Minutes
of the
Council Meeting
held
Wednesday 6 May 2020
at
9.30am
City of Gold Coast Council Chambers
135 Bundall Road, Surfers Paradise
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Minutes (788)
Council Meeting
Wednesday 6 May 2020

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## Opening Prayer

Australian National Anthem

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RESOLUTION  G20.0527.001  moved Cr Hammel  seconded Cr Tozer

That the Minutes of the Seven Hundred and Eighty Eighth Ordinary Meeting of the Council of the City of Gold Coast held on Wednesday 6 May 2020 at 9.30am be confirmed.

CARRIED

Minutes of the Seven Hundred and Eighty Eighth Ordinary Meeting of the Council of the City of Gold Coast held at the City of Gold Coast Chambers, 135 Bundall Road, Surfers Paradise, on Wednesday 6 May 2020, at 9.30am.

The Mayor, Cr T R Tate, opened the meeting in prayer.

National Anthem

1  ATTENDANCE

Cr T R Tate  Mayor
Cr M Hammel
Cr W M A Owen-Jones
Cr D Gates
Cr C M Caldwell
Cr P J Young
Cr B Patterson
Cr R Bayldon-Lumsden
Cr R La Castra
Cr G M Tozer
Cr D Taylor
Cr H H C Vorster
Cr P C Young
Cr D I McDonald
Cr G M O'Neill

Mr D R Dickson  Chief Executive Officer
Mr A J McCabe  Chief Operating Officer
Mr A Twine  Director Transport and Infrastructure
Ms A Ewens  Director Lifestyle and Community Services
Mr P Heaton  Director Water & Waste
Mr G Potter  Director Organisational Services
Ms A Swain  Director Economy, Planning & Environment
Ms C Watt  City Solicitor

Note:  This meeting was held by teleconferencing in accordance with section 277B of the Local Government Regulation 2012.

1.1  LEAVE OF ABSENCE / APOLOGIES

Nil
2 CONDOLENCES

Cr Gates; Cr PJ Young

To The Daines Family

On the passing of Dr Douglas Daines

RESOLUTION G20.0506.001 moved Cr Gates seconded Cr PJ Young

That a motion of condolence be passed and that a message of sympathy be forwarded.

CARRIED
3 MAYORAL MINUTE

3.1 DA NANG, VIETNAM MOU ON THE ESTABLISHMENT OF FRIENDSHIP AND CO-OPERATION

Councillors

As part of the International Relations program and recognising the importance of developing friendly cooperation between the Gold Coast and other countries, I am writing to seek Council’s approval to sign an agreement to establish friendship and cooperation with Da Nang, Vietnam.

Vietnam has a population of over 97 million and after more than 30 years of reform and extensive regional and international integration, Vietnam today is a highly open and dynamic economy, projected to become one of the ten fastest growing economies in the world.

Da Nang is one of the five largest cities in Vietnam (1.2 million) and one of the country’s five direct-controlled municipalities, meaning it is under the direct administration of the central government. Da Nang is the commercial and educational centre of central Vietnam, has a flourishing tourism sector, is one of Vietnam’s most important port cities and is one of the country’s top communication hubs.

I first visited Da Nang in May 2019 and was surprised by the similarities of both our cities - the topography (ocean, river and mountains); our industries (tourism, education, innovation); and as coastal cities we experience the same challenges. Globalisation has made it so important for cities around the world to create meaningful relationships and diversification of the countries with which we engage is essential to ensure the Gold Coast is more resilient and less vulnerable to global changes.

The proposed Memorandum of Understanding on the Establishment of Friendship and Cooperation will enable City of Gold Coast to effectively identify from a local government level, opportunities that exist between the Gold Coast and Da Nang.

I have included the draft Memorandum of Understanding for your information.

Motion/Recommendation:

That Council provide in principle support for the Mayor to sign a Memorandum of Understanding on the Establishment of Friendship and Cooperation with Da Nang, Vietnam.

RESOLUTION G20.0506.002 moved Cr Tate

That Council provide in principle support for the Mayor to sign a Memorandum of Understanding on the Establishment of Friendship and Cooperation with Da Nang, Vietnam.

CARRIED
3.1 DA NANG, VIETNAM MOU ON THE ESTABLISHMENT OF FRIENDSHIP AND CO-OPERATION (Continued)

MEMORANDUM OF UNDERSTANDING
ON THE ESTABLISHMENT OF FRIENDSHIP AND COOPERATION
BETWEEN CITY OF GOLD COAST, QUEENSLAND, AUSTRALIA
AND THE PEOPLE’S COMMITTEE OF DA NANG CITY, SOCIALIST REPUBLIC OF VIET NAM

The People’s Committee of Da Nang City, the Socialist Republic of Viet Nam and City of Gold Coast, Queensland, Australia (hereinafter referred to individually as “the Party” and collectively as “the Parties”),

With an aim to develop cooperation and partnerships as well as to strengthen the friendship and mutual understanding between Da Nang City, Viet Nam and Gold Coast City, Australia;

Have agreed as follows:

Article 1
The two Parties agree to establish friendly and cooperative relations between Da Nang City, the Socialist Republic of Viet Nam and Gold Coast City, Queensland Australia, within the jurisdiction of each Party, on the basis of respect for each other, equality and mutual benefit, in accordance with the laws and policies of Viet Nam and Australia, in accordance with the international agreements to which Viet Nam and Australia are parties.

