



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING MINUTES

**HELD AT THE COUNCIL CHAMBERS - CIVIC CENTRE
101 GOONDOON STREET, GLADSTONE**

On 16 July 2019

Commencing at 9.00am

**Leisa Dowling
CHIEF EXECUTIVE OFFICER**

Table of Contents

ITEM	PAGE
G/0.3.3. MESSAGES OF CONDOLENCE	4
G/0.3.4. DISCLOSURE OF INTERESTS.....	5
G/1. MAYORAL STATEMENT OF CURRENT ISSUES.....	7
G/2. CONFIRMATION OF MINUTES	8
G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 2 JULY 2019.....	8
G/3. OFFICERS' REPORTS.....	9
G/3.1. OFFICER'S REPORTS.....	9
G/3.1.1. GLADSTONE AIRPORT CORPORATION - STATEMENT OF CORPORATE INTENT 2019/2020.....	9
G/3.1.2. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE MOTIONS 14 -16 OCTOBER 2019	10
G/3.1.3. RISK REVIEW - DRY HIRE COUNCIL PLANT AND EQUIPMENT	12
G/3.1.4. ADOPTION OF SHOW HOLIDAY 2020	13
G/3.1.5. REVIEW OF CEMETERIES POLICY	14
G/3.1.6. BUSINESS IMPROVEMENT COMMITTEE CHAIR	15
G/3.1.7. BUSINESS IMPROVEMENT COMMITTEE MEETING MINUTES 26 JUNE 2019	16
G/3.1.8. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDING 30 JUNE 2019	17
G/3.1.9. GLADSTONE REGIONAL EVENTS STRATEGY 2019 - 2024	18
G/4. DEPUTATIONS	19
G/4.1. DEPUTATIONS	19
G/5. COUNCILLORS REPORT	20
G/6. URGENT BUSINESS.....	21
G/7. NOTICE OF MOTION	22
G/8.5. THERMO SCIENTIFIC MICROPHAZIR - SOLE SUPPLIER.....	23
G/8.6. SOLUS - SOLE SUPPLIER.....	23
G/8. CONFIDENTIAL ITEMS	24
G/8.1. 206-19 YARWUN WWTP UPGRADE - AWARD.....	24
G/8.2. PSA 154-19 SURVEY SERVICES - AWARD.....	25
G/8.3. PSA 151-19 SAFETY PRODUCTS - AWARD.....	25
G/8.4. PSA 176-19 SUPPLY AND DELIVERY OF ROAD FURNITURE - AWARD.....	26

Elected Members

Councillor - Mayor M J Burnett
Councillor G G Churchill
Councillor K Goodluck
Councillor R A Hansen
Councillor P J Masters
Councillor D V O'Grady
Councillor P J Sobhanian
Councillor C A Trevor

Officers

Mrs L Dowling (Chief Executive Officer)
Mrs H Ning (Executive Secretary)
Mr M Holmes
Ms C McKewen
Mrs B Saunders
Mrs S Hogarth
Mrs S Burke
Mrs K Lee
Ms K Roberts
Ms K Wockner
Ms J De Jonckheere

APOLOGIES

That Council note an apology for Councillor N Muszkat as previously approved by Council Resolution G/19 /3706.

G/0.3.3. MESSAGES OF CONDOLENCE

Nil.

G/0.3.4. DISCLOSURE OF INTERESTS

MATERIAL PERSONAL INTERESTS

Pursuant to section 175(C) of the Local Government Act 2009, where a Councillor declares a Material Personal Interest in an agenda item, the Councillor must leave the room for the agenda item.

CONFLICTS OF INTEREST

Pursuant to section 175(E) of the Local Government Act 2009, where a Councillor declares a Conflict of Interest and elects to leave the room for an agenda item, a resolution of Council is not required.

G/3.1.1. GLADSTONE AIRPORT CORPORATION – STATEMENT OF CORPORATE INTENT 2019/2020

Cr Hansen

Councillor Rick Hansen declared a conflict of duty in Item G/3.1.1. GLADSTONE AIRPORT CORPORATION – STATEMENT OF CORPORATE INTENT 2019/2020, as he is a Council appointed board member of the Gladstone Airport.

G/19 /3836 Council Resolution:

Moved Cr Churchill
Seconded Cr Goodluck

Cr Hansen does not have a conflict of interest in item G/3.1.1.

CARRIED

G/3.1.7. BUSINESS IMPROVEMENT COMMITTEE MEETING MINUTES 26 JUNE 2019

Cr Sobhanian

Councillor PJ Sobhanian declared a personal interest in Item G/3.1.7. BUSINESS IMPROVEMENT COMMITTEE MEETING MINUTES 26 JUNE 2019, as he is a Council appointed board member of the Gladstone Area Water Board.

