areas within Council's road reserve must be rehabilitated with seed, hydro-mulch or turfing. Turfing is required for all flow paths disturbed by works.
 

Prior to the acceptance of practically

	complete or on-maintenance
<b>Carparking</b>	
53. Submit to Council as part of the Operational Works application, details of on-site parking and servicing arrangements including the following:	Detail to be provided as part of the Operational Works application
<u>Service Station</u>	
a) Provide a minimum of five (5) permanently marked car parking spaces including one (1) disabled space in accordance with AS/NZS 2890.1:2004 <i>Parking Facilities Part 1: Off Street Car Parking</i> and AS 2890.6:2022 <i>Parking Facilities Part 6: Off Street Parking for People with Disabilities</i> .	
b) Provide a minimum of six (6) bicycle spaces in accordance with AS 2890.3:2015 <i>Parking Facilities Part 3: Bicycle Parking Facilities</i> .	
c) Provision of manoeuvring areas to accommodate refuelling on-site by one (1) 19m long articulated vehicle (AV).	
<u>Food and Drink Outlet</u>	
a) Provide a minimum of eleven (11) permanently marked car parking spaces including one (1) disabled space in accordance with AS/NZS 2890.1:2004 <i>Parking Facilities Part 1: Off Street Car Parking</i> and AS 2890.6:2022 <i>Parking Facilities Part 6: Off Street Parking for People with Disabilities</i> .	At all times
b) Provide a minimum of four (4) bicycle spaces in accordance with AS 2890.3:2015 <i>Parking Facilities Part 3: Bicycle Parking Facilities</i> .	
c) Provide one (1) service vehicle (SRV) parking space.	
54. Carry out all service vehicles loading and unloading within the premises.	
55. Design, construct, seal, and line mark all car parking spaces, associated access aisles and driveways to the dimensions detailed in Council's Planning Scheme Policies and <i>Australian Standard AS 2890.1</i>	
56. Provide manoeuvring areas to ensure that vehicles enter and exit the property in a forward direction only, generally in accordance with <i>The Traffic Impact Assessment Turnpath Layouts – Prepared by ESQ Engineering Solutions – Dated 18 November 2024 – Project FC-21-020</i> .	Prior to the commencement of use
57. Provide a sealed surface treatment over the full extent of the driveways and internal vehicle manoeuvring areas in accordance with the Planning Scheme Policy for Development Works SC6.3.	Prior to the commencement of use
58. Install appropriate signage to direct vehicles to customer car parking spaces within the development	Prior to the commencement

site and ensure that parking and access areas are kept available for these purposes at all times.	of use and maintained at all times
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#### Property Damage & Council Infrastructure

59. Any existing Council infrastructure (including but not limited to, services, kerb, concrete structures, pits, channels, pavement, footpath, RCP, RCBC, etc.) damaged due to the proposed works is to be rectified or replaced at the applicant's expense. The applicant must notify the Council Development Engineering Unit of the affected infrastructure immediately. If damage occurs and is not replaced by the client/contractor, Council has the right to undertake the works and charge the landowner accordingly.	Prior to the commencement of use
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#### Location of Services and Structures

60. Ensure that all utility service connections to the development are wholly contained within each allotment. Where necessary, remove or relocate all services and structures as required to ensure that they are not contained within any other allotment unless ownership rights have been granted by way of an easement.	Prior to the commencement of use
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#### Water Supply

61. The development must be connected to the reticulated water supply in accordance with SC6.3 – Planning Scheme Policy for Development Works.	Prior to the commencement of use
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*Advice Note: The minimum flow and pressure requirements for private fire systems mandated by Building Codes Queensland generally exceed the design and operational capacity of Wide Bay Water's network. Wide Bay Water does not guarantee minimum flows or pressures for private fire systems. Wide Bay Water recommends that designers use WBW minimum level of service for the design of private fire systems.*

62. All new connections to the existing water mains must be undertaken by Council at the Developer's cost.	At all times
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#### Sewerage

63. Prior to the commencement of use and prior to the sealing of any survey plans, the development must be connected to Council's sewerage reticulation system in accordance with SC6.3 – Planning Scheme Policy for Development Works.	Prior to the commencement of use
64. All connections to the Council maintained sewer must be undertaken by Council at the developer's cost.	At all times

#### Telecommunications

65. Ensure that a telecommunications connection will be	Prior to the
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available to suitably service the development under standard tariff conditions and without further capital contributions. These services are to be positioned wholly within the allotment which they are to serve. Provide a Telecommunications Infrastructure Provisioning letter as evidence of such an agreement to Council prior to the commencement of the use.	commencement of use
<b>Electricity</b>	
66. Ensure the development is suitably serviced with a reticulated power connection and supply under standard tariff conditions. The developer is to demonstrate that a suitable connection is available to the proposed development prior to the commencement of use.	Prior to the commencement of use