Article 2
The two Parties agree to promote the cooperation and exchange of experience in the following areas:

- Education and training – facilitate cooperation between Study Gold Coast and Danang Department of Education to promote study options (particularly in tourism and hospitality), university partnerships and meaningful student experiences.
- Healthcare – encourage bilateral trade and investment opportunities in healthcare provision and associated services.
- Tourism – facilitate collaboration between Destination Gold Coast and Danang Department of Tourism to share knowledge in the areas of destination marketing, visitor experience and capacity building. Facilitate discussions with Gold Coast Airport regarding potential direct flights.
- Trade and investment – make diligent efforts to enhance business exchanges and bilateral trade and investment opportunities. Provide support to arrange investment conferences and business matching.
- Disaster management – knowledge exchange in the areas of disaster coordination, preparation, community advice and recovery.
- Marine – encourage collaboration regarding superyacht attraction in the Asia-Pacific region.
- Technology and ICT (smart cities) – knowledge exchange in digital city initiatives in areas including, but not limited to, ITS (intelligent transport systems) in urban transportation, environmental protection and waste management.
- Renewable energy – knowledge exchange regarding renewable energy sources and renewable energy projects.
3.1 DA NANG, VIETNAM MOU ON THE ESTABLISHMENT OF FRIENDSHIP AND CO-OPERATION (Continued)

Article 3
All cooperation activities under this Memorandum of Understanding will be made in accordance with the financial capacity of each Party. Funding for cooperation activities under this Memorandum of Understanding will be discussed and agreed upon by the two Parties.

Article 4
The two Parties agree to designate the contact points below to deploy activities:

Da Nang Department of Foreign Affairs
25th Floor, Da Nang Administrative Center
24 Tran Phu Street, Da Nang City, Viet Nam
Tel: +84 236 3817097 Fax: +84 236 3825853 Email: international.danang@danang.gov.vn

Office of the Mayor, City of Gold Coast
135 Bundall Road, Surfers Paradise, Queensland, Australia
Tel: +61 7 5581 7525 Email: mayoralir@goldcoast.qld.gov.au

Article 5
Any disagreement between the two Parties concerning the interpretation and implementation of this Memorandum of Understanding will be settled in a friendly manner through the exchange of views between the two Parties.

Article 6
This Memorandum of Understanding may be amended and supplemented on the basis of mutual agreement between the two Parties. The amended and supplemented contents will be made in a document that clearly points out the time when these amendments and supplements become effective. The revised document will be an integral part of this Memorandum of Understanding.

Article 7
This Memorandum of Understanding:
(i) Will come into effect on the date of signature;
(ii) Does not create any rights or obligations for the Parties under international laws;
(iii) Will be reviewed within 12 months of signing to review the progress of the relationship and identify future levels of cooperation; and
(iv) May be terminated by either Party upon three (3) months prior written notice. Termination will not affect the ongoing cooperation programs and projects between the two Parties until the completion of those program and projects, unless otherwise agreed by the Parties.

Signed at .......... on .......... 2019 in two copies, each copy in Vietnamese and English; all documents are equally valid.

On behalf of the People’s Committee
Da Nang City, Viet Nam

On behalf of City of Gold Coast, Australia

HUYNH DUC THO
Chairman
Da Nang People’s Committee

TOM TATE
Mayor
City of Gold Coast
4 CONFIRMATION OF MINUTES

RESOLUTION  G20.0506.003  moved Cr Vorster  seconded Cr O'Neill

That the Minutes of the Seven Hundred and Eighty Seventh Ordinary Meeting of the Council of the City of Gold Coast, held Tuesday 3 March 2020 at 1pm be confirmed.

CARRIED UNANIMOUSLY

RESOLUTION  G20.0506.004  moved Cr Gates  seconded Cr PC Young

That the Minutes of the Post-Election Meeting of the Council of the City of Gold Coast, held Tuesday 21 April 2020 at 9.30am be confirmed.

CARRIED

5 MAYOR'S REPORT

5.1 RECENT VISITS AND SPEECHES
5 MAYOR’S REPORT (Continued)

5.1 RECENT VISITS AND SPEECHES (Continued)

City’s COVID-19 Response So Far...

The City and our LDMG (Local Disaster Management Group) have taken a range of measures in recent weeks:
- Closing of some of our beaches and removing flags from our beaches
- Closing of ocean-side car parks
- Turning off parking meters
- Shutting down playgrounds and exercise equipment
- Closing the city’s libraries, community centres and aquatic centres
- Asking the CEO to develop a draft budget that will provide a rate freeze for residents
- Delivery of a business support package to provide immediate relief with additional measures being considered in the upcoming budget
- Cancellation of 22 major City events
- Converting to teleconference meetings and streamlining for transparency

I have tried to communicate with Gold Coasters as often as possible and provide updates via all media outlets.

I have undertaken my role as Chair of the Local Disaster Management Group specifically to assist in the City’s response to COVID-19.

I would like to thank the City staff that have worked through this pandemic to ensure we keep residents’ health our top priority.