G/19 /3837 Council Resolution:

Moved Cr Trevor
Seconded Cr Churchill

Cr Sobhanian does not have a conflict of interest in Item G/3.1.7.

CARRIED

G/3.1.9. GLADSTONE REGIONAL EVENTS STRATEGY 2019 – 2024

Cr Goodluck

Councillor Kahn Goodluck declared a personal interest in Item G/3.1.9. GLADSTONE REGIONAL EVENTS STRATEGY 2019 – 2024, as he is the President of Boyne Tannum Arts Business and Community Association Incorporated who participated in the consultation sessions for the development of the strategy.

G/19 /3838 Council Resolution:

Moved Cr Churchill
Seconded Cr Trevor

Cr Goodluck does not have a conflict of interest in item G/3.1.9.

CARRIED

G/8.3. PSA 151-19 SAFETY PRODUCTS – AWARD

Cr O’Grady

Councillor Desley O’Grady declared a personal interest in Item G/8.3. PSA 151-19 SAFETY PRODUCTS – AWARD, as she is the former owner of Limestone Clothing Calliope.

Cr O’Grady advised that she will leave the room during the consideration of Item G/8.3.

G/1. MAYORAL STATEMENT OF CURRENT ISSUES

Earlier this month Chief Executive Officer, Leisa Dowling and I travelled to Japan to visit our Sister City Saiki. The Sister City friendship was signed more than 20 years ago and has provided a cultural connection between our two communities ever since due mostly to the hard work of our local sister city committee. The friendship and cultural connection extends beyond Intercity Images to local high schools and I was pleased to be in Saiki at the same time as our local high school students from both Toolooa and Tannum High, who were participating in the student exchange program. When the Saiki delegation visited Gladstone a few years ago I suggested to the Mayor that we should consider potential economic partnerships between our two regions as well. I am pleased to say that during our visit to Saiki we made several connections within the ship building industry and bio energy sector which our Strategy and Transformation team will follow up on. Mayor Tanaka and I share the same belief that the friendship between our two communities has grown significantly over the years and it is time to build on the cultural connection and work together to identify economic opportunities for either Gladstone or Saiki. Prior to arriving in Saiki, while in Tokyo I took the opportunity to meet with Mitsui and Sumitomo to continue our conversations regarding future energy projects including hydrogen.

Following on from Saiki I travelled to Des Moines in Iowa for the World Bio Congress. Team Gladstone was well represented with representatives from Central Queensland University, Gladstone Engineering Alliance, Gladstone Industry Leadership Group and Northern Oil joining Council at the Congress. Thanks to Life Sciences Queensland I had the opportunity to address the Queensland Event to highlight the unique Gladstone advantages to Congress delegates. All members of Team Gladstone agree the World Congress is a must attend next year, with future energy and Ag tech being the focus of the conference. In regards to the World Bio Convention ("Big Bio") the pre-bio functions hosted by the Queensland Government, Queensland University of Technology and Life Sciences Queensland provide the most benefit.

Locally on the weekend we saw another successful Turkey Beach Tractor Bash and a very popular two-night Luminous Event.

On July 27 Brisbane Roar will play an exhibition match at Marley Brown Oval after a week-long visit to the city, which includes coaching clinics and club visits and a sportsman's dinner the night before.

Thank you, Chris and team, for looking after the region while I was away.

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 2 JULY 2019

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 2 July 2019.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 2 July 2019 be confirmed.

G/19 /3839 Council Resolution:

Moved Cr Sobhanian
Seconded Cr Trevor

That the Officer's Recommendation be adopted.

CARRIED

G/3. OFFICERS' REPORTS

G/3.1. OFFICER'S REPORTS

G/3.1.1. GLADSTONE AIRPORT CORPORATION - STATEMENT OF CORPORATE INTENT 2019/2020

File Ref: FM19.1; CA3.1

Purpose:

This report provides for Council's consideration the Gladstone Airport Corporation's Statement of Corporate Intent for 2019/2020.

Officer's Recommendation:

Council endorse the attached Gladstone Airport Corporation Statement of Corporate Intent for Financial Year 2020.

G/19 /3840 Council Resolution:

Moved Cr Trevor
Seconded Cr O'Grady

Council endorse the attached Gladstone Airport Corporation Statement of Corporate Intent for Financial Year 2020, with the amendment for inclusion of investigating alternative sources of capital funding, including but not limited to grant funding and third party contributions.

