



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING AGENDA

**TO BE HELD AT THE GLADSTONE ENTERTAINMENT CONVENTION
CENTRE, 56 GOONDOON STREET, GLADSTONE**

On 28 APRIL 2020

Commencing at 9.00am

Notice *Section 277E Local Government Regulation 2012*: This meeting will be closed to the public, due to health and safety reasons associated with the public health emergency involving COVID-19.

Live streaming will be available on Council's website.

**Leisa Dowling
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 17 MARCH 2020

Responsible Officer: Chief Executive Officer

Council Meeting Date: 28 April 2020

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 17 March 2020.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 17 March 2020 be confirmed.

Attachments:

1. Minutes of the General Meeting of Council held on 17 March 2020.

Tabled Items:

Nil.

Report Prepared by: Executive Secretary

G/2.2. CONFIRMATION OF SPECIAL MEETING FOR 24 MARCH 2020

Responsible Officer: Chief Executive Officer

Council Meeting Date: 28 April 2020

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the Special Meeting held on 24 March 2020.

Officer's Recommendation:

That the minutes of the Special Meeting of Council held on 24 March 2020 be confirmed.

Attachments:

1. Minutes of the Special Meeting of Council held on 24 March 2020.

Tabled Items:

Nil.

Report Prepared by: Executive Secretary

G/2.3. CONFIRMATION OF POST ELECTION MEETING MINUTES FOR 9 APRIL 2020

Responsible Officer: Chief Executive Officer

Council Meeting Date: 28 April 2020

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the Post Election Meeting held on 14 April 2020.

Officer's Recommendation:

That the minutes of the Post Election Meeting of Council held on 14 April 2020 be confirmed.

Attachments:

1. Minutes of the Post Election Meeting of Council held on 14 April 2020.

Tabled Items:

Nil.

Report Prepared by: Executive Secretary

G/3. OFFICERS' REPORTS

G/3.1. ESTABLISHMENT OF ADVISORY COMMITTEES

Responsible Officer: Chief Executive Officer

Council Meeting Date: 28 April 2020

File Ref: CM7.2

Purpose:

For Council to consider the re-establishment of formalised Advisory Committees to aid in Council decision-making.

Officer's Recommendation:

That, in accordance with the provisions of section 264(1)(b) of the *Local Government Regulation 2012*, Council re-establish the following Advisory Committees:

1. Gladstone Saiki Sister City Advisory Committee in accordance with the Terms of Reference in Attachment 1.
2. Gladstone Region Youth Council Advisory Committee in accordance with the Terms of Reference in Attachment 2.

Background:

Council has previously endorsed the Saiki Sister City Advisory Committee and Gladstone Region Youth Council to operate as formalised advisory committees in accordance with the requirements of the *Local Government Act 2009* ('the Act') and *Local Government Regulation 2012*. It is noted that other groups are formed by Council via prior resolutions or existing policy positions however this report presents only the formalised Advisory Committees for re-establishment in accordance with the Act.

The existing Terms of Reference are attached and contain relevant information on the nature and direction for each committee.

Options, Risk and Opportunity Analysis:

Option 1 – Re-establish committee/s as per existing Terms of Reference.

This option provides continuity for existing practices and processes of each committee and will enable existing members (except Councillor positions) to continue until the next scheduled review of membership. Councillor positions are proposed for reconsideration in a separate report at this meeting called Councillor Appointments to Boards / Committees / Groups.

Option 2 – Re-establish committee/s with amendments to existing Terms of Reference.

This option provides continuity to each committee and existing members (except Councillor positions) however would vary the operation of each committee subject to amendments resolved for the Terms of Reference. An alternative resolution for this option is:

That, in accordance with the provisions of section 264(1)(b) of the Local Government Regulation 2012, Council re-establish the following Advisory Committees:

1. <Name of Committee>, subject to the following amendments to the Terms of Reference in Attachment X:
 - a. <Insert details of amendment>.

Option 3 – Repeal establishment of committee/s

This option would result in ceasing the operations of either or both committees. An alternative resolution for this option is:

That Council cease operation of <insert committee name/s> and rescind all previous resolutions relating to the committee/s.

Communication and Consultation:

As each committee was reviewed with new Terms of Reference adopted in August 2019, no additional consultation has occurred. Subject to resolution by Council, each committee will be advised of the incoming Council's position on these committees.

Legal Strategy and Policy Implications:

The Local Government Act 2009 and Local Government Regulation 2012 sets out the legislative requirements for Advisory Committees formed under section 264 of the Regulation. Both committees are currently established accordingly, and it is proposed to maintain current processes and therefore no legal, strategy or policy implications are anticipated.

Financial and Resource Implications:

The proposed recommendation is in accordance with current operations and will not result in additional resources to operate either committee. If Option 3 is adopted, this will result in some administrative resource savings however will likely be of detriment to achieving positive community outcomes for our sister city relationships and youth leadership development in the region.

Summary:

Both advisory committees provide an avenue for valuable inclusion of external expertise to assist in formulating recommendations to Council. Officers recommend continuation of both committees under existing Terms of Reference.

Anticipated Resolution Completion Date:

Within one month of report.

Attachments:

1. Saiki Sister City Advisory Committee Terms of Reference Adopted August 2019
2. Gladstone Region Youth Council Advisory Committee Terms of Reference Adopted August 2019

Tabled Items:

Nil.

Report Prepared by: Manager Governance

G/3.2. BUSINESS IMPROVEMENT COMMITTEE

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 28 April 2020

File Ref: CM26.2

Purpose:

The purpose of this report is to meet Councils statutory obligations for reporting on matters reviewed by the Business Improvement Committee along with consideration of Councillor and external member appointments to the Committee.

Officer's Recommendation:

That Council:

1. Appoint Cr _____ and Cr _____ to the Committee with Cr _____ and Cr _____ as a alternate members; and
2. Receive and accept the minutes of the Business Improvement Committee Meeting held on 4 March 2020; and
3. Endorse an extension to the tenure of Sandra Collins for an additional 3.5 years with tenure to expire in December 2023;
4. Endorse an extension to the tenure of Stephen Coates for an additional 3.5 years with tenure to expire in December 2023;
5. Endorse a change to the name of the Committee to reflect a new name of Audit and Risk Committee, noting this will be administratively updated on relevant corporate documents.

Background:

The Business Improvement Committee has the role and responsibilities of an Audit Committee as defined by the Local Government Act 2009. A number of items outlined below are needed to be considered by Council.

Appointment of Councillors to Committee

The Business Improvement Committee (BIC) operates in accordance with Councils P-2018-28 Business Improvement Committee Policy (refer Attachment 1). Section 6.4 outlines membership requirements which include two (2) Councillor appointments on a rotational basis (minimum 18 months period) and two (2) proxy members where a Councillor nominated appointee is unable to attend. Accordingly, it is appropriate for the incoming Council to consider appointments to this committee.

Tenure of two external members

Council is required to decide on appointments and extensions to the Business Improvement Committee members. External members, Sandra Collins and Stephen Coates, were appointed in November 2018 via the below resolution (G/18/3586):

That Council offer external member positions on the Business Improvement Committee to Sandra Collins and Stephen Coates for an initial period of 18 months at the schedule of rates nominated in their Expression of Interest submissions, with the option to extend for the maximum tenure term, being a further period of 3.5 years, subject to the extension being mutually agreed.

Accordingly, it is now appropriate to determine the extension of 3.5 years in line with the resolution above.