This includes our Environmental Health Officers who have supported Queensland Health.

I look forward to the City looking at our transition back to service.
5 MAYOR’S REPORT (Continued)

5.1 RECENT VISITS AND SPEECHES (Continued)

This means looking at ways to ensure community clubs survive (grants and fee waivers, rent relief).

We must plan for opening of our services (signs and barriers down; and making sure assets need to be ready, such as sports lights, BBQs, Playgrounds).

As we know, the City has already put into place a number of measures to help support residents and ratepayers through this crisis by:

Waiving roadside dining fees (1 February to 30 June).

No further fees for restaurants (until 30 June).

Waiving development application fees relating directly to the COVID-19 emergency (until 30 June).

Waiving film application fees (until 30 June).

Waiving rents for businesses with commercial leases on or within City of Gold Coast owned premises (until 30 June).

Waiving fees to commercial vessels from (until 30 June).

Waiving fees for any bookings of a Council facility, venue or park between 1 February and 30 June that has to cancel due to COVID-19.

All refund policies are being relaxed to accommodate full refunds.
Weekly COVID-19 Teleconference

The Premier has asked me to dial in for a weekly COVID-19 update via teleconference. In attendance are:

- the Mayors from across Queensland
- Deputy Premier and Treasurer
- Various Cabinet Ministers
- Chief Medical Officer, Dr Jeanette Young

These discussions are strictly confidential, however, I can say the information sharing between the State Government and the Mayors has been candid and informative.

The Premier and Chief Medical Officer did praise the Gold Coast for our management of the COVID-19 issue, particularly with closing the beaches.

The decisions I have made as Chair of our LDMG have been based on the information and support of the Premier.
5 MAYOR’S REPORT (Continued)

5.1 RECENT VISITS AND SPEECHES (Continued)

ANZAC Day 2020

This year, RSL Queensland asked us to stand at the end of our driveways, on our balconies or in our living rooms to remember all those who have served and sacrificed.

Many of us still woke up early and came out at 6am to honour all the men and women who have participated in wars, conflicts and peacekeeping operations around the world.

I commend all Gold Coasters that showed their respect under these difficult circumstances.
5  MAYOR’S REPORT (Continued)

5.1  RECENT VISITS AND SPEECHES (Continued)

Currumbin Wildlife Hospital Foundation Virtual Benefit Under the Stars

This Saturday the Currumbin Wildlife Hospital Foundation will hold a “Virtual Benefit Under the Stars”.

Normally we would get together and have a ball.

Instead, I have provided a message of support as part of their Virtual event.

We are all in this together – and that includes our furry friends!
Junior Council Meeting

The Junior Council met for their first time since their Junior Mayor and Executives were chosen in February.

I met with them in person back then, but this time, like most workplaces at the moment, the students conducted their meeting via video conference.

I took the opportunity to send them my best wishes and encouragement via video as well.

The theme of this meeting was “online communities and ways to lead/support leaders and communities during the COVID-19 disruption”.

The Junior Council are looking at creative ways to capture and share the amazing things young people are working on to overcome the adversity caused by COVID-19.

RESOLUTION  G20.0506.005  moved Cr Tate  seconded Cr Gates

That the Mayor’s Report be welcomed and noted.

CARRIED
6 CLARIFICATION - MEMBERS

Nil

7 BUSINESS ARISING FROM MINUTES

Nil

8 PRESENTATIONS

Nil
9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

9.1 WATER, WASTE AND ENERGY


RESOLUTION G20.0506.006 moved Cr O’Neill seconded Cr Hammel

That the Report of the Water, Waste and Energy Committee Meeting held on Thursday 28 April 2020, covered by Recommendations numbered WWE20.0428.001 to WWE20.0428.006, be received.

CARRIED

ITEM 3 WATER AND SEWERAGE SERVICES FINANCIAL PERFORMANCE AS AT 31 MARCH 2020

FN334/252/20(P6)

Conflict of Interest – Cr Gates

Pursuant to section 175E(2) of the Local Government Act 2009, I would like to inform the meeting that I have a personal interest in this matter, which I recognise may be a real or perceived conflict of interest the particulars of which are as follows:

The nature of the interest is: Receipt of Donation

The name of the person or entity is: Rayjon Properties

The nature of the relationship is: Donor

The value and date of the donations are: $2,500 18 September 2015

$2,500 4 October 2016

The nature of the other person’s interest in the matter is: The donor is mentioned on Page 32 of the confidential attachment.

I will now leave and stay away from the meeting so that the matter may be discussed and voted on in my absence.

Cr Gates left the meeting.
9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.1 WATER, WASTE AND ENERGY (Continued)

ITEM 3 WATER AND SEWERAGE SERVICES FINANCIAL PERFORMANCE AS AT 31 MARCH 2020
FN334/252/20(P6) (Continued)

Conflicts of Interest – Cr Owen-Jones

Pursuant to section 175E(2) of the Local Government Act 2009, I would like to inform the meeting that I have a personal interest in this matter, which I recognise may be a real or perceived conflict of interest the particulars of which are as follows:

The nature of the interest is: Receipt of Donation
The name of the person or entity is: Rayjon Properties
The nature of the relationship is: Donor
The value and date of the donations are: $10,000 October 2011
The nature of the other person’s interest in the matter is: The donor is mentioned on Page 32 of the confidential attachment.

