



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING AGENDA

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

On 20 August 2019

Commencing at 9.00am

**Mark Holmes
ACTING CHIEF EXECUTIVE OFFICER**

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G/1. MAYORAL STATEMENT OF CURRENT ISSUES

Nil.

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 6 AUG 2019

Responsible Officer: Chief Executive Officer

Council Meeting Date: 20 August 2019

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 6 August 2019.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 6 August 2019 be confirmed.

Attachments:

1. Minutes of the General Meeting of Council held on 6 August 2019.

Tabled Items:

Nil.

Report Prepared by: Executive Secretary

G/3. OFFICERS' REPORTS

G/3.1. OFFICER'S REPORTS

G/3.1.1. BUILDING OUR REGIONS ROUND 5 - CONSIDERATION OF POTENTIAL PROJECTS FOR EOI

Responsible Officer: General Manager Strategy and Transformation

Council Meeting Date: 20 August 2019

File Ref: GS3.2

Purpose:

The purpose of this report is to seek Council's determination on the projects to be lodged for the Building Our Regions Round 5 Expressions of Interest Round.

Officer's Recommendation:

That Council lodge the Landfill Cell 3A project under the Building Our Regions Round 5 Expressions of Interest Round.

Background:

Building our Regions is a funding program administered by the Department of State Development, Manufacturing, Infrastructure and Planning. It is an ongoing program, with Gladstone Regional Council having several projects funded in previous rounds.

The aim of the Building our Regions is to provide funding for regional infrastructure projects that create flow-on economic development jobs and opportunities. The program guidelines for the Building our Regions Round 5 were released on 25 July 2019 (attached). The full application opened on 5 August.

It is noted that there are two streams this round, a construction project stream (funding for physical works) and a planning project stream (for detailed design or business case development).

The key objectives of this program are to fund eligible regional infrastructure projects that:

- Support regional economic development and the sustainability of regional communities
- Support the development of new industries or the expansion of established industries in the regions
- Contribute to the creation of new sustainable employment opportunities
- Improve the livability and amenity of regional communities through improved infrastructure and increased economic activity
- Align with the regions industry and economic development priorities
- Deliver collaborative regional priority infrastructure

To be eligible for funding for a construction project, the application must:

- be consistent with the objectives of Building our Regions
- be for the construction of an infrastructure project. Examples of eligible projects include:
 - infrastructure to establish or expand a commercial/industrial precinct
 - infrastructure supporting tourism development

- infrastructure supporting events attraction including sporting and recreational facilities
- water, sewage/wastewater, and waste infrastructure projects where there is a direct economic benefit to an industrial, commercial or tourism development
- alternative/renewable energy infrastructure
- airport infrastructure
- logistics/transportation hubs
- marine infrastructure.
- be capable of commencing construction by 30 April 2020
- have final construction/engineering designs available at time of business case submission (September 2019)
- have no outstanding land tenure issues (including native title) to resolve at the time of business case submission
- be submitted by a Local Government
- provide a copy to the local DSDMIP for endorsement prior to submission
- be requesting construction project funding between \$250,000 and \$7,000,000. It is noted that contributions from the Local Government are encouraged, although no minimum is specified

The Expression of Interest stage opened on 5 August 2019 and closes on 30 August 2019. If successful, the Business Case stage opens 30 September 2019 and closes 25 October 2019. Successful projects will be announced mid December 2019. Projects must be able to commence by 30 April 2020.

Consideration:

Officers have considered the program requirements, and in conjunction with the local DSDMIP office, have determined the project that is progressed to a point where planning and delivery can meet the above timeframes and commitments is the Landfill Cell 3A projects. This project has already been budgeted in 19/20 as well as the Long Term Financial Plan for 20/21 & 21/22 years. The total project cost is \$9,858,000. This includes the capping of Cell 2.

Given that there is no defined Council contribution required to be nominated, the funding amount applied for must also be strategically considered. Whilst the maximum funding is \$7 million, discussions with the Department have determined that a 50/50 contribution is likely to be more favorably considered. As such, the application will request \$4,929,000 million in funding, with the remainder to be funded by Council. The Department has indicated that should this amount of funding not be considered acceptable, a reduced funding amount may be offered.

At this point in time, there are no other Council led projects within the IPP or Long Term Financial plan that can both meet this programs objectives as well as meet the construction timeframes.

Communication and Consultation (Internal/External):

The Strategic Grants Specialist has been in close contact with the Department to ensure the EOI lodged has included as much supporting information as needed. It is noted that a requirement of the lodgment of the EOI is that the regional office has 'reviewed' the application. This will occur prior to submission.

Internal communication has been essential in pulling together the application with collaboration across the Strategy & Transformation, Operations and Strategic Asset Performance business units.

Legal Environmental and Policy Implications:

To lodge an EOI, indicates a commitment to proceed with the project should Council be successful. Should Council be successful and decide not to proceed with the project or not sign the associated Funding Agreement, there could be implications to our future funding considerations and relationship with DSDMIP.

Financial and Resource Implications:

The Building our Regions program draws on a \$70 million total funding pool, allocated across three programs applicable to different Councils. Gladstone Council is eligible for the Regional Capital Fund of \$34 million. It is noted that 22 Council's in total are eligible to apply for this program.

In Round 4, typical funding amounts on successful projects across Queensland were less than \$2 million, although there are some projects that have received \$5 million. This current Round has a higher maximum funding amount of \$7 million in comparison with a maximum \$5 million contribution in previous rounds.

This project is already committed to the amount of \$1,387,000 in the 19/20 budget to finalise detailed design, Operational Works & Environmental approvals, undertake the procurement process and commence construction. The bulk of the construction work will occur in 20/21 financial year with \$6,703,000 indicated in the Long-Term Financial Plan and \$1,768,000 in the 21/22 financial year to complete construction and cap Cell 2. This gives the total expected expenditure of \$9,858,000 across the life of the project.

If Council were successful in funding this project it would result in a positive impact on our budget, in particular, easing pressure on our cost recovery fees for the disposal of waste across the region. The current pricing model provides for the full funding of the cell improvements by users of the waste facility of the remaining life of the landfill.

To prepare the Expression of Interest documentation, internal resources have been utilised. It is noted that should the application proceed to Business Case stage, external resources may be required to assist in the detailed supporting material required.

Commentary:

After consideration of the program requirements and objectives, as well as Council's resourcing, the Landfill Cell 3A project has the highest priority to seek funding under the Construction Projects stream.

Given the Operational Plan commitment and alignment with the funding criteria, the Business Case for the Gladstone Coal Exporters Sports Complex (Marley Brown Oval) is also considered the most strategic match for the Planning Projects stream.

Summary:

Officers are preparing to lodge the Landfill Cell 3A project for the Building Our Regions Round 5 Expressions of Interest stage for the Construction Projects Stream. The Gladstone Coal Exporters Sports Complex (Marley Brown Oval) will be prepared to be lodged for the Planning Projects Stream.

Anticipated Resolution Completion Date:

The Expressions of Interest Round for Construction Projects closes on 30 August 2019.
Applications for Planning Projects close 27 September 2019.

Attachments:

1. Attachment One – Building our Regions Round 5 Guidelines

Tabled Items:

Nil.

Report Prepared by: Strategic Grants Specialist

G/3.1.2. REVIEW OF SAIKI SISTER CITY ADVISORY COMMITTEE

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 20 August 2019

File Ref: CR2.14, CR3.2

Purpose:

This report presents information for Council to undertake a review of the Saiki Sister City Advisory Committee.

Officer's Recommendation:

That Council:

1. Reaffirm the appointment of the Gladstone Saiki Sister City Advisory Committee as an Advisory Committee to Council constituted under Section 264 of the *Local Government Regulation 2012*; and
2. Adopt the Terms of Reference tabled as Attachment 1 to this report to replace the existing Committee Constitution.

Background:

Council's Operational Plan for 2018/2019 required '*Review of existing and develop new organisational committees that are aligned to strategic objectives*' with all current committees of Council to be reviewed and revised where needed.

During the 2018/19 financial year a review of the governance arrangements for the existing Saiki Sister City Advisory Committee was carried out. This report presents a number of matters for Council to consider and determine in relation to that review including:

1. Does Council wish to continue participating in the Sister City Program?
2. If continued participation is supported, how any supporting Committee should be structured and constituted; and
3. The Terms of Reference under which a supporting Committee may operate.

Attachment 2 to the report provides some very informative historical background and information on:

1. The Sister City Program generally - Members may wish to visit the Sister Cities Australia website for more information <http://www.sistercitiesaustralia.com/index.html>; and
2. Our Sister City relationship with Saiki Japan including the past activities of the Committee and GAPDL's Fact File from the early beginnings of the relationship.

As detailed in attachment 2, Council's Saiki Sister City Advisory Committee was first formed on 4 September 1996 and reconstituted as an Advisory Committee to Gladstone City Council on the 16 July 1997. At the time of reappointing the Committee in 1997, a Constitution document was developed and is Attachment 3 to this report. The Committee has been working under this constitution since that time.

In practice, the Committee's activities are undertaken by a small group of volunteers elected each year for the purpose. The core activities of the Committee in more recent years include:

- **Mayoral visits every two years:** The Mayor of the Gladstone Region visits Saiki City, with the Mayor of Saiki then visiting Gladstone two years after. The Mayor of Saiki last visited Gladstone in 2017 and Mayor Burnett visited Saiki this year during July 2019.
- **Student Exchanges:** Students from local high schools that participate in the exchange program visit Saiki City every two years for a week generally during the September school holidays, with students from Saiki visiting Gladstone in the alternate years.
- **Getting to Know Gladstone Program:** A delegation from Saiki City periodically visit to find out more about Gladstone and these visits are generally hosted by Committee Members with the assistance of associated groups.
- **Arts, Culture and People Exchanges:** The Gladstone Art Gallery and Museum have a number of ongoing programs that they run annually which includes the Saiki Children's Art Program, Intercity Images – Saiki and Gladstone Photographic Exchange and Exhibition, Saiki Children's Day, Saiki Sister City Information Tent at the Multicultural Festival. In addition, the Committee will facilitate exchanges with various sporting, cultural and interest groups.
- **Gardens:** Each city has a dedicated garden representative of their Sister City. Council has the Japanese Garden and Teahouse at Tondoon Botanic Gardens and Saiki City have a Gladstone themed park in their city.

Consideration:

Participation in the Sister City Program

The Sister City Program has admirable objectives, which can be succinctly précised as:

'A global movement brought about by a desire to connect international communities and promote friendship, co-operation and understanding on a global scale to improve peaceful co-existence worldwide.'

This Program provides a platform from which Council can play a part in these global aspirations.

At a local level, this program has, and continues to provide many social, arts, cultural and educational opportunities for our community and has been responsible for creating many life-long friendships, social connections and positive relationships between individuals, schools and groups.

The initiative supports Council's Corporate Plan goals in the area of:

- providing inclusive creative arts and cultural activities;
- contributing to the range of events available in the Gladstone Region;
- contributing to positive engagement processes and our community actively participates in providing the organisation with feedback and contributing to community decisions; and
- increased community involvement in local government.

Structure of the Committee

Membership of the Committee is currently open to any resident in the Gladstone Region with an interest in Sister City matters. Under the current Constitution, the Committee calls an annual general meeting (AGM) each year at which time membership and appointments to the Executive are considered. The Committee then provides a recommendation to Council on appointments.

The AGM is usually held in October/ November of each year. The Committee did not hold an AGM in 2018.

The last time Council formally appointed the Committee on 19 December 2017 (as shown below), a number of members have since vacated their positions.

That Council appoint the following persons to the Gladstone Saiki Sister City Advisory Committee for 2017/18:

- President: Wendy Marsh
- Vice President: John Abood
- Secretary/Coordinator: Strategic Community Inclusion Officer
- Committee members:
 - Maureen Mason
 - Bev Fellows
 - Peter O'Dwyer
 - Andrew Horton
 - Ed Morris
 - Howard Marsh
 - Chris Moore
 - Richa Joshi
 - Curator Gladstone Regional Art Gallery and Museum
 - Cr. Glenn Churchill
 - Cr. Desley O'Grady
- Ex officio: Mayor Matt Burnett

Should Council decide to continue its participation in the Sister City Program with the support of a Committee, there are several options available on its structure, including:

1. An Advisory Committee to Council constituted under Section 264 of the *Local Government Regulation 2012*.
2. Restructure as a community committee (no legislative standing) governed by a Terms of Reference only.
3. Members participate as Council volunteers without a formalised Committee structure.

The Committee is currently constituted as an advisory committee to Council under Section 264 of the *Local Government Regulation 2012*. Of the three options presented above, Officers recommend that the Committee continue as an Advisory Committee for the following reasons:

- It provides a level of 'standing' appropriate to an international public governance and community exchange;
- The legislative requirements ensure that all matters considered by the Committee are open, accountable and accessible to the public at large; and
- As meetings are open to the public it encourages and promotes public interest and participation.

Issues to consider in relation to the other structures include:

- A non-legislated committee has no legislative or legal obligations to Council and could potentially deviate from its Terms of Reference should its membership evolve and change over time;
- There are no legislative accountabilities for members in relation to conflicts of interest and other requirements that govern meeting procedure;
- There is no obligation (unless specifically required in a terms of reference) that requires meetings to be open, transparent and accountable to the general public;
- There is potential for a community committee or volunteer model to be perceived by the public as less inviting in respect to community interest and participation.

Terms of Reference

As part of this review, it is recommended that the existing constitution be converted to a Terms of Reference so that it aligns with the terminology of the balance of Council's governance framework for Committees.

The role of the Committee is currently defined as follows:

7. Role of the Committee (Objects)

The Committee shall advise Council on ways and means to enhance the Sister City Program between the cities of Gladstone and Saiki.

This will include the facilitation and organisation of cultural, social, recreational, educational and commercial exchanges and activities with the object of nurturing and fostering the friendship that exists between the two cities. It will also include the encouragement of business and industry to support the Sister City Program.

Gladstone City Council will provide funding in its Budget and will retain control of finances, accounting and administration, but the Committee will recommend the disbursement of funds for Sister City purposes.

The linkage between the Committee and the Council will be the Co-ordinator.

The resources of Council are available to the Committee through the Co-ordinator who shall arrange an annual report to be submitted to Council after every annual general meeting.

The Committee is fulfilling the majority of the objectives with the exception of business, industry and commercial exchanges. The current volunteer membership base has strong capability and interest in facilitating the arts, culture, recreational and educational exchanges, but have not to date extended into business, industry and commercial exchanges. The current membership of the committee has expressed a desire to continue to operate within the scope of existing activities (excluding the commercial / business / industry aspects).

Limiting the scope of the Terms of Reference for the Committee to exclude the commercial / business / industry aspects does not prevent Council from undertaking economic development and other commercial exchanges with Saiki through the Sister City Program. This could be undertaken by Council directly through its Economic Development and/or Strategy and Transformation Programs. Council could continue to seek the support, assistance and involvement of the Committee for any social and cultural aspects of those potential exchanges if required.

The following options are presented for Council's consideration:

Option 1 - Officer Recommendation: Maintain involvement in the Sister City Program and continue with the support of an Advisory Committee formed under Section 264 of the *Local Government Regulation 2012*, with a Terms of Reference that is reflective of the current scope of activities.

Option 2: Maintain involvement in the Sister City Program and continue with the support of an Advisory Committee formed under Section 264 of the *Local Government Regulation 2012*, with a Terms of Reference that is reflective of the current scope of activities and include scope for commercial, business and industry exchanges. To facilitate this option, Council would need to pass the following amended resolution:

"That Council:

- 1. Continue to participate in the Sister City Program;*
- 2. Reaffirm the appointment of the Saiki Sister City Advisory Committee as an Advisory Committee to Council constituted under Section 264 of the Local Government Regulation 2012; and*
- 3. Adopt the Terms of Reference tabled as Attachment 1 to this report to replace the existing Committee Constitution, subject the amendment of Objective 3.1 to read as follows:*

*“3.1 The Gladstone Saiki Sister City Advisory Committee will actively undertake the facilitation and organisation of arts, cultural, social, recreational, **commercial, business and industry** exchanges and activities with the objective of nurturing and fostering the sister city relationship, celebrating diversity within the Gladstone Region and creating a more connected community.”*

Option 3: Maintain involvement in the Sister City Program with the support of:

- (a) a non-legislated community committee; or
- (b) body of volunteers

with a Terms of Reference that:

- (i) is reflective of the current activities; or
- (ii) includes the current scope of activities and commercial, business and industry exchanges.

To facilitate this option, Council would need to pass the following amended resolution:

“That Council:

- 1. Continue to participate in the Sister City Program;*
- 2. Dissolve the existing Gladstone Saiki Sister City Advisory Committee and restructure as a **[insert option (a) or (b) above]**; and*
- 3. Adopt a suitably amended Terms of Reference (which removes the references to an Advisory Committee) generally in accordance with Attachment 1, with the Terms of Reference that **[insert Option (i) or (ii) above]**.”*

Communication and Consultation (Internal/External):

Gladstone Saiki Sister City Advisory Committee
Executive Team
Community Engagement Specialist
Executive Assistant to the Mayor and Councillors
Manager Governance

Legal Environmental and Policy Implications:

The *Local Government Regulation 2012* and *Local Government Act 2009* sets out the legislative requirements of Advisory Committees formed under Section 264 of the Regulation.

Financial and Resource Implications:

From a financial perspective, the outlay by Council in supporting this program is not significant with the majority of the initiatives being delivered through Council’s arts and culture program and via the Committee’s volunteer membership and other participant groups (eg. schools, community groups, etc). The Council budget for 2018/19 was \$4,000 and in the current year, the allocation is \$23,000.

Commentary:

Nil

Summary:

Nil

Anticipated Resolution Completion Date:

30 August 2019

Attachments:

1. Draft Terms of Reference – Gladstone Saiki Sister City Advisory Committee
2. Draft Briefing Note – Councillor Discussion Group Meeting 9 June 2009 – Sister City Arrangements
3. 1997 Constitution of the Gladstone Saiki Sister City Advisory Committee

Tabled Items:

Nil.

Report Prepared by: Governance Advisor

G/3.1.3. REVIEW OF GLADSTONE REGION YOUTH COUNCIL ADVISORY COMMITTEE

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 20 August 2019

File Ref: CR3.2

Purpose:

This report presents the background to the Gladstone Region Youth Council and seeks Council review of its governance structure and terms of reference.

Officer's Recommendation:

That Council:

1. Reaffirm the appointment of the Gladstone Region Youth Council as an Advisory Committee constituted under Section 264 of the *Local Government Regulation 2012*; and
2. Adopt the Terms of Reference for the Gladstone Region Youth Council Advisory Committee as tabled in Attachment 1 to this report.

Background:

Council's Operational Plan for 2018/2019 required '*Review of existing and develop new organisational committees that are aligned to strategic objectives*' with all current committees of Council to be reviewed and revised where needed.

During the 2018/19 financial year a review of the governance arrangements for the existing Gladstone Region Youth Council was carried out.

The Gladstone Region Youth Council was originally initiated by the former Gladstone City Council established between 1996 to 2001 with the membership consisting of 11 young people aged between 12 – 18 years. Membership was drawn from local high schools, the university and young community members.

On 4 March 2014 the Committee was re-formed by Gladstone Regional Council as a formal Advisory Committee constituted under Section 264 of the *Local Government Regulation 2012*. Attachment 2 to this report provides the Officer Reports and Minutes from 2014 by way of background.

A Terms of Reference was developed for the Gladstone Region Youth Council in 2014 which provided the charter from Council to the Committee (see Attachment 3).

At Council's General Meeting on 4 December 2018 (Attachment 4), Council appointed members to the Youth Council for 2019. In doing so, it resolved to appoint 11 members rather than 9 members as provided for in the Terms of Reference to allow a broader geographical representation on the Advisory Committee following the expression of interest process.

Consideration:

Council has indicated that it wishes to continue its commitment to a Youth Council during the current term. This supports Council in achieving the following Corporate Plan objectives – “*We will have:*

- *Positive engagement processes and our community actively participate in providing the organisation with feedback and contributing to community decisions.*
- *Increased community involvement in local government.”*

Structure:

In relation to this Committee’s structure Council could consider the following options:

1. Retain the Gladstone Region Youth Council as an Advisory Committee to Council formed under Section 264 of the *Local Government Regulation 2012*; or
2. Restructure the Gladstone Region Youth Council as a non-legislated community committee.

As an Advisory Committee established under the *Local Government Regulation 2012* the Youth Council must comply with the legislative obligations contained in *Division 2 and 3 of Chapter 8 Administration of the Local Government Regulation 2012*. A summary of the obligations is provided below:

1. Ensure that a quorum of the committee is present at each of its meetings;
2. Voting provisions on decision making apply;
3. Minutes must be kept (unless specifically exempt by Council), presented, confirmed and made publicly available within 10 days of meetings;
4. Meetings must be open to the public and public notice of meetings must be given;
5. A list of agenda items must be made available for inspection at the time that the agenda for meetings is made available to the Committee;
6. Conflict of interest considerations apply.

One of the primary purposes for the Youth Council is to develop future community leaders and expose young people to community-based initiatives and decision making. For this reason, exposing young people to the legislative requirements of a formally constituted Advisory Committee would seem appropriate. It teaches young people about the responsibilities that come with public governance and the associated scrutiny of decisions and decision making.