#### RECONFIGURING A LOT - ONE (1) LOT INTO TWO (2) LOTS

CONDITIONS OF APPROVAL	Condition Timing
<b>Administrative</b>	
67. Carry out the development in accordance with the Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
68. Carry out the development in accordance with the approved plans unless otherwise approved in writing by the Assessment Manager.	At all times
69. Meet the costs of all works associated with this development including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations.	At all times
70. Pay any outstanding rates and charges due to Council.  <i>Note: please contact Council's Property Rating Department at <a href="mailto:rates@frasercoast.qld.gov.au">rates@frasercoast.qld.gov.au</a> and Development Department at <a href="mailto:development@frasercoast.qld.gov.au">development@frasercoast.qld.gov.au</a> prior to payment to confirm any outstanding rates and charges amounts.</i>	Prior to a request for Council to approve the plan of subdivision
71. Submit to Council, a plan identifying the locations of all buildings, services, structures, water bodies/dams, effluent disposal areas and other improvements on the land in relation to the proposed new and existing boundaries and the distances there from. The plan must contain the following certification duly completed by the surveyor:-  <i>"I..... being a cadastral surveyor hereby</i>	As part of a request for Council to approve the plan of subdivision

<p><i>certify as follows:-</i></p> <p><i>(a) The information contained in this plan is accurate at the time of survey and may be relied on by Council.</i></p> <p><i>(b) The distances from the proposed new boundaries of all buildings and structures shown hereon generally conform to the boundary clearance requirements for side and rear boundaries as specified the Building Act 1975 and Council's Planning Scheme.</i></p> <p><i>(c) All services to the existing dwelling from the reticulation mains are contained wholly within the subject lot.</i></p> <p><i>..... (Signature)"</i></p>	
<p>72. Submit a Subdivision Plan Compliance Report and supporting documentation to Council demonstrating compliance with each condition of this approval.</p>	<p>As part of a request for Council to approve the plan of subdivision</p>
<p>73. All new lot boundaries must be set out and surveyed by a Cadastral Surveyor and identified by pegs marked with lot numbers as identified on the approved plan.</p>	<p>Prior to a request for Council to approve the plan of subdivision</p>
<p><b>Practical Completion</b></p>	
<p>74. All works associated with this development must be accepted by Council as being 'On-Maintenance' or 'Practically Complete' unless approved otherwise by Assessment Manager.</p>	<p>Prior to a request for Council to approve the plan of subdivision</p>
<p>75. Contact Council to arrange a final inspection of the works upon completion of the works associated with this approval. An invitation must be issued to relevant Council Officers to attend the Practical Completion inspection no less than seven (7) days' notice prior to the requested inspection date, unless agreed otherwise by Council's delegated officer.</p>	<p>Upon completion of works and prior to a request for Council to approve the plan of subdivision</p>
<p><b>Property Damage &amp; Council Infrastructure</b></p>	
<p>76. Any existing Council infrastructure (including but not limited to, services, concrete structures, pits, channels, pavement, RCP's, RCBC's, etc.) damaged due to the proposed works is to be rectified or replaced at the applicant's expense. The applicant must notify Council Development Engineering Unit immediately of the affected infrastructure. If damage occurs and is not replaced by the client/contractor, Council has the right</p>	<p>Prior to a request for Council to approve the plan of subdivision</p>

to undertake the works and charge the landowner accordingly.	
<b>Stormwater Management</b>	
77. Design the stormwater drainage such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development, as set out in PSP SC6.3 <i>Planning Scheme Policy for Development Works</i> .	At all times
<b>Location of Services and Structures</b>	
78. Relocate all services and structures as required to ensure that they are not contained within any other allotment unless ownership rights have been granted by way of an easement. Ensure that all utility service connections to the development are wholly contained within each allotment unless protected by appropriate easements.	Prior to a request for Council to approve the plan of subdivision
<b>Water Supply</b>	
79. The existing internal water supply must be relocated where required to be wholly within the lot being serviced.	Prior to a request for Council to approve the plan of subdivision
<b>Sewerage</b>	
80. Construct a reticulated sewerage system to service proposed Lot 1 in accordance with the Planning Scheme Policy for Development Works SC6.3.  <i>Advice Note: Prior to construction of the sewer, an Operation Works application along with detailed engineering drawings must be submitted to and approved by Council.</i>	Prior to a request for Council to approve the plan of subdivision in accordance with Operational Works approval.
<b>Telecommunications</b>	
81. Enter into an agreement with a licensed telecommunication provider to ensure that a telecommunication connection will be available to each proposed allotment under standard tariff conditions and without further capital contributions. These services are to be positioned wholly within the allotment which they are to serve. Provide a Telecommunications Infrastructure Provisioning letter as evidence of such an agreement to Council.	Prior to a request for Council to approve the plan of subdivision
<b>Electricity</b>	