I will now leave and stay away from the meeting so that the matter may be discussed and voted on in my absence.

Cr Owen-Jones left the meeting.

RESOLUTION G20.0506.007 moved Cr O'Neill seconded Cr PJ Young

That Committee Recommendation WWE20.0428.003 be adopted as printed which reads as follows:

1 That Attachment 2 be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171(3) and 200 (5) of the Local Government Act 2009.


CARRIED

Cr Owen-Jones and Cr Gates were absent for the vote.
Cr Owen-Jones and Cr Gates returned to the meeting.

ADOPTION OF THE WATER, WASTE AND ENERGY COMMITTEE REPORT

RESOLUTION G20.0506.008 moved Cr O'Neill seconded Cr Hammel

That the Report of the Water, Waste and Energy Committee Meeting of Thursday 28 April 2020, covered by Recommendations numbered WWE20.0428.001 to WWE20.0428.006, be adopted with the exception of Recommendation Number WWE20.0428.003 which was specifically resolved.

CARRIED
9.2 ECONOMY, TOURISM AND EVENTS

Cr La Castra, Chairperson of the Economy Tourism and Events Committee, presented the Report of the Meeting of the Economy Tourism and Events Committee held on Thursday 28 April 2020.

RESOLUTION G20.0506.009 moved Cr La Castra seconded Cr PC Young

That the Report of the Economy, Tourism and Events Committee Meeting held on Thursday 28 April 2020, covered by Recommendations numbered ETE20.0428.001 to ETE20.0428.003, be received.

CARRIED UNANIMOUSLY

ITEM 2 INVESTMENT ATTRACTION PROGRAM BUSINESS RETENTION APPLICATION
PD330/275/01(P5) REPORT CONFIDENTIAL

Material Personal Interest – Cr Taylor:-
Pursuant to section 175C(2) of the Local Government Act 2009, I would like to inform the meeting that I have a material personal interest in this matter, the particulars of which are as follows:

The name of the person or entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting is: Dayshelf which is a family owned company which I am an officary of

How this person or entity stands to gain the benefit or suffer the loss is: Dayshelf provides goods and services under contract to Surfstitch. If Surfstitch relocates from the Gold Coast, Dayshelf may lose the contract.

I will now leave the meeting so that the matter may be discussed and voted on in my absence.

Cr Taylor left the meeting.
9.2 ECONOMY, TOURISM AND EVENTS (Continued)

ITEM 2 INVESTMENT ATTRACTION PROGRAM BUSINESS RETENTION APPLICATION
PD330/275/01(P5) (Continued) REPORT CONFIDENTIAL

RESOLUTION G20.0506.010 moved Cr La Castra seconded Cr PC Young

That Committee Recommendation ETE20.0428.002 be adopted as printed which reads as follows:-

1 That the report/attachment be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act 2009.

2 That Council approves the allocation of up to $110,000 from the Investment Attraction Program to the company identified in the report from Council’s Economic Development & Tourism budget centre PE53700001, CC1006418 subject to and conditional upon the company entering into a Funding Agreement on terms satisfactory to the Chief Executive Officer.

CARRIED

Cr Taylor was absent for the vote.
Cr Taylor returned to the meeting.
Conflict of Interest – Cr Vorster

Pursuant to section 175E(2) of the Local Government Act 2009, I would like to inform the meeting that I have a personal interest in this matter, which I recognise may be a real or perceived conflict of interest the particulars of which are as follows:

The nature of the interest is: My wife is employed by Bond University
The name of the person or entity is: Melissa Vorster
The nature of the relationship is: Wife is employed by Bond University
The value of the gift is: $4200
The date of receipt of the gift is: 3 March - 20 March 2020
The nature of the other person’s interest in the matter is: My wife is employed by a university whose students may benefit and participate in the event

However I have considered my position and my interest in this matter as just described, and am firmly of the view that I may participate in the meeting and vote in respect of this matter in the public interest for the reason my wife’s employer is not the applicant or direct beneficiary of the proposed funding and the interest is minor and of a remote nature.

PROCEDURAL MOTION

moved Cr Tozer seconded Cr Caldwell

Pursuant to section 175E(4)(a) of the Local Government Act 2009, Council resolves that:

Cr Vorster does not have a real or perceived conflict of interest in the matter as there is no direct relationship between the donation declared and the decision before Council.

CARRIED

In accordance with Section 175E(4) of the Local Government Act 2009, Cr Vorster did not vote.

RESOLUTION

G20.0506.011 moved Cr La Castra seconded Cr PC Young

That Committee Recommendation ETE20.0428.003 be adopted as printed which reads as follows:

1 That the report/attachment be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act 2009.
2 That the applicant (UniSport Australia) be advised that Council will support an investment into the events as prescribed in Confidential Attachment 1.

