

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2023(01)**9 FEBRUARY 2023**

REPORT

COUNCILLORS' ATTENDANCE: Mayor Teresa Harding (Chairperson); Councillors Paul Tully (Deputy Chairperson), Sheila Ireland, Marnie Doyle, Andrew Fechner, Kate Kunzelmann, Russell Milligan and Nicole Jonic

Deputy Mayor Jacob Madsen arrived at the meeting at 9.15 am.

COUNCILLOR'S APOLOGIES: Nil

OFFICERS' ATTENDANCE: Chief Executive Officer (Sonia Cooper), General Manager Planning and Regulatory Services (Peter Tabulo), General Manager Corporate Services (Matt Smith), General Manager Community, Cultural and Economic Development (Ben Pole), Acting General Manager Coordination and Performance (Barb Dart), Acting General Manager Infrastructure and Environment (Graeme Martin), Manager, Economic and Community Development (Cat Matson), Manager, City Design (Brett Davey), Principal Officer Projects (Graham Schultz), Chief Financial Officer (Jeff Keech), Development Assessment West Manager (Michael Simmons), Resource Recovery Manager (David McAlister), Chief of Staff, Office of the Mayor (Melissa Fitzgerald), Program Manager Flood Recovery (Matthew Mulrone), Manager, Development Planning (Anthony Bowles), Safe City and Asset Protection Manager (Larry Waite), Senior Communications and Policy Officer (Jodie Richter), Senior Media Officer (Darrell Giles), Senior Media Officer (Lucy Stone) and Theatre Technician (Harrison Cate)

WELCOME TO COUNTRY/ACKNOWLEDGEMENT OF COUNTRY

Mayor Teresa Harding (Chairperson) delivered the Acknowledgement of Country.

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

In accordance with section 150EQ of the *Local Government Act 2009*, Councillor Paul Tully informed the meeting that he has a declarable conflict of interest in Item 3 titled Warrill Park Lawn Cemetery – Master Plan Report.

The nature of the interest is that Councillor Tully is a Trustee of the Goodna Cemetery Trust.

Councillor Paul Tully invited the other councillors to determine if he can continue to participate in the decision process.

It was moved by Mayor Teresa Harding and seconded by Councillor Kate Kunzelmann that Councillor Paul Tully does not have a declarable conflict of interest in the matter because there is no personal or financial benefit to the councillor and therefore a reasonable person would trust that the final decision is made in the public interest.

The eligible councillors present at the meeting decided that Councillor Paul Tully may participate in the meeting in relation to the matter, including by voting on the matter.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Ireland	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

Councillor Tully did not take part in the vote on this matter.

The motion was put and carried.

MATTERS FOR RECOMMENDATION TO COUNCIL

BUSINESS OUTSTANDING

1. **RESPONSE TO PETITION: REQUEST FOR SOUND BARRIER - REDBANK MOTORWAY INDUSTRIAL ESTATE**

On 13 July 2022 a petition was provided to Council seeking action and effective consultation in respect to the Redbank Motorway Estate and reported impacts on the nearby community of Moggill and Bellbowrie. This petition was presented to and accepted by Council at its meeting of 25 August 2022. This report seeks to provide an update consisting of some background to the submission, and the actions taken by Council officers in response to the submission.

RECOMMENDATION

That the report be received and noted.

Mayor Teresa Harding proposed the following recommendation as Recommendation B:

- B. That an update be provided to Councillors in six months.

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Andrew Fechner:



- A. That the report be received and noted.**
B. That an update be provided to Councillors in six months.

Deputy Mayor Jacob Madsen arrived at the meeting at 9.15 am.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Madsen (Abstain)
Tully	
Ireland	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

The motion and was put and carried.

Attachments

1. Comments from residents in relation to Item 1 [⇨](#) 
2. Addendum to comments from residents in relation to Item 1 [⇨](#) 

CONFIRMATION OF MINUTES

2. CONFIRMATION OF MINUTES OF THE GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(11) OF 29 NOVEMBER 2022

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Kate Kunzelmann:

That the Minutes of the Growth, Infrastructure and Waste Committee held on 29 November 2022 be confirmed.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Tully	
Ireland	
Madsen	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

The motion was put and carried.

OFFICERS' REPORTS

3. WARRILL PARK LAWN CEMETERY - MASTER PLAN REPORT

This is a report concerning a review of the concept master plan for the Warrill Park Lawn Cemetery. Cemetery master planning is integral to ensuring best use of the asset, inventory management and to inform capital budget and works scheduling. The review of the Warrill Park master plan considered the practicalities of the proposed construction, requirements for the protected vegetation *Melaleuca irbyana* and flood levels, it was determined that adjustments to the current concept would be required.

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Sheila Ireland:

- A. That the Master Plan for the Warrill Park Lawn Cemetery presented to the Council Ordinary Meeting on 19 February 2013 be revised and updated.**
- B. That the revised Concept Master Plan for the Warrill Park Lawn Cemetery be presented to a future meeting of the Growth and Infrastructure and Waste Committee.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Tully	

Ireland
 Madsen
 Doyle
 Fechner
 Kunzelmann
 Milligan
 Jonic

The motion was put and carried.