<p>82. Each lot of this approval is to be provided with an underground reticulated power connection and supply under standard tariff conditions.</p> <p>In this regard, the developer is to enter into an agreement with an approved electricity provider, prior to issuance of a Compliance Certificate for the subdivision plan, to ensure that electricity will be available to each allotment under standard tariff conditions and without further capital contributions. Evidence of such an agreement must be:</p> <ol style="list-style-type: none"> <li>1. Provision of a Certificate of Supply, or</li> <li>2. Provision of a Certificate of Acceptance, or</li> <li>3. Provision of a Negotiated Connection Establishment Contract, and evidence of the following; <ol style="list-style-type: none"> <li>i. substantial commencement of the internal electrical work, and</li> <li>ii. evidence of contract with electrical contractor; and</li> <li>iii. evidence of the ability to fund the contract value of the electrical works.</li> </ol> </li> </ol>	<p>Prior to a request for Council to approve the plan of subdivision</p>
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#### Advice Notes

1. *This approval relates to Material Change of Use and Reconfiguring a Lot development requiring approval under the Planning Act 2016 only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Fraser Coast Council website ([www.frasercoast.qld.gov.au](http://www.frasercoast.qld.gov.au)). For information about State and Commonwealth requirements please consult with these agencies directly.*
2. *This development is subject to Infrastructure Charges. Please refer to the accompanying Adopted Infrastructure Charges Notice.*
3. *Ensure any assessable works associated with this development permit only commence once a related Operational Work or Building Works approval permit has been granted.*
4. *Obtain an Operational Works approval for all signs and advertising devices associated with the development that do not comply with the 'accepted subject to requirements' criteria of the Fraser Coast Planning Scheme 2014.*
5. *Prior to the approval of the subdivision plan:*
  - (i) *All water supply and sewerage works must be completed and connected to Council's network;*
  - (ii) *All stormwater drainage works must be completed;*
  - (iii) *Electricity and street lighting must be connected;*
  - (iv) *As-constructed information of the completed works must be submitted to Council;*
  - (v) *All required works within the proposed lots must be completed;*
  - (vi) *All earthworks within private property and open space areas must be*



	<p><i>completed and revegetation commenced;</i></p> <p><i>(vii) An 'On Maintenance' inspection must be undertaken;</i></p> <p><i>(viii) A works program detailing all outstanding works and their programmed completion dates must be submitted to Council. All works are required to be completed within 6 weeks from the approval date of the subdivision plan;</i></p> <p><i>(ix) Any outstanding works must be secured by a bond in accordance with section 6.3.13.5 of Planning Scheme Policy for Development Works SC6.3</i></p>
6.	<i>The approval holder or persons responsible for the construction and fit-out of any food premises must apply for a food business licence with Council's Environmental Health Section and obtain approval to commence the construction and fit-out of the food establishment prior to undertaking any works.</i>
7.	<i>Council's approval of the design does not grant approval to enter private property or private easements to undertake works.</i>
8.	<i>Council accepts no responsibility for the accuracy of the survey information, the design or any information or detail contained in the approved drawings and specifications. The approval is issued with reliance upon the Engineer's certification and that any aspect of the design not specified by Council policy has been undertaken with due professional diligence to accepted industry standards.</i>
9.	<i>Council, if it considers that the maintenance obligations are not being met may undertake any works necessary, if the developer fails to rectify the fault within 14 days of notice given by Council for routine items; or 24 hours' notice in an emergency situation, to ensure compliance under this development permit. Council may also recover costs from any maintenance or security bonds held for this development. The developer must also be responsible for any additional costs incurred by Council in undertaking these obligations.</i>
10.	<i>Council encourages early contact by customers and clients prior to the preparation and lodgement of Development Applications. Should you wish to take the opportunity to receive pre-design and pre-lodgement advice for an application, please contact Council's Planning and Growth department to make an appointment.</i>
11.	<i>This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that 'A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.' Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. Further information on cultural heritage can be obtained from the Department of Aboriginal and Torres Strait Islander Partnerships.</i>

**PROCEDURAL MOTION** (Lachlan Cosgrove)

That the meeting be adjourned for 3 minutes to reconvene at 11:39am.

**Carried Unanimously**

**PROCEDURAL MOTION** (George Seymour)

That the meeting be reconvened.

**Carried Unanimously**

**Councillor Phil Truscott returned to the Chamber at 11:41am.**

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**ORD 9.2 Request for a Zebra Crossing for Maryborough Special School**

**RESOLUTION** (Paul Truscott/Phil Truscott)

That Council:

1. Advise the chief petitioner that the request for a zebra crossing at Maryborough Special School has been investigated and it was identified that it does not meet the criteria to install a zebra crossing facility.
2. Note that the existing pedestrian refuge at this location is considered adequate at this stage and that the Queensland Department of Education are currently investigating options to provide a new drop-off facility for the Maryborough Special School.