Issues to consider in relation to the alternative structure as a non-legislated community committee include:

- A non-legislated committee has no legislative or legal obligations to Council in relation to performing its role;
- There are no legislative accountabilities for members in relation to conflicts of interest and other requirements that govern meeting procedure;
- There is no obligation (unless specifically required in a terms of reference) that requires meetings to be open, transparent and accountable to the general public;
- There is potential for a community committee to be perceived by the public as less inviting in respect to community interest and participation.

Terms of Reference:

The current Terms of Reference for the Committee does require some updating in relation to the following matters:

1. There are some references to positions that no longer exist in Council.
2. Currently there are 11 Members on the Youth Council. The terms of reference provides for 9.
3. The current TOR includes a membership provision which restricts membership to “*young people engaged in fulltime employment, university studies, education and a combination of both casual/part-time employment and studies*”.
4. It is suggested that some flexibility be provided for in the timing of meetings.
5. In relation to meeting location, the suggestion is that some provision be made for meetings outside of the Council Boardroom where required based on a risk assessment approach.
6. In relation to advertising expressions of interest, it is suggested that this be less prescriptive.

A revised draft Terms of Reference has been developed which addresses the issues above and also includes additional information including the purpose, objectives, role of members and meetings/voting/administrative arrangements which align the requirements under legislation.

Option 1 – Advisory Committee

Should Council decide to operate the Youth Council as an Advisory Committee under the tabled Terms of Reference the Officer recommendation can be adopted.

Option 2 – Advisory Committee with amendments to the Terms of Reference

Should Council decide to operate the Youth Council as an Advisory Committee but would like amendments to the draft Terms of Reference as tabled, then the recommended resolution would be:

“That Council:

1. *Reaffirm the appointment of the Gladstone Region Youth Council as an Advisory Committee constituted under Section 264 of the Local Government Regulation 2012; and*
2. *Adopt the Terms of Reference for the Gladstone Region Youth Council Advisory Committee as tabled in Attachment 1 to this report, subject to the following amendments:*
 - (a) Insert proposed amendment;*
 - (b) Insert proposed amendment.”*

Option 3 – Non-Legislative Community Committee

Should Council decide to operate the Youth Council as a non-legislated community committee, the recommended resolution would be:

“That Council:

1. *Restructure the Gladstone Region Youth Council as a non-legislated community committee of Council; and*
2. *Adopt the Terms of Reference for the Gladstone Region Youth Council as tabled in Attachment 1 to this report, subject to the following amendments:*

- (a) *The removal and amendment of provisions that reference an Advisory Committee;*
(b) *Insert other proposed amendments.”*

Communication and Consultation (Internal/External):

Executive Team
Manager Governance
Community Development Officer
Community Development Specialist

Legal Environmental and Policy Implications:

Should Council elect to take up the recommendation and reaffirm the Youth Council as an Advisory Committee to Council, the provisions relating to Advisory Committees under the *Local Government Act 2009* and *Local Government Regulation 2012* will apply.

Financial and Resource Implications:

There is no budget allocation specifically for Youth Council activities. The resources of the Community Development Officer and other support staff are allocated as required to co-ordinate and support the work of the Committee.

Commentary:

Nil

Summary:

Nil

Anticipated Resolution Completion Date:

30 August 2019

Attachments:

1. Gladstone Region Youth Council Advisory Committee Draft Terms of Reference
2. Extract from Council Meeting Minutes 4 March 2014
3. Gladstone Region Youth Council – 2014 Terms of Reference
4. Extract from Council Meeting Minutes 4 December 2018

Tabled Items:

Nil.

Report Prepared by: Governance Advisor, Finance Governance and Risk Team

G/3.1.4. REVIEW OF GLADSTONE REGION COMMUNITY DEVELOPMENT COMMITTEE

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 20 August 2019

File Ref: CC5.1

Purpose:

This report seeks Council review of the Gladstone Region Community Development Committee (GRCDC).

Officer's Recommendation:

That Council dissolve the Gladstone Region Community Development Committee.

Background:

The Gladstone Region Community Development Committee (GRCDC) was first formed by Council in October 2010. At the time, community planning initiatives were legislatively mandated under the *Local Government Act 2009*. The Committee was formed to assist Council with social infrastructure community planning.

The GRCDC was not formally constituted as an Advisory Committee to Council with no legislative head of power or delegated authority.

The Terms of Reference for the Committee (Attachment 1) provides some background on the formulation of the Committee and sets out its purpose, membership and scope of responsibilities.

Membership of the Committee as at October 2016 was as follows:

- Councillor Kahn Goodluck (Gladstone Regional Council)
- Former Councillor Cindi Bush (Gladstone Regional Council)
- Michael (Mick) Shearer (Regional Executive Director, Department Communities, Child Safety and Disability Services)
- Peter Dougherty (General Manager, Department State Development, Infrastructure & Planning)
- Colin Burke (Community Representative)
- Josie Meng (Community Representative)
- Colleen Tribe (Community Representative)
- Deb Sanderson (Community Representative)
- Veronica Laverick (Manager Community Wellbeing, Gladstone Regional Council)

This Committee was formed primarily to satisfy the need for a social infrastructure working group and to assist with advice on other emerging social and community issues such as the pressure that was being placed on community infrastructure and resources in the Gladstone Region as a result of the development boom associated with the LNG industry construction.

This Committee was quite active in its early inception through until 2015 assisting with the outcomes of studies conducted/updated to inform the identification and prioritisation of the social infrastructure needs of the Gladstone Region including:

- The Gladstone Regional Wellbeing Study – A Roadmap, March 2010;

- Gladstone Social Infrastructure Strategic Plan (2010)
- Community Wellbeing Liveability Report (2013);
- Gladstone Region Vision 2028;
- Gladstone Region Vision 2035 (last updated 2015).

The GRCDC also had an advisory role to the Gladstone Foundation (which was established in February 2011), as shown in Attachment 2.

In August 2017, Council Officers were requested to prepare a report to the GRCDC with the GRCDC to then make a recommendation to Council on the future of the Committee given that:

- the amended *Local Government Act 2009* removed the mandated requirement for Queensland Councils to have a Community Plan; and
- the Gladstone Region was now in a state of 'normalising' after the significant industrial growth associated with the LNG industry construction and the general decline in the resource sector.

A copy of the report is presented as Attachment 3. The report presented four proposed options to the GRCDC being:

1. Dissolve the GRCDC
2. Reframe the GRCDC to align with the 2015 Gladstone Region 2035 Community Visioning Project Report
3. GRCDC to partner with the Community Champions Project
4. Reframe the GRCDC adopting a Community Jury Model.

The recommendation presented at that time was option 1, to dissolve the GRCDC. Cr Goodluck advises that this recommendation was accepted by GRCDC members. However, in the process of discussing this the GRCDC members considered that having a community forum where members of the community can input into community and social issues was highly valued by residents and the suggestion was that Council consider retaining a committee in some form even if it wasn't in the GRCDC format. In relation to attendance at the more recent GRCDC, Cr Goodluck advised that very few members were turning up to meetings and it was felt by those present, the meetings were not productive or a good use of participant time.

A search of Council's minutes from August 2017 to the end of 2018 does not show a Council General Meeting Agenda item that formally dissolves the Committee.

During the course of checking agendas and minutes it was noted that a report on the 4 December 2018 considering replacement appointments following the resignation of Cr Cindi Bush, had not included an alternative appointment to the GRCDC.

Consideration:

Option 1 – Dissolve the GRCDC

That Council formally dissolve the Gladstone Region Community Development Committee.

Option 2 – Reframe the GRCDC

That Council dissolve the Gladstone Region Community Development Committee (GRCDC) but direct that Officers investigate an alternative community and social inclusion forum that supports Council in achieving its Corporate Plan goals.

Communication and Consultation (Internal/External):

Executives
Manager Governance
Manager Engagement and Partnerships
Cr Kahn Goodluck

Legal Environmental and Policy Implications:

Nil.

Financial and Resource Implications:

Nil.

Commentary:

Nil.

Summary:

Nil.

Anticipated Resolution Completion Date:

30 August 2019

Attachments:

1. Gladstone Region Community Development Committee Terms of Reference (2010)
2. GRCDC advisory relationship with Gladstone Foundation flowchart
3. GRC Report on Gladstone Regional Community Development Committee – 10 August 2017

Tabled Items:

Nil.

Report Prepared by: Governance Advisor

**G/3.1.5. DEVELOPMENT APPLICATION 3/2018 - PRELIMINARY APPROVAL
(VARIATION REQUEST) FOR A MATERIAL CHANGE OF USE OF PREMISES
FOR A RELOCATABLE RETIREMENT FACILITY LOCATED AT LOT 1 RP
620530, LOT 4 CTN 2091 AND LOT 11 SP 200678**

Responsible Officer: General Manager Customer Experience

Council Meeting Date: 20 August 2019

File Ref: DA/3/2018

Development Application:

Application Number: DA/3/2018
Applicant: Boyneglade Developments Pty Ltd C/- Zone Planning Group
Owner: Boyneglade Developments Pty Ltd
Date Of Receipt: 5 February 2018
Location: Lot 1, 4 & 11 Bruce Highway, Benaraby QLD 4680
RPD: Lot 1 RP 620530, Lot 4 CTN 2091 and Lot 11 SP 200678
Area: 262.97 hectares (total)
Current Use of Land: Dwelling House and Vacant Land
Zoning: Rural Zone
Proposal: Preliminary Approval (Variation Request) - Relocatable Retirement Facility
Public Notification Period: 30 October 2018 to 14 December 2018
Number Of Submissions: 551 Properly Made Submission and 52 Not Properly Made Submissions

Purpose:

The purpose of this report is to assess Development Application 3/2018 for a Preliminary Approval (Variation Request) for a Material Change of Use of Premises for a Relocatable Retirement Facility at Lot 1, 4 & 11 Bruce Highway, Benaraby QLD 4680 against the State Planning Policy July 2017 and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* under the *Planning Act 2016*.

Executive Summary:

A Development Application for a Preliminary Approval (Variation Request) for a Material Change of Use of Premises for a Relocatable Retirement Facility at Lot 1, 4 & 11 Bruce Highway, Benaraby QLD 4680 was received by Council on 19 January 2018 and considered Properly Made on 30 January 2018. The application was prepared by Zone Planning Group on behalf of Boyneglade Developments Pty Ltd for the establishment of a Preliminary Approval (Station Creek Development Code) to facilitate future development of integrated retirement living and an Outdoor Sport and Recreation use (Golf Course) within the Rural Zone.

As per *Planning Act 2016* (the Act), a Preliminary Approval (Variation Request) triggers Impact Assessment against the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* (the Planning Scheme). The application was assessed against the relevant provisions of the Planning Scheme, the State Planning Policy – July 2017 (the SPP) and in accordance with the Act. As per the *Planning Regulation 2017* (the Regulation), the application required referral to Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP).

By virtue of the level of assessment, Public Notification was required. The Public Notification period occurred between 30 October 2018 and 14 December 2018 with 551 Properly Made Submissions and 52 Not Properly Made Submissions. Some of the content raised by the submitters related to potential buyers entering into a contract agreement regarding noise, dust and odour which triggered the Applicant to obtain legal advice regarding Third Party Rights (contract documentation for homeowners).

A development of this scale seeking to provide permanent accommodation for long term residents is well outside the provisions of the Strategic Framework for development in the Rural Zone in terms of delivery of infrastructure, and access to commercial and medical services. Furthermore, the development is not integrated into the existing and strategically planned urban areas suitable for development of this type. As such, Development Application 3/2018 for a Preliminary Approval (Variation Request) overriding the Planning Scheme located at Lot 1, 4 & 11 Bruce Highway is recommended for refusal.

Subject Site:

The subject sites (Lot 1, 4 and 11 Bruce Highway, Benaraby QLD) are located at the corner of the Bruce Highway and Tannum Sands Road. The subject sites are approximately 3kms from Benaraby and 9kms from Tannum Sands.

Lot 1 and 11 have a road frontage to Bruce Highway of approximately 2kms, while Lot 4 has dual frontage; 0.5km to Bruce Highway and 1.9kms to Tannum Sands Road. Station Creek separates Lot 1 and 4. Figure One provides an aerial image of the subject sites and surrounding area.

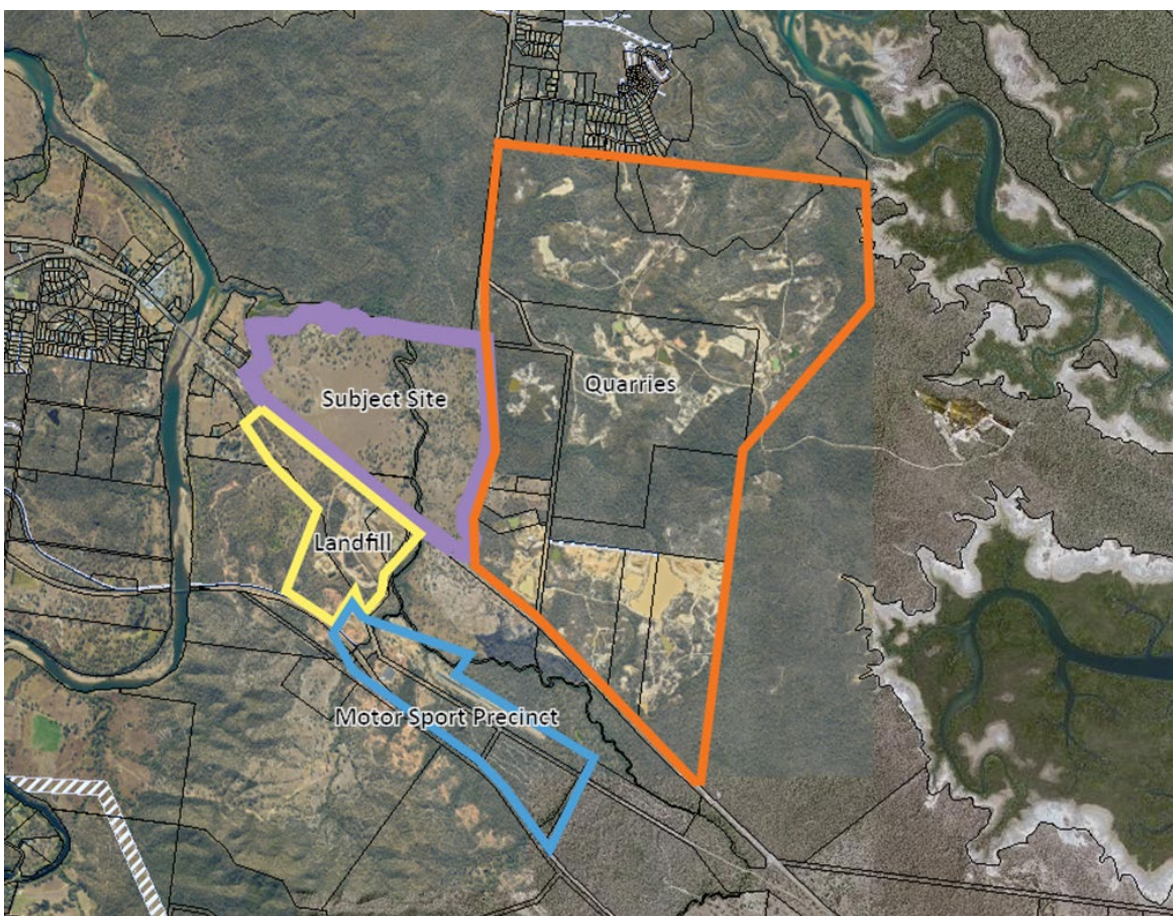


Figure One: Subject Sites and Surrounding Area

Lot 11 has an existing connection to Council's water infrastructure which is located within the Department of Transport and Main Road's road reserve. Lot 1 and 4 would require extensions to

connect into Council's water infrastructure. There is no reticulated sewer infrastructure available for connection. This is demonstrated below in Figure Two.

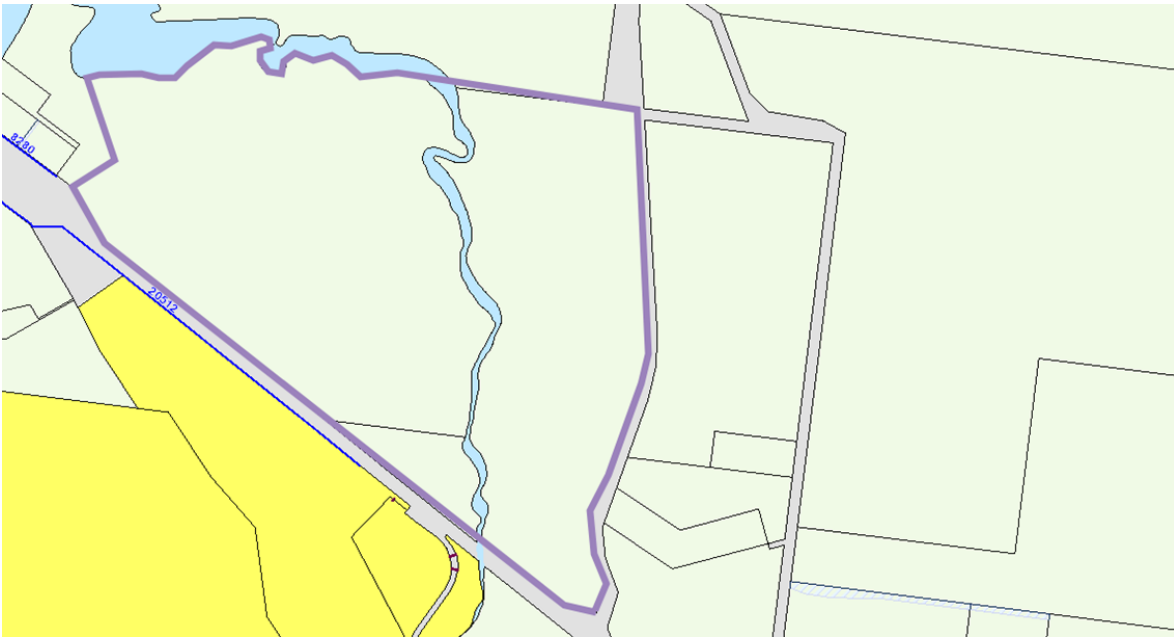


Figure Two: Subject Site Zoning and Council's Water Infrastructure

Background:

In 1972, a Dwelling House was lodged and approved over the subject sites (BP/117/1972). It is also noted that there are various unapproved storage structures located over the subject sites (highlighted in Figure Three).



Figure Three: Location of unapproved storage structure (blue dots)

Pre-lodgement Meeting

A pre-lodgement meeting between the Property Owners and Council Officers was held on 20 April 2015 in relation to the proposed Preliminary Approval for a Master Plan over four (4) subject sites which included residential lots, retirement sites and units, community facilities, caravan park, service station and industrial sites. The following items were raised in the meeting:

- Council Officer's agreed that there is need for a retirement development in the Gladstone region, but questioned whether this location was suitable;
- The industrial aspect of the original proposal was supported due to the site constraints, location to highway and minimal impact from the adjoining land uses;
- Identified the water infrastructure network and capacity would require significant modelling and potential upgrading to ensure the development had adequate service;
- The nearest sewerage treatment plant is on Tannum Sands Road, therefore a pump station, rising main and potentially a gravity main would have to be constructed at the Applicant's cost from the development to the treatment plant;
- Discussed Flood Hazard over the subject sites; and
- Raised concerns regarding proximity to Council's existing landfill.

Current Application

The Development Application was lodged with Council on 19 January 2018 and considered Properly Made on 30 January 2018. On 13 February 2018 the Applicant requested a meeting with Council Officer's to discuss the Development Application. This meeting discussed the concerns with the scale of the development, location and design. On 14 February 2018, Council requested an extension to the Information Request period.

Council issued an Information Request on 23 February 2018 pertaining to scale, intensity, infrastructure design, noise and location. From the Information Request, the Applicant requested detailed information on the proposed costing to extend and connect the sites to Council's water infrastructure. Council issued a letter on 10 April 2018 outlining the approximate costs associated with the provision of water infrastructure.

On 19 April 2018, the Applicant requested an extension to the Information Request Response Period for a further six (6) months to allow sufficient time to respond to the Information Request (IR). The Applicant lodged their IR response on 25 October 2018 and conducted Public Notification for 30 business days from 30 October 2018 to 14 December 2018.

On 18 February 2019, Council requested an extension to the Development Application to allow further time to assess the proposal. During the Assessment Period, the Applicant requested a meeting with Council Officer's to discuss the response to submissions on 7 March 2019. The Applicant advised they would request a Deputation to address the proposed development to Councillors. This request was declined as the Deputation Guidelines at the time did not permit requests while a Development Application is under assessment.

Council requested the Applicant agree to an extension to the Decision-Making Period on 6 June 2019. The Applicant did not agree to the extension request and as such, the application has a current status of 'deemed refusal' and the Applicant can lodge an Appeal to the Planning and Environment Court at any time. Under section 254 of the Act, the tribunal will order the responsible entity to decide the application by a stated time.