CARRIED UNANIMOUSLY

Cr Vorster voted in the positive.
9 RECESSION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.2 ECONOMY, TOURISM AND EVENTS (Continued)

ADOPTION OF ECONOMY, TOURISM AND EVENTS COMMITTEE REPORT

RESOLUTION  G20.0506.012  moved Cr La Castra  seconded Cr PC Young

That the Report of the Economy, Tourism and Events Committee Meeting of Thursday 28 April 2020, covered by Recommendations numbered ETE20.0428.001 to ETE20.0428.003, be adopted with the exception of Recommendation Numbers ETE20.0428.002 and ETE20.0428.003 which were specifically resolved.

CARRIED UNANIMOUSLY
9  RECEPTION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.3  PLANNING AND ENVIRONMENT

Cr Caldwell, Chairperson of the Planning and Environment Committee, presented the Report of the Meeting of the Planning and Environment Committee held on Wednesday 29 April 2020.

RESOLUTION  G20.0506.013  moved Cr Caldwell  seconded Cr Gates

That the Report of the Planning and Environment Committee Meeting held on Wednesday 29 April 2020, covered by Recommendations numbered PE20.0429.001 to PE20.0429.004 be received.

CARRIED

ITEM 1  REPORT ON DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A FOOD AND DRINK OUTLET, MULTIPLE DWELLINGS AND SHORT-TERM ACCOMMODATION (78 UNITS) AT 1267-1273 GOLD COAST HIGHWAY, PALM BEACH - DIVISION 13 MCU/2019/275

Conflict of Interest - Cr Caldwell

Pursuant to section 175E(2) of the Local Government Act 2009, I would like to inform the meeting that I have a personal interest in this matter, which I recognise may be a real or perceived conflict of interest the particulars of which are as follows:

The nature of the interest is: Receipt of hospitality
The name of the person or entity is: Urbis
The nature of the relationship is: Receipt of hospitality
The value of the gift is: $500
The date of receipt of the gift is: Polo By The Sea 2018 and 2019
The nature of the other person’s interest in the matter is: Consultant to the project

However I have considered my position and my interest in this matter as just described, and am firmly of the view that I may participate in the meeting and vote in respect of this matter in the public interest for the reason that the interest is minor and of a remote nature.

PROCEDURAL MOTION  moved Cr Vorster  seconded Cr Owen-Jones

Pursuant to section 175E(4)(a) of the Local Government Act 2009, Council resolves that:

Cr Caldwell does not have a real or perceived conflict of interest in the matter because the interest is remote and does not represent a conflict of interest.

CARRIED

In accordance with Section 175E(4) of the Local Government Act 2009, Cr Caldwell did not vote.
9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.3 PLANNING AND ENVIRONMENT (Continued)

ITEM 1 REPORT ON DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A FOOD AND DRINK OUTLET, MULTIPLE DWELLINGS AND SHORT-TERM ACCOMMODATION (78 UNITS) AT 1267-1273 GOLD COAST HIGHWAY, PALM BEACH - DIVISION 13 MCU/2019/275 (Continued)

CLOSED SESSION
LOCAL GOVERNMENT ACT 2009 AND SUPPORTING REGULATIONS

PROCEDURAL MOTION moved Cr Gates seconded Cr Caldwell

That Council move into Closed Session pursuant to section 275 (1) of the Local Government Regulation 2012, for the consideration of the following item for the reason shown:-

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<th>Item</th>
<th>Subject</th>
<th>Reason</th>
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<td>1</td>
<td>Report On Development Application for a Material Change Of Use (Impact Assessment) for a Food and Drink Outlet, Multiple Dwellings and Short-Term Accommodation (78 Units) At 1267-1273 Gold Coast Highway, Palm Beach - Division 13</td>
<td>Planning Matter</td>
</tr>
</tbody>
</table>

CARRIED

PROCEDURAL MOTION moved Cr Caldwell seconded Cr Vorster

That the Council move into Open Session.

CARRIED

Following resumption into Open Session Item 1, was moved and carried as shown on the following pages.
9  RECEPTION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.3  PLANNING AND ENVIRONMENT  (Continued)

ITEM 1 REPORT ON DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) FOR A FOOD AND DRINK OUTLET, MULTIPLE DWELLINGS AND SHORT-TERM ACCOMMODATION (78 UNITS) AT 1267-1273 GOLD COAST HIGHWAY, PALM BEACH - DIVISION 13 MCU/2019/275 (Continued)

RESOLUTION  G20.0506.014  moved Cr Caldwell seconded Cr Vorster

That Committee Recommendation PE20.0429.001 be adopted as printed in the Planning and Environment Committee meeting report with a change to Condition 15 and a new condition 2 (h) such that these read as follows:-

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<th>Transport</th>
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<td><strong>15</strong></td>
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<tr>
<td>Off street vehicle and car parking facilities</td>
</tr>
<tr>
<td>a  Design and construct off street vehicle facilities at no cost to Council prior to the commencement of the use, generally in accordance with the Transport code of the City Plan and include in particular:</td>
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<tr>
<td>i  A total of 114 car parking spaces, comprising:</td>
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<td>-  102 resident spaces;</td>
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<td>-  8 spaces for residential visitors only</td>
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<td>-  2 shared spaces for residential visitors and non-residential customers; and</td>
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<td>-  2 spaces for staff for the Food and drink outlet.</td>
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<td>ii  All spaces are drained, sealed and line marked.</td>
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<td>iii  Clearly identified signage and directional markings including:</td>
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<td>-  The 10 shared spaces for residential visitors and non-residential customers must be clearly identifiable through the provision of signage denoting “Visitor and Customer Parking” or similar.</td>
</tr>
<tr>
<td>b  Undertake and maintain the off street vehicle and parking facilities at no cost to Council at all times.</td>
</tr>
</tbody>
</table>

New Condition 2(h)

Submit revised elevation and floor plans which reflect screening not less than 50% from levels 2 to 9 inclusive for the 11m² balconies on the Southern Elevation.