**Carried Unanimously**

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**ORD 10 COMMITTEES' REPORTS**

**ORD 10.1 Water and Waste Services Advisory Committee Meeting Minutes - Meeting held on 21 February 2025**

**RESOLUTION** (Sara Faraj/Michelle Byrne)

That Council receive and note the Minutes of the Water and Waste Services Advisory Committee Meeting held on 21 February 2025 as detailed in Attachment 1.

**Carried Unanimously**

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**ORD 10.2 Fraser Coast Regional Council Audit and Risk Committee Meeting Minutes - 25 February 2025**

**RESOLUTION** (Michelle Byrne/John Weiland)

That Council receive and note the Minutes of the Audit and Risk Committee held on 25 February 2025 as detailed in Attachment 1.

**Carried Unanimously**

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**ORD 10.3 Informal Meetings - Record of Matters Discussed**

**RESOLUTION** (Michelle Govers/Phil Truscott)

That Council receive and note the record of matters discussed of Council Informal Meetings held between 1 February 2025 to 28 February 2025 as detailed in the attachments.

**Carried Unanimously**

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**ORD 11 OFFICERS' REPORTS**

**ORD 11.2.1 Councillor Meeting Attendance for April 2025**

**RESOLUTION** (Denis Chapman/Michelle Govers)

That Council:

1. Approve the following meetings for the period 1 April 2025 to 30 April 2025 as relevant meetings which require the attendance and meaningful participation of all Councillors as per the Councillor Code of Conduct and Councillor Attendance Policy:

Date of Meeting	Time of Meeting	Meeting
2 April 2025	9.00am	Council Concept Forum
7 April 2025	10.00am	Councillor and Executive Briefing
9 April 2025	9.00am	Council Concept Forum
14 April 2025	10.00am	Councillor and Executive Briefing
16 April 2025	9.00am	Council Agenda Forum
23 April 2025	9.00am	Community Presentations
28 April 2025	10.00am	Councillor and Executive Briefing

2. Note the requirement to attend the Ordinary Meeting scheduled for 23 April 2025.

**Carried (9/2)**

**FOR:** Councillor George Seymour  
Councillor Michelle Byrne  
Councillor Daniel Sanderson  
Councillor Michelle Govers  
Councillor Lachlan Cosgrove  
Councillor John Weiland  
Councillor Denis Chapman  
Councillor Sara Faraj  
Councillor Zane O'Keefe

**AGAINST:** Councillor Phil Truscott  
Councillor Paul Truscott

**ORD 11.2.2 Attendance at the 2025 National General Assembly of Local Government**

**PROCEDURAL MOTION** (George Seymour)

That standing orders be suspended to call for nominations, debate the merits of nominees and conduct a secret ballot to determine the preferred delegates to attend the 2025 National General Assembly of Local Government.

**Carried Unanimously**

**Councillor Lachlan Cosgrove nominated to attend as a delegate at the 2025 National General Assembly of Local Government.**

**Councillor Michelle Govers nominated to attend as a delegate at the 2025 National General Assembly of Local Government.**

**PROCEDURAL MOTION** (George Seymour)

That standing orders be resumed.

**Carried Unanimously**

**RESOLUTION** (George Seymour/Paul Truscott)

1. That Council approve attendance at the 2025 National General Assembly of Local Government to be held on 24 – 27 June 2025 in Canberra for Councillor Michelle Govers and Councillor Lachlan Cosgrove to be delegates.
2. Note that Councillors that are not delegates may attend, using their Professional Development Funds.

**Carried Unanimously**

**PROCEDURAL MOTION** (George Seymour)

That the meeting be adjourned for 30 minutes to reconvene at 12:15am

**Carried Unanimously**

**PROCEDURAL MOTION** (George Seymour)

That the meeting be reconvened.

**Carried Unanimously**

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**ORD 11.2.3 Request for New Lease - Maryborough Garden Club Inc.**

**RESOLUTION** (Daniel Sanderson/Paul Truscott)

That Council:

1. pursuant to *Local Government Regulation 2012*, Chapter 6, Sections 236 (1) (b) (ii), (2) and (4), which permits Council to dispose of an interest in land (a valuable non-current asset) to a community organisation without inviting tenders or conducting an auction, Council resolves to dispose of the interest in the land by entering into a Trustee Lease for a term of ten (10) years with the Maryborough Garden Club Inc. over part of Lot 192 on Crown Plan MCH4534, located on the corner of Raglan and Banana Streets, Granville.
2. Delegates authority to the Chief Executive Officer to negotiate and execute a trustee lease for a term of ten (10) years with Maryborough Garden Club Inc. over part of Lot 192 on Crown Plan MCH4534, located on the corner of Raglan and Banana Streets, Granville.
3. Endorse funding and programming structural repairs, as identified in the Building Condition Report (Confidential Attachment 3), to meet Council's lease obligations.
4. Delegate authority to the Chief Executive Officer to determine and arrange the necessary structural repairs required to meet Council's lease obligations.