CARRIED

G/3.1.2. LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE MOTIONS 14 - 16 OCTOBER 2019

File Ref: CM6.1

Purpose:

To provide Council with the opportunity to consider submission of motions and confirm Councillor attendance to the Annual Conference of the Local Government Association of Queensland (LGAQ) to be held on 14 – 16 October 2019 in Cairns.

Officer's Recommendation:

That Council:

1. Submit the following conference motions to the Local Government Association of Queensland (LGAQ) for consideration:
 - a. That the LGAQ call upon the State Government to provide the principles of privilege, those same privileges of State and Federal Government of debate within Council General Meetings.
 - b. That the LGAQ lobby the Australian Electoral Commission and Electoral Commission of Queensland to advocate for the formulation of a set of guidelines regarding electoral signage placement to be policed and enforced.
2. Authorise Cr _____ and Cr _____ to attend as Councils Conference delegates at the LGAQ Annual Conference on 14 – 16 October 2019 in Cairns.

G/19 /3841 Procedural Motion:

Moved by Cr Churchill
Seconded Cr Trevor

That the Officer's Recommendation be considered as separate motions.

CARRIED

G/19 /3842 Council Resolution:

Moved Cr Trevor
Seconded Cr Hansen

That Council:

Submit the following conference motions to the Local Government Association of Queensland (LGAQ) for consideration:

- a. That the LGAQ call upon the State Government to provide the principles of privilege, those same privileges of State and Federal Government of debate within Council General Meetings.
- b. That the LGAQ lobby the Australian Electoral Commission and Electoral Commission of Queensland to advocate for the formulation of a set of guidelines regarding electoral signage placement to be policed and enforced.

CARRIED

G/19 /3843 Council Resolution:

Moved Cr Churchill
Seconded Cr Trevor

Authorise Mayor Matt Burnett and Cr Kahn Goodluck to attend as Council's Conference delegates at the LGAQ Annual Conference on 14 – 16 October 2019 in Cairns.

CARRIED

G/3.1.3. RISK REVIEW - DRY HIRE COUNCIL PLANT AND EQUIPMENT

File Ref: RM1.7, SP5.2

Purpose:

To present a report as requested at the General Meeting held on 7 May 2019 for insurance options and risks associated with the dry hire of Council plant and equipment.

Officer's Recommendation:

That Council does not amend the Community Investment Policy to include dry hire of plant and equipment.

G/19 /3844 Council Resolution:

Moved Cr Trevor
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

CARRIED

G/3.1.4. ADOPTION OF SHOW HOLIDAY 2020

File Ref: CM23.1

Purpose:

The purpose of this report to provide options for consideration and for Council to nominate a preferred 'show public holiday' for the 2020 calendar year.

Officer's Recommendation:

That Council nominate _____ as a Show Holiday for the Gladstone Region in 2020.

G/19 /3845 Council Resolution:

Moved Cr Trevor
Seconded Cr Hansen

That Council nominate 10 August 2020 as a Show Holiday for the Gladstone Region in 2020, and advocate for the Public Holiday to apply across the whole Gladstone Region, particularly with all relevant State and Federal Government Agencies.

CARRIED

G/3.1.5. REVIEW OF CEMETERIES POLICY

File Ref: CM28.2

Purpose:

To consider the adoption of a revised Cemetery and Crematorium Policy.

Officer's Recommendation:

That Council:

1. Repeal existing policy P-2014-07 Cemetery and Crematorium Policy; and
2. Adopt revised policy P-2019-03 Cemetery and Crematorium Policy as tabled (attached to the minutes as **Addendum 1**).

G/19 /3846 Council Resolution:

Moved Cr Masters
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

CARRIED

G/3.1.6. BUSINESS IMPROVEMENT COMMITTEE CHAIR

File Ref: CM26.2

Purpose:

This report recommends the extension of Business Improvement Committee Member, Kerry Phillips, tenure and appointment to chairperson of the committee.

Officer's Recommendation:

That Council:

1. Endorse an extension to the tenure of Kerry Phillips on the Business Improvement Committee for an additional 3.5 years;
2. Endorse Kerry Phillips as Chairperson of the Business Improvement Committee to take effect from the Committee Meeting in September 2019, up to and including December 2022 committee meeting.

G/19 /3847 Council Resolution:

Moved Cr Trevor
Seconded Cr Churchill

That Council:

1. Endorse an extension to the tenure of Kerry Phillips on the Business Improvement Committee for an additional 3.5 years;
2. Endorse Kerry Phillips as Chairperson of the Business Improvement Committee to take effect from the Committee Meeting in September 2019, up to and including December 2022 committee meeting;
3. Acknowledge the former Chairman Ross Cook's service contribution to the committee.