Proposal:

Station Creek Master Plan

The Applicant seeks a Material Change of Use of Premises for a Preliminary Approval (Variation Request) overriding the Planning Scheme under the Act. The proposal specifically targets over 50s retirement living by providing an integrated lifestyle village that offers recreational/community

facilities. The proposal anticipates the ultimate development to reflect three (3) separate forms of housing, including:

- Retirement friendly housing on sites of 350m² in size (approximately 300 'lots');
- RV friendly housing on sites of 500m² in size (approximately 210 'lots') inclusive of storage for RV & Caravan owners; and
- Assisted living (aged care) units.

The proposed development format allows for over 50s to rent their own portion of land off the village managers for the siting of relocatable homes, without the requirement for freehold or community title subdivision. The housing options provide for aging in place, with various housing options to cater for each stage of the retirement lifecycle and the availability of shared facilities and activities.

The proposed Master Plan identifies that the proposed retirement living will be supported by the following features:

- Golf Course;
- Function Facility;
- Sales Office;
- Storage Sheds; and
- Recreational Facilities (Village Centre, Lawn Bowls, Tennis Courts, Pools).

Figure Four illustrates the proposed Master Plan for Station Creek Development.



Figure Four: Proposed Mater Plan

It should be noted that from the Pre-lodgement Meeting held in 2015, the Applicant made the following changes to development proposal:

- Removed proposed industrial lots;
- Removed proposed residential lots;
- Removed proposed Service Station;
- Removed proposed Caravan Park;
- Increased scale of retirement units;
- Added an aged care facility; and
- Continued the concept of recreational facilities (Golf Club).

Station Creek Plan of Development

The proposed Preliminary Approval seeks to override the Rural Zone Code of the Planning Scheme to facilitate development in accordance with the Station Creek Development Code (which will be referred to as POD). The POD will prescribe the assessment framework that will apply to future Development Applications within the Station Creek Master Plan. The POD stipulates the Table of Assessment and four (4) Precinct Codes. The POD will also incorporate Definitions and references the *Our Place Our Plan Gladstone Regional Council Planning Scheme's* Overlays and Development Codes.

The POD has defined Relocatable Retirement Facility as follows:

Premises used for relocatable dwellings that provide long-term residential accommodation for an integrated community and specifically built and designed to cater for older people (over 50's). The use includes independent living units and may include serviced units where residents require some support health care and daily living needs. The use may also include manager's residence and office, food and drink outlet, kiosk, amenity buildings, communal facilities and accommodation for staff and the provision of recreation facilities for the exclusive use of residents.

The POD also comprises of the following precincts:

- Retirement Living Precinct;
- Class 10a Retirement Precinct;
- Rural Open Space and Recreation Precinct; and
- Nature Recreational Precinct.

The Precincts can be viewed via Figure Five.

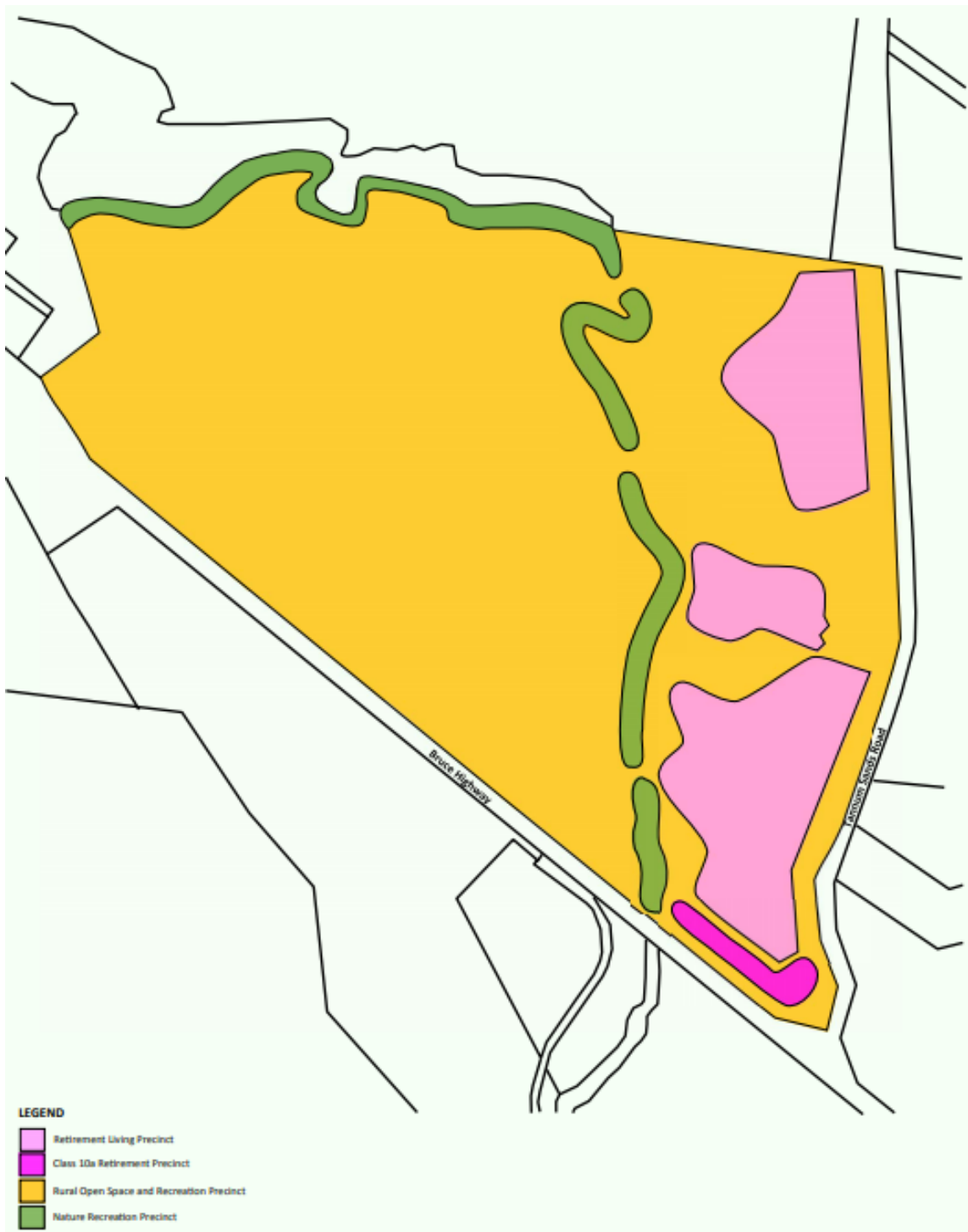


Figure Five: Proposed Master Plan Precinct Areas

The POD also proposes that the Relocatable Retirement Facility and Residential Care Facility are categorised as Code Assessment if the development yield does not exceed 510 sites. Furthermore, Sales Office, Function Facility and Indoor Sport and Recreation are supported within the code (Accepted Development Subject to Requirements and Code Assessment). This POD would result in reducing the current assessment categories outlined in the Planning Scheme for the aforementioned Uses within the subject sites.

As stated in the POD, the Purpose of the Code is to provide for *retirement living in a community that is specifically designed and built for the travelling lifestyle and active retirees and located within an integrated recreation and rural lifestyle setting. Station Creek Lifestyle Retirement Living is to provide a unique retirement product currently unseen in the Gladstone residential market. The*

Purpose of this Code is to be achieved through the Overall, Performance and Acceptable Outcomes.

Note that subsequent planning approvals will be required prior to any on-ground works commencing.

Adopted Infrastructure Charges Notice:

As the proposal is for a Preliminary Approval (Variation Request), an Adopted Infrastructure Charge is not applicable and would apply for any future development application over the subject site.

Referral:

The Applicant was required to refer their application to the Department of State Development, Manufacturing, Infrastructure and Planning – State Assessment Referral Agency (DSDMIP) given the site's proximity to a State Controlled Road. DSDMIP issued an Information Request on 1 March 2018 regarding earthworks within the flood zone and the associated impacts on the road network, trunk water mains and their ownership, golf balls encroaching into the road reserve, revised acoustic technical reports, and details on the proposed firebreaks.

On 18 October 2018, the Applicant responded to the Referral Agencies Information Request. After assessment of the revised material submitted, DSDMIP issued a Decision Notice on 8 November 2018. The decision included conditions such as restricted vegetation clearing, upgrading the access point onto Tannum Sands Road, installation of lighting and table drains to ensure the efficiency, safety and structural integrity of Tannum Sands Road is not compromised.

Public Notification and Submissions:

Public Notification was triggered as the application is categorised as Impact Assessment, prescribed by the Act. The Public Notification period occurred between 30 October 2018 to 14 December 2018. During the Public Notification period, a total of 551 Properly Made Submissions and 52 Not Properly Made Submissions were received by Council. A further breakdown of the submissions received has been included below in Table One.

Table One: Submission Breakdown

Submissions	Status	Total Number
Support	Properly Made	501
	Not Properly Made	26
Objection	Properly Made	50
	Not Properly Made	26
Total		603

Furthermore, the submissions and Officer's comments have been summarised below in Table Two - Objection Comments and Table Three - Support Comments.

Table Two: Objection Submissions

Submission	Officer's Response
Location	
Given this development's proximity to the Bruce Highway, the Benaraby Motor Sports Complex and the Benaraby Landfill; conflict between this development and current uses will not afford elderly residents the amenity that they will want within their residential community. This may pose restrictions on	Through the assessment of the proposal against the Planning Scheme, it is considered that the proposal fails to meet a range of Strategic Framework Outcomes and Overall and Performance Outcomes. These are derived as a result of the inappropriate zoning of the subject site for

the existing facilities which may result in them having to cease or relocate.	this use type and scale.
The location is not suitable as it is located away from facilities and amenities.	<p>Furthermore, the comparison of similar use types being co-located (Fraser Coast Council) does not mitigate the potential conflicts of noise, odour and hours of operation. It is further justified that the provided example hosts one (1) club. The Beneraby Motor Sport Precinct hosts 12 registered clubs that service the community of the Gladstone region. The Motor Sport Precinct was designated in the Planning Scheme to allow strategic growth of recreation in the region.</p> <p>As such, it is considered that the matters raised within the submissions with respect to zoning have merit in relation to the requirements of the Planning Scheme.</p>
All motorsports in the Gladstone area have been encouraged to set up their sporting clubs at the Benaraby Motor Sports Complex. It would in conflict if the motor sport clubs were not able to use the land for what it was intended, or worse, to have to find new club grounds.	
The sound barriers and other noise mitigation proposed, whilst helpful will never eradicate the noise from the area, the highway and from previous approved developments.	
The example of the RV Homebase at Maryborough beside the Maryborough Speedway was used. The speedway does receive complaints, however Fraser Coast Council support the speedway and so far the complaints have been thwarted. These complaints pertain to screeching tyres, burn outs and complaints of burning rubber and smoke. These complaints arise from 1 club operating at this venue not the 12.	
Existing Retirement Facility approvals	
A development already approved at Tannum while not an RV Homebase does offer areas for boats and caravans to be stored and this area is in close proximity to shops and services and is a hugely more attractive proposition than a RV Homebase on the Bruce Highway in the middle of nowhere.	A Preliminary Approval for Aged Persons Accommodation (Retirement Village – 183 units) is approved at 75 & 105 Tannum Sands Road (Ref: DA/288/2011). This application remains active until 18 April 2022. Recently, the Applicant lodged the subsequent Development Permit for a Material Change of Use for a Retirement Facility (100 units) and Residential Care Facility (84 units) in line with the approved Preliminary Approval.
Adverse Impacts	
Dust from the quarry and from events being held at the Motor Sports complex would also be an issue for residents, and as the residents are in a mature age bracket some may have respiratory issues that may become life threatening on dusty windy days.	<p>The proposal seeks to site 510 dwellings and assisted living on a rural lot surrounded by rural properties and designated uses (Landfill, Quarry and Benaraby Motor Sport Precinct). Given the scale of the proposal and infrastructure service requirements, it is considered that the development is more suitably located within a designated urban area given the associated impacts, which would be appropriately managed within an existing urban centre. Furthermore, it is considered the proposal will adversely impact on the rural character and amenity and surrounding designated uses by potentially restricting current and/or future operations.</p>
The landfill, quarry, and the Motor Sports Complex have all been in their current locations for some time now and we feel that due to issues like noise from highway traffic, trucks coming and going to the landfill and quarry, and events being held at the Motor Sports Complex, this would ultimately have a lot of future residents of the proposed development putting complaints into the council, thus, causing the current industries and recreational sites	

to have to adhere to strict limitations or close down.	<p>provided detailed reports on how the development would ensure no restrictions would occur on surrounding designated uses (noise, pollution, etc). However, these mitigation methods include options such as contract agreements between the residents and developer which require an enforcement responsibility outside of Council's jurisdiction and present ongoing future owner issues.</p> <p>As such, it is considered that the proposal is inconsistent with the intent of the Planning Scheme for rural land.</p>
Whilst the motor sport precinct is only used periodically, it is the intention for some clubs to increase this to weekly events, and together with the relocation of the Gladstone Speedway to Benaraby Motor Sports, the frequency of loud events will be dramatically increased.	
On windy days the smell and dust from the Landfill area would reach the proposed development site causing issues for residents, along with dust from areas of the Motor Sports Complex.	
The proposed development, is by any definition, for residential product in a town which has significant existing approvals for land, in sequence, which could easily accommodate the residential / retirement uses proposed by the application.	
The proposal will result in an over development.	
Given the flooding that has occurred over the area in the past 10 years this further enforces the rural status should remain.	
The whole Gladstone region has struggled since the completion of the Curtis Island projects. The Benaraby Landfill and sand quarries across the road from this proposal provide stable employment for many locals. Both of these employers are also under threat from noise and dust complaints.	
A resort style development would only do further damage to what is already a fragile tourism/rental market.	
Development is in a 100km zone and last thing Bruce Highway needs is further speed restrictions.	
Site Analysis and Lack of Infrastructure	
The application falsely proposed that provision of this product on already approved land is impossible because of prohibitive up front structural costs.	<p>As part of the common material, several technical reports were provided which covered issues pertaining to onsite sewerage treatment, flood mitigation, traffic and transport, stormwater management and water infrastructure. These reports generally recommended specific measures to ensure that the proposal could be serviced appropriately in accordance with the Planning Scheme.</p> <p>The Applicant is proposing to service the site from the existing water main extending to the Benaraby Township. Following assessment, it was identified that the scale of the development would require significant upgrades to a reservoir to adequately service the site. As requested by the</p>
The Application, and the Economic Needs Assessment does not properly consider existing supply of land within the Emerging Communities Zone and Priority Infrastructure Area which could accommodate the proposed use.	
The proposal requires significant commitment by the Council, and the State, of infrastructure and funds to an out of sequence development proposal. It would be fiscal impropriety of the highest order were funds committed to this proposal out of sequence, rather than to existing land already approved in the Emerging	

Community Zones or Priority Infrastructure Area.	Applicant, a letter was issued regarding detailed information on the proposed costing to extend and connect the sites to Council's water infrastructure.
No infrastructure and facilities onsite is a major concern as this proposal will be prone to fail and will then become a derelict site.	<p>These upgrades would require consultation between Gladstone Area Water Board (GAWB) and Council to determine the impacts of the works on the GAWB Pump Station. Additionally, costings may be included with the GAWB's water supply and infrastructure charges to Council, which may impact Council's ratepayers through an increase to Council's water rate. This infrastructure extension will result in an inefficient delivery of services with significant costs, which will only service one development in the foreseeable future. If constructed, this infrastructure will be Council's responsibility to maintain and upgrade in the future (ongoing maintenance costs).</p> <p>As a result of the assessment against the Planning Scheme, issues pertaining to infrastructure have resulted in noncompliance with the Strategic Framework, and furthermore, it is agreed that the proposal is an out of sequence development which is located outside of the Priority Infrastructure Area (PIA).</p>
Golf Course	
Gladstone already has existing golf courses, and the viability of these is questionable. It is difficult to see how an additional golf course could possibly be considered viable, and Council should be cautious to ensure that this residential/retirement uses are ultimately developed.	Council is aware of the struggles that the existing Golf Courses within the region are facing. However, as per the Table of Assessment within the Planning Scheme, an Outdoor Sport and Recreation use (e.g. Golf Course) is a generally supported use within the Rural Zone Code.

Table Three: Support Submissions

Submission	Officer's Response
Retirement Living Need	
No product like this available in the Gladstone region.	It is acknowledged that there is a community and economic need for Retirement Facilities in the region, however, there is sufficient land suitably zoned to support such development. This proposal will result in an 'out of sequence' development located in an area not anticipated for additional urban development and growth. This will undermine and detract from the role and function of the existing urban residential areas as it will not be integrated within the foreseen urban expansion sites (identified population growth areas), therefore resulting
Expert analysis shows there is a dire need for over 268 retirement dwellings in this region right now, growing to over 720 in the next 20 years.	
There is a shortage of this type of retirement living in Gladstone and this demand will only increase over the coming years.	
While it is understandable that Gladstone Regional Council would not have envisioned such a development in their	

<p>planning scheme, it is considered that there is an overwhelming community need for the development to support its approval.</p>	<p>in limited access to essential community services and suitable transport.</p>
<p>If developed, this product will keep retiring people in the region instead of moving elsewhere to gain the necessary support and facilities.</p>	<p>Furthermore, at the time of lodgement, this application gave regard to existing approved retirement related applications. However, since January 2018, additional applications have been lodged and approved in appropriate urban areas supported by access to infrastructure and community services; these have been listed below:</p> <ul style="list-style-type: none"> • Approved: Development Application for a Material Change of Use of Premises for a Retirement Facility (360 units) (Ref: DA/39/2018); and • Lodged: Development Application for a Material Change of Use of Premises for a Retirement Facility (100 units) and Residential Care Facility (84 units) (Ref: DA/32/2019). <p>Given the discrepancies in zoning, infrastructure provisions and access to adequate services, it is considered that the proposal is inconsistent with the intent of the Planning Scheme. The justification submitted by the Applicant regarding 'need' fails to provide weight as to why the development should be located outside of the designated centres identified in the Planning Scheme.</p>
<p>Location</p>	
<p>This development is well planned and partly contained within the Priority Living Area under the CQ Regional Plan.</p>	<p>The subject sites are partly located within the Priority Living Area (PLA); however, the proposed retirement living development is entirely located within Lot 4 which is located outside the PLA. Therefore, the new neighbourhood is located outside of the identified urban expansion areas in the Planning Scheme and the PLA.</p>
<p>The subject site is ideally situated for this purpose being level land close to Boyne Island, Tannum Sands and Gladstone.</p>	<p>Additionally, the overall yield of 510 dwellings exceeds the existing Benaraby township footprint. Therefore, the proposal would not reflect the dominant single dwelling per lot character established in the Benaraby locality, nor keep the rural character or amenity of the area.</p>
<p>The location is great, just far enough from Suburbia to get the relaxed Country Feel, yet close enough to pop into town to do a few things or enjoy a dip at the beach.</p>	<p>Existing Retirement Living in the Gladstone area is not that appealing. Not all on flat ground, or no real range of leisure activities, or Gated, and the thought of Village expenses going to a corporation. Plus, the idea of a rental payment rather than a lump sum payment is more appealing.</p>
<p>Noise Impacts</p>	
<p>Being close to the Highway or Benaraby Sports Precinct isn't an issue, as buffer zones and housing acoustics will be included in the proposal. Noise is not an issue.</p>	<p>The proposed 510 dwellings and assisted living (aged care) on a rural lot surrounded by rural properties and designated uses (Landfill, Quarry and Benaraby Motor Sport Precinct) is inconsistent with the scale and density of the area. It is considered that the</p>
<p>The Maryborough Speedway is right next</p>	

