

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(05)**16 JUNE 2022**

REPORT

<u>COUNCILLORS' ATTENDANCE:</u>	Mayor Teresa Harding (Chairperson); Councillors Paul Tully (Deputy Chairperson), Nicole Jonic, Sheila Ireland, Jacob Madsen, Marnie Doyle, Andrew Fechner, Kate Kunzelmann and Russell Milligan
<u>COUNCILLOR'S APOLOGIES:</u>	Nil
<u>OFFICERS' ATTENDANCE:</u>	Chief Executive Officer (Sonia Cooper), General Manager Community, Cultural and Economic Development (Ben Pole), General Manager Infrastructure and Environment (Sean Madigan), General Manager Planning and Regulatory Services (Peter Tabulo), Acting General Manager Corporate Services (Jeff Keech), Coordinator – Major Projects and Advocacy (Dan Heenan), Manager, Economic and Community Development (Cat Matson), Community Development Manager (Melissa Dower), Development Assessment Central Manager (Mitchell Grant), Manager, Procurement (Richard White), Acting Chief Financial Officer (Paul Mollenhauer), Manager, Capital Program Delivery (Graeme Martin), Chief of Staff – Office of the Mayor (Melissa Fitzgerald), Manager, Infrastructure Strategy (Tony Dileo), Manager Development Planning (Anthony Bowles), Senior Planner (Development)(Sandeep Nanjappa), Manager Community and Cultural Services (Don Stewart), Acting Property Services Manager (Kerry Perrett), Senior Property Officer (Acquisitions and Disposals) (Alicia Rieck), Property Officer (Judy Howard), Property Officer (Tara Wall), Senior Policy and Communications Officer (David Shaw), Senior Media Officer (Darrell Giles) and Theatre Technician (Trent Gray)

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*, at Item 6, Councillor Sheila Ireland informed the meeting that she has a declarable conflict of interest in

Development Application – 19897/2021/MCU – Recommendation – Griffith Group One Pty Ltd ATF Griffith Group One Trust Child Care Centre at Brassall.

The nature of the interest is that Councillor Ireland’s grandson attends the childcare centre at Clem Street, Brassall.

Councillor Sheila Ireland invited the other councillors to determine if she can continue to participate in the decision process.

It was moved by Councillor Paul Tully and seconded by Mayor Teresa Harding that Councillor Sheila Ireland 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 Sheila Ireland may participate in the meeting in relation to the matter, including by voting on the matter.

BUSINESS OUTSTANDING

1. **IPSWICH 2032 SUMMIT**

This is a report concerning the Mayoral Minute of 24 March 2022 and responding to Recommendation A with a draft Ipswich 2032 Summit event plan, agenda and format.

DECISION

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

That the Ipswich 2032 Summit report be received and the contents noted.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Councillor Nicole Jonic arrived at the meeting at 9.02am.

2. RESPONSE TO PETITION - REINSTATEMENT OF PEDESTRIAN CROSSING AT BLACKSTONE ROAD, SILKTONE

This is a report concerning a petition received from the local community requesting the reinstatement of the pedestrian crossing on Blackstone Road near the intersection with Coolibah Street, Silkstone

DECISION

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

- A. That the pedestrian crossing on Blackstone Road near the intersection with Coolibah Street, Silkstone not be reinstated.**
- B. That the chief petitioner be advised of the outcome of this report.**

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

CONFIRMATION OF MINUTES

3. CONFIRMATION OF MINUTES OF THE GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2022(04) OF 5 MAY 2022

DECISION

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

That the Minutes of the Meeting held on 5 May 2022 be confirmed.

AFFIRMATIVE

Councillors:

Harding

NEGATIVE

Councillors:

Nil

Tully
Ireland
Madsen
Doyle
Fechner
Kunzelmann
Milligan
Jonic

The motion was put and carried.

OFFICERS' REPORTS

4. **ADOPTION OF THE UPDATED LANDSCAPE AREAS ON NATURE STRIPS POLICY**

This is a report concerning the repealing of the current policy and adoption of the updated Landscape Areas on Nature Strips Policy that has been reviewed, updated and placed onto the new corporate template which is part of the regular policy and procedure review process.

The objective of this policy remains the same as the original version, to provide guidance to property owners and occupiers wishing to establish landscape areas and gardens on the nature strip in front of their property(s). In general, this policy refers to residential areas where the speed limit is 80km per hour or less.

