



AGENDA

General Meeting

Tuesday 4 September 2018
commencing at 10.30am

Caboolture Chambers
2 Hasking Street, Caboolture

COUNCILLOR:

NOTICE IS HEREBY GIVEN, that a General Meeting of the Moreton Bay Regional Council will be held on Tuesday 4 September 2018 commencing at 10.30am in Caboolture Chambers, 2 Hasking Street, Caboolture to give consideration to the matters listed on this agenda.

Daryl Hitzman
Chief Executive Officer

30 August 2018

LIST OF ITEMS

| | |
|--|----------|
| 1. OPENING PRAYER | 3 |
| 2. ATTENDANCE & APOLOGIES | 3 |
| 3. MEMORIALS OR CONDOLENCES | 3 |
| 4. CONFIRMATION OF MINUTES | 3 |
| 4.1. General Meeting - 28 August 2018 (Pages 18/1829 - 18/1834) | 3 |
| 5. PRESENTATION OF PETITIONS (Addressed to the Council and tabled by Councillors) | 3 |
| 6. CORRESPONDENCE | 3 |
| 7. COMMUNITY COMMENT | 3 |
| 8. NOTIFIED MOTIONS | 3 |
| 9. NOTICES OF MOTION (Repeal or amendment of resolutions) (s262 of the Local Government Regulation 2012) | 3 |
| 10. ADJOURN MEETING TO ENABLE CONDUCT OF COORDINATION COMMITTEE MEETING | 4 |
| 11. RECONVENE GENERAL MEETING | 4 |
| 12. ADOPTION OF COMMITTEE MEETING REPORTS & RECOMMENDATIONS | 4 |
| 12.1. Coordination Committee Meeting - 4 September 2018 (Pages TBC) | 4 |
| 13. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE | 4 |
| 14. SPECIAL GENERAL BUSINESS (Closed Session) (s275 of the Local Government Regulation 2012) | 4 |
| ATTACHMENTS | 4 |
| Unconfirmed Minutes – General Meeting 28 August 2018 | |

1. OPENING PRAYER

2. ATTENDANCE & APOLOGIES

Cr Allan Sutherland (Mayor & Chairperson)

Apologies

Cr Adrian Raedel who is representing Council at the Smart City Expo.

3. MEMORIALS OR CONDOLENCES

Council to observe a moment's silence for residents who have passed away.

4. CONFIRMATION OF MINUTES

**4.1. General Meeting - 28 August 2018
(Pages 18/1829 - 18/1834)**

RESOLUTION that the minutes of the General Meeting held 28 August 2018 be confirmed.

5. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

6. CORRESPONDENCE

7. COMMUNITY COMMENT

8. NOTIFIED MOTIONS

9. NOTICES OF MOTION (Repeal or amendment of resolutions)

(s262 of the Local Government Regulation 2012)

10. ADJOURN MEETING TO ENABLE CONDUCT OF COORDINATION
COMMITTEE MEETING

RESOLUTION to adjourn meeting to enable the conduct of the Coordination Committee meeting.

11. RECONVENE GENERAL MEETING

RESOLUTION that the General Meeting be reconvened.

12. ADOPTION OF COMMITTEE MEETING REPORTS & RECOMMENDATIONS

**12.1. Coordination Committee Meeting - 4 September 2018
(Pages TBC)**

RESOLUTION that the report and recommendations of the Coordination Committee meeting held 4 September 2018 be adopted.

13. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

14. SPECIAL GENERAL BUSINESS (Closed Session)

(s275 of the Local Government Regulation 2012)