**Carried Unanimously**

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**ORD 11.2.4 Asset Disposal Policy**

**RESOLUTION** (Phil Truscott/Paul Truscott)

That Council approves the Asset Disposal policy as per **attachment 1**.

**Carried Unanimously**

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**ORD 11.2.5 CTOS002 - 24/25 - Provision of Security Services**

**RESOLUTION** (Zane O'Keefe/Sara Faraj)

That Council:

1. Deem attachment 1 CTOS002 – 24/25 – Provision of Security Services – Tender Evaluation Report a confidential document and treat it as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remains confidential unless Council decides otherwise by resolution.
  2. Accepts the tender submitted by Oh My Pty Ltd t/a Fraser Coast Security for the CTOS002 - 24/25 - Provision of Security Services, Portions 1 to 7 (see below) on a fixed fee and schedule of rates basis for a term of six (6) years being 2 year term with a possible 2 x 2 year extension option.
  3. Accepts the tender submitted by MSS Security for CTOS002 - 24/25 - Provision of Security Services, Portion 8 and 9 (see below) on a schedule of rates basis for a term of six (6) years being 2 year term with a possible 2 x 2 year extension
-

option.

4. Authorises the Chief Executive Officer or delegate to negotiate and enter into a contract with Fraser Coast Security and MSS Security for the tendered works.
5. Delegates authority to the Chief Executive Officer to approve variations to the tendered amount within the total project budget, subject to the variations being aligned with the specification advertised in the tender for the project.

**Carried Unanimously**

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**ORD 11.3.1 Finalisation of the Hervey Bay Esplanade Masterplanning Process**

**PROCEDURAL MOTION** (Paul Truscott)

That Council table the updated Hervey Bay Esplanade Preliminary Concept.

**Carried Unanimously**

**RESOLUTION** (Lachlan Cosgrove/Daniel Sanderson)

That Council:

1. Receive and note and determine to publish the Hervey Bay Esplanade Preliminary Concept, as tabled, and Hervey Bay Esplanade Point Vernon Preliminary Concept (Attachment 2) on Council's website as guiding documents which will be considered in future project planning for Esplanade enhancement projects.
2. Endorse the Esplanade Enhancement Design Principles & Intent (Attachment 3).
3. Endorse the initial list of Priority Hervey Bay Esplanade Enhancement Projects (Attachment 4) for consideration in future Council budget deliberations to commence staged design and delivery.
4. Resolve that of the projects listed in the Priority Hervey Bay Esplanade Enhancement Projects (Attachment 4), the highest priority be the completion of detailed design for widening of the Esplanade footpath, from the Urangan Pier to Parraweena Park.

**Carried Unanimously**

**FORESHADOWED MOTION** (Zane O'Keefe)

That Council:

1. Receive and note and determine to publish the Hervey Bay Esplanade Preliminary Concept, as tabled, and Hervey Bay Esplanade Point Vernon Preliminary Concept (Attachment 2) on Council's website as guiding documents which will be considered in future project planning for Esplanade enhancement projects.
2. Endorse the Esplanade Enhancement Design Principles & Intent (Attachment 3).
3. Endorse the initial list of Priority Hervey Bay Esplanade Enhancement Projects (Attachment 4) which will form the basis of projects to commence design and delivery in 25-26 year.

**Lapsed**

**Attachments**

- 1 Updated Hervey Bay Esplanade Preliminary Concept
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**ORD 11.3.2 Park Strategy 2041**

**RESOLUTION** (Denis Chapman/Sara Faraj)

That Council adopt the Park Strategy 2041 as Council's policy directive on parks.

**Carried Unanimously**

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**ORD 11.3.3 Amendment Package 1 - Fraser Coast Planning Scheme**

**RESOLUTION** (Lachlan Cosgrove/Sara Faraj)

That Council:

1. Hold a special meeting at 9.00am on Wednesday 16<sup>th</sup> April to consider Amendment Package 1 – Fraser Coast Planning Scheme
2. Resolve that item 11.3.3 Amendment Package 1 – Fraser Coast Planning Scheme be listed for discussion at the Special Meeting to be held on Wednesday 16<sup>th</sup> April.

**Carried (9/2)**

**FOR:** Councillor George Seymour  
Councillor Michelle Byrne  
Councillor Paul Truscott  
Councillor Daniel Sanderson  
Councillor Michelle Govers  
Councillor Lachlan Cosgrove  
Councillor John Weiland  
Councillor Sara Faraj  
Councillor Zane O'Keefe

**AGAINST:** Councillor Phil Truscott  
Councillor Denis Chapman

**FORESHADOWED MOTION** (Phil Truscott)

That Council:

1. Resolve to make amendments to the *Fraser Coast Planning Scheme 2014* as detailed in *Draft Fraser Coast Planning Scheme* (Attachments 1 – 14) in accordance with Chapter 2, Part 4 of the *Ministers Guidelines and Rules*.
  2. Give notice to the Minister for State Development, Infrastructure and Planning advising of its decision to amend the planning scheme and provide the material required in accordance with Chapter 2, Part 4, Section 16.5 of the *Ministers Guidelines and Rules*.
  3. Resolve to make amendments to the *Local Government Infrastructure Plan* as detailed in the *Draft Fraser Coast Planning Scheme* (Attachments 1 – 14) in accordance with Chapter 5, Part 3 of the *Ministers Guidelines and Rules*.
  4. Request that the Minister for State Development, Infrastructure and Planning undertake a State review of the proposed *Local Government Infrastructure Plan* and provide the material required in accordance with Chapter 5, Part 3, Section 16.4 of the *Ministers Guidelines and Rules*.
  5. Endorse the *Fraser Coast Planning Scheme – Amendment Package 1*
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*Engagement and Public Consultation Strategy (Attachment 15).*

6. Note that Amendment Package 1 represents the first of a series of amendment packages with work commenced on Package 2- Inundation risk and bushfire risk, and concurrently Package 3- Nikenbah and Dundowran growth area investigations.

**Lapsed**

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**ORD 11.3.4 Nikenbah and Dundowran Growth Area Investigation**

**RESOLUTION** (Denis Chapman/Lachlan Cosgrove)

That Council:

1. Commence land use and infrastructure planning investigations in the Nikenbah and Dundowran Urban Growth Investigation Areas as shown in Attachment 1, to ensure that the region's next major urban growth fronts are developed in an orderly and efficient manner consistent with a strategic vision for housing diversity, economic opportunities, liveable communities, cost-effective infrastructure servicing and long-term financial sustainability;
2. Endorse the draft *Bunya Creek Corridor Master Plan* as contained in Attachment 2 as a guide for planning and development assessment for the Nikenbah Urban Growth Investigation Area; and
3. Authorise the Chief Executive Officer, or Delegate, to advise proponents during pre-lodgement discussions Council is commencing land use and infrastructure structure planning investigations within the Urban Growth Investigation Areas in Attachment 1 and that any development applications lodged within these investigation areas will be subject to strict adherence to the current scheme provisions, which limit development to the current urban footprint until such time as a formal future land use policy is endorsed by Council.

**Carried Unanimously**

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**ORD 11.3.5 Brolga Theatre Strategic Plan 2025-2029**

**RESOLUTION** (Sara Faraj/Michelle Govers)

That Council endorse the Brolga Theatre Strategic Plan 2025-2029 as a guiding document as per Attachment 1.

**Carried Unanimously**

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**ORD 11.3.6 Fraser Coast Regional Council 2024-25 Community Grant Round 3 - Panel recommendations to Council for Funding Decision**

**RESOLUTION** (Paul Truscott/Phil Truscott)

That Council accepts the recommendations of the assessors and approves the following list of projects for a total funding amount of \$59,091.61 from Round 3 of the Community Grants Program of Council's 2024-25 Community Grants Scheme.

*Table 1: Community Grants Program Round 3 2024-25*

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Applicant	Project Title	Grant Funding Recommended
Yoorana Women's Domestic Violence and Resource Service Inc	Second Life Project (SLP)	\$ 3,000.00
Maryborough Wide Bay & Burnett Historical Society Inc.	Archival Shelving for the MWBBHS Inc.	\$ 8,082.88
Point Lookout Croquet Club Inc	Acquisition of Solar Panels	\$ 5,000.00
Rotary Club of Hervey Bay City Inc	Fraser Coast Science and Engineering Challenge 2025	\$ 2,000.00
Maryborough City Progress Association Inc	Mary Movie Nights Grant - APRIL & SEPTEMBER	\$ 2,775.73
Crime Stoppers Queensland Limited (Hervey Bay)	Crime Prevention Promotion	\$ 1,947.00
Burrum District Garden Club Inc	Club laptop and presentation equipment	\$ 1,286.00
Mungar Primary Parents and Citizens Association	150th Anniversary Celebration Event	\$ 8,000.00
Boonooroo Progress Association Inc.	Solar Battery upgrade for Community Hall	\$ 10,000.00
Hervey Bay Women's Shed Inc.	Hervey Bay Women's Shed Inc	\$ 2,000.00
Maryborough West Football Club Inc	Replacement of field lighting	\$ 15,000.00
<b>Totals</b>		<b>\$ 59,091.61</b>

Carried Unanimously

#### ORD 11.4.1 Response to Petition - Completion of Tinnanbar Road Upgrades

##### RESOLUTION (Daniel Sanderson/Zane O'Keefe)

That Council:

1. Receive and note the report relating to the completion of the final stages of Tinnanbar Road.
2. Advise the Chief Petitioner that upgrades to Tinnanbar Road will be considered in Council's future budgets.