Acceptance of Minutes

The *Local Government Regulation 2012* requires a report to be provided to Council as soon as practicable following the meeting of an Audit Committee. Council policy outlines this to occur via the generation of a set of minutes from each Business Improvement Committee meeting. This meeting provided the first opportunity to present minutes to a Council General Meeting.

Potential name change for Committee

At the 4 March 2020 meeting, the Committee discussed and considered the benefits of a name change to the committee. Section 9.3 of the minutes reflect this discussion. Options are presented below for consideration by Council.

Options, Risk and Opportunity Analysis:

Appointment of Councillors to Committee

Appointments to the Business Improvement Committee have historically been made following an election to align with the appointments to all boards, committees and groups. Accordingly, it is now appropriate to consider the appointments to this committee, noting that the policy suggests the appointments should be rotated with a minimum 18 month term. For information, the following previous appointments have been made:

Members:

19 April 2016 – current - Cr Hansen

21 August 2018 – current – Cr Goodluck

19 April 2016 – 21 August 2018 - former Cr Sobhanian

Alternate Members:

6 November 2018 – current – Cr O'Grady

6 November 2018 – current – former Cr Masters

Tenure of two external members

Council policy provides that external appointments to the Business Improvement Committee will be for a five year term unless sooner terminated by resignation or dismissal of a member. Options for consideration are:

1. Extend the appointment of both external members.

This option would result in continuing the current external appointment arrangements for an additional 3.5 years up to the maximum 5 year term.

2. Extend only one appointment of an external member.

This option would result in Council choosing to extend one external member only and would result in a small saving in operational expenses to the business. Legislation requires the committee to have a minimum of two (2) external members and as the Chair is also an external member, there is an option to reduce by one (1) external member if desired.

Acceptance of Minutes

The Business Improvement Committee met on 4 March 2020. The minutes of this meeting are attached (Attachment 2) for Council consideration and receipt. The following is a summary of business from the meeting:

Recommendation from Business Improvement Committee for consideration by Council

Nil

Issues of significance for information

Item 9.2 – Internal Audits

The Committee received internal audit reports on:

- (a) Cyber Security Incident Response
- (b) Delegations
- (c) Payment Card Industry Data Security Standard Assessment

The Committee provided feedback to officers on three recommendations emanating from the audit reports:

1. a recommendation to reconsider management actions in relation to identifying high risk delegations;
2. comments in relation to the risk category of a recommendation relating to Cybersecurity controls;
3. the suggestion that it may be appropriate for officers to give some consideration to the management of Councillor responses to social media posts.

Item 9.3 – Business Improvement Committee Self-Assessment and Councillor Surveys

The Committee received a report on a self-assessment survey the Committee and Councillors participated in. No significant matters of concern were raised however the Committee suggested that the survey identified a lack of understanding of the role of the Committee. It was suggested that it is important to include an overview of the role and purpose of the Committee in Councillor and Staff inductions. The Committee suggested consideration be given to changing the name of the Business Improvement Committee to promote greater business understanding of the Committee's role and responsibilities.

Item 9.4 – Internal Audit Plan for 2020/2021 and three year internal audit plan

The Committee endorsed the proposed internal audit plan. Projects identified for 2020/2021 include:

- Community recovery strategies – funding agreements
- Trade Waste
- Development Approvals process
- Employee Engagement Action plan implementation
- Evacuation processes for Community facilities
- Critical staff shortages process
- Gap analysis of asset management system maturity
- Safety Management System
- Mental Health risk assessment process
- Building certification gap analysis
- Probity Project

Potential name change for Committee

At the March 2020 meeting, the Committee held discussions on results of the self-assessment survey and a lack of understanding within the business on the role of the Committee. It is suggested that a change of name to one that more reflects the roles and responsibilities of the Committee may benefit in increasing awareness of the Committee.

Names considered viable for suggestion are:

- (a) ARaBIC – Audit, Risk and Business Improvement Committee
- (b) ARC – Audit and Risk Committee - Officer's Recommendation**
- (c) ARMC – Audit and Risk Management Committee
- (d) AC – Audit Committee
- (e) ARIC – Audit, Risk and Improvement Committee

Communication and Consultation:

Nil.

Legal Strategy and Policy Implications:

It is a legislative requirement that Councils Business Improvement Committee (acting as an 'Audit Committee) oversee audit, annual financial reporting and other relevant governance functions as outlined in Council policy to provide Council with an additional level of assurance that systems and controls are in place to assist Council in minimising risk.

Financial and Resource Implications:

Business Improvement Committee External Member fees are incorporated into annual operational budgets each year. Options presented do not increase estimated costs however subject to resolution on extension of tenure for external members, there may be a small saving in fees.

Summary:

Nil.

Anticipated Resolution Completion Date:

Within one (1) month of resolution.

Attachments:

1. P-2018-28 Business Improvement Committee Policy
2. Business Improvement Committee Meeting Minutes – March 2020

Tabled Items:

Nil.

Report Prepared by: Manager Governance / Ethics Integrity & Audit Specialist

G/3.3. GLADSTONE AIRPORT CORPORATION BOARD APPOINTMENTS**Responsible Officer: General Manager Finance Governance and Risk****Council Meeting Date: 28 April 2020****File Ref: FM19.1****Purpose:**

This report presents correspondence from the Gladstone Airport Corporation (GAC) regarding Director appointments to the Gladstone Airport Corporation.

Officer's Recommendation:

That Council accept the recommendation of the Gladstone Airport Corporation and reappoint Graeme Kanofski and Tina Zawila to the Board of the Gladstone Airport Corporation for a further two-year term commencing 1 July 2020.

Background:

Listed below are the current Directors for the Gladstone Airport Corporation (GAC) and their appointment commencement and expiry dates. The profile of each Director is available from the Gladstone Airport Corporation's website <https://www.gladstoneairport.com.au/aboutus>.

Director	Date Appointment Commenced	Appointment Expiry
Adrienne Ward (Chair)	20 September 2016	30 June 2022
Dr Bradley Bowes	1 July 2012	30 June 2022
Cr Rick Hansen	5 April 2016	As determined by Council
Leigh Zimmerlie	20 September 2016	30 June 2022
Tina Zawila	1 July 2017	30 June 2020
Graeme Kanofski	1 July 2017	30 June 2020

Section 3 of the Gladstone Airport Corporation 's Constitution (attached) sets out the number of Directors to be appointed to the Corporation (i.e. not less than five) and allows Gladstone Regional Council as the Shareholder to determine any conditions of appointment for Directors (ie. such as term).

Cr Hansen is Council's elected member representative on the Corporation. This appointment will be subject to review by Council as part of its broader review of all appointments to external bodies and committees.

Members will note that two external Director appointments are due to expire on the 30 June 2020 and therefore a decision on appointments need to be considered. Attached to this report is a letter from the Gladstone Airport Corporation in relation to these appointments for Council's consideration.

Options, Risk and Opportunity Analysis:

Option 1: Recommendation - Renew both Directors for a further term of two years

Council can elect to renew both Director appointments for a further two-year term in accordance with the Gladstone Airport Corporation's recommendation.

The risks and opportunities of this option are:

- if this option is accepted the term of all current Directors on the Board will expire on the 30 June 2022 with the exception of the Councillor appointed Director. If, at the 30 June 2022 all external representatives elect not to continue as Directors there would be a significant loss of Director level corporate knowledge which may pose a risk to the Corporation and Council. A risk mitigation measure would be for Council to consider changing the recommended appointment period so that all Director appointments to not expire at the same time.
- the recommendation to reappoint the existing Directors provides an opportunity for Council to retain the skill sets of these Directors for a further two years.