ATTACHMENTS

Unconfirmed Minutes – General Meeting 28 August 2018



MINUTES

General Meeting

Tuesday 28 August 2018
commencing at 10.38am

Redcliffe Chambers
Irene Street, Redcliffe

UNCONFIRMED

Moreton Bay Regional Council

GENERAL MEETING - 443
28 August 2018

PAGE a
Minutes

LIST OF ITEMS

| | |
|---|-------------|
| 1. OPENING PRAYER | 1829 |
| 2. ATTENDANCE & APOLOGIES | 1829 |
| 3. MEMORIALS OR CONDOLENCES | 1829 |
| 4. CONFIRMATION OF MINUTES | 1829 |
| 4.1. General Meeting - 21 August 2018 (Pages 18/1796 - 18/1799) | 1829 |
| 5. PRESENTATION OF PETITIONS | 1830 |
| (Addressed to the Council and tabled by Councillors) | |
| 5.1. Petition - The immediate release of Hank and for an external audit on Council's Impoundment and RSPCA facility (A17449976) | 1830 |
| 6. CORRESPONDENCE | 1830 |
| 7. COMMUNITY COMMENT | 1830 |
| 7.1. Community Comment - Kenlie Williams - Development Application lodged with Moreton Bay Regional Council for a change of use of the Newport Waterways Marina (A17490929) | 1831 |
| 8. NOTIFIED MOTIONS | 1831 |
| 9. NOTICES OF MOTION (Repeal or amendment of resolutions) | 1831 |
| (s262 of the Local Government Regulation 2012) | |
| 10. ADJOURN MEETING TO ENABLE CONDUCT OF COORDINATION COMMITTEE MEETING | 1832 |
| 11. RECONVENE GENERAL MEETING | 1832 |
| 12. ADOPTION OF COMMITTEE MEETING REPORTS & RECOMMENDATIONS | 1832 |
| 12.1. Coordination Committee Meeting - 28 August 2018 (Pages 18/1835 to 18/1878) | 1832 |
| 12.2. Coordination Committee Meeting- 28 August 2018 - Item C.1 considered separately | 1833 |
| ITEM C.1 - CONFIDENTIAL - RENEWAL OF LEASE AT 1B, 199 GYMPIE RD, STRATHPINE - DIVISION 9 | 1833 |
| Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor) | 1833 |
| 12.3. Coordination Committee Meeting- 28 August 2018 - Item C.2 considered separately | 1833 |
| ITEM C.2 - CONFIDENTIAL - WAMURAN RAIL CORRIDOR - PROPOSED SUB-SUB- LEASE - DIVISION 12 | 1833 |
| Conflict of Interest - Declaration - Cr Adrian Raedel | 1833 |

Moreton Bay Regional Council

GENERAL MEETING - 443
28 August 2018

PAGE b
Minutes

- | | |
|--|-------------|
| 13. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE | 1834 |
| 14. SPECIAL GENERAL BUSINESS (Closed Session) (s275 of the Local Government Regulation 2012) | 1834 |
| 15. CLOSURE | 1834 |

1. OPENING PRAYER

The Mayor recited the Opening Prayer and invited Councillors to join him in the recitation of the Lord's Prayer.

2. ATTENDANCE & APOLOGIES

Cr Allan Sutherland (Mayor) (Chairperson)
Cr Brooke Savige
Cr Peter Flannery
Cr Adam Hain
Cr Julie Greer
Cr James Houghton
Cr Koliانا Winchester
Cr Denise Sims
Cr Mick Gillam
Cr Mike Charlton (Deputy Mayor)
Cr Matthew Constance
Cr Darren Grimwade
Cr Adrian Raedel

Officers:

| | |
|---|-----------------------|
| Chief Executive Officer | (Mr Daryl Hitzman) |
| Director Community & Environmental Services | (Mr Bill Halpin) |
| Director Planning & Economic Development | (Mr Stewart Pentland) |
| Acting Director Engineering, Construction & Maintenance | (Mr David Meyer) |
| Meeting Support | (Larissa Kerrisk) |

Apologies

Nil

3. MEMORIALS OR CONDOLENCES

Cr Mike Charlton (Deputy Mayor) made special mention of **Mr Ryan Goff** from the Local Government Association of Queensland (LGAQ) who tragically lost his life travelling home on 10 August 2018. Cr Charlton said that the LGAQ family have been deeply distressed by Mr Goff's passing and asked for Council's thoughts and prayers for his wife and two children at this sad time.

Council observed a moment's silence in memory of residents who had passed away, noting Council's sympathy.

4. CONFIRMATION OF MINUTES

4.1. **General Meeting - 21 August 2018**
(Pages 18/1796 - 18/1799)

RESOLUTION

Moved by Cr Koliانا Winchester

Seconded by Cr Mick Gillam

CARRIED 13/0

That the minutes of the General Meeting held 21 August 2018 be confirmed.

5. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

5.1. Petition - The immediate release of Hank and for an external audit on Council's Impoundment and RSPCA facility (A17449976)

Cr James Houghton tabled a petition containing 75 signatures, and an e-petition containing approximately 115,000 comments, received from Nathan Wallace, reading as follows:

"We, the undersigned residents of Moreton Bay Regional Council, request that Council:

We the undersigned are demanding the immediate release of Hank, beloved pet of Ms T Bradshaw of Rothwell, from the custody of Moreton Bay Regional Council and RSPCA/pound facility to his home, a council approved dangerous dog yard. We are requesting his release to the owner after successful completion of a third party professional dog temperament test. We further demand better care for animals at this facility and are calling for an external audit on Council's impoundment and RSPCA facility.

Such audit needs to consider:

- consistency in the application of animal laws by council,*
- a payment option for pound releases,*
- new fee setups,*
- a new animal welfare awareness department committed to best practice in animal welfare for the animals' full duration of their stay at the facilities,*
- re-training of Council staff and Ranger/s in the recommended upgraded techniques."*

It was resolved:

- 1. That the petition regarding the immediate release of Hank and for an external audit on Council's impoundment and RSPCA facility, be received.**
- 2. That the matters raised be referred to Director Community & Environmental Services for investigation and report to Council, if required.**
- 3. That the Principal Petitioner be advised accordingly and forwarded a copy of the petition.**
- 4. That the Principal Petitioner and Divisional Councillor be kept informed of any action taken in relation to this petition.**

6. CORRESPONDENCE

There was no correspondence for tabling.

7. COMMUNITY COMMENT

Cr Allan Sutherland (Mayor) opened the Community Comment session, making the required statement regarding the conduct of the Session, and invited Kenlie Williams to address Council.

7.1. Community Comment - Kenlie Williams - Development Application lodged with Moreton Bay Regional Council for a change of use of the Newport Waterways Marina (A17490929)

As part of the Community Comment session, Kenlie Williams addressed the Council in respect of a Development Application lodged with Moreton Bay Regional Council for a change of use of the Newport Waterways Marina.

Ms Williams stated that she is the President of the Newport Action Group, representing members of the Newport Community.

The following points were made:

- The group seeks Council's support to say 'No' to plans for a development which does not meet community expectations in line with Newport's residential outlook and peaceful surrounds built around the Newport Waterways Marina.
- The proposed ten-storey hotel with convention centre, bars, offices, plus a ten-storey apartment tower, is a threat to the suburb of Newport and divergent to Council's intention and vision for the area.
- The ten-storey constructions will dwarf residents, creating congestion, overshadowing, reduce safety, and create a loss of privacy which will impact the lifestyle enjoyed by Newport residents.
- The application allows for only 226 car parks, however Council has identified that the plan would require at least 575 car parks. The overflow of cars would need to seek space in the quiet local streets.
- Newport streets are not equipped to deal with increased levels of traffic and the resultant bottle neck caused by single-shared access to the site will be considerable and a danger to children.
- Noise will not be limited to streets as noise is amplified when travelling over water. A restaurant, bars, convention centre will all be noisy places and with the proposed development placed right on the edge of the canal, the noise will have a huge impact on the community, destroying its peace and tranquillity.
- Newport Marina sits in the midst of a quiet residential area on a man-made canal fed by a shallow bay. The Redcliffe Peninsula has areas already established where a hotel, convention centre and apartment development would be integrated comfortably into the surrounding environment.
- The Newport Action Group ask for Council's support in saying 'No' to such an inappropriate proposal and to point developers to the commercial areas on the peninsula which have been designated for such use.

8. NOTIFIED MOTIONS

There were no Notified Motions.

9. NOTICES OF MOTION (Repeal or amendment of resolutions)

(s262 of the Local Government Regulation 2012)

There were no Notices of Motion.

10. ADJOURN MEETING TO ENABLE CONDUCT OF COORDINATION
COMMITTEE MEETING

RESOLUTION

Moved by Cr Adrian Raedel
Seconded by Cr Julie Greer

CARRIED 13/0

That the General Meeting be adjourned to enable the conduct of the Coordination Committee meeting.