<p>door to a 'RV Retirement Village'.</p> <p>Expert noise studies have included adjacent business activities and maximum noise levels expected from the full Motor Sport Precinct Masterplan. Site agreements signed by residents will protect the Motor Sport Precinct from reverse amenity issues. Quarry and Landfill activities will spread away from the housing area and will continue to pose no negative impact on the site.</p>	<p>development is more suitably located within a designated urban area given the associated impacts, which would be appropriately managed within an existing urban centre.</p> <p>Within the common material it is advised that the development would introduce design treatments to each building to reduce the registered noise identified within the Noise Impact Assessment and that clauses within the lease/contract would ensure the protection of the Benaraby Motor Sport Facility. Although mitigation measures have been recommended by the Applicant, Council cannot lawfully impose a condition for the Applicant to enter into a lease/contract with each resident stating no action can be pursued against Council or the Benaraby Motor Sport Facility. Therefore, supporting this proposal could comprise the function and potential growth of the strategically located facility and create reverse amenity issues in the future.</p> <p>As such, it is considered that the proposal is inconsistent with the intent of the Planning Scheme.</p>
Traffic	
<p>Being located adjacent to the Bruce Highway and Tannum Sands Road means that the additional traffic movements will be easily accommodated and will cause no traffic or parking issues.</p>	<p>The proposed development will increase users and vehicle types on the Bruce Highway and Tannum Sands Road intersection. This increase in vehicle numbers and types will be added to a location where heavy vehicles operate frequently (i.e. Quarry and Landfill). Therefore, the recommended conditions from DSDMIP will require the Applicant to install treatments at the intersection to ensure the operation of these networks are not hindered by this development.</p>
Built Form and Amenity	
<p>The resort style will provide a safe environment.</p>	<p>The Benaraby township is predominately constructed of single dwelling lots, with a small mix of low scale commercial (service station, shop) and non-residential development (Caravan Park, Rural Workers Accommodation, Landfill, Benaraby Motor Sport Raceway, Quarry). This proposed development will exceed the current residential lot capacity of Benaraby. Furthermore, the average lot size in Benaraby's township is approximately 5,000m². Therefore, the proposal would not reflect the dominant single dwelling per lot character established in the Benaraby locality, nor the scale or amenity of the area.</p>
<p>This is not an overcrowded development.</p>	
<p>The concept allows homeowners to travel while having the security and maintenance available under the village concept.</p>	
<p>The scale and design of this development is appropriate for the site and compatible with the surrounding area. The size of the allotments (350m² and 4520m²) is appropriate for a development that seeks to nurture a community lifestyle and engagement by the residents.</p>	
<p>The inclusion of a golf course as part of the development will maintain the existing</p>	

landscape of large open spaces and preserve existing water courses and drainage. The whole development will enhance the visual amenity of the area.	Furthermore, the desired level of access to service this development is difficult to adhere to due to its location outside of the urban areas.
This resort also has facilities for caravans and motorhomes which would be ideal for the nomad lifestyle.	
The proposed golf course and other facilities will provide the Station Creek residents an active and healthy lifestyle.	
This development is compatible with surrounding businesses and recreational activities. Acoustic amenity can be provided for residents.	
Economic Benefits	
Many jobs will be created during construction and potential permanent jobs to operate the facility.	Retirement Facilitates and specifically Aged Care Living would provide benefits to the region, however, Council is obliged to ensure it is undertaken in a suitable location without burdening the community with the economic impacts of out of sequence development. Furthermore, details of construction methods and ongoing employment opportunities were not provided within the application material.
This proposal is a fantastic facility for the Gladstone region and will bring a lot of funding to this community.	
It will retain locals who will continue to support the local community through their expenditure with local businesses and their support of local clubs, groups and organisations with their membership and volunteerism.	
The proposal would provide employment opportunities.	
This development supports the GRC Corporate Plan offering diversity to the local economy. Will create a resilient community group, retaining over 50s who often volunteer for community/sporting clubs, charity groups and churches. It supports the GRC Economic Development Strategy providing business diversity, is a family owned enterprise, regionally focused addressing identified community need and is innovative being unprecedented in Australia.	
This Lifestyle Village will be an enviable place to live, is extremely well researched, designed and planned by experts to ensure it is compatible with its neighbours, will be unique within Australia, will provide a substantial jobs boost to locals in the region and a substantial boost to the Gladstone Region economy with approximately \$300M investment. It will retain locals who will continue to support the local community through their expenditure with local businesses and their support of local clubs, groups and organisations with their membership and volunteerism.	
Golf Course	
Avid golfers and would welcome the	As per the Table of Assessment within the

addition of an 18-hole championship golf course in the region.	Planning Scheme, an Outdoor Sport and Recreation use is a generally supported use within the Rural Zone Code.
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Assessment:

Assessment of the proposed development will be undertaken against the requirements of the Act, *State Planning Policy July 2017* (SPP) and the Planning Scheme. The assessment will focus on areas where the proposal fails to comply with the relevant outcomes as well as identifying where relevant conditions can mitigate impacts.

Statutory Planning:

As per the SPP, a Local Government must consider all State Interests under Part E: State interest policies and assessment benchmarks where not reflected within the relevant Planning Scheme. The SPP has effect throughout Queensland and sits above regional plans and Planning Schemes in the hierarchy of planning instruments. An assessment against Part E: Assessment Benchmarks will be required as the Planning Scheme has not been integrated with the current SPP state interest policies. An assessment has been carried out against each applicable State Interest.

Table Four: SPP Assessment

State Interest	Trigger	Assessment
Natural Hazards, Risk and Resilience	Flood Hazard Area	The proposal is located within the SPP and Planning Scheme mapping, with identified flood hazard. As part of the common material, the Applicant has indicated that the Retirement Living Precinct will be constructed above Q100 to ensure people and property are protected from flood waters. Future Development Applications would assess the impacts on mapped flood areas to demonstrate compliance with the SPP and the Planning Scheme.
	Bushfire Prone Area	The subject site is located within Potential Impact Buffer to Medium Potential Bushfire. This is determined by vegetation onsite and adjoining (i.e. vegetation density), contours, species and wind/rain calculations. As subsequent Development Applications would result in vegetation clearing and earthworks, the subject site's bushfire intensity will be reduced. In addition to vegetation clearing, the development would connect to reticulated water and construct sealed internal roads. Moreover, any future Development Applications would require assessment against the Bushfire Hazard Overlay Code to ensure adequate fire provisions are implemented.
Biodiversity	Water Quality	The proposal triggers assessment against the Water Quality benchmark as the Material Change of Use (MCU) includes more than six (6) dwellings and associated Operational Works that will involve a land area greater than 2,500m ² . The Applicant has submitted a Stormwater Management Plan as part of the Preliminary Approval; however, an Operational

		Works Application would be required to ensure the construction phase and operation phase meet the minimum standards for stormwater design and reduce any potential impacts on the environment. This would ensure the development mitigates adverse impacts on environmental values (altered stormwater, wastewater).
Mining and Extractive Resources	Key Resource Area	The proposal is located adjacent to the transport route and within the separation area of a Key Resource Area (KRA). Assessment Benchmark 3 states <i>development not associated with extractive industry in the transport route separation area of a KRA does not increase the number of people working or residing in the transport route separation area unless the development mitigates the impacts of noise, dust and vibration generated by the haulage of extractive materials along the transport route.</i> The proposed development will increase the number of people residing near a KRA transport route; however, the development has positioned all dwellings outside the KRA separation buffer. Within the common material, the Applicant submitted an Environmental Noise Impact Assessment which estimates the noise impacts from the KRA (Quarry) and Benaraby Motor Sport Facility. Furthermore, the report identified noise amenity control measures that were peer reviewed. The development has proposed methods to reduce the noise impacts; where it fails to address the dust and vibration generated, it relies on the development being located outside the separate buffer. Technical Reports were not conducted as part of the Preliminary Approval to address the potential dust and vibration impacts; however, the Applicant has suggested that they could form part of future Development Permits.

Planning Scheme Requirements:

In accordance with the Planning Scheme Table of Assessment, the proposal triggers Impact Assessment against the whole of the Planning Scheme including the following Planning Scheme provisions in order of hierarchy:

- Strategic Framework;
- Acid Sulfate Soils Overlay Code;
- Biodiversity Overlay Code;
- Bushfire Hazard Overlay Code;
- Coastal Hazard Overlay Code;
- Extractive Resources and Minerals Overlay Code;
- Flood Hazard Overlay Code;
- Steep Land Overlay Code;
- Rural Zone Code;

- Development Design Code; and
- Landscaping Code.

Strategic Framework - Community Living

Strategic Outcome 3.4.1 (3) states that *most new housing occurs in well planned greenfield urban extensions within identified new neighbourhoods in the Emerging community zone. These are accompanied by a Plan of Development.* While Strategic Outcome (6) identifies that *low density dwelling houses occur in existing suburban neighbourhoods and to a lesser extent rural and coastal places and rural residential areas.* The proposed development seeks to construct retirement living within the Rural Zone. Some new housing may occur within other zones, provided there is sufficient planning need and the purpose of the zone is still achieved. The Applicant refers to the nature of the development, which requires a large site, with good access to the highway as sufficient justification to be located within the Rural Zone.

As part of the IR, Council requested that the Applicant provide detailed site analysis specifying the suitability of this location compared to alternative locations that would have the appropriate infrastructure readily available (water, sewer) and located within urban zoning to align with the strategic intent of the Planning Scheme. The Applicant's material gave weight to cost associated within urban land vs rural land and that the development is a package of retirement living with a 'prestigious' Golf Course. As part of the Applicant's IR Response, it was further stated that the development package would not fit within any existing Emerging Community or Residential zoned land, and therefore, must be located on rural land.

Rural land is usually more affordable due to the parcel not having access to services (e.g. water, sewer, public transport, etc.). Furthermore, rural land is generally larger parcels to accommodate rural activities protected through State and Local Planning mechanisms from further subdivision and non-rural uses. With reference to this particular site, the rural zoning is further supported given the proximity to the adjoining township, lot size, characteristics and mapped constraints (flooding). Whereas, land located within proximity to urban centres have access to various infrastructure and services. These urban centres are envisaged to provide the highest level of community and health services while including public transport to improve access within the Strategic Framework for residential development, similar to this application. Within these identified areas, there are various sites that could physically accommodate retirement dwellings whilst integrating into the existing infrastructure networks. Therefore, justification for this development on this site has not been achieved.

As per the letter dated 10 April 2018, Council advised the Applicant the estimated cost to construct the necessary water infrastructure for the Station Creek proposal (estimate total \$10,814,420.00). It is therefore acknowledged that the market value of urban land vs the subject site does not imply planning justification as to why the development should be constructed at this location.

As referenced, the Planning Scheme can consider new housing in other zones, provided sufficient planning need is demonstrated and the purpose of the zone is achieved. As outlined in the assessment against the Rural Zone Code, this development is inconsistent with the zones intent which will be detailed further in this report.

Therefore, the development is considered inconsistent with Strategic Outcome 3.4.1 (3) and (6) as there is insufficient justification as to why the development should be located outside of the identified urban expansion areas.

Strategic Element 3.4.2 – Housing Mix and Affordability envisions the *ability to 'age in place' helps achieve well balanced and functional communities and forms part of the broader housing objective of providing greater housing choice to meet needs throughout different phases of life. Retirement villages, aged care accommodation and other forms of accommodation for older people occurs in locations with convenient access to health and community services, public transport and centres.* As discussed further in this report, the subject site is located outside of the designated urban centres which have access to community and health care services and a variety of transport modes.

Strategic Framework - Connecting Our Places

Strategic Outcomes 3.5.1 (1) and (6) highlight the requirement for communities to be well connected to each other while being provided mixed modes of transport (for all mobility needs) to ensure improved access to shopping, health care, community services and cross modal points (airport and railway). These are essential services for the general public (all ages) for a development of this scale. The desired level of access to services required for this development is unable to be achieved due to its location outside of the urban areas.

The proposed development is located approximately 3kms from Benaraby and 9kms from Tannum Sands and linked via two major roads (Bruce Highway and Tannum Sands Road). Given the nature of the development, Station Creek will target over 50s seeking to retire in the Gladstone region. As such, the Applicant has stated that connections to employment options are not as necessary to facilitate this development. Access via mixed transport modes for recreational and community services will be fundamental for the development to integrate within the Gladstone region. The nearest bus stop is located in the Tannum Sands township, while a school bus stop is located within the Benaraby township; illustrated below in Figure Six. As bus routes are coordinated by Buslink, it is unknown if the development could advocate for an additional bus stop due to the location (outside urban centre).

Within the common material, the Applicant has suggested that the proposal will provide a community shuttle bus service into the townships to ensure Station Creek residents have access to community facilities outside of the development. This service would be upon the Applicant and/or operator to coordinate. Given the application is Preliminary only, the provision of public transport infrastructure would be further assessed within future Development Permits.

Given the subject sites location and lack of mixed modes of transport, the application is considered non-compliant with Strategic Outcomes 3.5.1 (1) and (6).



Figure Six: Existing Bus Stops

Strategic Outcome 3.5.1 (8) outlines that the *Gladstone airport and major road transport corridors such as the Bruce and Dawson highways and other State controlled roads and arterial routes are protected from inappropriate development that undermines their efficient and safe operation.* The proposal is located adjacent to two (2) state-controlled roads (Bruce Highway and Tannum Sands Road), which required the application to be referred to DSDMIP for assessment. As part of DSDMIP's Decision Notice, there were conditions pertaining to the proposed Tannum Sands Road upgrade to ensure access to the subject site does not compromise the operation of the state-controlled road. Additionally, access from the Bruce Highway is not permitted.

It is noted that the recommended conditions from DSDMIP will require the Applicant to install treatments at the intersection to ensure the operation of these networks are not hindered by this development. Notwithstanding this, the proposed development will increase users and associated vehicle types (i.e. caravans and RV's as nominated by the Applicant) on the Bruce Highway and Tannum Sands Road intersection. This increase in vehicle numbers and types will be added to a location where heavy vehicles operate frequently (i.e. Quarry and Landfill) and does pose potential conflicts. Moreover, the implications for future growth of existing compatible uses in the locale should be considered.

Strategic Element 3.5.2 – Connecting through community wellbeing is *supported at local and regional scales through development that contributes community services, facilities and infrastructure to meet community needs. The Gladstone CBD accommodates high level services and facilities in health care, education, cultural and community facilities. These service the regional population through an efficient transport and movement network. The region is well serviced by sport and recreation facilities at local through to regional level. One of the major sporting facilities listed is the Benaraby Motor Sport Precinct which provides a unique recreational space for various*

local clubs and services the region. This precinct is located south of the proposed development and is further discussed later in this report.

Furthermore, community wellbeing is achieved through *well located housing (including for older people) that is close to services and facilities, employment areas and public spaces. People have choice about how they access these services that include walking, cycling and public transport. Community facilities are established in mixed use centres and the Gladstone CBD co-located with service, business and entertainment uses that provide multi-purpose destinations.* The proposed development is located outside of the designated centres, thus reducing adequate access to the facilities and services required for community wellbeing. As such, the development does not comply with Strategic Element 3.5.2.

Strategic Outcome - Building it Better: Our Urban Areas

Strategic Outcome 3.6.1 (5) states that *the design of the region's new neighbourhoods provides a range of housing choices, are characterised by walkability and have a neighbourhood structure with a central focus such as a park or shop. Development in new neighbourhoods does not include tall buildings and contains a mix of low-medium scale residential buildings such as dwelling houses, dual occupancy and some townhouses. As outlined in the Planning Scheme, new neighbourhoods represent the region's new growth areas and greenfield land supply. These areas will provide the majority of new dwellings and development areas for the region and only occurs where it can be demonstrated that there is both overwhelming community and economic need. New neighbourhoods only occur within, or as planned urban extensions of, the urban areas of Gladstone, Boyne Island, Tannum Sands, Calliope and to a lesser extent in Agnes Water. This is represented by land included in the Emerging community zone. New neighbourhoods are not supported in other zones.*

In response, the development site is partly located within the Priority Living Area (PLA); however, the proposed retirement living (Lot 4) is located outside the PLA (shown in Figure Seven). Therefore, the new neighbourhood is located outside of the identified urban expansion areas in the Planning Scheme and the PLA.

The Planning Scheme can consider development outside of the identified urban expansion zones, if the development can provide suitable justification against the Zone Code's purpose. As per the assessment within this report, the development is also inconsistent with the Rural Zone Code which does not provide further justification regarding the location of the subject site. Thus, the proposal will result in an 'out of sequence' development located in an area not anticipated for additional urban development and growth. This will undermine and detract from the role and function of the existing urban residential areas as it will not be integrated within the foreseen urban expansion sites (identified population growth areas), therefore resulting in limited access to essential community services and suitable transport. Therefore, the development does not comply with Strategic Outcome 3.6.1 (5).

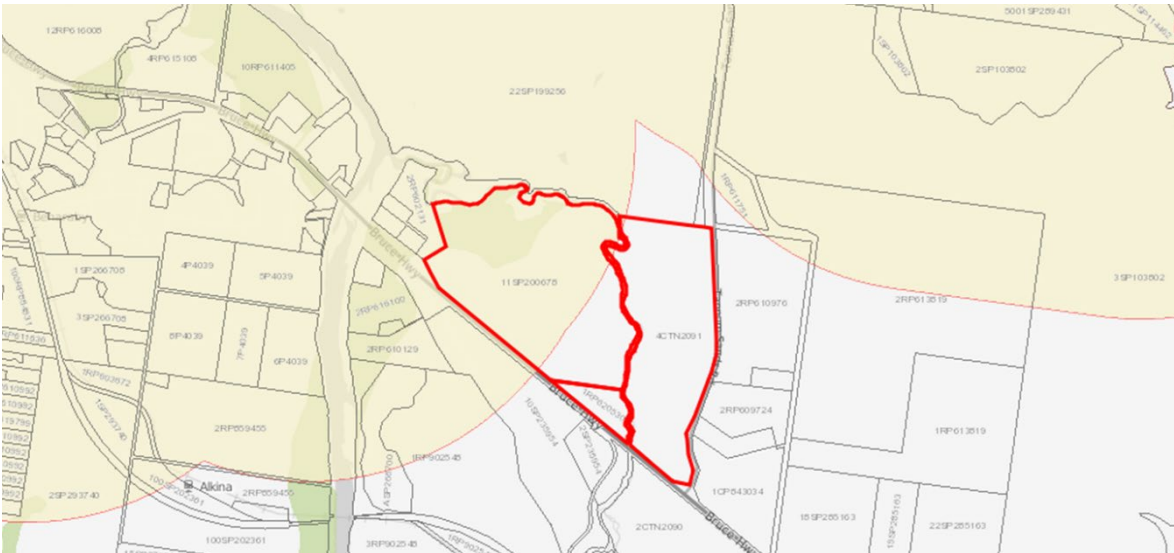


Figure Seven: Priority Living Area

Strategic Outcome 3.6.1 (8) references that *infrastructure planning and investment is organised to support development in an efficient and timely manner*. In response, the proposed development is located outside of Council’s Priority Infrastructure Area (PIA) as shown in Figure Eight. This demonstrates that the subject site has not been anticipated for urban growth and supporting infrastructure at a large scale.

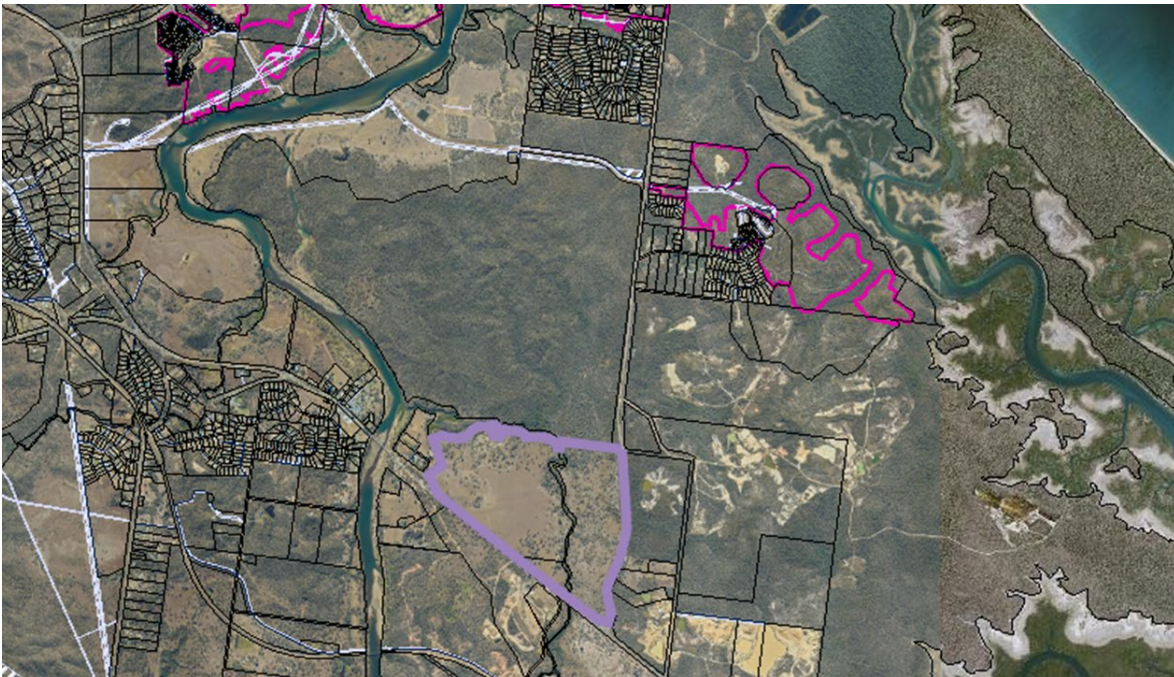


Figure Eight: Mapped Priority Infrastructure Areas

In order to service the development, infrastructure would have to be established via significant and unplanned extension of Council’s reticulated water supply network and privately-owned onsite sewerage systems (no sewer infrastructure is available to extend). As per the letter to the Applicant dated 10 April 2018, Council stated the water service connection is outside of the Defined Water Service Area and not considered within Council’s Water Supply Scheme Strategic Plan. Significant sizing upgrades would be required to adequately service the proposed development. These upgrades would require consultation between Gladstone Area Water Board (GAWB) and Council to determine the impact of the works on the GAWB Pump Station located at Toolooa Bends. Council noted that additional costings may be included with the GAWB’s water supply and infrastructure charges agreement with Council, which may impact Council’s ratepayers through an increase to Council’s water rate. This infrastructure extension will result in an inefficient delivery of

services with significant costs, which will only service one development in the foreseeable future. If constructed, this infrastructure will be Council's responsibility to maintain in the future with ongoing maintenance costs borne by Council.