Option 2: Renew one Director appointment and either not replace one Director or seek expressions of interest for a replacement Director

An alternative option to the recommendation is for Council to consider renewing one Director appointment only and advertising the other for expressions of interest.

Alternatively, retain one Director and reduce the number of Directors to five which is permitted under the transitional provisions of *the Local Government (Beneficial Enterprises and Business Activities) Regulation 2010* and the GAC Constitution.

The risks and opportunities of this option are:

- reducing the number of Directors is an opportunity for Council to reduce directorship costs for the Corporation. The current external director fee is \$20,000 per annum.
- the risks of reducing the number of Directors is that the Corporation would not be able to meet the requisite number of directors as required under the transitional regulation and constitution if there is an unplanned resignation or termination.

Suggested Recommendations:

- (a) That Council renew the Director appointment of (*insert name of Director*) for a further (*insert period*) years and reduce the total number of Director roles to five.
- (b) That Council renew the Director appointment of (*insert name of Director*) for a further (*insert period*) years and call for expressions of interest for one Director position on the Gladstone Airport Corporation for a period of (*insert term*) years commencing 1 July 2020 expiring on 30 June xxxx.

Option 3: Call for Expressions of Interest for new Directors

Council may elect to seek new Directors for those positions due to expire on the 30 June 2020.

The risks and opportunities of this option are:

- the Corporation would lose the experience and skill sets of the current Directors
- it provides an opportunity to re-assess the composition of the GAC board and seek new appointments should deficiencies in the collective skill set of the current Board.

Suggested Resolution:

That Council call for expressions of interest for two Director positions on the Gladstone Airport Corporation for a period of (*insert term*) years commencing 1 July 2020 expiring on 30 June xxxx.

Communication and Consultation:

The Gladstone Airport Corporation has considered the issue of Director appointments which has resulted in the letter to the Mayor as tabled. Internally the Chief Executive Officer, General Manager Finance Governance and Risk and Manager Governance have discussed the matter with the result being the report presented for Council's consideration.

Legal Strategy and Policy Implications:

The establishment of local government-owned entities is governed by the *Local Government (Beneficial Enterprises and Business Activities) Regulation 2010* (repealed but transitioned). In particular, ss. 53-54 of the Regulation relates to the process of appointing directors to the board of the corporate entity. The Gladstone Airport Corporation operates under a Constitution which provides further requirements in relation to the appointment of Directors as outlined in the attachment to this report.

Financial and Resource Implications:

Directors on the Gladstone Airport Corporation are paid annual fees and expenses by the Corporation in accordance with the arrangements approved by Council.

Summary:

Not applicable

Anticipated Resolution Completion Date:

30 June 2020

Attachments:

1. Letter from the Gladstone Airport Corporation to the Mayor dated 5 March 2020
2. Gladstone Airport Corporation Constitution

Tabled Items:

Nil.

Report Prepared by: Governance Advisor / Manager Governance

G/3.4. COUNCILLOR APPOINTMENTS TO BOARDS / COMMITTEE'S / ORGANISATIONS

Responsible Officer: Chief Executive Officer

Council Meeting Date: 28 April 2020

File Ref: CM7.2

Purpose:

For Council to consider and nominate Councillors to several internal and external boards, committees and groups.

Officer's Recommendation:

That Council resolve to:

1. Nominate the following board appointments to external organisations:
 - Cr _____ to the board of Gladstone Area Promotion & Development Limited
 - Cr _____ to the Education Queensland Industry Partnership Board of Management
 - Mayor Burnett to the Gladstone Foundation Board of Advice.

2. Nominate the following committee / group appointments to external organisations with each nominee to provide written quarterly updates to all Councillors and the Chief Executive Officer:
 - Cr _____ to the Gladstone PCYC Branch Advisory Committee.
 - Cr _____ and Cr _____ to the Management Committee of Capricorn Pest Management Group.
 - Cr _____ to the Gladstone Local Marine Advisory Committee.
 - Cr _____ to the Gladstone Healthy Harbour Partnership.
 - Cr _____ to the Port Welfare Committee.
 - Cr _____ to the Gladstone LNG Regional Community Consultative Committee.
 - Cr _____ to the Gladstone Safe Night Precinct Public Consultative Committee.
 - Mayor and Cr _____ to the Gladstone Regional Road and Transport Group.
 - Mayor and Deputy Mayor to Central Queensland Regional Organisation of Councils.
 - Cr _____ to assist with the administration of the Gladstone & District Sports Foundation Trust.

3. Make the following appointments to Gladstone Regional Council committees / groups:
 - Cr _____ and Cr _____ to the Saiki Sister City Advisory Committee with the Mayor as an ex-officio member;
 - Cr _____ as chair of the Gladstone Regional Council State Emergency Service Management Group.
 - Cr _____ as chair of the Rural Fire Brigades Advisory Group.
 - Cr _____ as chair of the Regional Arts Development Fund committee.
 - Cr _____ and Cr _____ to the Transport Environment Advisory Group.

- Cr _____ as co-chair and Cr _____ to the Reconciliation Action Plan Advisory Group.
- Mayor be appointed as Chairperson and Deputy Mayor be appointed as Deputy Chairperson of the Local Disaster Management Group.
- Cr _____ to the Human and Social Recovery Sub-group.
- Cr _____ to the Economic Recovery Sub-group.
- Cr _____ to the Environment Recovery Sub-group.
- Cr _____ to the Infrastructure Recovery Sub-group.

Background:

Council (as a body corporate constituted under the *Local Government Act 2009*) may act much like an individual in becoming a member of other organisations and in appointing people to represent it in positions. Other external organisations also invite Council to be represented on committees and boards and it is entirely a matter for Councillors (collectively) whether or not they choose to accept such invitations. In addition, Council itself operates various advisory committees and groups through relevant legislative or policy governance frameworks.

External Boards, Committees and Groups

A review of nominations and appointments to external boards, committees and groups has occurred over the previous 12 months with a copy of each report and previous resolution made attached as below:

- Attachment 1 - Gladstone Area Promotion & Development Limited (GAPDL)
- Attachment 2 - Education Queensland Industry Partnership (EQIP) Board of Management
- Attachment 3 - Gladstone Foundation Board of Advice.
- Attachment 4 - Gladstone PCYC Branch Advisory Committee.
- Attachment 5 - Capricorn Pest Management Group (CPMG).
- Attachment 6 - Gladstone Local Marine Advisory Committee.
- Attachment 7 - Gladstone Healthy Harbour Partnership.
- Attachment 8 - Port Welfare Committee.
- Attachment 9 - Gladstone LNG Regional Community Consultative Committee.
- Attachment 10 - Gladstone Safe Night Precinct Public Consultative Committee.

It is noted that Mayor Burnett (following resolution G/19/3961 on 5 November 2019) has been confirmed as being reappointed to the Gladstone Foundation until 10 February 2022.

Gladstone Regional Road and Transport Group

It was identified in early 2020 that there has not been a formal resolution for Councillor appointments to the Gladstone Regional Road and Transport Group. The constitution for this group identifies the Mayor and a 'portfolio' Councillor as members. For completeness, the officer's recommendation is to resolve the appointments to this group with an overview of the background to this group outlined in Attachment 11.

Central Queensland Regional Organisation of Councils (CQROC)

The Central Queensland Regional Organisation of Councils (CQROC) comprises representatives from Banana Shire, Central Highlands Regional, Gladstone Regional, Livingstone Shire and Woorabinda Aboriginal Shire Councils. CQROC has been operating under a Memorandum of Understanding between the member Council but is currently investigating options for becoming a company limited by guarantee. Historically, the Mayor and Deputy Mayor have been the appointed representatives to CQROC with the CEO attending as an observer. It is recommended to continue current practice for appointments until a future report on incorporating as a company limited by guaranteed is presented.