The General Meeting adjourned at 10.51am.

11. RECONVENE GENERAL MEETING

RESOLUTION

Moved by Cr Mike Charlton (Deputy Mayor)
Seconded by Cr Brooke Savige

CARRIED 12/0

That the General Meeting be reconvened.

The meeting reconvened at 4.54pm.

ATTENDANCE

Cr Julie Greer was not present when the meeting reconvened, and the Chief Executive Officer (Daryl Hitzman) was in attendance when the meeting reconvened.

12. ADOPTION OF COMMITTEE MEETING REPORTS & RECOMMENDATIONS

12.1. Coordination Committee Meeting - 28 August 2018
(Pages 18/1835 to 18/1878)

RESOLUTION

Moved by Cr Adrian Raedel
Seconded by Cr Brooke Savige

CARRIED 12/0

That the report and recommendations of the Coordination Committee meeting held 28 August 2018 be adopted, excluding Items C.1 and C.2 to be considered separately.

12.2. Coordination Committee Meeting- 28 August 2018 - Item C.1 considered separately

ITEM C.1 - CONFIDENTIAL - RENEWAL OF LEASE AT 1B, 199 GYMPIE RD, STRATHPINE - DIVISION 9

Conflict of Interest - Declaration - Cr Mike Charlton (Deputy Mayor)

Pursuant to s175E of the *Local Government Act 2009*, Cr Mike Charlton (Deputy Mayor) declared a perceived conflict of interest in Item C.1 as one of the part-owners of Beacon Support Pty Ltd, John Dangerfield, was a candidate against the Councillor in the 2008 and 2012 local government elections. Beacon Support Pty Ltd is the current lessee of Unit 1B at 199 Gympie Road, Strathpine.

However, Cr Mike Charlton (Deputy Mayor) has considered his position and is firmly of the opinion that he could participate in the debate and resolution on the matter in the public interest.

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about Cr Mike Charlton's personal interests in the matter and the Councillor has not voluntarily left the meeting and in accordance with s175E(4) the other Councillors must decide if the Councillor has a perceived conflict of interest in the matter and what action the Councillor must take.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Matt Constance

CARRIED 11/0

That in accordance with s175E(4) of the *Local Government Act 2009*, Cr Mike Charlton has a perceived conflict of interest in the matter, however may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Mike Charlton (Deputy Mayor) remained in the meeting.

RESOLUTION

Moved by Cr Mick Gillam

Seconded by Cr Peter Flannery

CARRIED 12/0

That the Coordination Committee's recommendation in relation to Item C.1 be adopted.

12.3. Coordination Committee Meeting- 28 August 2018 - Item C.2 considered separately

ITEM C.2 - CONFIDENTIAL - WAMURAN RAIL CORRIDOR - PROPOSED SUB-SUB-LEASE - DIVISION 12

Conflict of Interest - Declaration - Cr Adrian Raedel

Pursuant to s175E of the *Local Government Act 2009*, Cr Adrian Raedel declared a perceived conflict of interest in Item C.2 as the Councillor has purchased products from the business, CJ Cavanagh Pty Ltd (Trading as Wamuran Timbers), a potential sub-lessee in the matter.

Cr Adrian Raedel retired from the meeting at 4.59pm taking no part in the debate or resolution regarding same.

RESOLUTION

Moved by Cr Koliانا Winchester

Seconded by Cr Matt Constance

CARRIED 11/0

Cr Adrian Raedel had declared a perceived conflict of interest and had left the meeting.

That the Coordination Committee's recommendation in relation to Item C.2 be adopted.

ATTENDANCE

Cr Raedel returned to the meeting at 5.00pm after consideration of Item C.2 of the Coordination Committee meeting 28 August 2018.

13. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

There was no General Business or response to questions taken on notice.

14. SPECIAL GENERAL BUSINESS (Closed Session)

(s275 of the Local Government Regulation 2012)

There was no Special General Business.

15. CLOSURE

There being no further business the meeting closed at 5.01pm.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 18/1829 to 18/1878 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 28 August 2018.

Daryl Hitzman
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday 4 September 2018.

Daryl Hitzman
Chief Executive Officer

Councillor Allan Sutherland
Mayor