The preliminary costing estimates provided in 2018 using Council's Water Asset Pricing Schedule stated that a total costing for the upgrade to install a 375NB (Nominal Bore) would result in the Applicant contributing \$7,471,932.00 and Council contributing \$3,342,488.00; totalling \$10,814,420.00. These preliminary costings may not include all associated costs to upgrade and install the required water supply network to service this development. Furthermore, Council's contribution costs do not factor in the ongoing maintenance costs for this infrastructure. These real cost considerations further justify the inclusion of this land in the Rural Zone in terms of ability to sustain development given site and infrastructure constraints.

Strategic Framework - Our Rural and Coastal Townships and Places

Strategic Outcome 3.8.1 (1) highlights that the *individual character and unique identity of rural and coastal communities is retained and their roles clearly defined*. Benaraby is described as a highway township which services the travelling public and acts as a gateway into the wider Gladstone region. Highway related development is concentrated in the Township Zone and includes short term accommodation in the form of motels and tourist parks, service stations with limited retail space and small-scale shopping, food/refreshments and local tourism. Additionally, the Planning Scheme has considered spare capacity to cater for modest residential growth within the existing urban footprint as identified below in Figure Nine. The proposed development is not integrated within the existing township area, nor can it be safely connected through pedestrian access. As such, proposing retirement living in Benaraby's rural locality does not reflect the highway identity of the township, nor will it reflect the existing rural character. Therefore, the proposal is considered inconsistent with Strategic Outcome 3.8.1. (1).

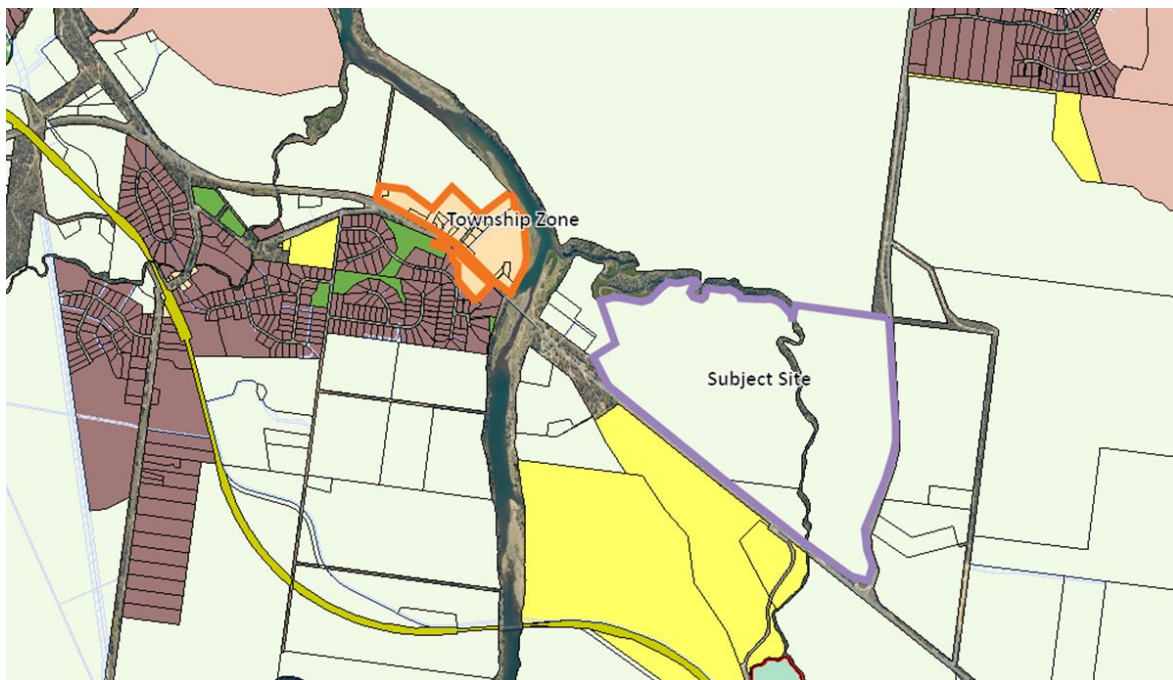


Figure Nine: Township Zoning

Strategic Outcome 3.8.1 (3) outlines that *the existing footprints of rural and coastal townships support the intended limited residential growth in these areas within the life of this planning scheme. No further expansion to these footprints or increase in density is supported*. With reference to Figure Ten, the subject site is located within the Rural Zone and outside of the mapped Township Zone (expected zone for additional residential growth). Although the proposal will not result in a typical subdivision, it will increase the density from rural (typically one Dwelling House per lot) to Relocatable Retirement Facility (510 dwellings plus assisted living units on one lot). It is acknowledged that the Community and Economic Need Assessment outlines the need for

Retirement Facilities in the Gladstone region, however, it does not justify the need for it be located at this location within the Rural Zone and outside of the township footprint. As such, the development does not comply with Strategic Outcome 3.8.1 (3).

Further to Strategic Outcome (1), Strategic Outcome 3.8.1 (5) states that *rural and coastal townships have clear economic functions that include tourism, rural enterprises and highway services within townships along the Bruce Highway*. The proposed development seeks to locate retirement living within the Rural Zone due to overwhelming need for Retirement Facilities in the Gladstone region. However, the subject site is located outside the Township Zone and does not incorporate highway services to support the economic function of the rural township. The Golf Course is open to all patrons while the recreational facilities proposed within the development are only available for the immediate residents. Therefore, the development is inconsistent with Strategic Outcome 3.8.1 (5).

Acid Sulfate Soils Overlay Code

The subject site is mapped within the Acid Sulfate Soils mapping for 0-20m AHD. As this application is for Preliminary Approval only (i.e. no proposed works onsite), as part of any future Development Application the proposal will be required to determine compliance against the Acid Sulfate Soils Overlay Code. As such, this Code is not applicable for this assessment.

Biodiversity Overlay Code

As per Figure Ten, the subject site is constrained by Matters of State Environmental Significance for Intersecting Watercourse under the Biodiversity Overlay Code. Given the preliminary nature of the proposed development, the extent in which the development impacts on these waterways is not yet definitive, and as such, the requirement for offsets or vegetated buffers cannot be ascertained. Furthermore, the Applicant has outlined that the Planning Scheme mapping vs the Department of Natural Resources, Mines and Energy (DNRME) illustrate two different constraints. Figure 11 is listed below to highlight the current vegetation mapping from DNRME. Overall, a further and more detailed assessment of the proposals compliance with the Code would be required as part of any future application for a Development Permit over the site once the design and extent of impacts has been ascertained.



Figure Ten: Mapped Biodiversity (Intersecting Watercourse)

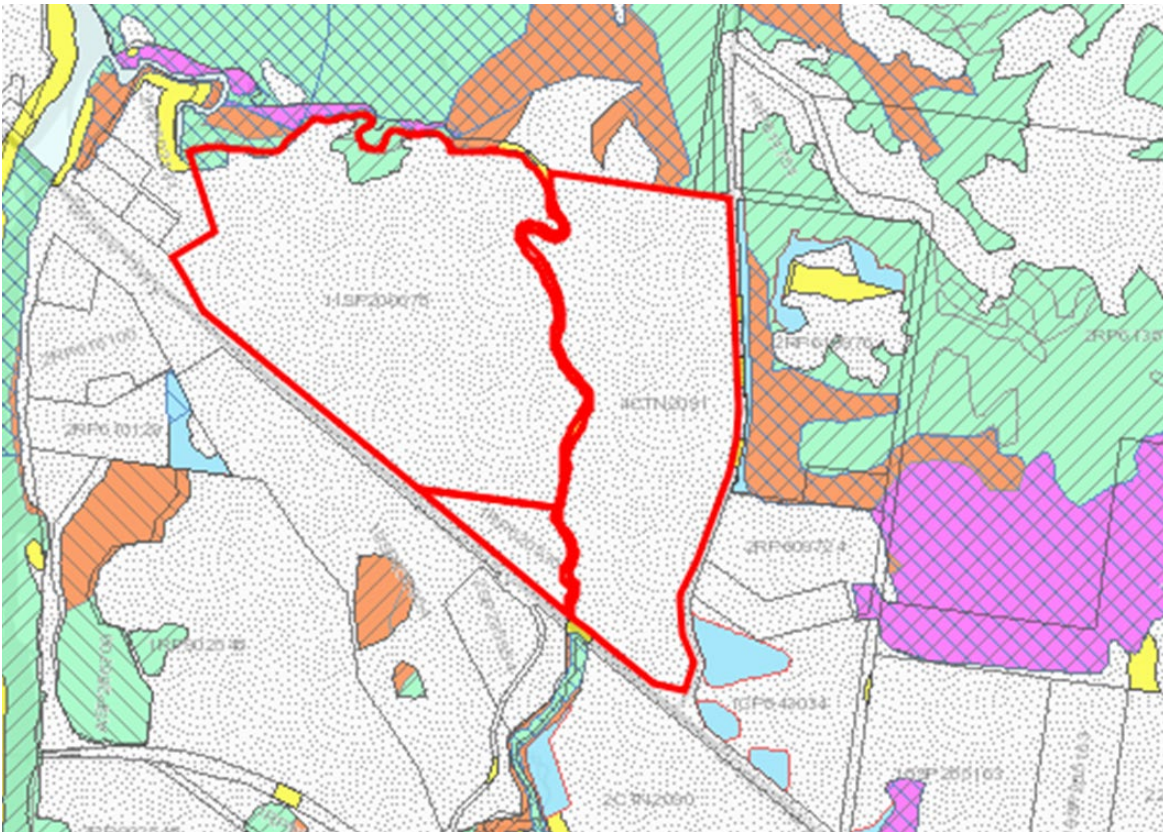


Figure 11: Mapped Native Vegetation (snippet from online mapping)

Bushfire Hazard Overlay Code

Whilst the site is mapped as containing Potential Impact and Medium Potential Bushfire hazards, the majority of the residential components of the development are located outside of the bushfire hazard mapping. As such, it is considered that the remainder of the developable areas could adequately cater for bushfire management through various mitigation methods. These methods would be assessed as part of any future application for a Development Permit.

Coastal Hazard Overlay Code

The subject site is mapped as containing coastal erosion prone areas, and medium and high storm tide inundation impacts. The proposed development of both the golf course and the retirement living have been designed to avoid these areas. As a result, no further assessment is required against the Coastal Hazard Overlay Code.

Extractive Resources and Minerals Overlay Code

Lot 4 travels along Tannum Sands Road which is currently used as a transport route for an existing Key Resource Area (KRA). This KRA has a 150m separation area (buffer) that intrudes into the site for the full frontage (Figure 12). Acceptable Outcome 3.1 states that the *numbers of people working or congregating in the separation area are not increased*. The Preliminary Approval seeks to accommodate 510 dwellings plus assist living within Lot 4, plus a public accessible Golf Course. This proposal will increase the number of people working and living at the subject site. As such, assessment will be made against Performance Outcome 3.

Performance Outcome 3 pertains that *development incorporates measures to mitigate the potential adverse effects from existing or future extractive industry on people working or congregating in the separation area*. At the preliminary stage, the proposed development proposes to incorporate acoustic treatments and landscaping buffers to reduce any potential adverse impacts on the residents. Further details of the treatments are proposed to be provided by the Applicant when lodging the subsequent application for a Development Permit.

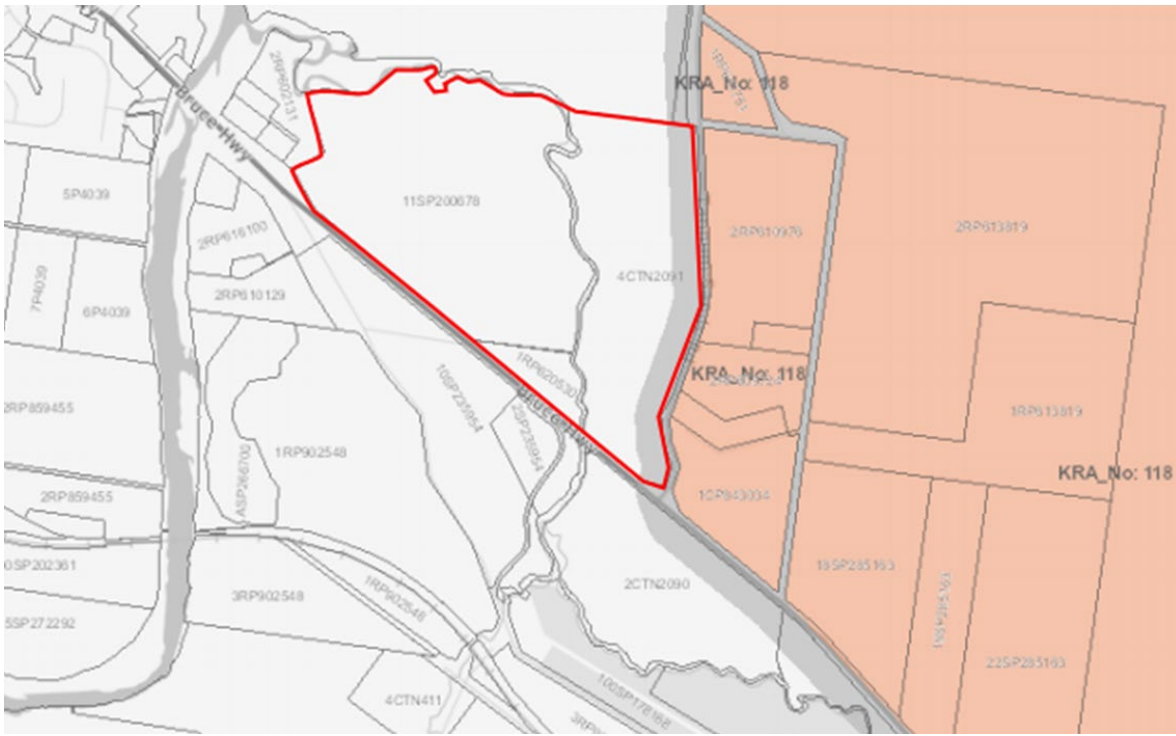


Figure 12: Mining and Extractive Resources mapping (snippet from online mapping)

Furthermore, Acceptable Outcome 3.2 references design treatments to mitigate the potential effects from the existing and future extractive industry. Again, this would be assessed within a future application for a Development Permit.

Flood Hazard Overlay Code

As part of the common material, the Applicant submitted a Hydraulic Impact Assessment report to determine the current flood constraints and the proposed impacts from the Preliminary Approval. Whilst the subject site is mapped as containing Q100 flooding, updated flood levels from the report have outlined that flooding is not as severe.

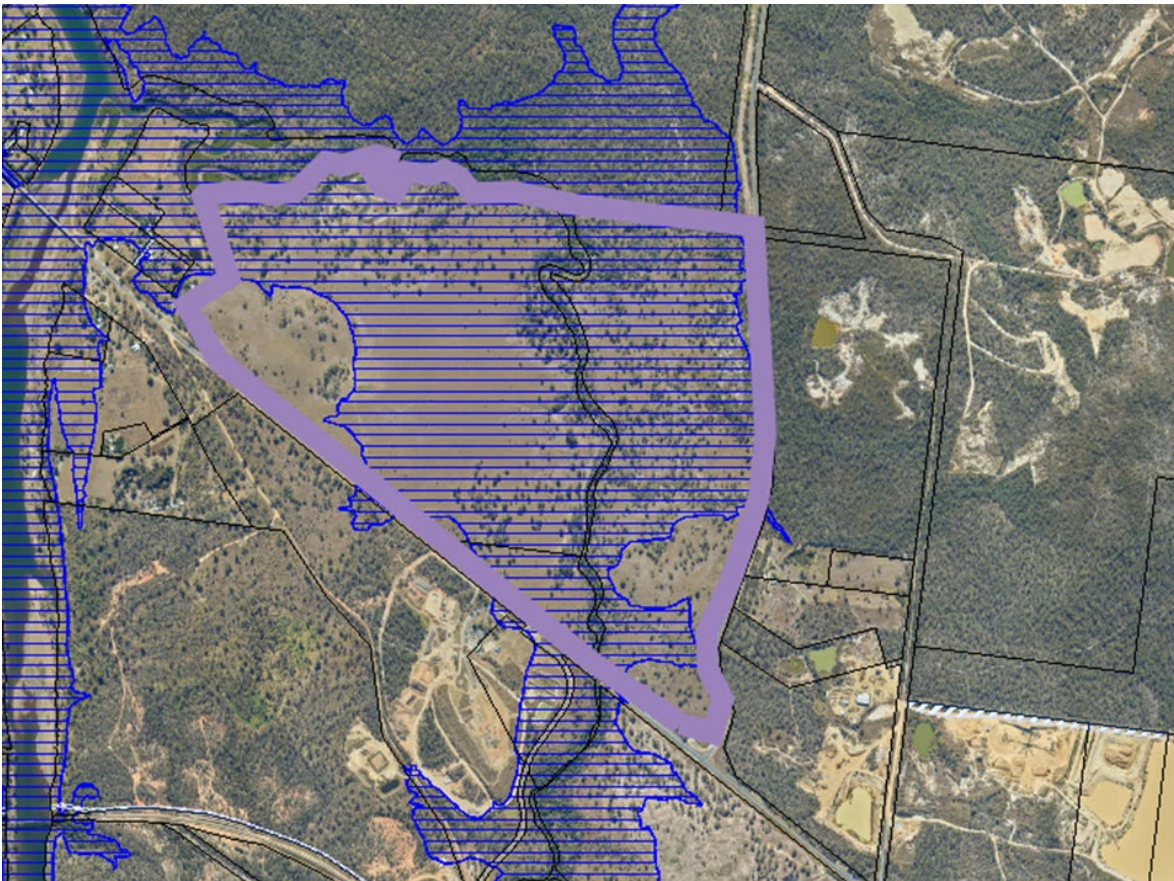


Figure 13: Mapped Flood Hazard

The development proposes extensive earthworks for the creation of dams within the Rural Open Space and Recreation Precinct which will increase flood storage in this location and reduce the impacts of flooding on the proposed retirement village areas. Additionally, the report has stated that all internal roads, lots and access driveway would be above the registered flood level.

Performance Outcome 8 states that:

Development, including any earthworks or excavation work in excess of 50 cubic metres, must:

- a. not adversely impact on or change the flood characteristics of a floodplain or waterway*
- b. not reduce existing flood storage and flow capacity*
- c. avoid any physical change to a floodplain or natural waterway*
- d. avoid increased scour and erosion*
- e. not increase the depth, velocity or direction of the flow, the rate of flood level rise or the duration of inundation on land external to the site, and*
- f. not substantially remove any riparian or riverine vegetation.*

In response, the Hydraulic Impact Assessment has stated that the development will not increase flood levels or velocities external to the site from the proposed earthworks and that detailed assessment would occur within future relevant Development Permit applications. It is considered that the result of extensive earthworks to create dams to increase flood storage is in conflict with (a), (c) and (f), and the elements within (b), (d) and (e) are unable to accurately be confirmed at the preliminary application stage.

Steep Land Overlay Code

The subject site is mapped as containing Steep Land which reflects approximately 0.1% of the total area. The proposed development avoids the affected area; thus, requiring no further assessment against the Steep Land Overlay Code.

Rural Zone Code

Although, the Preliminary Approval (Station Creek Development Code, also referred as POD) seeks to override the Rural Zone Code; assessment of the development will be made against the Zone Code to determine and understand the scale of conflict. Assessment of the Rural Zone Code will be conducted in a bottom up approach, to outline all conflicts between the POD and the code.

Acceptable Outcome 3.1 outlines that *building height for a dwelling house does not exceed 8.5m. Building height for Rural activities does not exceed 20m.* The proposed POD has stipulated that the building height does not exceed 9m and 2 storeys above ground level. Despite the minor variation, it is considered that the 0.5m height increase is consistent with the Planning Scheme's intent to support low scale buildings that should not dominate the landscape.

Acceptable Outcome 4.1 highlights that *residential density is limited to one dwelling house per allotment including a secondary dwelling, and one dwelling where for rural workers accommodation.* The proposal seeks to override the residential density to incorporate multiple dwellings (510 dwellings and assisted living options) and recreational facilities (Village Centre) within one lot. Although provisions under the Manufactured Homes Act permit multiple dwellings to occur on one title, the increase in residential density to this extent on a rural lot is significant. As such, assessment against Performance Outcome 4 will be undertaken.

Performance Outcome 4 references that the *residential density reflects the low intensity rural character of the locality.* With reference to Benaraby's township locality, the area is predominately constructed of single dwelling lots, with a small mix of low scale commercial (service station, shop) and non-residential development (Caravan Park, Rural Workers Accommodation, Landfill, Benaraby Motor Sport Raceway, Quarry). The Benaraby township currently has approximately 330 residential lots (excluding rural zoned land). Although the development will not result in the creation of 'lots', the overall yield of 510 dwellings exceeds the existing Benaraby residential footprint. Additionally, the proposal would not reflect the dominant single dwelling per lot character established in the Benaraby locality. Performance Outcome 10 and 14 stipulate criteria regarding consistency with the rural character and protecting the amenity. Therefore, the proposal will be assessed against the Overall Outcomes and Purpose.