A division was called.

For  10 Cr Hammel, Cr Owen-Jones, Cr Gates, Cr Caldwell, Cr Bayldon-Lumsden, Cr La Castra, Cr Vorster, Cr PC Young, Cr O’Neill, Cr Tate

Against  4 Cr Taylor, Cr PJ Young, Cr Tozer, Cr McDonald

Abstained  1 Cr Patterson

Absent  0

Did Not Vote  0  

**CARRIED**

Cr Caldwell voted in the positive.
9.3 PLANNING AND ENVIRONMENT  (Continued)

ITEM 2 REPORT ON DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) TO ESTABLISH A DWELLING HOUSE AT 37 KNIGHTSBRIDGE PARADE WEST, PARADISE POINT – DIVISION 4 MCU/2020/10

Conflict of Interest - Cr Owen-Jones

Pursuant to section 175E(2) of the Local Government Act 2009, I would like to inform the meeting that I have a personal interest in this matter, which I recognise may be a perceived conflict of interest the particulars of which are as follows:

The name of the person or entity is: Geyer Town Planning
The nature of the relationship is: A Director of Zone Planning was a Director of Geyer Town Planning who contributed to my 2016 campaign.
The value of the gift or benefit is: $900
The date of the gift: 23 August 2015
The nature of the other person’s interest in the matter is: David Geyer, formerly of Geyer Town Planning, is a Director of Zone Planning, a consultant to this application.

However I have considered my position and my interest in this matter as just described, and am firmly of the view that I may participate in the meeting and vote in respect of this matter in the public interest for the reason that the city has received further legal advice in regards to perceived conflict of interest. Given the value of the donation and the context it was given and the fact that I do not have a personal relationship with David Geyer I intend to remain in the meeting.

PROCEDURAL MOTION moved Cr Vorster seconded Cr Hammel

Pursuant to section 175E(4)(a) of the Local Government Act 2009, Council resolves that:

Cr Owen-Jones does not have a real or perceived conflict of interest in the matter because of the reasons outlined in this declaration.

CARRIED

In accordance with Section 175E(4) of the Local Government Act 2009, Cr Owen-Jones and Cr Tate did not vote.
Conflict of Interest – Cr Tate

Pursuant to section 175E(2) of the Local Government Act 2009, I would like to inform the meeting that I have a personal interest in this matter, which I recognise may be a real or perceived conflict of interest the particulars of which are as follows:

- The nature of the interest is: Previous commercial relationship with David Ransom in his capacity as a director of a planning company. He has now moved from the original company to Zone Planning Group.
- The name of the person or entity is: Zone Planning Group.
- The nature of the relationship is: Consultant.
- The value of the gift is: Nil.
- The date of receipt of the gift is: Nil.
- The nature of the other person’s interest in the matter is: Zone Planning Group is the consultant to the applicant.

However, I have considered my position and my interest in this matter as just described, and am firmly of the view that I may participate in the meeting and vote in respect of this matter in the public interest for the reason that the development approval has now lapsed, paid fair market price for services and have not engaged David Ransom in other planning matters since, and have no personal relationship with David Ransom.

**PROCEDURAL MOTION**

moved Cr Gates seconded Cr Vorster

Pursuant to section 175E(4)(a) of the Local Government Act 2009, Council resolves that:

**Cr Tate does not have a real or perceived conflict of interest in the matter for the reasons outlined above and the arrangement was commercial in nature and commercial rates were paid.**

CARRIED

In accordance with Section 175E(4) of the Local Government Act 2009, Cr Tate and Cr Owen-Jones did not vote.

**RESOLUTION**

G20.0506.015 moved Cr Caldwell seconded Cr Vorster

That Committee Recommendation PE20.0429.002 be adopted as printed in the Planning and Environment Committee meeting report.

CARRIED

Cr Tate voted in the positive.
Cr Owen-Jones voted in the negative.
9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.3 PLANNING AND ENVIRONMENT (Continued)

ITEM 3 THE SPIT MASTER PLAN IMPLEMENTATION (KEY DEVELOPMENT SITES) AMENDMENT PD113/1275/17(P2) REPORT CONFIDENTIAL

<table>
<thead>
<tr>
<th>Item</th>
<th>Subject</th>
<th>Reason</th>
</tr>
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<tbody>
<tr>
<td>3</td>
<td>The Spit Master Plan Implementation (Key Development Sites) Amendment</td>
<td>Prejudicial Matter</td>
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</tbody>
</table>

CLOSED SESSION
LOCAL GOVERNMENT ACT 2009 AND SUPPORTING REGULATIONS

PROCEDURAL MOTION
moved Cr Tate seconded Cr Gates

That Council move into Closed Session pursuant to section 275 (1) of the Local Government Regulation 2012, for the consideration of the following item for the reason shown:-

Meeting adjourned at 11.52am
Meeting reconvened at 12.10pm

PROCEDURAL MOTION
moved Cr Tate seconded Cr Gates

That the Council move into Open Session.