Gladstone & District Sports Foundation Trust

The Gladstone & District Sports Foundation was established by Gladstone's late Mayor, Col Brown, to provide financial support to the regions young sports people selected for either state or national representation. Council currently supports the Foundation financially through its Community Investment Policy. Trustees of the Foundation regularly invite Council participation in the administration of the trust's affairs and accordingly, a Councillor has historically been nominated as Council's representative.

Gladstone Regional Council Committees and Groups

The governance structures of Council's committees and groups have been reviewed with their relevant governance structures outlined in the below attachments:

- Attachment 12 - Gladstone Region State Emergency Service Management Group - P-2019-01 Gladstone Region State Emergency Service Funding Arrangements Policy
- Attachment 13 - Rural Fire Brigades Advisory Group - P-2019-02 Rural Fire Brigades Funding Arrangements Policy
- Attachment 14 - Regional Arts Development Fund (RADF) Committee – Terms of Reference
- Attachment 15 - Transport Environment Advisory Group Terms of Reference
- Attachment 16 - Reconciliation Action Plan Reference Group Terms of Reference

Local Disaster Management Group

The *Disaster Management Act 2003* requires Council to establish a Local Disaster Management Group (LDMG) and undertake the functions specified in section 30 of the Act. The LDMG was last established on 18 November 2014 with the Mayor / Councillor as Chairperson and a Councillor as Deputy Chairperson. Following each election, the incoming Council needs to appoint the specific Mayor / Councillor to each position. Historically the Mayor has been appointed the chairperson and the deputy mayor as the deputy chairperson. It is recommended for this practice to continue.

Local Disaster Recovery Sub-Groups

Gladstone Regional Council has the functional responsibility for recovery in the Local Disaster Management Plan. To ensure effective recovery from a disaster, the National Recovery Principles outline five lines of recovery to ensure an integrated, multi-disciplinary approach:

1. Human and Social;
2. Economic;
3. Environment;
4. Building; and
5. Road and Transport.

The Chief Executive Officer is the Local Recovery Coordinator, with each area of recovery having a Councillor as Chair and a General Manager as the Responsible Officer. The Gladstone Regional Council recovery structure is illustrated in Attachment 17. To ensure a fair and transparent process, the Recovery Structure is being presented to Council to nominate Councillor representatives.

The current representatives, nominated by Council at a General Meeting on 17 December 2019 are:

- Human and Social – Cr Hansen;
- Economic – Cr Goodluck;
- Environment – Cr O'Grady; and
- Infrastructure – Cr Churchill.

Business Improvement Committee

A separate report for the Business Improvement Committee is included on this meeting agenda and as such, appointments to that committee are considered separately.

Gladstone Area Water Board (GAWB)

Council resolved in September 2019 to nominate former Cr Peter Masters to the board of GAWB. This nomination is currently under consideration by state government or has been approved by state government and accordingly, no other nomination is required at this stage.

Options, Risk and Opportunity Analysis:

Council can choose to nominate / appoint individual Councillors to the boards/committees/groups identified or alternatively choose not to have a representative. Officers have recommended maintaining the status quo at this time however if Council elects to not provide a Councillor representative for any particular group listed, it is recommended the alternative resolution below be included as point 4:

That Council resolve to:

.....

4. Refrain from nominating / appointing a Councillor representative to:

- *<insert name of group>*
- *<insert name of group>*.

It is also considered appropriate (where no confidentiality provisions exist) that each Councillor appointed to a Committee or Group provides a written quarterly update to other Councillors and the CEO on the committee / group priorities or actions to ensure that all Councillors and the business are kept informed.

Communication and Consultation:

Significant external and internal consultation occurred during the past two years when reviewing the governance arrangements for each board, committee and group. Following resolution by Council, notification will be provided to each board, committee and group on the decision for nominations / appointments.

Legal Strategy and Policy Implications:

Council is entitled to be represented on a number of boards and committees by virtue of constitutions, policies, funding arrangements and other agreements. However, Councillors need to be aware of the relevant governance frameworks for appointments they accept as a Councillor is responsible for complying with relevant legislative principles that govern each board, committee or group. In addition, Councillors need to ensure to manage their conflicts of interests as a Councillor vs as a board or committee member.

Financial and Resource Implications:

Nil.

Summary:

A number of organisations and internal groups seek interest and input from Council into their operations and matters of public interest. It is prudent to ensure that Council is informed on the nature of each organisation/group and the appointees regularly report back to all Councillors to ensure transparent sharing of information.

Anticipated Resolution Completion Date:

Within one month of resolution.

Attachments:

1. Gladstone Area Promotion & Development Limited (GAPDL)
2. Education Queensland Industry Partnership (EQIP) Board of Management
3. Gladstone Foundation.
4. Gladstone PCYC Branch Advisory Committee.
5. Capricorn Pest Management Group (CPMG).
6. Gladstone Local Marine Advisory Committee.
7. Gladstone Healthy Harbour Partnership.
8. Gladstone Port Welfare Committee.
9. Gladstone LNG Regional Community Consultative Committee.
10. Gladstone Safe Night Precinct Public Consultative Committee.
11. Gladstone Region Road and Transport Group Background
12. P-2019-01 Gladstone Region State Emergency Service Funding Arrangements Policy
13. P-2019-02 Rural Fire Brigades Funding Arrangements Policy
14. Regional Arts Development Fund (RADF) Committee – Terms of Reference
15. Transport Environment Advisory Group Terms of Reference
16. Reconciliation Action Plan Reference Group Terms of Reference
17. Gladstone Regional Council Recovery Structure

Tabled Items:

Nil.

Report Prepared by: Manager Governance

G/3.5. BIOSECURITY PROGRAM (SURVEILLANCE) WINTER 2020

Responsible Officer: General Manager Customer Experience

Council Meeting Date: 28 April 2020

File Ref: EM12.6

Purpose:

To seek Council approval by resolution to implement a Biosecurity Program (Surveillance) under the *Biosecurity Act 2014 (Qld)* to monitor the compliance of landholders with restricted and prohibited matter of Giant Rats Tail Grass, Groundsel Bush, Chinese Apple, Parkinsonia, Parthenium and Rubber Vine in the Gladstone Region.

Officer's Recommendation:

That in accordance with section 235 of the *Biosecurity Act 2014*, Council authorise the attached Biosecurity Program (Surveillance) for the period 12 May 2020 to 31 October 2020.

Background:

The *Biosecurity Act 2014* (the Act) allows local governments to adopt 'Biosecurity Programs' to manage biosecurity risks within their local government area. Section 232 of the Act provides for a local government to undertake two types of biosecurity programs, being:

1. Surveillance program - Used to monitor compliance with the Act; confirm the presence, absence, levels of extent of a biosecurity matter; and monitor the effectiveness of risk response measures by stakeholders.
2. A prevention and control program - Used when biosecurity matter is in an area that poses a significant biosecurity risk and may be used to prevent the entry, establishment or spread of biosecurity matter, or manage, reduce or eradicate biosecurity matter.