Overall Outcome B states that *the viability of both existing and future rural uses and activities are protected from the intrusion of incompatible uses.* The proposed development would seek to permanently construct retirement buildings on a rural lot with some land being utilised towards a Golf Course and recreational facilities. Although the Golf Course (Outdoor Sport and Recreation use) is supported within the Rural Zone, the retirement living component would intrude on the rural land and result in an incompatible use in an area established with compatible uses of landfill, mining (quarry) and Benaraby Motor Sport Precinct.

The proposal anticipates 510 dwelling sites and assisted living (aged care) which will result in significant urban expansion on land within the Rural Zone which is out of sequence and unsuitable development in the Rural Zone. The proposal would ultimately detract from the rural landscape and character, while jeopardising the ability for the land to undertake short or long-term rural uses and activities. As a result of the retirement living component of the POD, the proposal is inconsistent with Overall Outcomes and Purpose of the Rural Zone Code.

Development Design Code

Due to the application being Preliminary Approval, any future Development Applications would be required to address the Development Design Code and justify compliance against the relevant benchmarks. As such, no further assessment is required for this application.

Landscaping Code

Given the preliminary nature of this proposal, further Development Applications would be required to progress assessment against the Landscaping Code to determine compliance.

Planning Act 2016:

Section 45(5)(b)

As per section 45(5)(b) of the Act:

An impact assessment is an assessment that -

- a. must be carried out—*
 - i. against the assessment benchmarks in a categorising instrument for the development; and*
 - ii. having regard to any matters prescribed by regulation for this subparagraph; and*
- b. may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.*

Examples of another relevant matter—

- a planning need*
- the current relevance of the assessment benchmarks in the light of changed circumstances*
- whether assessment benchmarks or other prescribed matters were based on material errors*

As part of the common material and IR Response, the Applicant has utilised the 'other relevant matters' provision to justify the proposed development; being planning need, land mass and community support.

The first relevant matter referenced by the Applicant was planning need. The concept of planning need was noted in *Isgro v Gold Coast City Council & Anor* [2003] QPELR 414; [2003] QPEC at [21] where the Court stated:

Need, in planning terms, is widely interpreted as indicating a facility which will improve the ease, comfort, convenience and efficient lifestyle of the community...Of course, a need cannot be a contrived one. It has been said that the basic assumption is that there is a latent unsatisfied demand which is either not being met at all or not being adequately met...

As per the submitted Community and Economic Needs Assessment, the findings outline that there is a need for retirement in the Gladstone region and a current shortage. However, the submitted Town Planning Report and Community and Economic Needs Assessment fail to provide weight as to why the development should be located outside the designated centres identified in the Planning Scheme.

The subject site is located outside the major urban centre (Gladstone) and other centres (Boyne Island/Tannum Sands and Calliope) that are identified in the Strategic Framework. These centres are envisaged to provide the highest level of community and health services while including public transport to improve access. Furthermore, within these identified areas, there are various sites that could physically accommodate retirement dwellings whilst integrating into the existing infrastructure networks. As such, the justification regarding planning need has not demonstrated sufficient weight in justifying an approval of the development contrary to the Planning Scheme.

The next relevant matter relied upon by the Applicant is that the proposed development can not be suitably located anywhere else (i.e. minimum land size required). The proposal has advantageously incorporated both Golf Course and retirement living into a package that is stated to require a minimum of 90 hectares (50 hectares – Golf Course & 40 hectares – retirement living). However, based on the Community and Economic Need Assessment, there is a current need for retirement living, not outdoor recreation. Subsequently, there are six (6) Golf Courses in the Gladstone region (Gladstone, Boyne Island/Tannum Sands, Calliope, Miriam Vale, Agnes Water

and Baffle Creek) that are operating and accessible to the public. These existing facilities are located near the major and urban centres within the region that could support a Retirement Facility in a designated centre. There is no justifiable planning need to package the Relocatable Retirement Facility with an outdoor recreation component.

Furthermore, the Applicant states that they require flat land, good quality soil, access to major road network and consolidated land parcels to analyse alternative sites. Within the common material, three (3) alternative sites were reviewed to demonstrate there is no suitable land for this proposed development, based on the aforementioned criteria. However, there is land available within proximity to the existing urban footprint and in proximity to Golf Courses (Gladstone, Calliope and Boyne Island/Tannum Sands). The submitted information details the difficulty in justifying that there is no suitable land for retirement living in the designated centres of the Planning Scheme. Thus, there is insufficient merit that the development can only be located at the proposed sites.

The final relevant matter is the acknowledged community support for the proposal. During Public Notification, a total of 527 support submissions were received (501 were Properly Made and 26 Not Properly Made). Within these submissions, points were made about the current need for retirement living in the Gladstone Region, creating a rural lifestyle (different from other villages) and access to onsite and external facilities; further details can be reviewed in the Public Notification section of the report. Whilst a large number of submissions were received, the support is insufficient to override the conflicts with the Planning Scheme. This was evident at *Hotel Property Investments Ltd v Council of the City of Gold Coast* [2019] QPEC 5 where the Court noted that little weight should be given to submissions when there is an overarching conflict with the Planning Scheme.

Section 61

As per Section 61 of the Act, assessing and deciding variation requests state:

1. *This section applies to a part of a properly made development application that is a variation request.*
2. *When assessing the variation request, the assessment manager must consider—*
 - a. *the result of the assessment of that part of the development application that is not the variation request; and*
 - b. *the consistency of the variations sought with the rest of the local planning instrument that is sought to be varied; and*
 - c. *the effect the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters; and*
 - d. *any other matter prescribed by regulation.*
3. *The assessment manager must decide—*
 - a. *to approve—*
 - i. *all or some of the variations sought; or*
 - ii. *different variations from those sought; or*
 - b. *to refuse the variations sought.*

Assessment will be made against Section 61(2)(b) of the Act. The Preliminary Approval seeks to vary the Rural Zone Code to align with the Low-Density Residential Zone Code under the Planning Scheme (as stated in the common material). As outlined in the Rural Zone Code, the intent of this zone is to protect rural land and display rural and landscape character. Conversely, the Low Density Residential Zone Code envisages land to provide for predominantly detached dwelling houses within existing suburban areas supported by some community uses and small-scale services and facilities that cater for local residents. The inconsistency between the proposed intent for the Retirement Living Precinct and the Rural Zone is significant. The proposed development will repurpose the designated rural land to residential character through change in landform via earthworks and subsequent built form with comparable density to the entire current Benaraby residential population density. Furthermore, the development will be located outside of any

designated urban centres/expansions areas. As such, the variation of zoning is in direct conflict with the Planning Scheme.

Secondly, the proposed development is situated in proximity to the Benaraby Motor Sport Precinct, Benaraby Landfill and operational quarries. Figure 14 provides further context. Some of these operations have been identified and protected through the Planning Scheme's zoning. This includes the Benaraby Motor Sport Precinct within the Sport and Recreation Zone and the landfill located within the Community Facilities Zone. These zones have been incorporated to appropriately protect the ongoing operation of these facilities and ensure future expansion/activities are supported and protected by the Planning Scheme.

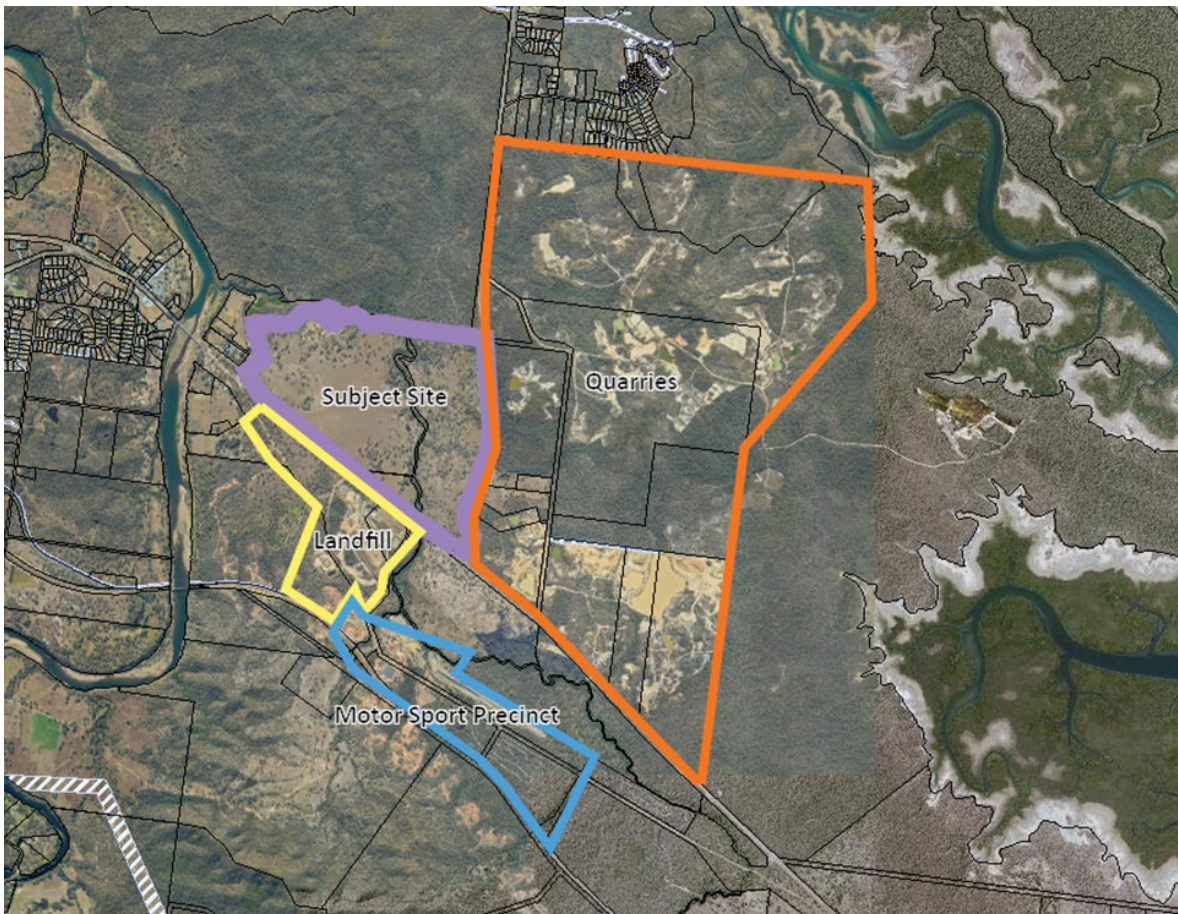


Figure 14: Surrounding Uses

Benaraby's Landfill is situated over 3 lots (Lot 2 & 10 SP 235954 and Lot 1 RP 902548) and has a current approval to continue to expand (Ref: DA/341/2011). The Benaraby Landfill is the principal landfill servicing the Gladstone region. As per the Community Facilities Zone, the purpose is achieved through minimising the impacts on adjacent areas from development and activities within the zone (through buffering to adjacent sensitive land uses and appropriate design, siting and operation of facilities and infrastructure). As per Figure 15, the current existing residents are approximately 800 metres from the landfill site boundary, while the proposed development would result in residents as close as 400 metres.



Figure 15: Existing Dwelling House distances vs proposed development

The Planning Scheme zoning is seen to protect this use by ensuring minimal residential development occurs within the proximity of the landfill. This allows the community facility to operate within capacity without causing any unreasonable nuisance to residential uses. Therefore, the principal landfill for the region should not be compromised by incompatible uses.

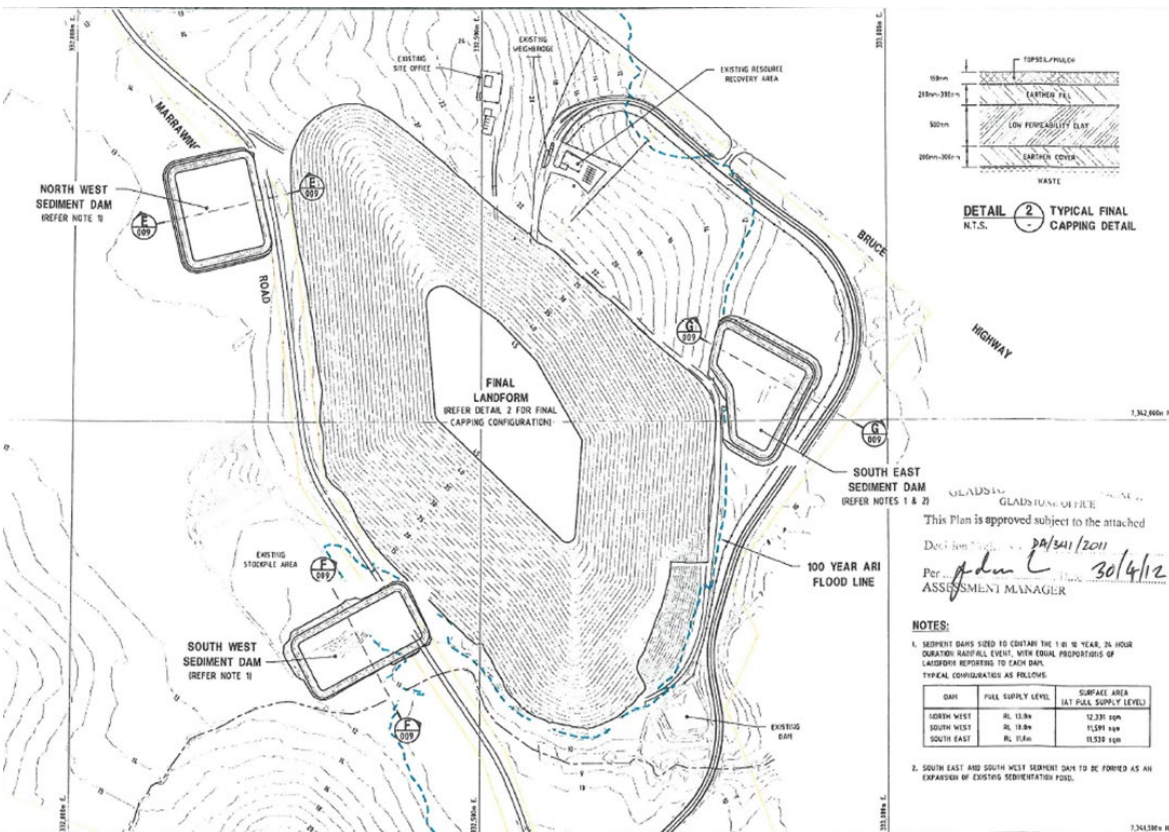


Figure 16: Final Landform for Benaraby Landfill

The Benaraby Motor Sport Precinct has been incorporated into the Sport and Recreation Zone to support the current function and any potential expansion of the sports. The creation of the Benaraby Motor Sport Precinct was a deliberate and clear action of Council as part of the Planning Scheme to protect the precinct from encroachment of incompatible uses; allowing the facility to prosper. There are 12 registered clubs (including the Learner Education Driving Facility, Dirt Riders and Speedway) currently utilising this precinct. In particular, the Speedway was relocated to this location from the Gladstone central area to reduce impacts on adjoining residents. With reference to the Sport and Recreation Zone Code purpose states that for the Benaraby Motor Sport Precinct, *development provides for a Motor Sports Facility of regional significance*. Given the intent of the Sport and Recreation Zone, it is expected further expansion of this site will occur with larger and potentially more frequent events and larger scale uses as these sport groups and more uses become established.

The Applicant has stated within the common material that the development would introduce design treatments to their buildings to reduce the registered noise identified within the Noise Impact Assessment and that clauses within the lease/contract would ensure the protection of the Benaraby Motor Sport Facility. Although mitigation measures have been offered by the Applicant, Council cannot lawfully condition the Applicant to enter into a lease/contract with each resident stating no action can be pursued against Council or the Benaraby Motor Sport Facility. Therefore, supporting this proposal could comprise the function and potential growth of the strategically located facility and create reverse amenity issues in the future. During the Public Notification Period, clubs and associated committee members within the Benaraby Motor Sport Precinct objected to the current Development Application and therefore maintain Submitter Appeal Rights with respect to the decision of Council.

The Quarries (Blomfield & Boral) are identified within the Planning Scheme through the Extractive Resources and Minerals Overlay. The Quarries have been operational since 1989. In 2009, Blomfield lodged a Development Application to increase the processing operations of screening and extraction on the site from more than 5,000 tonnes per annum to up to 1,000,000 tonnes per annum, as well as ancillary activities including servicing vehicles, crushing concrete, masonry and bitumen and abrasive blasting (Ref: DA/89/2009). Since then, that expansion application has lapsed. The operation of the Extractive Industry continues within the existing parameters of 5,000 tonnes per annum. Boral lodged two Development Applications, one being an increase to their Environmental Relevant Activity licence to operate up to 400,000 tonnes per annum (Ref: DA/368/2011) and the other being an expansion to the Extractive Industry (Ref: DA/653/2012).

The purpose of the Extractive Resources and Mineral Overlay is to *protect extractive resources within a key resource area from development that might prevent or constrain current or future extraction of the resource*. With reference to DA/89/2009 and DA/653/2012, submissions were received regarding the impact on an adjoining residential premise from the Quarry (dust, overland flow, traffic impacts). If this Preliminary Approval was to occur on land adjoining the operation, this would not only increase the vehicles on the identified KRA transport route, it would also increase the sensitive uses within the KRA. This may impact in the current and future operation of the Quarry as well as potential expansion options.

To date, the landfill, quarries and motor sport uses have operated without conflict.

Section 61(2)(c) of the Act outlines the impact from the variation request on submitter rights. The proposal seeks to change the category of assessment of future applications from Impact Assessment to Code Assessment for the majority of uses, and therefore remove submission rights in the assessment process. The Master Plan and POD both identify the future development intent on the subject site and provided details for the submitters. As per the IR, Council requested that the Applicant submit photomontages of the development from different viewpoints to demonstrate the full intent of the proposal (built form, landscaping, earthworks in and around floodplains, noise buffers, etc.). However, due to the Preliminary Application nature, the Applicant stated this would be included within future Development Permits. This visual representation of the development

would have provided the submitters additional information to inform their submission, a right not afforded under future applications.

Summary:

Following assessment of the application against the requirements of the Act, SPP and the Planning Scheme, with consideration of the submissions received, it is concluded that Development Application 3/2018 for a Preliminary Approval (Variation Request) is inconsistent with the desired intensity, scale, character and amenity of the Rural Zone. Given that the Applicant has failed to sufficiently justify these conflicts against the requirements within the Planning Scheme, it is recommended that this Development Application is refused.

Anticipated Completion Date:

N/A.

Officer's Recommendation:

That Development Application 3/2018 for a Material Change of Use of Premises for a Preliminary Approval (Variation Request) for a Relocatable Retirement Facility located at Lot 1 RP 620530, Lot 4 CTN 2091 & Lot 11 SP 200678 be recommended for refusal on the following grounds.

Statement of Reasons:

The following provides the Notice of Reasons under section 63(5) of the *Planning Act 2016*:

Description of the development:

The development is for a Preliminary Approval for Relocatable Retirement Facility.

Assessment benchmarks:

Benchmarks applying to the development:	Benchmark reference:
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> • State Interest – Natural Hazards, Risk and Resilience; • State Interest – Biodiversity; and • State Interest – Mining and Extractive Resources.
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> • Strategic Framework; • Acid Sulfate Soils Overlay Code; • Biodiversity Overlay Code; • Bushfire Hazard Overlay Code; • Coastal Hazard Overlay Code; • Extractive Resources and Minerals Overlay Code; • Flood Hazard Overlay Code; • Steep Land Overlay Code; • Rural Zone Code; • Development Design Code; and • Landscaping Code.

Reasons for the Assessment Manager’s decision:

1. The Application was properly made in accordance with the *Planning Act 2016* and the Development Assessment Rules; and

2. The Application is inconsistent with several of the relevant benchmarks of the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.

Reasons for approval despite any non-compliance with certain benchmarks:

N/A

Relevant matters under Section 45(5)(b) of the Act that the Development was assessed against:

1. The Applicant referenced 'planning need' as a relevant matter despite conflicts with the Planning Scheme. The justification provided did not provide sufficient grounds to justify an approval despite the identified conflicts.
2. The Applicant referenced 'land mass' as a relevant matter despite conflicts with the Planning Scheme. The scale of the proposed development is insufficient justification for location within the Rural Zone.
3. The proposed development is not within the Priority Infrastructure Area and the application has not adequately demonstrated how the development will ensure the equitable delivery and sustainable maintenance of infrastructure in the future.
4. The Applicant referenced 'community support' as a relevant matter despite conflict with the Planning Scheme. The quantity of support submissions was not considered as justification to approve the development despite conflicts with the Planning Scheme.

Matters raised in submissions for impact assessable development:

Tabled in the report.

Matters prescribed by a Regulation:

1. The *State Planning Policy – July 2017*;
2. The *Central Queensland Regional Plan*; and
3. The *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.

Refusal Grounds:

Planning Act 2016 Section 45 & 61

1. The development compromises and fails to achieve several of the Strategic Framework Outcomes of the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.
2. There are insufficient grounds to justify the 'other relevant matters' despite the conflicts with the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.

Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2

3. The proposed development does not comply with the Strategic Framework - Community Living - Strategic Outcome 3.4.1 (3) & (6).
4. The proposed development does not comply with the Strategic Framework - Community Living - Strategic Elements 3.4.2 – Housing Mix and Affordability.
5. The proposed development does not comply with the Strategic Framework – Connecting Our Places - Strategic Outcome 3.5.1 (1) & (6).