CARRIED

G/3.1.7. BUSINESS IMPROVEMENT COMMITTEE MEETING MINUTES 26 JUNE 2019

File Ref: CM26.2

Purpose:

Pursuant to Section 211 of the Queensland *Local Government Regulation 2012* presentation of a written report about the matters reviewed at the Business Improvement Committee Meeting held on 26 June 2019.

Officer's Recommendation:

That the minutes of the Business Improvement Committee Meeting held on 26 June 2019 be received and accepted.

G/19 /3848 Council Resolution:

Moved Cr Goodluck
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

CARRIED

**The meeting adjourned for morning tea at 10.39 am
and reconvened at 11.07 am.**

G/3.1.8. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDING 30 JUNE 2019

File Ref: FM15.1

Purpose:

This report seeks Council adoption of the Monthly Financial Statements for the 2018-19 year to date, for the period ended 30 June 2019, as required under Section 204 *Local Government Regulation 2012*.

Officer's Recommendation:

That Council adopt the Monthly Financial Statements attached to this report for the 2018-19 year to date, for the period ended 30 June 2019 as required under Section 204 *Local Government Regulation 2012*.

G/19 /3849 Council Resolution:

Moved Cr Trevor
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

CARRIED

G/3.1.9. GLADSTONE REGIONAL EVENTS STRATEGY 2019 - 2024

File Ref: CC5.1; CR2.11

Purpose:

To advise Councillors of the completion of the Gladstone Regional Events Strategy 2019 - 2024.

Officer's Recommendation:

That Council note the completion of the Gladstone Regional Events Strategy 2019 – 2024, a deliverable under Goal 1.4 - *Build community capacity for events* of the 2018/19 Operational Plan.

G/19 /3850 Council Resolution:

Moved Cr Masters
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

CARRIED

G/4. DEPUTATIONS

G/4.1. DEPUTATIONS

Nil.

G/5. COUNCILLORS REPORT

File Ref: CM7.2

Purpose:

To brief Council on the ideas and content presented at the Australian Local Government Association National General Assembly, which was attended by Councillor Rick Hansen on 16 – 19 June 2019 in Canberra, ACT.

Officer's Recommendation:

That the report be received.

G/19 /3851 Council Resolution:

Moved Cr Hansen
Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

CARRIED

G/6. URGENT BUSINESS

Cr Goodluck raised an urgent business item regarding the Distribution Priority Area for General Practitioners.

Cr Goodluck moved the following recommendation:

Gladstone Regional Council calls on the Australian Government, Department of Health, to reconsider the removal of Gladstone - Tannum Sands from the Distribution Priority Area for GP's as of the 16 July 2019.

This recommendation was seconded by Cr Hansen.

Background:

The result of this decision means General Practitioner (GP) Practices can only contract Doctors who have passed their Australian GP exam and have worked in Australia for 10 years (discount applies depending on remoteness), which in effect means Gladstone will no longer be able to attract foreign trained doctors.

BITS Medical Centre, for example, in the last 11 years of practice has been successful in attracting precisely 0 Australian trained doctors. The same goes for the majority of practices in our region, if not all of them. The fact is that Australian trained doctors are not attracted to regional centres such as Gladstone, despite every effort from our regional practitioners and this is why they must seek foreign trained doctors to service our community.

The census data on which this decision was calculated came from a time in 2016 where the Gladstone region was still affected by a construction boom which was winding down and subsequently our economy has experienced significant downturn.

The Royal Australian College of Practitioners recommends an average ratio of one doctor per 1,000 patients. We currently have approximately 40 Full Time doctors practicing in our region servicing above 60,000. That's 20 doctors short, and so this determination is flawed and does not serve the best interests of our people.

This decision will have a disastrous result for GP services in the Gladstone Region on our community that already struggles with a lack of services as it is. Our GP's are already unable to keep up with the workload with legislative framework that seems forever stacked against successful outcomes in health in regional centres.

G/19 /3852 Council Resolution:

Moved Cr Goodluck
Seconded Cr Hansen

Gladstone Regional Council calls on the Australian Government, Department of Health, to reconsider the removal of Gladstone - Tannum Sands from the Distribution Priority Area for GP's as of the 16 July 2019.

CARRIED

G/7. NOTICE OF MOTION

Nil.

G/19 /3853 Procedural Motion:

Moved by Cr Burnett
Seconded Cr Masters

That Item G/8.5. THERMO SCIENTIFIC MICROPHAZIR – SOLE SUPPLIER AND Item G/8.6 SOLUS – SOLE SUPPLIER are moved out of Confidential Items and are considered next, as they do not contain confidential information.