Under Gladstone Regional Council's Biosecurity Plan 2016-2020, success indicator 2.1.1.3 requires Council to implement biannual biosecurity programs to target priority invasive species within the Gladstone region. The biannual program is proposed to be implemented based on the following framework:

- When Gladstone Regional Council's weather is less influenced by rainfall events (i.e. when cold fronts and high pressure systems are more dominant) and priority invasive species are less active, Council will target localities adjacent to core infestations of priority invasive species and attempt to identify outlying infestations. The results from these inspections will feed back into compliance activities when biosecurity matters are more active.
- When Gladstone Regional Council's weather is more influenced by rainfall events (i.e. when monsoonal troughs and low pressure systems are more dominant) and priority invasive species are more active, Council will target localities with core infestations of priority invasive species for compliance activities.

Options, Risk and Opportunity Analysis:

Council has a responsibility to monitor compliance with the Act to ensure landholders are managing their properties to prevent the spread of restricted material. The proposed 2020 Winter Biosecurity Surveillance Program (Attachment 1) to be undertaken from 12 May 2020 to 31 October 2020 aims to:

- Monitor landholder compliance in accordance with the Act;
- Identify other areas in the region where the target species exist; and
- Enable the Pest Management team to undertake proactive work.

Giant Rats Tail Grass, Groundsel Bush, Chinee Apple, Parkinsonia, Parthenium and Rubber Vine are identified in Council's Biosecurity Plan 2016-2020 as Eradication and Containment Invasive Species. They are the most active invasive species during summer and the wet season and have been attributed to the most customer service requests for the 2019-20 period. Additionally, these species link to the State Government Funded Program for Combating Pests and Weeds during Drought, and are considered the biggest concern to the region's industry, landholders and customers specifically.

The proposed program will focus on all localities in the region as:

- The Pest Management Team is dispersed in the Southern, Central and Northern parts of the region, therefore provide coverage of the whole region;
- Reactive work is undertaken in areas that contain known active infestations and performing compliance; and
- It enables Proactive work, whereby we can inspect and survey other areas to determine the presence of target species, along with the properties not participating in the State Government Funded Drought Program.

The Proactive work will allow the species to be mapped, compliance to be undertaken and will also provide insight and information to design programs and schedules that are efficient and effective, and further our progress towards the Biosecurity Program Success Indicators.

Option One

The program contained in the recommendation is tabled for consideration.

Option Two

Develop a new program, that lists specific locations This would allow the community to know what areas we are targeting. The risk being where a property lies outside this location officers are to seek consent to allow entry to inspect or alternatively a new program be developed and return to Council for endorsement.

Option Three

Do Nothing. This would mean officers seek consent to allow entry to all properties to inspect and carry out compliance, rather than an overarching program that allows this for all locations.

Communication and Consultation:

Relevant officers in Customer Experience, Strategic Asset Performance and Operations have been consulted in the development of the proposed Biosecurity Program (Surveillance).

As required under the section 239 (2) of the Act, consultation with the Chief Executive of the Department of Agriculture and Fisheries regarding the biosecurity program on 27 February 2020.

External notification in accordance with the requirements of the *Biosecurity Act 2014* will be made following Council resolution.

Legal Strategy and Policy Implications:

Section 235 of the Act outlines that the authorisation of a biosecurity program made by a local government must be authorised by resolution of the local government.

Financial and Resource Implications:

The costs of undertaking the proposed Biosecurity Program (Surveillance) are incorporated within the existing operational budget for the Pest Management cost centre.

Summary:

Nil.

Anticipated Resolution Completion Date:

12 May 2020 to allow Council to provide fourteen (14) days public notice, including notification to:

- Each department or government owned corporation responsible for land in the area to which the biosecurity program relates; and
- The public via Council's website.

Attachments:

1. 2020 Winter Biosecurity Surveillance Program

Tabled Items:

Nil.

Report Prepared by: Manager Biosecurity and Environmental Health

G/3.6. MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 MARCH 2020

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 28 April 2020

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 March 2020.

Officer's Recommendation:

That Council adopt the Monthly Financial Statements attached to the officer's report for the 2019-20 year to date, for the period ended 31 March 2020 as required under Section 204 *Local Government Regulation 2012*.

Background:

The percentage of year passed (pro-rata rate) as at 31 March 2020 is 75.34%.

On 11 March 2020 the World Health Organisation declared COVID-19 a worldwide pandemic. Council has responded swiftly to the changing requirements of operating in this current state, and this will be reflected in the financial results for March and the following months.

Forecast

The 2019-20 budget was adopted on 17 July 2019. The business has undertaken a forecasting process to establish an expected position at 30 June, taking into consideration the year to date results and the COVID-19 situation. The actual results for the year to date will be compared to adopted budget, as well as the new forecast position.

Statement of Income and Expenditure

Income

Recurrent Revenue

Total recurrent revenue	2019-20	Actual as %
Actual	\$168.4m	
Budget	\$199.3m	84.52%
Forecast	\$194.2m	86.75%

The forecast for recurrent revenue was decreased slightly overall, to account for year to date trends.

Of note:

Net rates and utility charges	2019-20	Actual as %
Actual	\$141.8m	
Budget	\$152.0m	93.26%
Forecast	\$151.5m	93.59%

General rates and annual waste, water and sewerage charges have been levied as well as water consumption for the period July – December 2019. The remaining water consumption revenue for 2019-20 will be accrued upon completion of the water meter reading cycle for the second half of the financial year. Meter readings are scheduled to be conducted in June 2020.

Fees and charges	2019-20	Actual as %
Actual	\$10.3m	
Budget	\$18.5m	55.53%
Forecast	\$13.6m	75.64%

The gap between budget and actuals for tipping fees has been slowed with the revised fee structure adopted for Commercial Waste in December. The decrease in waste volume has been offset, in part, by a decrease in Waste Levy expenditure. Tipping fees are \$7.3m for year to date, compared to a new forecast position of \$9.8m, a decrease of \$3.2m.

Interest received from investments	2019-20	Actual as %
Actual	\$1.6m	
Budget	\$3.1m	50.08%
Forecast	\$2.3m	68.84%

Interest received from investments has been lower than originally expected, due to a drop in interest rates. The remaining interest will be recognised upon the maturity of investments and at year end.

As part of the COVID-19 support package approved by Council, there has been an effective freeze on interest on overdue rates and charges. The amount received as at March was \$0.6m and the budget for the year has been reduced to this amount.

Sales revenue	2019-20	Actual as %
Actual	\$3.3m	
Budget	\$2.2m	148.81%
Forecast	\$4.0m	83.86%

Recoverable works income has exceeded the original budgeted amount, resulting in the need for an increased forecast. The majority of this sales revenue is received from the Queensland Government, through the RMPC program and other contract works, such as the Gladstone-Monto Road shoulder widening project.

Income tax equivalents	2019-20	Actual as %
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Actual	\$0.4m	
Budget	\$2.9m	12.36%
Forecast	\$2.8m	16.91%

Gladstone Airport Corporation (GAC) is not expected to remit income tax equivalents this year, due to the impacts of COVID-19 on their business. Council will still receive \$0.3m in competitive neutrality fees from GAC as per their Statement of Corporate Intent.

The forecast also includes an estimated \$2.2m dividend (revised up from \$1.7m) estimated to be received in April from Queensland Treasury related to the 50% share of Dividends and Tax Equivalents from Gladstone Area Water Board.

Other recurrent revenue	2019-20	Actual as %
Actual	\$2.8m	
Budget	\$3.5m	80.55%
Forecast	\$3.3m	85.04%

This category includes revenue from the Gladstone Entertainment Convention Centre (GECC). Due to the COVID-19 situation, all events from April – May have been cancelled, with a decision on June vents to be made in May. GECC are in the process of issuing refunds to ticket holders. It is not anticipated that GECC will receive any further trading income in the 2019-20 financial year.