6. The proposed development does not comply with the Strategic Framework – Connecting Our Places - Strategic Elements 3.5.2 – Connecting through community wellbeing.
7. The proposed development does not comply with the Strategic Outcome - Building it Better: Our Urban Areas - Strategic Outcome 3.6.1 (5) & (8).
8. The proposed development does not comply with the Strategic Framework - Our Rural and Coastal Townships and Places - Strategic Outcome 3.8.1 (1), (3) & (5).
9. The proposed development does not comply with Rural Zone Code Purpose (b), (c), (d) & (f).
10. The proposed development does not comply with the Rural Zone Code Overall Outcomes (b), (f) & (l).
11. The content of the 76 submissions in objection to this application are generally supported.

Advice to Applicant:

Nil.

Attachments:

1. Council's Information Request
2. Council's General Advice Letter
3. Submissions received (Group 1)
4. Submission received (Group 2)
5. Submissions received (Group 3)
6. Submissions received (Group 4)

Tabled Items:

Nil

Report Prepared by: Planning Officer

G/3.1.6. REQUEST TO DEVIATE FROM THE INFRASTRUCTURE CHARGES ECONOMIC DEVELOPMENT INCENTIVES SCHEME FOR DEVELOPMENT APPROVAL 32/2017 FOR NATURE BASED TOURISM AT 2546 ROUND HILL ROAD, ROUND HILL QLD 4677

Responsible Officer: General Manager Customer Experience

Council Meeting Date: 20 August 2019

File Ref: FM7.2; DA/32/2017

Purpose:

The purpose of this report is for Council to consider a request to deviate from section 6.3 Incentive Conditions of the Infrastructure Charges Economic Development Incentive Scheme Policy (P-2018-03) in regard to a Nature Based Tourism approval located at 2546 Round Hill Road, Round Hill (DA/32/2017).

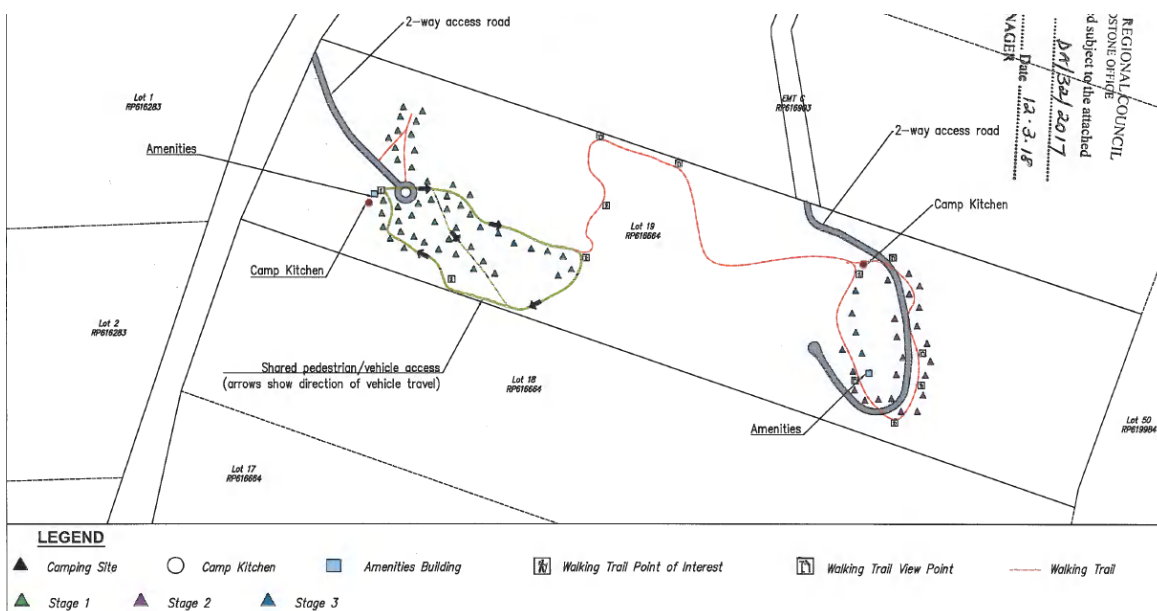
Officer's Recommendation:

That Council advise Mr Tim Lawry that the request for an extension of time to act upon the Development Approval 32/2017 be refused as it conflicts with section 6.3 Incentive Conditions of the Infrastructure Charges Economic Development Incentive Scheme Policy (P-2018-03).

Background:

A Development Application for a Material Change of Use for Nature Based Tourism (74 Sites in 3 Stages) on land at 2546 Round Hill Road, Round Hill (Lot 19 RP 616664), was approved under Delegated Authority on 16 October 2017. The Applicant lodged representations against Conditions 3, 4, 5, 6, 7, 14, 15, 16, 17, 18, 19, 26, and 30 on 4 December 2017. The request was approved in part with numerous amendments to the aforementioned conditions made in the Negotiated Decision Notice issued on 12 March 2018 (refer to Attachment 1).

An image of the approved site plan is shown in Figure One.



One – Approved Site Plan

Figure

An Adopted Infrastructure Charge Notice was issued on 23 October 2017 for the following amounts (refer to Attachment 2):

- Stage 1: \$106,800
- Stage 2: \$53,400
- Stage 3: \$41,950
- Total: \$202,150

A request was lodged to Council on 11 April 2019 for consideration under the Infrastructure Charges Economic Development Incentive Scheme Policy (the Policy). In accordance with the Policy, Council Officer's recommended that the request be refused as the application did not meet two of the three criteria listed under section 6.1 Application of the Policy. That is, the application was lodged prior to 1 July 2018 and it was not located within a Priority Infrastructure Area (refer to Attachment 3).

This request was considered by Council at its 4 June 2019 General Meeting where the following resolution was adopted:

That Council advise Zone Planning Group (acting on behalf of Mr Tim Lawry) that despite not meeting the pre-requisites of the Infrastructure Charges Economic Development Scheme (P-2018-03), an Infrastructure Agreement be entered into for a reduction of 50% in the Infrastructure Charges for DA/32/2017 for the following reason:

- *Unique application as a nature-based tourism project.*

The Applicant was advised in writing of this outcome on 10 June 2019 (refer to Attachment 4) and was provided with a draft template of an Infrastructure Agreement. The Applicant was also reminded at this time that under section "6.3 Incentive Conditions" of the Policy, in order to maintain their eligibility for this reduction, the Applicant must complete Stage 1 of their Development Approval within two years of when the Material Change of Use of Premises Development Permit starts to have effect (i.e. by 12 March 2020). Furthermore, all stages of the development must be completed within four years of when the Material Change of Use of Premises Development Permit starts to have effect (12 March 2022).

It is noted that whilst the timeframe to act upon the approval under section 6.3 was raised at the Council Meeting, the formal timeframe extension request was not made as part of that previous request or consideration.

The Applicant contacted Council on 19 June 2019 requesting a meeting to discuss the Infrastructure Agreement and the timeframe implications of section 6.3 of the Policy with a response provided the following week.

On 11 July 2019, a reminder email was sent to the proponent. Subsequent emails and phone discussions that day clarified the request parameters and informed the Applicant that the request to extend the timeframes specified under section 6.3 of the Policy would require the endorsement of Council.

On 17 July 2019, the Applicant formally requested an exception to section 6.3 Incentive Conditions of the Infrastructure Charges Economic Development Incentive Scheme Policy (refer to Attachment 5).

On 1 August 2019, the Applicant provided further clarification of their previous request via email.

Consideration:

Section 6.3 Incentive Conditions of the Policy states that:

To be eligible for an incentive under this Policy, developments must:

- 1. Be completed within two years from when the Material Change of Use of Premises Development Permit starts to have effect; or*
- 2. If staged, the first stage be completed within two years of when the Material Change of Use of Premises Development Permit starts to have effect with all stages of the development being completed within four years of when the Material Change of Use of Premises Development Permit starts to have effect; and*
- 3. Should these Incentive Conditions not be met then no reduction in the Levied Charges shall be applicable and the balance of the Levied Charges then outstanding shall be immediately due and payable.*

In this instance, the Applicant must (a) complete Stage 1 by 12 March 2020; and (b) complete all subsequent stages by 12 March 2022.

The Applicant has requested the following extension of these timeframes:

- 1. "Stage 1 to be completed within 12 months from the date of confirmation of the agreement from Council to apply the discount – 4th June 2020.*
- 2. Any further incentive scheme discounts to only apply to the stages (specifically number of sites) completed on or before 4th of June 2023.*

In other words, the completion times will run from the time of the discount grant approval rather than the date of the DA approval."

These requests will be considered in detail below.

Extension of Timeframes

Prior to the current request, the requirements under the Applicant's approval for the development application and under the Policy required the following:

Stage	Number of Campsites	Infrastructure Charges Due	Infrastructure Charges Due Less Dispensation	Works Must be Completed by
Stage 1	40 campsites	\$106,800	\$53,400	2 March 2020
Stage 2	20 campsites	\$53,400	\$26,700	12 March 2022
Stage 3	14 campsites	\$41,950	\$20,975	12 March 2022
Total	74 campsites	\$202,150	\$101,075	N/A

If Council agrees to the Applicant's request, the approval would alter in the following manner:

Stage	Number of Campsites	Infrastructure Charges Due	Infrastructure Charges Due Less Dispensation	Works Must be Completed by
Stage 1	40 campsites	\$106,800	\$53,400	4 June 2020
Stage 2	20 campsites	\$53,400	\$26,700	4 June 2023
Stage 3	14 campsites	\$41,950	\$20,975	4 June 2023
Total	74 campsites	\$202,150	\$101,075	N/A

Notwithstanding the above, the statement that "*completion times will run from the time of the discount grant approval rather than the date of the DA approval*" could also be interpreted to mean that the Applicant is requesting an extension of the Stage 1 completion date until 4 June 2021. In this manner and approved as such, the Applicant would receive an additional one year and three months in which to complete Stage 1 of the Approval.

Note that Stage 1 of the approval would require, among other things, the construction of a maximum of 40 camp sites, and a camp kitchen and ablution block able to cater for the 40 camp sites. Prior to this taking place the Applicant would also need to obtain an Operational Works (Earthworks) approval and Building and Plumbing Works approvals as required for the camp kitchen and ablution blocks.

On the surface, this appears to be a reasonable request given the short-time frame of the extension proposed.

Charging according to number of sites and/or stages completed

Under normal circumstances, the Applicant is liable for the Adopted Infrastructure Charges applicable to the stage of the approval that is ready to commence. It should also be noted that Development Approval was issued for all stages of the development and subsequently takes into account the ultimate build-out of the proposed development.

In this instance, Council has approved a Material Change of use for a Nature-Based Tourism (74 camp sites over 3 stages). The Applicant has interpreted the condition requiring a "maximum of xx camp sites" for each stage to mean that fewer campsites may be provided overall. If Council agreed to all aspects of the Applicant's request, the approval would alter in the following manner:

Stage	Number of Campsites	Infrastructure Charges Due	Infrastructure Charges Due Less Dispensation	Works Must be Completed by
Stage 1	40 campsites	\$106,800	\$53,400	4 June 2020
Stage 2	1-20 campsites	\$53,400	\$3,175 - \$26,700	4 June 2023
Stage 3	1-14 campsites	\$41,950	\$3,175 - \$20,975	4 June 2023
Total	Up to 74 campsites	\$202,150	\$9,525 - \$101,075	N/A

If this were to eventuate, the ability of the development to achieve the desired impact upon the economic activity and growth within the Agnes Water/Seventeen Seventy would be severely reduced. It is recommended that the Applicant must complete all campsites, as originally approved for each Stage prior to commencing the subsequent stage. In accordance with the Policy, it is further recommended that without the full completion of all stages, the development incentive benefit should not apply.

It is considered that the approval for the Policy to be applied in this instance was predominantly based, on the ability of the development as a whole to achieve a positive effect on the local economy.

Additionally, should the Applicant only complete Stage 1 of the approval by 12 March 2022 and become liable for the balance of the levied charges, they will still only be liable for the balance of the levied charges of the stages ready to be commenced. For example, if only Stage 1 is completed, the Applicant would only be liable at that time for the remaining \$53,400 of the \$106,800 originally levied for Stage 1.

Alternate Option

If Council was willing to deviate from the Policy conditions, the following options are available:

Option 1:

- a. Approve the extension of time for completion of Stages 1, 2 and 3; and
- b. Refuse to allow the development incentive to apply in the instance of partial completion of the development.

Option 2:

- a. Approve the extension of time for completion of Stages 1, 2 and 3; and
- b. Only apply the incentive discount to those stages that have been completed in full unless the following occurs:
 - a. The Applicant submits a Minor Change application to amend the number of campsites required to be completed for that stage; and
 - b. The total number of campsites must be 60 or greater upon completion; and
 - c. The Change Application must be lodged; approved and acted upon before the 4 June 2023.

Legal Environmental and Policy Implications:

Given that the intent of the Policy is to encourage economic development and growth outcomes in the short-term, further timeframe extensions would counteract this intended goal.

If the Applicant is not required to complete the entire development as approved, the desired positive effect on the local economy may not be realised by the benefit bestowed on this development.

Financial and Resource Implications:

Council has endorsed a 50% dispensation in the amount of \$101,075 for this development approval.

It is important to note that the Development Approval is the governing framework for developing the site and that the Infrastructure Agreement resulting from requests under this policy shall align with that approval. This will minimise resource implications in the operational delivery of the desired outcomes of the Policy.

Summary:

The Applicant has proposed further dispensation to the Infrastructure Charges Economic Development Incentive Scheme Policy (P-2018-03), specifically to “section 6.3 Incentive Conditions”. It is recommended that further exemptions to the Policy are not approved and that the Applicant must (a) complete Stage 1 by 12 March 2020; and (b) complete all subsequent stages by 12 March 2022 or be liable for the full Infrastructure Charges as per the Notice issued on 23 October 2017.

Anticipated Resolution Completion Date:

If the request is refused, the Applicant will be informed within 10 business days of the decision. The Applicant must enter into an Infrastructure Agreement with Council and complete Stage 1 by 12 March 2020 and the remaining stages by 12 March 2022 to remain eligible for the reduction.

If the request is approved, the Applicant will be informed within 10 business days of the decision. The Applicant must enter into an Infrastructure Agreement with Council and complete Stage 1 by 4 June 2020 and the remaining stages by 4 June 2023 to remain eligible for the reduction.

Attachments:

1. Negotiated Decision Notice issued 12 March 2018;
2. Adopted Infrastructure Charge Notice issued 23 October 2017;
3. Council Agenda Report 4 June 2019;
4. Approval of Application to Apply Infrastructure Charges Economic Development Scheme Policy issued 10 June 2019;
5. Request to deviate from Section 6.3 Incentive Conditions of the Infrastructure Incentives Scheme Approval for Development Permit (DA/32/2017) for a Material Change of Use for Nature Based Tourism received 17 July 2019; and
6. Infrastructure Charges Economic Development Incentive Scheme (P-2018-03).

Tabled Items:

Nil.

Report Prepared by: Acting Senior Planning Specialist

G/3.1.7. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDING 31 JULY 2019

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 20 August 2019

File Ref: FM15.1

Purpose:

This report seeks Council adoption of the Monthly Financial Statements for the 2019-20 year to date, for the period ended 31 July 2019.

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 31 July 2019 as required under Section 204 Local Government Regulation 2012.

Background:

Nil.

Consideration:

End of year processing is currently underway with figures yet to be finalised and audited for the 2018-19 financial year. Any comparative figures provided throughout this report for the 2018-19 financial year are subject to amendment and may not reflect the final position as at 30 June 2019.

Forecast

The 2019-20 budget was adopted on 17 July 2019 and there have been no changes forecast.

Statement of Income and Expenditure

The pro-rata rate as at 31 July 2019 sits at 8.49%.

Income

Recurrent Revenue	Percentage of Forecast
	0.29%

Total recurrent revenue for the month of July was \$0.575m (0.29%). This result is normal for the period of July, as the bulk of recurrent revenue is not received until rates generation occurs, which is scheduled for August.

Capital Revenue and Capital Income	Percentage of Forecast
	0.71%

Total capital revenue and capital income for the month of July was \$0.055m which is 0.71% of forecast. Council is yet to receive any significant capital grants during 2018-19.

Expenditure

Year to date expenditure although lower than pro-rata, is tracking in line with expectations for this time of year at 4.67% of the forecast. Of note:

Employee Benefits	Percentage of Forecast
	4.73%

Employee benefits at 31 July are at \$3.111m of a \$65.519m forecast.

The second pay for the month of July was not posted at the time these reports were prepared. Once posted, employee benefits will be in-line with pro-rata expectations.

Materials and Services	Percentage of Forecast
	3.19%

Materials and services are sitting at \$2.663m out of a forecast of \$83.454m. While currently tracking lower than pro-rata, past trends indicate this as normal for the beginning of the financial year as expenses relating to 2018-19 have been accrued back.

Capital Expenditure

	Percentage of Forecast
Year to Date Capital Expenditure	2.19%
Including Commitments	23.89%

To date capital works underway are \$1.755m (2.28%) of a \$77.075m forecast. However, when outstanding purchase orders (commitments) are included, the total capital spend is increased to 23.89% of forecast.

Capital expenditure (not including commitments) for groups with a significant capital forecast is as follows:

Group	Budget	Forecast	YTD Actual	Actuals as % of Forecast
Parks & Environment Assets	\$1.906m	\$1.906m	\$0.010m	1%
Property Assets	\$2.145m	\$2.145m	\$0.000m	0%
Road Assets	\$21.544m	\$21.544m	\$1.530m	7%
Sewerage Assets	\$20.430m	\$20.430m	\$0.107m	1%
Waste Assets	\$4.120m	\$4.120m	\$0.015m	0%
Water Assets	\$8.263m	\$8.263m	\$0.047m	1%
Delivery Support and Performance	\$8.041m	\$8.041m	\$0.036m	0%
Strategy & Transformation	\$9.170m	\$9.170m	\$0.007m	0%
Community Development & Events	\$0.651m	\$0.651m	\$0.002m	0%

Statement of Financial Position

Year to date Assets	Current Value	Forecast	Percentage of Forecast
	\$2.228b	\$2.314b	96.29%

Year to date Liabilities	Current Value	Forecast	Percentage of Forecast
	\$145.309m	\$133.054m	109.21%

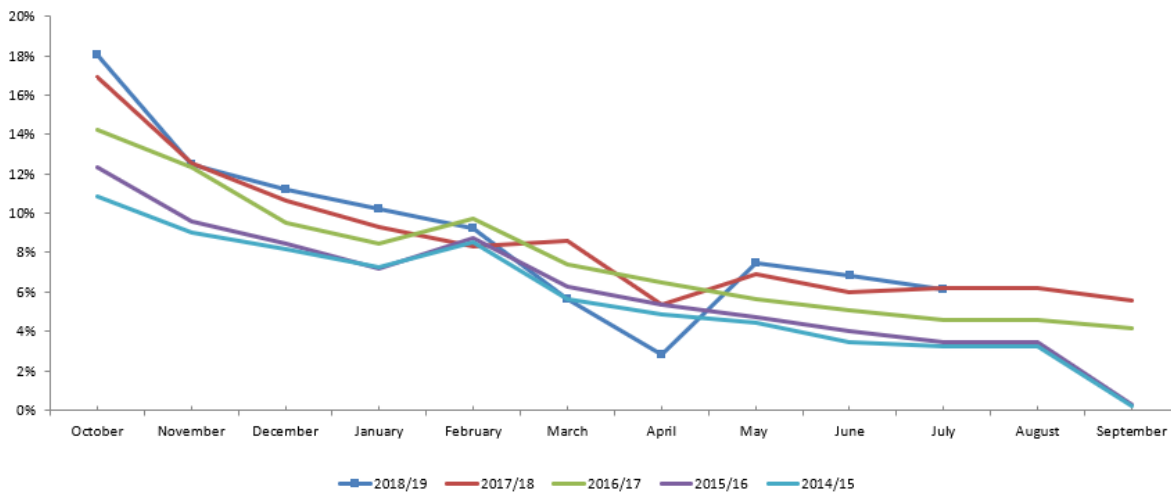
This is not usual for liabilities at this time of year, as Council's borrowing repayments are made quarterly. Liabilities will trend closer to forecast once repayments against borrowings are made.

Outstanding Rates

Outstanding rates as a percentage of gross rates levied, and collectible, is at 6.17% at the end of July, compared to 6.17% for the same period last year. All rates are now due. Of the \$10.8m of outstanding rates 12.5% relates to commercial / industrial assessments and 87.5% represents residential assessments. These figures include \$0.02m of rates that are currently being repaid under an authorised payment plan, for which there were 0 commercial/industrial assessments and 27 residential assessments. A total of 27 assessments, which is a decrease from 472 assessments last month, as the majority of payment plans were finalised in June.

There were 6,619 ratepayers who had paid their rates in advance, in the amount of \$8,524,721. Rates for 2019-20 have yet to be levied.