4. REGIONAL PLANNING INTERESTS ACT 2014 - APPLICATION 22/009 - AUSTRAL BRICKS - MT WALKER - REQUEST FOR COMMENTS

This is a report concerning a response to the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) regarding an application for clay mining exploration activities made under the Regional Planning Interests Act 2014 by Austral Bricks. Council is an assessing agency under the Regional Planning Interests Regulation 2014 and has been requested to provide DSDILGP with details of any further information required to be provided by the applicant to assist in the assessment of the application.

RECOMMENDATION

Moved by Mayor Teresa Harding:
 Seconded by Councillor Andrew Fechner:

That Council provide the response to Department of State Development, Infrastructure, Local Government and Planning as set out in Attachment 1.

AFFIRMATIVE

Councillors:

Harding
 Tully
 Ireland
 Madsen
 Doyle
 Fechner
 Kunzelmann
 Milligan
 Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. EXERCISE OF DELEGATION REPORT

This is a report concerning applications that have been determined by delegated authority for the period 15 November 2022 to 24 January 2023.

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Kate Kunzelmann:

That the Exercise of Delegation report for the period 15 November 2022 to 24 January 2023., be received and the contents noted.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Tully	
Ireland	
Madsen	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

The motion was put and carried.

6. PLANNING AND ENVIRONMENT COURT ACTION STATUS REPORT

This is a report concerning a status update with respect to current court actions associated with development planning applications.

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Russell Milligan:

That the Planning and Environment Court Action status report be received and the contents noted.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Tully	
Ireland	
Madsen	
Doyle	

Fechner
Kunzelmann
Milligan
Jonic

The motion was put and carried.

ADJOURN MEETING

Moved by Mayor Teresa Harding

That the meeting be adjourned at 9.37 am to reconvene at 10.07 am.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

The meeting reconvened at 10.21 am.

7. INFRASTRUCTURE AND ENVIRONMENT DEPARTMENT CAPITAL DELIVERY REPORT DECEMBER 2022

This is a report concerning the performance of the capital delivery by the Infrastructure and Environment Department for the month of December 2022.

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

That the capital delivery report for the month of December 2022, be received and the contents noted.

AFFIRMATIVE

Councillors:

NEGATIVE

Councillors:

Harding Nil
 Tully
 Ireland
 Madsen
 Doyle
 Fechner
 Kunzelmann
 Milligan
 Jonic

The motion was put and carried.

MATTER RESOLVED UNDER DELEGATION

(In accordance with section 257(1)(c) of the *Local Government Act 2009*, the Growth, Infrastructure and Waste Committee has been delegated power to make decisions on behalf of Council for decisions made under the *Planning Act 2016* and the *Economic Development Act 2012*)

8. **DEVELOPMENT APPLICATION (17522/2021/PDA) RECOMMENDATION - PROPOSED COMMUNITY USE (CHILD CARE CENTRE) AT 7001 GRAMPIAN DRIVE, DEEBING HEIGHTS**

This is a report concerning a development application seeking a Material Change of Use approval for a Community Use (Child Care Centre) over land at 7001 Grampian Drive, Deebing Heights. Specifically, this report is a follow up to a report presented to the Growth Infrastructure and Waste Committee (GIWC) meeting held on 13 October 2022 (Attachment 1) and details the steps that have been taken since that meeting including the outcome of the Council recommendations to consult with the Minister for Economic Development Queensland (EDQ) and the Minister for Police and Corrective Services about the development application.

Having now undertaken further consultation with external parties including the Minister for Economic Development Queensland (EDQ) and the Minister for Police and Corrective Services, it is recommended that the proposed Community Use (Child Care Centre) be approved subject to conditions.

RECOMMENDATION

- A. That Council approve Development Application No. 17522/2021/PDA, being the Material Change of Use for Community Use (Child Care Centre), subject to conditions as contained in Attachment 2 of this report.

Statement of Reasons

Council has reached its position having regard to the confirmation that the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) are satisfied that cultural heritage matters have been addressed through the obligations under the Aboriginal Cultural Heritage Act 2003. The Queensland Police Service (QPS) Report has confirmed the results of the analysis of the bone fragments found near the subject site were of non-human origin and the advice from Economic Development Queensland (EDQ) that they have considered the assessment of cultural heritage matters and they are satisfied that matters relating to cultural heritage have been appropriately addressed. This has been reflected in the following correspondence.

- The Correspondence dated 18 November 2022 from the Assistant Commissioner, Queensland Police Service.
- The Correspondence dated 16 December 2022 from the Minister for Economic Development Queensland.
- The Correspondence dated 22 December 2022 from the Executive Director Planning Services of Economic Development Queensland.

DECISION

Moved by Mayor Teresa Harding:
Seconded by Councillor Marnie Doyle:

That Item 8 titled ‘Development Application (17522/2021/PDA) Recommendation - Proposed Community Use (Child Care Centre) at 7001 Grampian Drive, Deebing Heights’ be referred to the Council Ordinary meeting scheduled for 23 February 2023.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 9.02 am.

The meeting closed at 10.30 am.