Also included in this revenue stream is rental income. As part of the COVID-19 support package, Council has waived commercial rent on Council owned properties from 1 March to 30 June in the order of \$0.2m. As a result of these changes, the forecast for other recurrent revenue was revised down from \$3.5m to \$3.3m.

General purpose grants	2019-20	Actual as %
Actual	\$2.9m	
Budget	\$7.8m	37.22%
Forecast	\$7.8m	37.19%

The first three quarterly instalments of the Financial Assistance Grant have been received. The final quarterly payment is forecast to be received in June as well as a 50% advance payment for the 2020-21 grant.

The advance payment is forecast at \$3.9m in line with the values granted in 2019-20. The prepayment timing is in alignment with the adoption of the Federal Budget and with the delay in the Federal Budget due to COVID-19 to later this calendar year there is a likelihood that this portion of the Federal Assistance Grant will not be received in 2019-20.

Commonwealth grants and subsidies	2019-20	Actual as %
Actual	\$2.1m	
Budget	\$0.6m	345.79%
Forecast	\$2.2m	93.98%

Funding related to the National Disaster Relief & Recovery Arrangements (NDRRA) was received in 2019-20 that was not included in the original budget. The forecast was adjusted to account for these receipts.

Other grants, subsidies, contributions and donations	2019-20	Actual as %
Actual	\$0.0m	
Budget	\$3.8m	0.08%
Forecast	\$1.9m	0.16%

The forecast for other contributions revenue comprises \$1.8m relating to the Gladstone City Plaza Forecourt Upgrade. This revenue will be recognised upon the completion of the project and the debtor will be reduced as repayments are made in future years. Completion is expected in June 2020.

The forecast also corrected \$2.0m for interest contributions from GAC that are used to offset Council's interest expense, rather than being recognised as revenue. The corresponding change reduces Council interest expense, which results in no change to the bottom line.

Capital Revenue

Total capital revenue	2019-20	Actual as %
Actual	\$5.0m	
Budget	\$7.0m	72.24%
Forecast	\$6.4m	77.97%

The forecast for capital revenue was decreased in line with current expectations aligning to the delivery of relative capital projects.

State government grants and subsidies	2019-20	Actual as %
Actual	\$1.7m	
Budget	\$4.4m	37.52%
Forecast	\$2.2m	76.74%

The forecast has been significantly reduced with non-essential capital projects placed on hold or deferred due to COVID-19. Funding will also be deferred until project milestones are met. Major movements in expected 2020-21 funding relate to the following projects:

- Kirkwood Road/ Dixon Drive Signalisation Upgrade (Design)
- Auckland Hill, Gladstone - Land slide

- Gravel Road Resheeting (various locations)
- King George Street, Mt Larcom – Pavement renewal
- Gladstone waste water treatment plant - biosolids treatment upgrade

Commonwealth grants and subsidies	2019-20	Actual as %
Actual	\$3.0m	
Budget	\$2.5m	119.44%
Forecast	\$3.9m	77.05%

Funding related to the National Disaster Relief & Recovery Arrangements (NDRRA) was been received in 19-20 that was not included in the original budget. The forecast was adjusted to account for these receipts.

The forecast was also reduced by \$0.8m relating to the Goondoon Street pavement reconstruction project as this has been deferred to 20-21.

Expenditure

Recurrent expenditure

Total recurrent expenditure	2019-20	Actual as %
Actual	\$135.6m	
Budget	\$197.5m	68.69%
Forecast	\$191.0m	71.03%

The forecast for recurrent expenditure has decreased overall, to account for year to date trends, detailed below:

Employee benefits	2019-20	Actual as %
Actual	\$44.5m	
Budget	\$57.2m	77.72%
Forecast	\$60.5m	73.44%

Employee benefits are the largest component of Councils recurrent expenditure, at 28.97% of the adopted budget and 31.70% of the forecast for total recurrent expenditure. The higher than expected costs year to date drove a need to increase the forecast.

An assumed level of vacancy and job turnover has not been met this year, and it is likely that turnover will continue to slow in the face of the current COVID-19 situation.

Following the introduction of a new organisational structure in August 2018, emerging needs have been identified, with new positions added during this financial year. Included in the new positions were additional staff required for transfer stations following the decision to insource work after the appointment of liquidators to the existing service provider. Change over occurred across November and December 2019 and the increase in employee costs relative to these positions offsets a decrease in contractors costs.

And finally, where the capital program has not been completed, employee costs that were earmarked as capital have reverted to operating expenditure.

Contractors and consultants	2019-20	Actual as %
Actual	\$16.4m	
Budget	\$30.1m	54.67%
Forecast	\$25.9m	63.49%

Contractor and consultant costs are the second largest portion of the recurrent expenditure budget. A reforecast was necessary, as current trends indicated that the original budget was unlikely to be achieved. The effects of the COVID-19 situation have caused non-essential projects to be placed on hold or deferred.

Large variances from forecast include an additional \$0.6m expected to be recognised for environmental works related to gravel pit operations as well as \$0.5m for waste contractors. The remaining forecast is spread across the business with no other significant variances noted.

Donations and sponsorships	2019-20	Actual as %
Actual	\$1.5m	
Budget	\$3.4m	44.94%
Forecast	\$2.8m	54.31%

The adopted budget included \$0.4m for community celebration, which included the sponsorship of major community events such as the Harbour Festival, Brisbane to Gladstone Yacht Race and Boyne Tannum Hook-up. The COVID-19 situation has resulted in a need to cancel or largely scale back these events. Council reallocated \$0.4m from this budget to financial support for sporting and community organisations under its COVID-19 support package.

An additional \$0.3m expenditure is expected in April, as part of Council's contributions to the completion of the Calliope & District Multi-Purpose Facility under the Works 4 Queensland program.

Equipment and software expenses	2019-20	Actual as %
Actual	\$3.5m	
Budget	\$3.9m	90.43%
Forecast	\$4.4m	79.34%

This account includes software maintenance fees incurred early in the year that cover 12 months of service. The forecast was increased to account for increased spending on external plant hire compared to the original budget. Included in this increase was the cost of delivering water to the township of Miriam Vale during the period of low local supply. The hire of water trucks amounted to \$0.2m.

Motor vehicle expenses	2019-20	Actual as %
Actual	\$1.2m	
Budget	\$2.9m	41.56%

Forecast	\$1.9m	63.83%
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Fuel for Curtis Island to the amount of \$0.5m was originally included in the budget under motor vehicle expenses. The forecast decrease corrects this issue and is reflected in an increase to the forecast for fuel. The budget included \$0.5m to install GPS tracking and driver identification hardware to all Council fleet. This has been removed from the forecast and is under current consideration.

Other materials and services	2019-20	Actual as %
Actual	\$6.1m	
Budget	\$9.2m	66.10%
Forecast	\$9.4m	64.55%

The major expenses included in this category are repairs and maintenance and the purchase of materials. It is not unusual for this account to track slightly below pro-rata at this time of year, as invoices received in July relating to 2019-20 will be accrued back into this current year. This means that the expenditure recognised in June will likely be higher than that of any other month in the year.

Staff and Councillor expenses	2019-20	Actual as %
Actual	\$1.7m	
Budget	\$3.9m	43.39%
Forecast	\$3.3m	51.78%

The forecast includes an amount of \$0.4m for costs payable to the Electoral Commission Queensland relating to the local election. This expense will be incurred in the coming weeks.