CARRIED

G/8.5. THERMO SCIENTIFIC MICROPHAZIR - SOLE SUPPLIER

File Ref: PE1.1

G/19 /3854 Council Resolution:

Moved Cr Trevor
Seconded Cr Sobhanian

That Council:

1. Resolves, in accordance with Section 235(a) of the *Local Government Regulation 2012*, that it is satisfied that Portable Analytical Solutions are the only supplier available to Council for the supply of a hand-held asbestos detection unit; and
2. Authorises the Chief Executive Officer to issue a purchase order to Portable Analytical Solutions for the purchase of a Thermo Scientific microPhazir AS hand held analyser.

CARRIED

G/8.6. SOLUS - SOLE SUPPLIER

File Ref: PE1.1

G/19 /3855 Council Resolution:

Moved Cr Churchill
Seconded Cr Masters

That Council:

1. Resolves, in accordance with Section 235(b) of the *Local Government Regulation 2012*, that it is satisfied that due to the specialised nature of the services sought, SANZAP Pty Ltd T/A Solus is the best service provider to deliver Council's Libraries Mobile App; and
2. Authorises the Chief Executive Officer to issue a purchase order to SANZAP Pty Ltd T/A Solus Consulting for the implementation of Council's Libraries Mobile App.

CARRIED

G/8. CONFIDENTIAL ITEMS

G/19 /3856 Procedural Motion:

Moved by Cr Goodluck
Seconded Cr Hansen

That in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting be closed to the public to discuss business relating to the following: -

- e) contracts proposed to be made by it.

CARRIED

G/19 /3857 Procedural Motion:

Moved by Cr Churchill
Seconded Cr O'Grady

That Council re-open the meeting to the public.

CARRIED

G/8.1. 206-19 YARWUN WWTP UPGRADE - AWARD

File Ref: PE1.1

G/19 /3858 Council Resolution:

Moved Cr O'Grady
Seconded Cr Masters

That Council:

1. Endorse the Tender Evaluation Panel's recommendation and accept the tender from True Water Solutions Pty Ltd for \$2,566,767 (exclusive of GST), as per their submission for Tender 206-19 Design and Construction of Yarwun Waste Water Treatment Plant (WWTP) Upgrade; and
2. Authorise the Chief Executive Officer to enter into a contract for design and construction of the Yarwun WWTP upgrade.

CARRIED

G/8.2. PSA 154-19 SURVEY SERVICES - AWARD

File Ref: PE1.1

G/19 /3859 Council Resolution:

Moved Cr Hansen
Seconded Cr Churchill

That Council:

1. Endorse the Tender Evaluation Panel's recommendation and award the provision of survey services for PSA 154-19 as follows:
 - Capricorn Survey Gladstone Pty Ltd – for central/northern based requirements;
 - Inglis Survey and Mapping – for western based requirements; and
 - Exemplar Group Pty Ltd T/A MPAS Holdings Pty Ltd – for southern based requirements. And,
2. Authorise the Chief Executive Officer to enter into 2-year contracts with two 1-year extension options as outlined above, for the provision of survey services under PSA 154-19.

CARRIED

G/8.3. PSA 151-19 SAFETY PRODUCTS – AWARD

Cr O'Grady (declared Personal Interest)
left the room during the consideration and voting of Item G/8.3.
(refer G/0.3.4 Disclosure of Interest section of the minutes – page 6)

File Ref: PE1.1

G/19 /3860 Council Resolution:

Moved Cr Goodluck
Seconded Cr Hansen

That Council:

1. Endorse the Tender Evaluation Panel's recommendation and award the supply of Safety Products for PSA 151-19 as follows:
 - a) Clothing and footwear to Ojema Group Pty Ltd trading as Totally Workwear; and
 - b) The supply of ear, respiratory and all other associated safety consumables be awarded to Bunzl Brands & Operations Pty Ltd; and
2. Authorise the Chief Executive Officer to enter into a 2-year contract with two 1-year extension options, with Ojema Group Pty Ltd trading as Totally Workwear and Bunzl Brands & Operations Pty Ltd.

CARRIED

G/8.4. PSA 176-19 SUPPLY AND DELIVERY OF ROAD FURNITURE - AWARD

File Ref: PE1.1

G/19 /3861 Council Resolution:

Moved Cr Masters
Seconded Cr Sobhanian

That Council:

1. Endorse the Tender Evaluation Panel's recommendation and award the supply and delivery of road furniture PSA 176-19 to Artcraft Pty Ltd; and
2. Authorise the Chief Executive Officer to enter into a 2-year contract with two 1-year extension options, with Artcraft Pty Ltd for the supply and delivery of road furniture under PSA 176-19.

CARRIED

There being no further business the Mayor formally closed the meeting.