Carried Unanimously

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**ORD 12            MATTERS/MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

**ORD 12.1        Review Position of Deputy Mayor**

**RESOLUTION** (Paul Truscott/Sara Faraj)

That Council:

1. Confirms the intention to declare the position of the Deputy Mayor vacant at the Ordinary Meeting to be held in April 2025 as per section 165(3) of the Local Government Act 2009;
2. Confirms this resolution serves as notice to Councillors as per section 165(4) of the Local Government Act 2009; and
3. Acknowledges that a Deputy Mayor from its Councillors must be immediately appointed at that meeting as per section 165(5) of the Local Government Act 2009.

**Carried Unanimously**

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**ORD 12.2        Request for a report that identifies sites within Bauple that may be suitable for RV stopovers**

**RESOLUTION** (Denis Chapman/Phil Truscott)

That Council be provided with a report that identifies sites within Bauple that may be suitable for RV stopovers and the potential closure of the Rosendale Park as an RV Stopover.

**Lost (1/10)**

**FOR:**            Councillor Denis Chapman

**AGAINST:**    Councillor George Seymour  
                  Councillor Michelle Byrne  
                  Councillor Phil Truscott  
                  Councillor Paul Truscott  
                  Councillor Daniel Sanderson  
                  Councillor Michelle Govers  
                  Councillor Lachlan Cosgrove  
                  Councillor John Weiland  
                  Councillor Sara Faraj  
                  Councillor Zane O'Keefe

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**ORD 13            QUESTIONS ON NOTICE**

Nil

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**ORD 14            GENERAL BUSINESS**

**RESOLUTION** (Lachlan Cosgrove/Zane O'Keefe)

That Council introduce a new item of General Business to request a report on Infrastructure Charges.

**Carried Unanimously**

**ORD 14.1        Request for Report that Considers Increasing all Infrastructure Charges to the Maximum Allowed State Government Caps**

**RESOLUTION** (Lachlan Cosgrove/John Weiland)

That Council be provided with a report that considers increasing all infrastructure charges to the maximum allowed State Government caps. The report should include detail of the increasing costs of providing trunk infrastructure, growth levels and the potential revenue which could be achieved by moving from the current discounted rates to the full State capped charges.

**Carried Unanimously**

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**ORD 16            LATE ITEMS**

**ORD 16.1        Late Open Reports**

**Councillor John Weiland left the Chamber at 1:04pm**

**Councillor John Weiland returned to the Chamber at 1:05pm.**

**ORD 16.1.1      Organisational Performance Report - February 2025**

**RESOLUTION** (Michelle Byrne/Sara Faraj)

That Council receive and note the Organisational Performance Report for the period ending 28 February as per Attachment 1.

**Carried Unanimously**

**QUESTION ON NOTICE** (George Seymour)

Councillor George Seymour requested the Chief Executive Officer to provide additional details on the Local Spend targets, along with a deeper analysis of local spending based on directorate and the main categories of goods and services utilised by the Council.

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Councillor George Seymour left the Chamber at 1:11pm and was not present during voting on the below matter.

**ORD 16.1.2 Ex-Tropical Cyclone Alfred Disaster Waste Recovery Assistance**

**RESOLUTION** (Zane O'Keefe/Michelle Byrne)

That Council confirm the implementation of the Ex-Tropical Cyclone Alfred Waste Recovery Package reflected in this report.

**Carried Unanimously**

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**ORD 15 CONFIDENTIAL**

Councillor George Seymour returned to the Chamber at 1:14pm.

**RESOLUTION** (Paul Truscott/Michelle Byrne)

That Council move into Closed Session pursuant to section 254J(3) of the *Local Government Regulation 2012*, for discussion of the following items for the reasons:

1. In accordance with Section 254J(3)(g), it is necessary to close the meeting to discuss ORD 15.1 - Exemption under S235(b) Local Government Regulation 2012 for the provision of body-worn cameras and licensing as it relates to 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.
2. In accordance with Section 254J(3)(h), it is necessary to close the meeting to discuss ORD 15.2 - Drainage easement acquisition- Julie Anne Street Dog Off-Leash Area as it relates to negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967.
3. In accordance with Section 254J(3)(g), it is necessary to close the meeting to discuss ORD 15.3 - Exemption Under S235(B) Local Government Regulation for the Provision of Booking Management Software, Brolga Theatre as it relates to 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.
4. In accordance with Section 254J(3)(f), it is necessary to close the meeting to discuss ORD 15.4 - Maryborough Walk of Achievers - Recommendation for 2025 Investiture as it relates to matters that may directly affect the health and safety of an individual or a group of individuals.
5. In accordance with Section 254J(3)(g), it is necessary to close the meeting to discuss ORD 15.5 - Disposal of Moonaboola Industrial Estate Stage 1 - Revised Strategy as it relates to 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**

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**RESUMPTION OF OPEN MEETING**

**RESOLUTION** (George Seymour/Daniel Sanderson)

That the meeting resume in open meeting.