While face to face training has decreased, Council has a number of training commitments that have moved to an online space and has forecast \$0.5m for training in the remaining months of the year. Provision has also been made for staff recognition functions that may occur prior to end of financial year.

Waste disposal and tipping fees	2019-20	Actual as %
Actual	\$5.5m	
Budget	\$10.1m	54.45%
Forecast	\$7.5m	73.11%

The forecast has been adjusted down in line with trends for the year to date.

Finance costs – Queensland Treasury Corporation	2019-20	Actual as %
Actual	\$3.6m	
Budget	\$6.7m	53.06%
Forecast	\$4.7m	76.52%

The forecast corrected \$2.0m for interest contributions from GAC that are used to offset Council's interest expense. The corresponding change reduces Council recurrent revenue, which results in no change to the bottom line.

Capital Expenditure

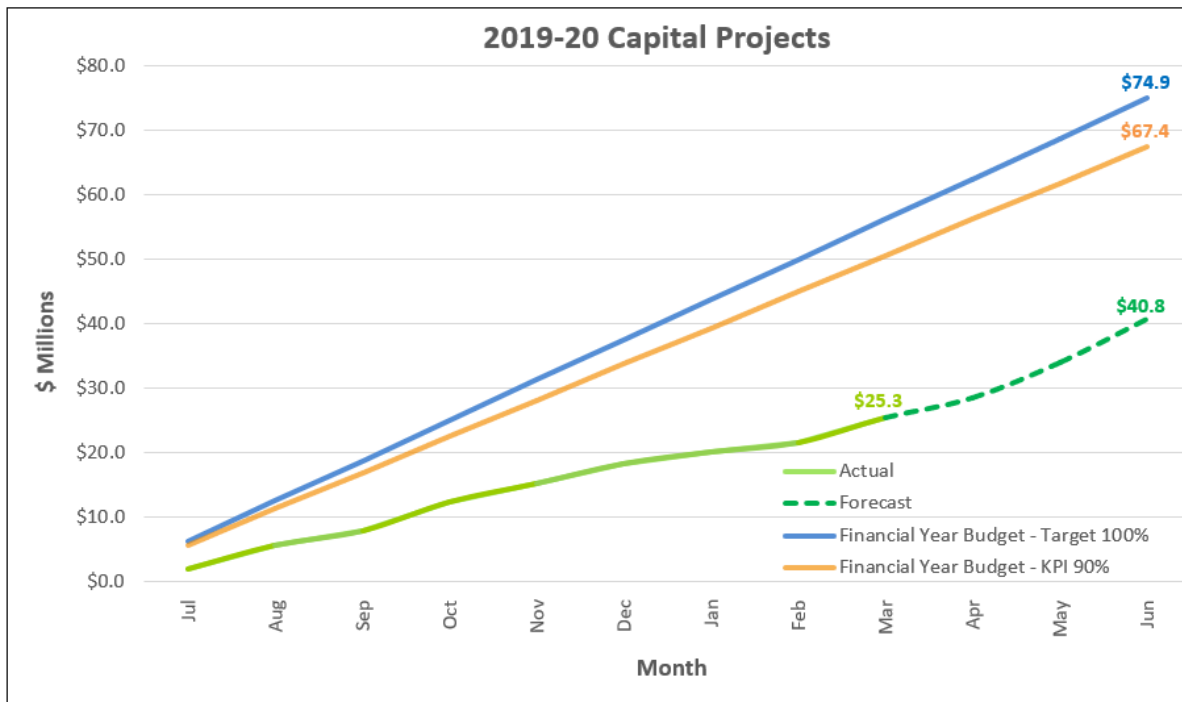
	Year to date actual expenditure	Budget	Actual as % of budget	Forecast	Actual as % of forecast
Year to date capital expenditure	\$25.3m	\$74.9m	33.79%	\$40.8m	62.13%
Including commitments (purchase orders)	\$44.9m		59.98%		110.28%

Capital expenditure (not including commitments) against groups with significant capital expenditure budgets is shown in the table below:

Group	YTD Actual	Budget	Actual as % of Budget	Forecast	Actual as % of Forecast
Road Assets	\$9.735m	\$21.544m	45%	\$11.853m	82%
Sewerage Assets	\$7.504m	\$20.430m	37%	\$12.615m	59%
Strategy & Transformation	\$1.325m	\$9.170m	14%	\$5.090m	26%
Water Assets	\$1.986m	\$8.263m	24%	\$2.672m	74%
Delivery Support and Performance	\$1.324m	\$6.210m	21%	\$3.018m	44%
Waste Assets	\$2.330m	\$3.820m	61%	\$2.598m	90%
Property Assets	\$0.103m	\$2.145m	5%	\$0.162m	64%
Parks & Environment Assets	\$0.446m	\$1.906m	23%	\$0.639m	70%
Community Development & Events	\$0.448m	\$0.651m	69%	\$0.528m	85%
Other	\$0.122m	\$0.804m	15%	\$0.804m	15%
Total	\$25.324m	\$74.943m	34%	\$40.759m	62%

To account for the delays experienced year to date, as well as those anticipated during the COVID-19 pandemic, Council has completed an in depth forecast to arrive at a new expected capital position at 30 June 2020. Non-essential projects have been placed on hold or deferred. Details of the variance will be provided in the Quarter 3 Capital Report.

The following graph illustrates the year to date capital expenditure and anticipated capital forecast for year end as at 31 March 2020, compared to the adopted budget.



Statement of Financial Position

Year to date Assets	Current Value	Adopted Budget	Percentage of Adopted Budget
	\$2.30b	\$2.31b	99.48%

Council’s cash remains high following the rates generation. The cash balance is expected to decrease throughout the year as expenditure is incurred. Property, plant and equipment is less than the budgeted amount for 30 June 2020 as there are still capital works to be completed, as per the forecast detailed above.

Year to date Liabilities	Current Value	Adopted Budget	Percentage of Adopted Budget
	\$140.36m	\$133.05m	105.49%

The budget for liabilities is the expected position at 30 June 2020. As loan repayments are made throughout the year the balances will align closer to the budget.

Outstanding Rates

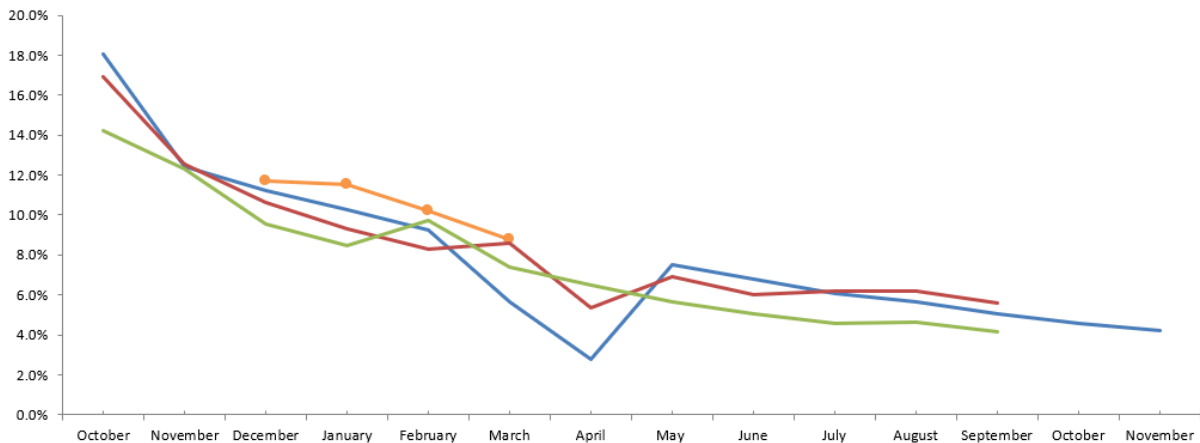
Outstanding rates as a percentage of gross rates levied and collectible for 2019-20, is at 8.77% at the end of March 2020 compared to 5.63% for the same period last year. Of the \$15.6m of outstanding rates, 15.0% relates to commercial/ industrial assessments and 85.0% represents residential assessments.