THE MEETING CLOSED AT 12.20 pm

CERTIFICATION

I hereby confirm that I have read the minutes and they are a true and correct record of the proceedings of the meeting. I certify that these 34 pages form the official copy of Gladstone Regional Council General Meeting Minutes of the 16 July 2019.

.....
Mayor Matt Burnett

...../...../.....
Date

**ATTACHMENTS
ADDENDUM 1**



Gladstone Regional Council

Council Policy

Title	CEMETERY AND CREMATORIUM POLICY
Policy Number	P-2019-03
Business Unit/s	OPERATIONS
Date of Adoption	
Resolution Number	
Date Review Due	
Date Repealed	

1.0 PURPOSE:

The purpose of this policy is to provide strategic direction on the management of Council controlled cemeteries, crematorium and memorial parkland facilities.

2.0 SCOPE:

This Policy applies to all cemeteries, crematorium and memorial parkland administered, operated and maintained by Council.

3.0 RELATED LEGISLATION:

- Cremations Act 2003
- Cremations Regulation 2003
- Gladstone Regional Council Local Law No. 1 (Administration) 2011
- Gladstone Regional Council Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011
- Gladstone Regional Council Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011
- Gladstone Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011
- Gladstone Regional Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011
- Local Government Act 2009
- Births, Deaths and Marriages Registration Act 2003
- Births, Deaths and Marriages Registration Regulation 2003
- Burials Assistance Act 1965

4.0 RELATED DOCUMENTS:

- Management of Council Controlled Cemeteries and Crematorium Corporate Standard
- Gladstone Regional Council Cemeteries procedures

GRC ECM Subject Index: File Reference:- [CM28.2](#)

5.0 DEFINITIONS:

To assist in interpretation of this policy the following definitions apply:

Applicant means the person making an application for a cemetery or cremation service provided by the Business, that is subject to an application process.

Application Form or **Application** means all forms which are required to be lodged with the Business or another Agency to undertake a service, or obtain an approval, within a Council controlled Cemetery and Crematorium.

Ashes means Cremated Remains placed in an Urn.

Burial means the act of burying the remains of a deceased person.

Burial Rights means exclusive rights to a Plot granted by the Business to a person, where they are given the rights to be interred in the Plot, to authorise the interment of others in the Plot, to establish or alter a memorial or monument on the Plot and to object or endorse an exhumation of a body or ashes in the Plot (there is no entitlement to any 'real estate' or property as such).

Burial Rights Holder is as defined in Section 6.5 of this Policy.

Cemetery or **Cemeteries** is as defined in Gladstone Regional Council's *Local Law No. 1 (Administration) 2011* – Schedule 1 'local government cemetery' and as listed in Schedule 6 of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.

Coffin used interchangeably to describe a coffin or casket.

Corporate Standard means Gladstone Regional Council's Management of Council Controlled Cemeteries and Crematorium Corporate Standard.

Council means Gladstone Regional Council and generally refers to the elected body of Council in their capacity as decision makers or Council as the ownership entity

Crematorium means a building where human remains are burnt.

Cremated Remains means the human remains that have undergone the Cremation process and the body has been reduced to small pieces of ash and bone.

Cremation means the process of burning human remains.

Exhumation means the removal from the ground of a body or Ashes.

Funeral Director means an individual, or business carrying out a funeral service.

Interment means the Burial of a deceased person's remains in a coffin or in an Ashes Urn.

Memorial means a Plot within a Council controlled Cemetery without an Interment which serves the purpose of a place of remembrance of a deceased person.

Monument means any structure, headstone, masonry, metal work, casting or item placed over, in, or around a Plot.

Monument Mason means a tradesman mason or person possessing the skills to carry out monument masonry work.

Next of Kin or Authorised Representative means:

- (a) for a Cremation, the person authorised to act for the deceased person; and
- (b) for an Interment, the person authorised to act for the deceased person where they are not the Burial Rights Holder of a Plot.

Plot means a place for the Interment or memorialisation of the remains of a deceased person, whether cremated or not.

Reservation means to pre-purchase a Burial Right for a Plot.

Scattering means to respectfully disperse the Ashes of a deceased person.

the Business means Gladstone Regional Council as an operating entity

Urn means a container for Cremated Remains. An Urn may include the Cremated Remains of one or more deceased persons.

6.0 POLICY STATEMENT:

6.1 WORK IN CEMETERIES

Parties other than the Business may undertake an activity within a Council controlled Cemetery when authorised.