Meeting reconvened at 12.10pm

Following resumption into Open Session Item 3, was moved and carried as shown on the following pages.
9.3 PLANNING AND ENVIRONMENT (Continued)

ITEM 3 THE SPIT MASTER PLAN IMPLEMENTATION (KEY DEVELOPMENT SITES) AMENDMENT
PD113/1275/17(P2) (Continued) REPORT CONFIDENTIAL

RESOLUTION G20.0506.016 moved Cr PJ Young seconded Cr McDonald

That Committee Recommendation PE20.0429.003 be adopted as printed with the addition of part 9 which reads in its entirety as follows:-

1 That the report/attachment be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act 2009.

2 That Council endorse the Spit Master Plan implementation (key development sites) amendment package in Attachment D.

3 That Council endorse the draft Community Engagement and Marketing Plan in Attachment F.

4 That a copy of the Minister’s letters and statutory notices relating to The Spit Master Plan implementation (key development sites) amendment package, including the Ministerial Direction and Section 18 Notice, be published on Council’s website.

5 That the Chief Executive Officer, in consultation with the Chair of the Planning and Environment Committee, be delegated authority to make any changes to the proposed Community Engagement and Marketing Plan in Attachment F in response to any changed requirements relating to the COVID-19 event.

6 That in accordance with the Section 18 Notice in Attachment C, Council write to the Chief Executive for the Department of State Development, Manufacturing and Planning and the Deputy Director-General, Planning Group to:
   a give The Spit Master Plan implementation (key development sites) amendment in Attachment D; and
   b seek approval to proceed with the public consultation of the Spit Master Plan implementation (key development sites) amendment package.

7 That the Chief Executive Officer be delegated authority to make any amendments required to address conditions imposed by the Chief Executive for the Department of State Development, Manufacturing, Infrastructure and Planning, and any other minor, administrative or editorial amendments prior to public consultation commencing.

8 That once approval from the Chief Executive for the Department of State Development, Manufacturing, Infrastructure and Planning and the Deputy Director-General, Planning Group is received, public consultation for The Spit Master Plan implementation (key development sites) amendment is to be undertaken for a minimum of 20 business days between 21 May 2020 and 19 June 2020.

9 That Council does not accept the drafting changes requested by DSDMIP on 30 April 2020 and supports the original committee resolution on the basis that it provides for a superior community and visual amenity outcome.
9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.3 PLANNING AND ENVIRONMENT (Continued)

ITEM 3 THE SPIT MASTER PLAN IMPLEMENTATION (KEY DEVELOPMENT SITES)
AMENDMENT
PD113/1275/17(P2) (Continued) REPORT CONFIDENTIAL

A division was called.

For 14 Cr Hammel, Cr Owen-Jones, Cr Gates, Cr Caldwell,
Cr PJ Young, Cr Patterson, Cr Bayldon-Lumsden, Cr La Castra,
Cr Tozer, Cr Taylor, Cr PC Young, Cr McDonald, Cr O'Neill,
Cr Tate
Against 1 Cr Vorster
Abstained 0
Absent 0
Did Not Vote 0

CARRIED BY SUPER MAJORITY

ITEM 4 KOALA CONSERVATION AMENDMENTS TO ANIMAL MANAGEMENT
(AMENDMENT) LOCAL LAW AND SUBORDINATE LOCAL LAW 2020
CE196/430/01/01(P4) REPORT CONFIDENTIAL

RESOLUTION G20.0506.017 moved Cr Caldwell seconded Cr Vorster

That Committee Recommendation PE20.0429.004 be adopted as printed which reads
as follows:-

That the recommended requirements in Attachment 1 for keeping dogs in koala areas,
be reflected in the report that will be presented to a future Governance and
Administration Committee, to commence the process of making the Animal
Management (Amendment) Local Law and Subordinate Local Law 2020.

CARRIED UNANIMOUSLY
9 RECESSION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.4 GOVERNANCE AND ADMINISTRATION

Cr Owen-Jones, Chairperson of the Governance and Administration Committee, presented the Report of the Meeting of the Governance and Administration Committee held on Wednesday 29 April 2020.

RESOLUTION G20.0506.018 moved Cr Owen-Jones seconded Cr Patterson

That the Report of the Governance and Administration Committee Meeting held on Wednesday 29 April 2020, covered by Recommendations numbered GA20.0429.001 to GA20.0429.003 be received.

CARRIED

ITEM 3 REVIEW OF EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS POLICY

LG211/361/02(P4)

RESOLUTION G20.0506.019 moved Cr Owen-Jones seconded Cr Gates

That Committee Recommendation GA20.0429.003 be adopted with a change to Part 1 such that it reads in its entirety as follows:-

1 That Council adopt the amended ‘Expenses Reimbursement and Provision of Facilities for Councillors Policy’, at Attachment 2 to the report with the following changes:

a Section 5.1 ‘Allowable Reasonable Business Expenses’:-

i Purchase of raffle tickets 5.1(c)
   Councillors to be able to purchase raffle tickets $100 per event.
   Mayor to be able to purchase raffle tickets $200 per event;

ii Deletion of 5.1(e) – hiring of appropriate clothing to attend a
   significant community function in an official capacity;

iii Deletion of 5.1(f) – personal grooming.

b That under section 2.1.2 ‘Support Staff’ the fourth paragraph be amended to read as follows:-

   ‘The Mayor is entitled to the following support staff employed under
   Council’s usual terms and conditions of employment’.