****RECOMMENDATION**

- A. That the policy titled 'Landscape Areas on Nature Strips Policy', as detailed in Attachment 1, as per resolution No. 4 of the Policy and Administration Board No. 2014(11) of 18 November 2014 – City Management and Finance Committee No. 2014(12) of 25 November 2014 and adopted at the Council Ordinary Meeting of 2 December 2014, be repealed.
- B. That the policy titled 'Updated Landscape Areas on Nature Strips Policy', as detailed in Attachment 3, be adopted.

Councillor Paul Tully proposed the following amendment to the Updated Landscape Areas on Nature Strips Policy:

- B. That the policy titled 'Updated Landscape Areas on Nature Strips Policy', as detailed in Attachment 3, be adopted with an amendment to section 12 Post Approvals and Historic installation as follows:
- In the second paragraph replacement of the word 'relative' with 'relevant'

- In the third paragraph: insertion of the words ‘rectified or’ after the words ‘will be’.

Deputy Mayor Jacob Madsen proposed the following further amendment to the Updated Landscape Areas on Nature Strips Policy:

- In the third and fourth paragraph replacement of the words ‘resident’s expense’ with the words ‘property owner’s expense’.

DECISION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

- A. That the policy titled ‘Landscape Areas on Nature Strips Policy’, as detailed in Attachment 1, as per resolution No. 4 of the Policy and Administration Board No. 2014(11) of 18 November 2014 – City Management and Finance Committee No. 2014(12) of 25 November 2014 and adopted at the Council Ordinary Meeting of 2 December 2014, be repealed.**
- B. That the policy titled ‘Updated Landscape Areas on Nature Strips Policy’, as detailed in Attachment 3, be adopted with an amendment to section 12 Post Approvals and Historic installation as follows:**
- In the second paragraph replacement of the word ‘relative’ with ‘relevant’
 - In the third paragraph: insert the words ‘rectified or’ after the words ‘will be’.
 - In the third and fourth paragraph replacement of the words ‘resident’s expense’ with the words ‘property owner’s expense’.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic


NEGATIVE

Councillors:

Nil

The motion was put and carried.

Attachments

1. Amended Attachment 3 showing tracked changes made by Growth, Infrastructure and Waste Committee 
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5. PROPOSED IPSWICH ADOPTED INFRASTRUCTURE CHARGES RESOLUTION (NO. 1) 2022

This is a report concerning the adoption of the proposed Ipswich Adopted Infrastructure Charges Resolution (No. 1) 2022 to replace Council's current charges resolution, the Ipswich Adopted Infrastructure Charges Resolution (No. 1) 2021. This is an annual exercise to ensure that Council's charges for trunk infrastructure keep pace with increases in infrastructure costs, by applying the Producer Price Index (PPI) for Construction.

DECISION

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

That Council adopt the proposed Adopted Infrastructure Charges Resolution as detailed in Attachment 1 pursuant to s113 of the *Planning Act 2016* as the Ipswich Adopted Infrastructure Charges Resolution (No. 1) 2022.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

6. DEVELOPMENT APPLICATION - 19897/2021/MCU - RECOMMENDATION - GRIFFITH GROUP ONE PTY LTD ATF GRIFFITH GROUP ONE TRUST CHILD CARE CENTRE AT BRASSALL

This is a report concerning an application seeking approval for a child care centre at 102 and 104 Pine Mountain Road, Brassall.

The proposed development has been assessed with regard to the applicable assessment benchmarks. The proposed development generally complies with the assessment benchmarks or can be conditioned to comply as outlined below.

****RECOMMENDATION**

That Council approve Development Application No. 19897/2021/MCU being a Material Change of Use- Community use (Child Care Centre) subject to conditions as contained in Attachment 1 of this report.

During discussion of this matter, Councillor Sheila Ireland stated a possible conflict of interest in the matter in that Councillor Ireland's grandson attends the childcare centre at Clem Street, Brassall.

In accordance with section 150EQ of the *Local Government Act 2009*, Councillor Sheila Ireland informed the meeting that she has a declarable conflict of interest in Item 6 titled Development Application – 19897/2021/MCU – Recommendation – Griffith Group One Pty Ltd ATF Griffith Group One Trust Child Care Centre at Brassall.

The nature of the interest is that Councillor Ireland's grandson attends the childcare centre at Clem Street, Brassall.

Councillor Sheila Ireland invited the other councillors to determine if she can continue to participate in the decision process.