6.2 REGISTER OF BURIALS, CREMATIONS AND PLOT RESERVATIONS

The Business will maintain a Cemetery Register as a single digital database which will contain the following information:

- 6.2.1 All Interments and Memorials in Council controlled Cemeteries. This may not include Interments in historical Cemeteries due to loss of records from previous operating entities.
- 6.2.2 Cremations as required by the *Cremations Act 2003* for each Cremation conducted by the Business.
- 6.2.3 Plot Reservations which will record the Burial Rights for a Plot reserved by a person within a Council controlled Cemetery.

6.3 EXHUMATION

- 6.3.1 The Business will not carry out Exhumations.
- 6.3.2 All arrangements for Exhumations are to be made with a registered Funeral Director.
- 6.3.3 Permission for Exhumation by a Funeral Director will only be granted to the Burial Rights Holder on Application.

6.4 BURIAL RIGHTS

- 6.4.1 Burial Rights which are reserved by a person may not be sold. Burials rights may be transferred when authorised by the Business.
- 6.4.2 A Burial Right on a vacant or reserved Plot may be surrendered to the Business.
- 6.4.3 A full or partial refund may be given for relinquishing a reserved Plot.

6.5 BURIAL RIGHTS HOLDER

- 6.5.1 There can only be one Burial Rights Holder per Plot.
- 6.5.2 The Burial Rights Holder is the person whose name appears on the Application Form as the Authorised Person for the purchase of a new Plot for an interment, memorial or reservation.
- 6.5.3 The Burial Rights Holder has exclusive rights to be interred in the Plot, to authorise the interment of others in the Plot, to establish or alter a memorial or monument on the Plot and to object or endorse an exhumation of a body or ashes in the Plot. This is subject to the restrictions on the number of interments permitted per Plot.
- 6.5.4 On the death of the Burial Rights Holder, where the Burial Rights Holder is interred or memorialised in the Plot for which they hold the rights, the Burial Rights for that Plot will follow the lines of succession of that holder, where the person whose name appears as the Authorised Person on the Application Form will become the new Burial Rights Holder of that Plot.
- 6.5.5 If there is a living Burial Rights Holder at the time of Application, the Burial Rights will not be transferred to a Next of Kin or Authorised Representative whose name appears on the Application Form (for example: A wife has a reserved Plot. Her husband passes, and their daughter completes the Burial Application for the reserved Plot. In this circumstance the wife maintains the Burial Rights and not their daughter, whose name appears on the Application Form).
- 6.5.6 Where a Next of Kin or Authorised Representative is not the Burial Rights Holder of the Plot and they make an Application for interment, memorial, monumental works or exhumation, permission must be obtained in writing (by way of approved form) from the Burial Rights Holder and submitted with the Application.
- 6.5.7 On the death of the Burial Rights Holder, where the Burial Rights Holder is **not** interred or memorialised in the Plot for which they hold the rights, the Burial Rights for that Plot will revert to the Business.
- 6.5.8 Where the existing Burial Rights Holder of the Plot is historic or unknown, the Burial Rights for that Plot will revert to the Business.
- 6.5.9 In the circumstance where the Business is the Burial Rights Holder of the Plot, the Business at its' absolute discretion, will transfer the Burial Rights of the Plot to a spouse, child, partner, relative or direct descendant of the deceased by way of an approved Application, provided the Business has no reason to believe that the previous Burial Rights Holder (if known) would have objected to such transfer. This also applies to historic reservations, where the exact family member who made the reservation cannot be determined.

Note: The Business acts in good faith when it relies on advice provided by the Burial Rights Holder and when transferring Burial Rights and does not accept any responsibility for allowing a service that might be the subject of a later dispute between family members.

6.5.10 The Burial Rights Holder must comply with all rules and regulations which apply to the operation of Council's Cemeteries.

6.6 RESERVATIONS OF PLOTS

Reservations of Plots may be made in accordance with the Application process for Open Cemeteries (see Section 6.14).

6.7 INTERMENTS

6.7.1 Interments will be accepted in a Council controlled Cemetery by Application in writing on the approved Application Form and subject to approval by the Business.

6.7.2 The maximum number of Interments and the combination of the types of Interments into a single Plot will be determined by the Business.

6.7.3 Further Burial Interments into a single Plot are best performed after one year from the first Burial Interment, however, the Business will accept Applications for a further Burial Interment into a Plot prior to one-year subject to:

(a) The Applicant being advised and acknowledging the risks and the potential conditions and issues that may arise from re-opening the Plot; and

(b) Any conditions that the Business may place on the Interment approval.

The Business reserves the right to refuse an Application for a further Burial Interment into a Plot where it considers that Plot conditions are not suitable for re-opening at a particular point in time.

6.7.4 All Plots are allocated by the Business. Applicants can select free-standing Plots from those available in pre-determined locations.