2 That the amended ‘Expenses Reimbursement and Provision of Facilities for Councillors Policy’ take effect upon adoption.
9  RECEPTION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.4  GOVERNANCE AND ADMINISTRATION  (Continued)

ITEM 3  REVIEW OF EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS POLICY
LG211/361/02(P4) (Continued)

A division was called.

For 14  Cr Hammel, Cr Owen-Jones, Cr Gates, Cr Caldwell,
Cr PJ Young, Cr Patterson, Cr Bayldon-Lumsden, Cr La Castra,
Cr Taylor, Cr Vorster, Cr PC Young, Cr McDonald, Cr O’Neill,
Cr Tate

Against 1  Cr Tozer

Abstained 0
Absent 0
Did Not Vote 0

CARRIED BY SUPER MAJORITY

ADOPTION OF THE GOVERNANCE AND ADMINISTRATION COMMITTEE REPORT

RESOLUTION  G20.0506.020  moved Cr Owen-Jones  seconded Cr Patterson

That the Report of the Governance and Administration Committee Meeting of
Wednesday 29 April 2020, covered by Recommendations numbered GA20.0429.001 to
GA20.0429.003, be adopted with the exception of Recommendation Number
GA20.0429.003 which was specifically resolved.

CARRIED UNANIMOUSLY
9 RECEPTION & CONSIDERATION OF COMMITTEE REPORTS (Continued)

9.5 TRANSPORT AND INFRASTRUCTURE

Cr PC Young, Chairperson of the Transport and Infrastructure Committee, presented the Report of the Meeting of the Transport and Infrastructure Committee held on Thursday 30 April 2020.

RESOLUTION G20.0506.021 moved Cr PC Young seconded Cr Taylor

That the Report of the Transport and Infrastructure Committee Meeting held on Thursday 30 April 2020, covered by Recommendations numbered TI20.0430.001 to TI20.0430.005, be received.

CARRIED

ITEM 3 RESPONSE TO PETITION OBJECTING TO A CONCRETE PATH BEING CONSTRUCTED ALONG THORGATE DRIVE, ROBINA RD145670/46(P1)

RESOLUTION G20.0506.022 moved Cr Vorster seconded Cr Caldwell

That Committee Recommendation TI20.0430.003 be adopted as printed which reads as follows:-

1 That Council rejects the petition that requests Council to abort the proposed construction of a concrete path on the western side of Thorngate Drive, Robina (between Priddeys Road Wayville Place) on the basis of the responses provided in this Report.

2 That the Transport and Infrastructure Director (or delegate) be authorised to provide a formal response to the Chief Petitioner to notify him of Council’s decision and the basis for the decision.

CARRIED UNANIMOUSLY

Meeting adjourned at 1.39pm
Meeting reconvened at 1.55pm

ADOPTION OF THE TRANSPORT AND INFRASTRUCTURE COMMITTEE REPORT

RESOLUTION G20.0506.023 moved Cr PC Young seconded Cr Taylor

That the Report of the Transport and Infrastructure Committee Meeting of Thursday 30 April 2020, covered by Recommendations numbered TI20.0430.001 to TI20.0430.005, be adopted with the exception of Recommendation Number TI20.0430.003 which was specifically resolved.

CARRIED
9.6 LIFESTYLE AND COMMUNITY

Cr Vorster, Chairperson of the Lifestyle and Community Committee, presented the Report of the Meeting of the Lifestyle and Community Committee held on Thursday 30 April 2020.

RESOLUTION  G20.0506.024  moved Cr Vorster  seconded Cr Bayldon-Lumsden

That the Report of the Lifestyle and Community Committee Meeting held on Thursday 30 April 2020, covered by Recommendations numbered LC20.0430.001 to LC20.0430.002, be received.

CARRIED UNANIMOUSLY

ADOPTION OF LIFESTYLE AND COMMUNITY COMMITTEE REPORT

RESOLUTION  G20.0506.025  moved Cr Vorster  seconded Cr Caldwell

That the Report of the Lifestyle and Community Committee Meeting of Thursday 30 April 2020, covered by Recommendations numbered LC20.0430.001 to LC20.0430.002, be adopted.

CARRIED UNANIMOUSLY
10  CONSIDERATION OF NOTICES OF MOTION

Nil

11  QUESTIONS ON NOTICE / ANSWERS TO QUESTIONS ON NOTICE

Nil

12  PRESENTATION OF PETITIONS

Nil

13  GENERAL BUSINESS

Nil

14  OTHER BUSINESS

Nil

There being no further business, the meeting was declared closed at 2.03pm.
I hereby certify that these pages Numbered 1 to 36 constitute

The Minutes of the Meeting

of the Council of the City of Gold Coast

held Wednesday 6 May 2020.

[Signature]

MAYOR