It was moved by Councillor Paul Tully and seconded by Mayor Teresa Harding that Councillor Sheila Ireland 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 Sheila Ireland may participate in the meeting in relation to the matter, including by voting on the matter.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

DECISION

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

That Council approve Development Application No. 19897/2021/MCU being a Material Change of Use- Community use (Child Care Centre) subject to conditions as contained in Attachment 1 of this report.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

7. **DEVELOPMENT APPLICATION - 3827/2019/CA - CHANGE REPRESENTATIONS RECOMMENDATION - WOOD MULCHING INDUSTRIES (WMI) ENCLOSED COMPOST MANUFACTURING AND BIO-GAS FACILITY AT SWANBANK**

This is a report concerning an applicant's change representations request to amend some of the conditions of approval for the development of a Waste Activity located within the Temporary Local Planning Instrument (TLPI) No. 1 of 2020 (Waste Activity Regulation) - Swanbank / New Chum Waste Activity Area at 7006 Unnamed Road, Swanbank.

The original application was determined by Council at the Ordinary Meeting in March 2022.

The applicant's change representations request to amend some of the conditions of development approval is recommended to be approved in part.

****RECOMMENDATION**

- A. That Council agree in part to the change representations to Development Approval 3827/2019/CA, being the Reconfiguring a Lot {One (1) lot into Two (2) lots with associated Easement (for access, servicing and shared facilities) and One (1) balance lot} subject to conditions as contained in Attachment 1 of this report.

- B. That Council agree in part to the change representations to Development Approval 3827/2019/CA being the Material Change of Use for Waste Activity (Compost Manufacturing Enclosed) over proposed Lot 1 of Development Approval 3827/2019/CA - Stage 1 of development; and Waste Activity (Biogas Facility) and associated Major Utility (Electricity/Gas Generation) over proposed Lot 2 of Development Approval 3827/2019/CA - Stage 2 of development, subject to conditions as contained in Attachment 1 of this report.

Mayor Teresa Harding proposed a further recommendation in relation to the inclusion of an additional condition:

- C. That an additional condition be included - Condition 21c – That storage of and stockpiling for raw and finished green material must not exceed the height of the compost mixing shed building.

DECISION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

- A. That Council agree in part to the change representations to Development Approval 3827/2019/CA, being the Reconfiguring a Lot {One (1) lot into Two (2) lots with associated Easement (for access, servicing and shared facilities) and One (1) balance lot} subject to conditions as contained in Attachment 1 of this report.**
- B. That Council agree in part to the change representations to Development Approval 3827/2019/CA being the Material Change of Use for Waste Activity (Compost Manufacturing Enclosed) over proposed Lot 1 of Development Approval 3827/2019/CA - Stage 1 of development; and Waste Activity (Biogas Facility) and associated Major Utility (Electricity/Gas Generation) over proposed Lot 2 of Development Approval 3827/2019/CA - Stage 2 of development, subject to conditions as contained in Attachment 1 of this report.**
- C. That an additional condition be included as follows:
Condition 21c – That storage of and stockpiling for raw and finished green material must not exceed the height of the compost mixing shed building.**

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

NEGATIVE

Councillors:

Nil

Milligan
Jonic

The motion was put and carried.

8. WASTE AND CIRCULAR ECONOMY TRANSFORMATION DIRECTIVE - UPDATE 7

This is a report concerning an update on the implementation of the Waste and Circular Economy Transformation Directive.

This report includes the proposed 10-year Directive Implementation Plan and associated Implementation Report for Council endorsement.

Deputy Mayor Jacob Madsen left the meeting at 9.44 am.

Deputy Mayor Jacob Madsen returned to the meeting at 9.47 am.

DECISION

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

- A. That the report be received and the contents noted.**
- B. That Council endorse the proposed Implementation Plan and Implementation Report under the Waste and Circular Economy Transformation Directive.**

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

9. INFRASTRUCTURE AND ENVIRONMENT DEPARTMENT CAPITAL DELIVERY REPORT
APRIL 2022

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

Officers across the whole Infrastructure and Environment Department are contributing to the positive results seen in the early stages of the 2021-2022 financial year. The capital program has been and continues to be significantly impacted by the high levels of rainfall experienced in the Ipswich LGA this year. At this stage it is expected that the capital program will be significantly underspent at the end of financial year due to the impact of the wet weather.

DECISION

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

That the report be received and the contents noted.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

10. 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

DECISION

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

That the report be received and the contents noted.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

NEGATIVE

Councillors:

Nil

Madsen
Doyle
Fechner
Kunzelmann
Milligan
Jonic

The motion was put and carried.

11. EXERCISE OF DELEGATION REPORT

This is a report concerning applications that have been determined by delegated authority for the period 20 April 2022 to 31 May 2022

DECISION

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

That the report be received and the contents noted.

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 9.00 am.

The meeting closed at 10.03 am.

**** Refer Council Ordinary Meeting of 30 June 2022 for amendment**