6.7.5 Specific cultural or religious requirements are to be advised in writing at time of Application. The Business will endeavour to grant the requirements of each request subject to operational and Cemetery management considerations. The Business will not allow members of the public to enter an excavated Plot prior to Interment to place items or perform religious or cultural preparatory activities – these must be performed outside of the excavation.

6.7.6 Animal Burials are prohibited in Council Cemeteries.

6.8 SCATTERING OF ASHES

The Business will at the request of Applicants arrange for our People to scatter Ashes in designated areas of Council Cemeteries. Individuals wanting to perform this function in person within a Council controlled Cemetery may do so by arrangement with the Business.

6.9 CREMATIONS

6.9.1 Coffins will not be opened once accepted into the Crematorium.

6.9.2 The Business accepts no responsibility for items (flowers, cards, covers, jewellery, ornaments etc.) left on, or in, the coffins once it has been accepted into the Crematorium.

6.10 PLAQUES, MONUMENTS AND INSCRIPTIONS

- 6.10.1 Memorial plaques are the responsibility of the Burial Rights Holder and may be organised through a Funeral Director or a private supplier.
- 6.10.2 A person shall not, in any Council controlled Cemetery, construct or install any Monument, memorial, foundation, vault, table, headstone, gravestone, kerbing, railing or other structure, and/or make any inscription or carry out any adornment, unless:
- a) written approval for same is obtained from the Burial Rights Holder; and
 - b) such works are in accordance with the standards required within that Cemetery; and
 - c) approved in writing by the Business.
- 6.10.3 Except where work is essential to make a Plot safe, the Business will not be liable for the repair, maintenance, upkeep or preservation of any plaque or item placed on a Plot. The responsibility for the costs of repairs and maintenance to plaques, monuments and historical graves and headstones, lie with the Burial Rights Holder.
- 6.10.4 Funeral Directors and Monumental Masons are to ensure the person ordering a plaque / Monument is the Burial Rights Holder or has obtained written permission from the Burial Rights Holder.
- 6.10.5 The Business must be notified by way of lodgement of an Application prior to any maintenance repair work being carried out.
- 6.10.6 Monuments, gravestones, kerbing railing and other structures are not permitted within lawn sections of Council controlled Cemeteries with the exception of Bororen Cemetery and Rosedale Cemetery which will accept a headstone.

6.11 VASES, FLOWERS, MEMORABILIA AND ORNAMENTS ON PLOTS

- 6.11.1 Vases, flowers, memorabilia and ornaments on Plots must comply with the Business's requirements. Information will be publicised on these requirements. In setting the standards, the Business will aim to achieve a balance between the needs of loved ones to show love and remembrance through the placement of floral and ornamental tributes with maintaining the visual amenity of the Cemetery.
- 6.11.2 The Business reserves the right, without notice, to remove and dispose of any object that does not comply with publicised requirements.

6.12 CLOSED CEMETERIES

The following Cemeteries are deemed to be historical and are closed for all Interments and Reservations:

- Miriam Vale Cemetery
- Targinnie Cemetery
- Builyan Cemetery
- Nagoorin Cemetery
- Baffle Creek Cemetery.

6.13 RESTRICTED USE CEMETERIES

The Gladstone Cemetery, Cemetery Road, Gladstone is closed to all Burials and Reservations with the exception of:

- a) Burials in previously reserved Plots; and
- b) Plots that have provision for double Interment; and
- c) Ashes Interments.

6.14 OPEN CEMETERIES

The following Cemeteries are open:

- Bororen Cemetery Bruce Highway south of the Bororen;
- Boyne Tannum Memorial Parklands (includes Crematorium) Pioneer Drive, Boyne Island;
- Calliope Cemetery, 60 Morcom Street, Calliope;
- Mount Larcom Cemetery, 47 Popenia Road, Mt Larcom;
- Port Curtis Lawn Cemetery Aerodrome Road, Clinton Gladstone;
- Rosedale Cemetery Ferry Road, Rosedale.

The Reservation of Plots can be made as indicated below:

Cemetery	Burial Plots	Ashes Plots
Bororen Cemetery	✓	✓
Boyne Tannum Memorial Parklands	✓	✓
Calliope Cemetery	x	✓
Mount Larcom Cemetery	✓	x
Port Curtis Cemetery	x	✓
Rosedale Cemetery	✓	x

7.0 ATTACHMENTS:

Nil

8.0 REVIEW TRIGGER:

This policy will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by a resolution of Council or the CEO; or.
3. Three years from date of adoption.

TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	20 May 2014	G/14/2006	
Amendment 1			
Amendment 2			
Amendment 3			

.....
LEISA DOWLING
CHIEF EXECUTIVE OFFICER