**Carried Unanimously**

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**ORD 15.1 Exemption under S235(b) Local Government Regulation 2012 for the provision of body-worn cameras and licensing**

**RESOLUTION** (Michelle Byrne/John Weiland)

That Council:

1. Deem the report/attachment a confidential document and treat it as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remains confidential unless Council decides otherwise by resolution.
2. Enter into a large-sized contractual agreement with Axon Public Safety Australia Pty Ltd without first inviting written quotes or tenders, pursuant to section 235(b) of the *Local Government Regulation 2012*, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.
3. Pursuant to section 257 of the *Local Government Act 2009* (Qld), Council delegates to the Chief Executive Officer the power to negotiate, approve and pursuant to section 262 of the *Local Government Act 2009* (Qld), enter into a new contract with the existing supplier on behalf of Fraser Coast Regional Council.
4. Endorse the term of the contract be limited to three (3) years.

**Carried Unanimously**

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**ORD 15.2 Drainage easement acquisition- Julie Anne Street Dog Off-Leash Area**

**RESOLUTION** (Denis Chapman/Sara Faraj)

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
  2. The pursuant to the provisions of the Acquisition of Land Act 1967, the Chief Executive Officer be authorised to commence negotiations to acquire the drainage easements listed in the Schedule of Proposed Resumptions detailed Attachment 3 by agreement.
  3. The pursuant to the provisions of the Acquisition of Land Act 1967, and failing acquisitions by agreement, Notices of Intention to Resume drainage easements for the conveyance of stormwater, be served on the owners of the land described in the Schedule included in this report title Drainage Easement Acquisition – Julie Anne Street dog off-leash area, and any other person/s required by the Act to be served with such Notices.
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4. Authorise the Chief Executive Officer, or his representative, to hear any objections from the owners of the land described in the Schedule included in this report titled Drainage Easement Acquisition – Julie Anne Street dog off-leash area to the resumption of drainage easements for the purpose of conveyance of stormwater on a date and time to be arranged.

**Carried Unanimously**

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**ORD 15.3      Exemption Under S235(B) Local Government Regulation for the Provision of Booking Management Software, Brolga Theatre**

**RESOLUTION** (Sara Faraj/Michelle Govers)

That Council:

1. Deem the report/attachment a confidential document and be treat it as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. Enter into a three-year contractual agreement with *Momentum Technologies* without first inviting written quotes or tenders, pursuant to section 235(b) of the *Local Government Regulation 2012* because it would be impractical and disadvantageous for Council to invite quotes or tenders.

**Carried Unanimously**

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**ORD 15.4      Maryborough Walk of Achievers - Recommendation for 2025 Investiture**

**RESOLUTION** (George Seymour/Paul Truscott)

That Council:

1. Deem the report/attachments a confidential document and treat it as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. Endorse the following four candidates for investiture into the Maryborough Walk of Achievers: Dr Lyndal Kearney, Douglas Gordon, Katrina Beikoff and Artie Lambourn.

**Carried Unanimously**

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**ORD 15.5      Disposal of Moonaboola Industrial Estate Stage 1 - Revised Strategy**

This report was withdrawn from the agenda by the Chief Executive Officer.

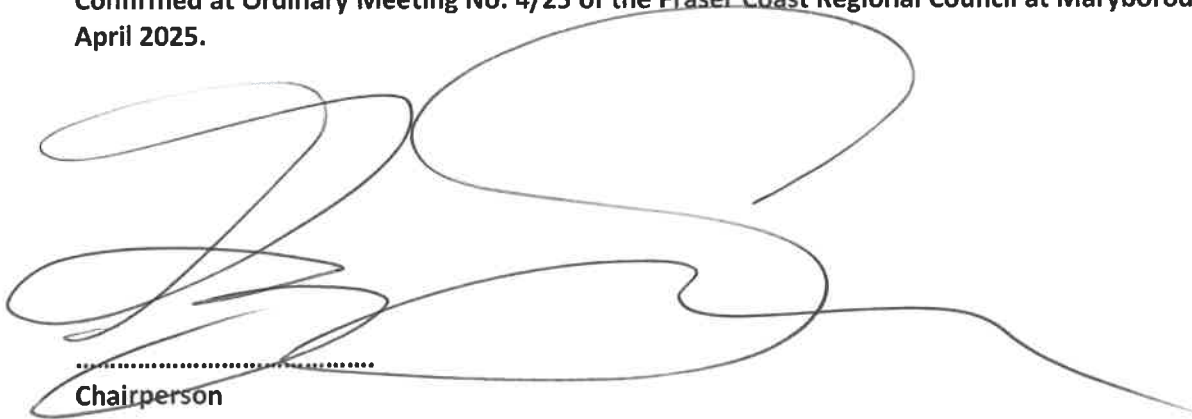
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ORD 16.2 Late Confidential Reports

Nil

There being no further business, the Meeting closed at 1:41pm.

Confirmed at Ordinary Meeting No. 4/25 of the Fraser Coast Regional Council at Maryborough on 23 April 2025.

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Chairperson