Outstanding Rates



Sustainability Ratios

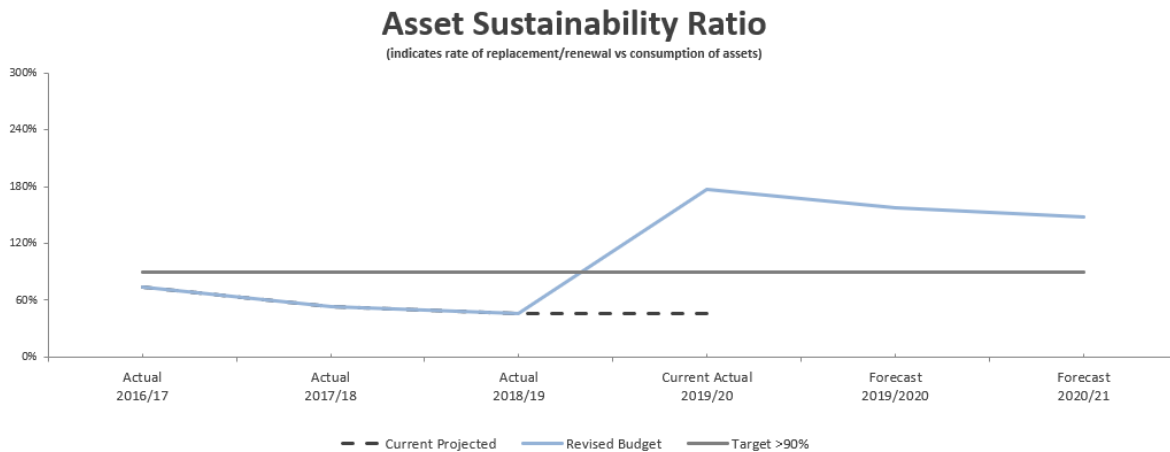
Council's Sustainability Ratios for the period are generally in line with expectations at this stage of the reporting year. Early in the financial year, ratios are typically distorted given that Council raises the majority of its yearly revenue in August but incurs expenses and delivers its capital program on an incremental basis throughout the year.

Financial ratios provide a useful snapshot of Council's financial status and emerging trends. Individual ratios do not provide enough information to form a comprehensive opinion of Council's financial position and performance, but when the right mix of ratios are considered together, they become an important tool in analysing Council's overall financial performance.

Asset Sustainability Ratio

This ratio compares Councils expenditure on capital renewal or replacement assets with the rate at which its assets are depreciating. A low result is expected in July as expenditure relating to 2018-19 has been accrued back. Council has not achieved the target range since the 2015-16 financial year.

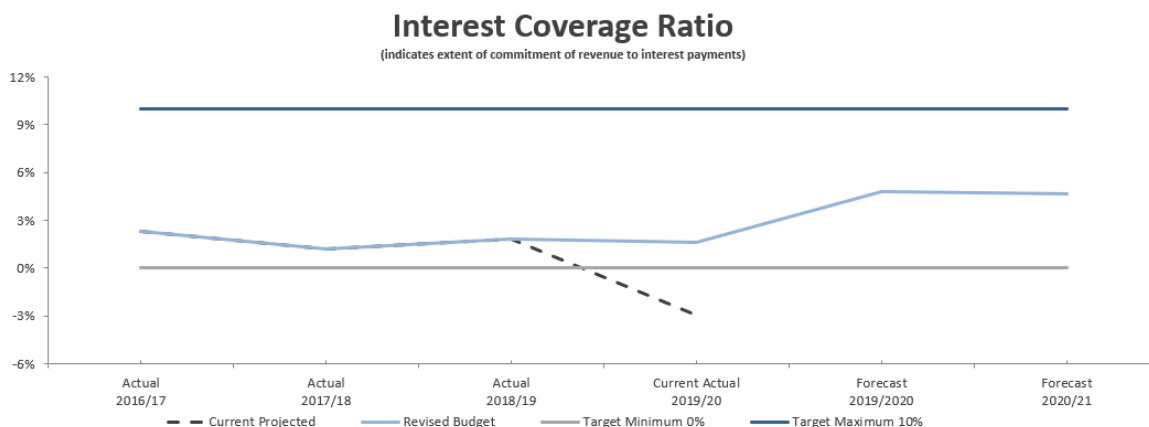
Asset Sustainability Ratio		
CURRENT YEAR TO DATE	FORECAST	TARGET
46.08%	176.80%	>90%



Interest Coverage Ratio

The interest coverage ratio is reflecting abnormally this month as no finance costs from Queensland Treasury Corporation have been incurred in July. Interest on borrowings is reflected at the end of each quarter.

Interest Coverage Ratio		
CURRENT YEAR TO DATE	FORECAST	TARGET
(2.99%)	1.59%	0 – 10%



Operating Surplus Ratio

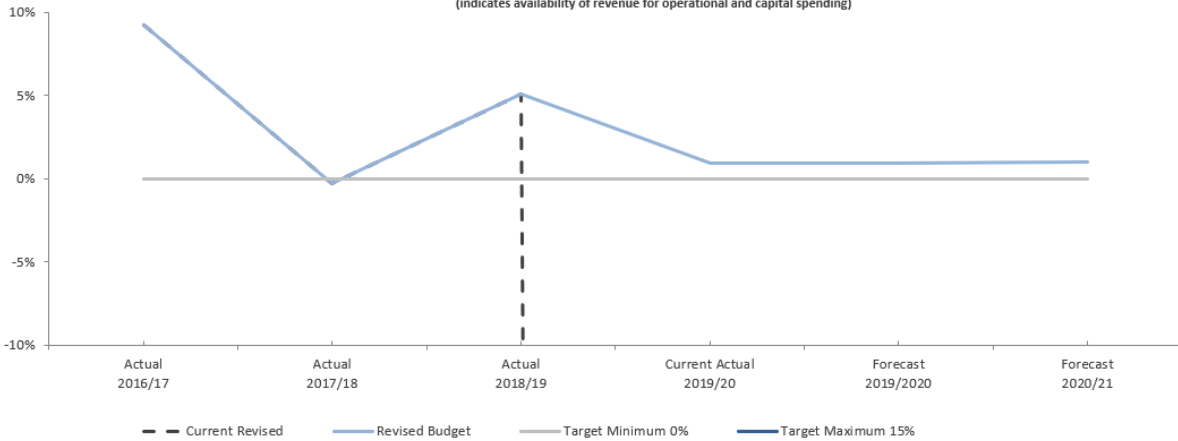
The results of this ratio are abnormal as the rates generation is yet to occur. The results are expected to skew in the opposite direction after the rates generation in August.

Operating Surplus Ratio

CURRENT YEAR TO DATE	FORECAST	TARGET
(1,503.25%)	0.91%	0-15%

Operating Surplus Ratio

(indicates availability of revenue for operational and capital spending)



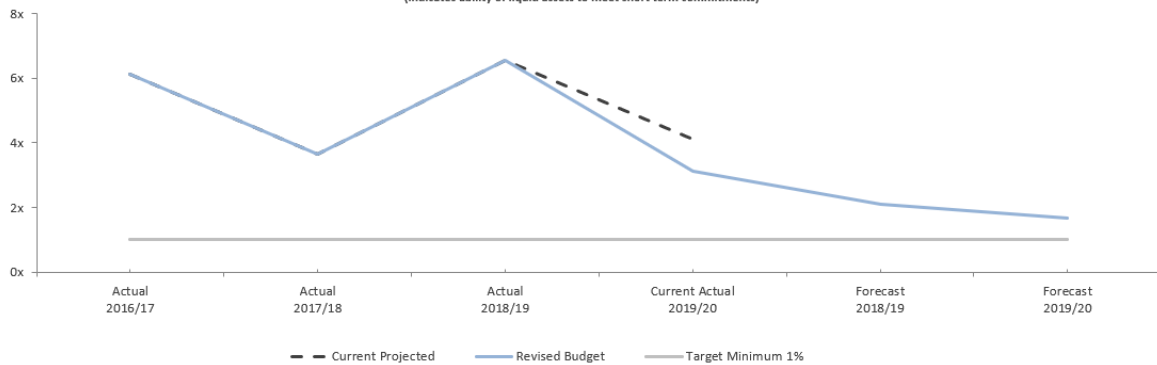
Working Capital Ratio

Council has a large balance of current assets including cash and receivables that increase the results of this ratio. The ratio is in excess of the target minimum, reflecting a healthy position for Council.

Working Capital Ratio		
CURRENT YEAR TO DATE	FORECAST	TARGET
4.13x	3.13x	Greater than 1:1

Working Capital Ratio

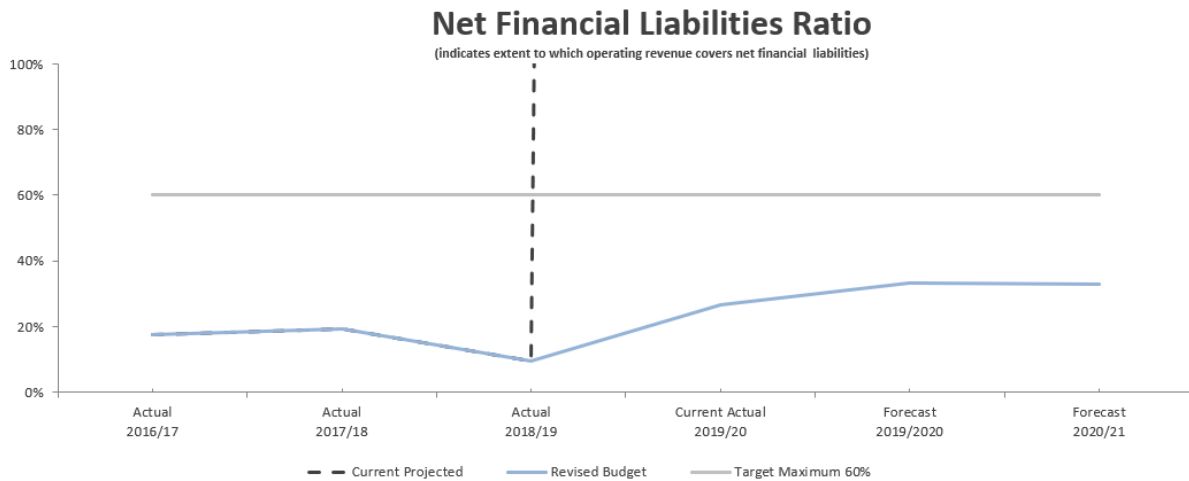
(indicates ability of liquid assets to meet short term commitments)



Net Financial Liabilities Ratio

The current results of this ratio are abnormal as there has been minimal operating revenue received in July. The results are expected to skew in the opposite direction after the rates generation in August.

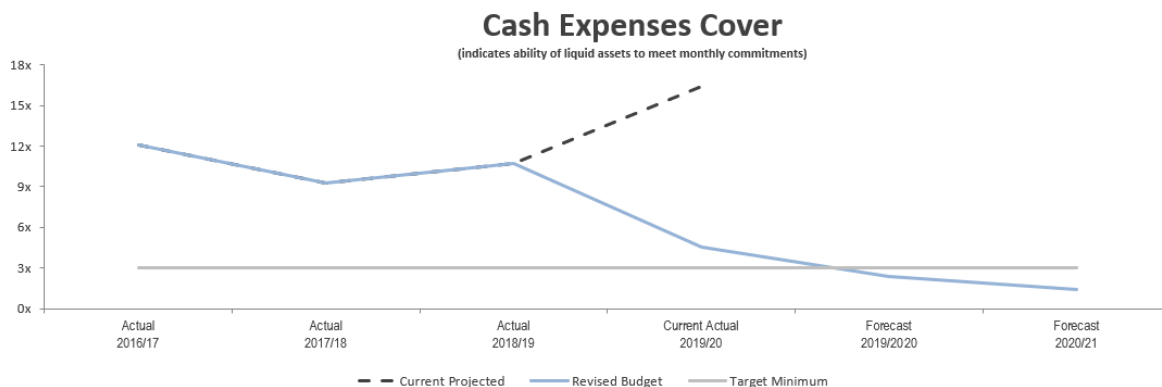
Net Financial Liabilities Ratio		
CURRENT YEAR TO DATE	FORECAST	TARGET
5,523.27%	26.70%	< 60%



Cash Expenses Cover Ratio

The current result reflects a continuing strong cash position proportional to operating costs. This result is well above the target ratio.

Cash Expenses Cover Ratio		
CURRENT YEAR TO DATE	FORECAST	TARGET
16.41x	4.53x	> 3x



Communication and Consultation (Internal/External):

Input regarding forecast sought from Systems Modelling and Metrics Specialist.
 Input regarding unpaid and prepaid rates sought from Manager Revenue Services.

Legal Environmental and Policy Implications:

Nil.

Financial and Resource Implications:

Nil

Commentary:

Nil

Summary:

Nil

Anticipated Resolution Completion Date:

Nil

Attachments:

1. Monthly Financial Statements period ending 31 July 2019
2. Operating statements for Month End July 2019

Tabled Items:

Nil.

Report Prepared by: Accountant

G/3.1.8. 2019/2020 FEES AND CHARGES - GECC AND LIBRARIES

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 20 August 2019

File Ref: FM7.1

Purpose:

Seeks Council's endorsement to amend the existing 2019/2020 Fees and Charges relating to specific fees for Gladstone Entertainment Convention Centre (GECC) and the Regional Libraries.

Officer's Recommendation:

That Council adopt the proposed changes to 2019/2020 Fees and Charges for the Front of House Ushers by the Friends of the Theatre, Regional Libraries Scanning Fees and GST corrections as per the attached.

Background:

At the Council Budget Meeting of 17 July 2019 Council adopted the 2019/2020 Fees and Charges schedule. Specific fees for GECC and the Regional Libraries require amendment after further consultation with Managers, Revenue and Finance staff.

Gladstone Friends of the Theatre is a volunteer organisation providing front of house services to GECC with the Memorandum of Understanding reviewed every 2 years and as part of this review, FOTT have requested an increase in their fees. This service is charged at a low rate and covers their insurance and incidentals costs. Council passes this cost on to the community at no mark-up.

Library Scanning Fee was wrongfully included in the 2019/2020 Fees and Charges and we are seeking to set the fee at no-charge and correcting Goods and Services Tax as applicable on Library Fees and Charges.

Consideration:

Due to increases of costs incurred, Friends of the Theatre are requesting an increase in their services fees as follows:

- **Front of House Ushers (Commercial Hirer)**
Current Fee: \$330 per event - Proposed Fee: \$350 per event
- **Front of House Ushers (Non-for-Profit Art Groups)**
Current Fee: \$110 per event - Proposed Fee: \$200 per event

The increases requested will affect GECC event budgets, however we believe the increase to be manageable. The relationship between Gladstone Regional Council and Friends of the Theatre has existed for over 30 years, and without them our operational costs will escalate.

Community members utilize the photocopier at the library themselves to scan documents and are currently charged 10c per action, management and taking payment of such a fee is more costly than supplying a free service to the community. This change will have a minimal impact on the budget.

- **Library Scanning Fee**
Current Fee: \$0.10 per each - Proposed Fee: no-charge

On the following library fees, Goods Services Tax is applicable. It correctly applied in Pathway but the 2019/2020 Fees & Charges Register requires updating. This change will have no impact on the budget.

- **Replacement of Lost Membership Cards**
- **Lost or Damaged CD/DVD Sleeves or Cases**
- **Lost or Damaged Library Resources**
- **Inter-Library Loans**

Communication and Consultation (Internal/External):

This change will only affect users of the GECC, and changes will be communicated through internal channels and Library has been consulted with setting the scanning fee and GST corrections.

Legal Environmental and Policy Implications:

Nil.

Financial and Resource Implications:

The impact to both the Library and GECC budgets is minimal and can be managed within adopted, the impact of the FOTT increase on internal shows for GECC is estimated at \$4,050 per annum.

Commentary:

Nil.

Summary:

It is recommended to set the new fees for Front of House Ushers and the Regional Libraries Scanning Fees and correcting Goods and Services Tax as applicable on Library Fees and Charges.

Anticipated Resolution Completion Date:

Implement the new "Front of House Ushers" fee from 1 October 2019.

Library Scanning fees and changes to GST to be implemented with immediate effect.

Attachments:

1. 2019 2020 Fees and Charges GECC and Library Proposed Changes

Tabled Items:

Nil.

Report Prepared by: Senior Revenue Officer

G/4. DEPUTATIONS

G/4.1. DEPUTATIONS

G/4.1.1. GLADSTONE ANZAC MEMORIAL, BOWLS AND CITIZEN CLUB - ACQUIRING GLADSTONE BOWLS CLUB LAND AND PERMISSION TO SUBMIT A PLANNING APPLICATION

Responsible Officer: Chief Executive Officer

Council Meeting Date: 20 August 2019

File Ref: CM7.6

Purpose:

Gladstone ANZAC Memorial, Bowls and Citizen Club will present on their intent to acquire freehold tenure of land occupied by the Gladstone Bowls Club Inc and seeks permission to submit a planning application for proposed renovations.

Background:

Graham McVean on behalf of the Gladstone ANZAC Memorial, Bowls and Citizen Club has made an application for a Deputation which has been approved by the Mayor. The Club has for some time leased a parcel of land from Council ("the Lease"). The Lease is situated on Lot 1 on G14221, a reserve for park purposes with Council as Trustee. The current lease commenced on 1 August 2016 and expires on 31 July 2026.

The Club has asked Council to surrender its trusteeship over the Lease to allow Gladstone Bowls Club to acquire freehold tenure of the land from Department of Natural Resources Mines and Energy. The Club have advised that by obtaining the freehold tenure, the Club will become eligible for significant funding which will allow the Club to improve and expand their facility within the Leased land.

To date, Council has not received a request to surrender trusteeship from the Department of Natural Resources Mines and Energy.

At a General Meeting on 21 August 2018, Council resolved to:

" ...

2. Authorise the Chief Executive Officer to renegotiate a new lease agreement with the Gladstone ANZAC Memorial Bowls & Citizens Club Inc. inclusive of a 10 year + 10 year + 10 year lease over a portion of Lot 1 G 14221, subject to approval from the Department of Natural Resources, Mines & Energy; noting the reason to depart from adopted Council Policy, P-2017-35, is to allow for alternative funding grants to be sourced for the proposed upgrade of the clubhouse.

" ..."

Subsequent to that meeting, the Department of Natural Resources Mines and Energy advised that they would not approve a lease that included options and the matter did not progress. After a recent review of the Lease, Council Officers are reviewing options to provide a longer lease term while meeting the Department's requirements.

Recently, following a request from the Club, consent was granted to the Club, in accordance with the provisions of the Lease, to allow the Club to submit a development application for the Lease Area.

Deputation details are as follows:

Time of Presentation	11.00 am
Duration of Presentation plus question time	15 minutes
Speakers to present	Graham McVean, Chair and Patron – Gladstone Bowls Club Inc. Harry Tattersall, President - Gladstone RSL Sub Branch Lori Miller, Vice Chair - Gladstone Bowls Club
Is the matter currently or has previously been subject to legal proceedings?	No
Matter for information only	No

Attachments:

Nil.

Tabled Items:

Nil.

Reported Prepared by: Executive Assistant to the Chief Executive Officer

G/4.1.2. GLADSTONE FESTIVALS AND EVENTS ASSOCIATION INC - OVERVIEW OF AUSTRALIA DAY 2019 AND ECOFEST 2019

Responsible Officer: Chief Executive Officer

Council Meeting Date: 20 August 2019

File Ref: CM7.6

Purpose:

Gladstone Festivals and Events Association Inc. will present an overview on the two Council events it manages on Australia Day 2019 and Ecofest 2019.

Background:

Council will receive a Deputation from Gladstone Festivals and Events Association (GFE) on the Australia Day 2019 and Ecofest 2019 events. The organisation has made an application for a Deputation which have been approved by the Acting Mayor.

Gladstone Festivals and Events currently manage and operate these events under a contract for Council and have asked to provide information and have an open discussion on both events coming up to the expiry of their contract. GFE are seeking a contract renewal of another 2 years.

Deputation details are as follows:

Time of Presentation	11.45 am
Duration of Presentation plus question time	30 minutes
Speakers to present	Tracey French Raymond Lewis Clare King Nicola Scurr
Is the matter currently or subject to legal proceedings?	No
Is the matter for information only to Council?	Yes

Attachments:

Nil.

Tabled Items:

Nil.

Reported Prepared by: Executive Assistant to the Chief Executive Officer

G/5. COUNCILLORS REPORT

Nil.

G/6. URGENT BUSINESS

Nil.

G/7. NOTICE OF MOTION

Nil.

G/8. CONFIDENTIAL ITEMS

G/8.1. 207-19 PHILIP STREET STAGE 1 - CONTRACT AWARD

Responsible Officer: General Manager Operations

Council Meeting Date: 20 August 2019

File Ref: PE1.1

Reason for Confidentiality:

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

- (e) contracts proposed to be made by it.

**G/8.2. 177-19 ENGINEERING DRAWING MANAGEMENT SOLUTION -
CONTRACT AWARD**

Responsible Officer: General Manager Operations

Council Meeting Date: 20 August 2019

File Ref: PE1.1

Reason for Confidentiality:

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

(e) contracts proposed to be made by it.

G/8.3. SALE OF LAND FOR ARREARS OF RATES

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 20 August 2019

File Ref: RV6.2

Reason for Confidentiality:

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

(h) other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage.

ATTACHMENTS