These figures include \$2.51m of rates that are currently being repaid under an authorised payment plan, for which there were 58 commercial/industrial assessments and 1,418 residential assessments. This is a total of 1,476 assessments – a decrease from 1,543 assessments in February.

There were 4,321 ratepayers who had paid their rates in advance, in the amount of \$5.7m.

The extension to the due date for the 2019-20 rates is reflected in the higher outstanding rates percentage compared to this time in previous years. A similar effect is expected going forward, following the extension of the due date for July – December 2019 water consumption due to COVID-19.

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 most of its yearly revenue early in the year 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.

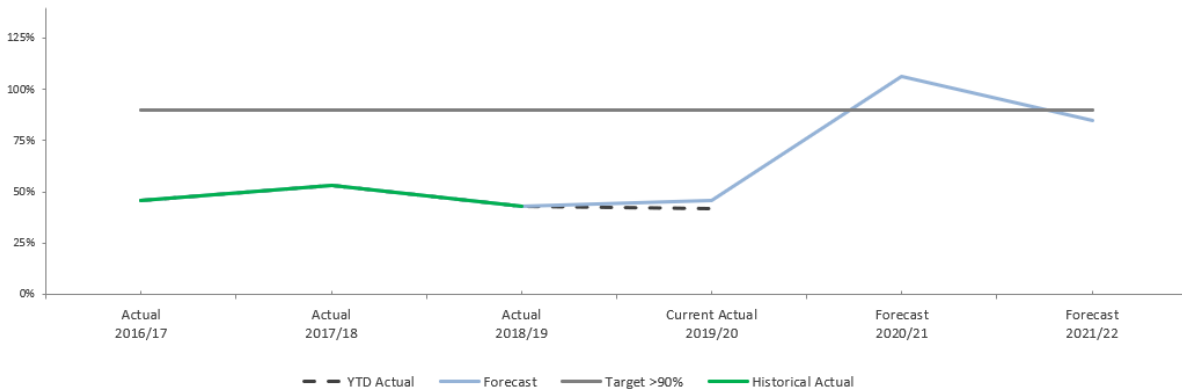
Asset Sustainability Ratio

This ratio compares Councils expenditure on capital renewal assets with the rate at which our assets are depreciating. As Council invests in the renewal of its asset base on a rolling cycle, the expected results can vary from year to year. The actual results for a single year are compared to the budget for that year are dependent on the delivery of renewal projects in the capital program. The information provided in the section above indicates the expectations of completion of the capital program as a whole.

<i>Asset Sustainability Ratio</i>				
CURRENT YTD	PRIOR YEAR RESULT	BUDGET	FORECAST	TARGET
41.60%	42.81%	79.39%	45.96%	>90%

Asset Sustainability Ratio

(indicates rate of replacement/renewal vs consumption of assets)



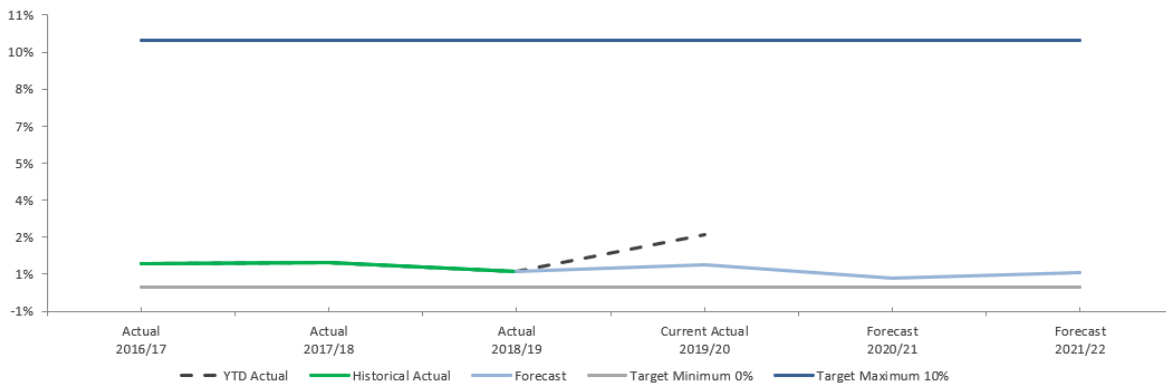
Interest Coverage Ratio

This ratio indicates the percentage operating revenue required to cover net interest costs. The results of this ratio are within the target range. The improvement from the previous year result is due to higher operating revenue as well as decreased interest costs in line with decreasing loan balances. The forecast results are expected to be lower than budget, due to the reduction in interest income.

Interest Coverage Ratio				
CURRENT YTD	PRIOR YEAR RESULT	BUDGET	FORECAST	TARGET
2.12%	1.84%	1.47%	0.90%	0 - 10%

Interest Coverage Ratio

(indicates extent of commitment of revenue to interest payments)



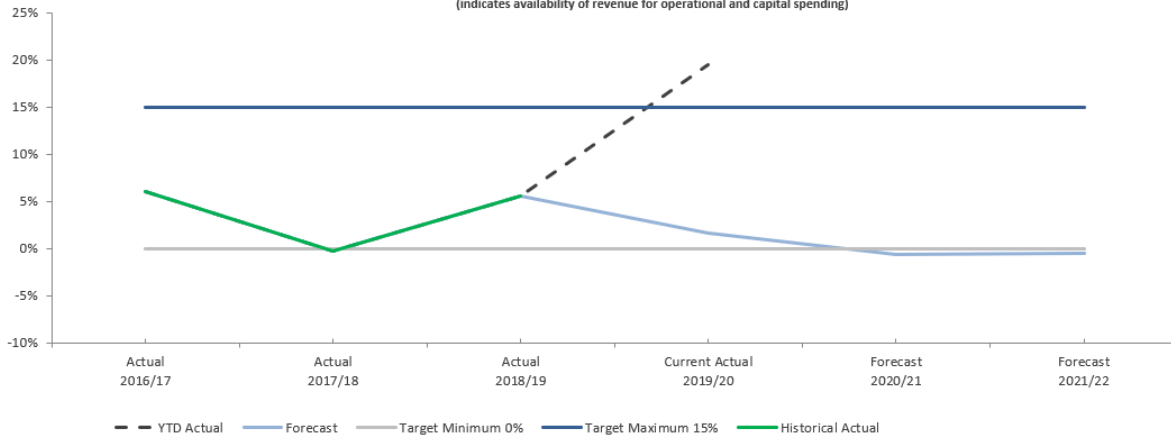
Operating Surplus Ratio

A positive result for this ratio indicates that operating revenue can be used to fund capital expenditure, on top of the operational costs of Council. The results of this ratio are similar to this same period last year. The forecast changes show an increase to the operating surplus that Council is expecting at year end.

Operating Surplus Ratio				
CURRENT YTD	PRIOR YTD	BUDGET	FORECAST	TARGET
19.47%	20.10%	0.91%	1.65%	0 - 15%

Operating Surplus Ratio

(indicates availability of revenue for operational and capital spending)



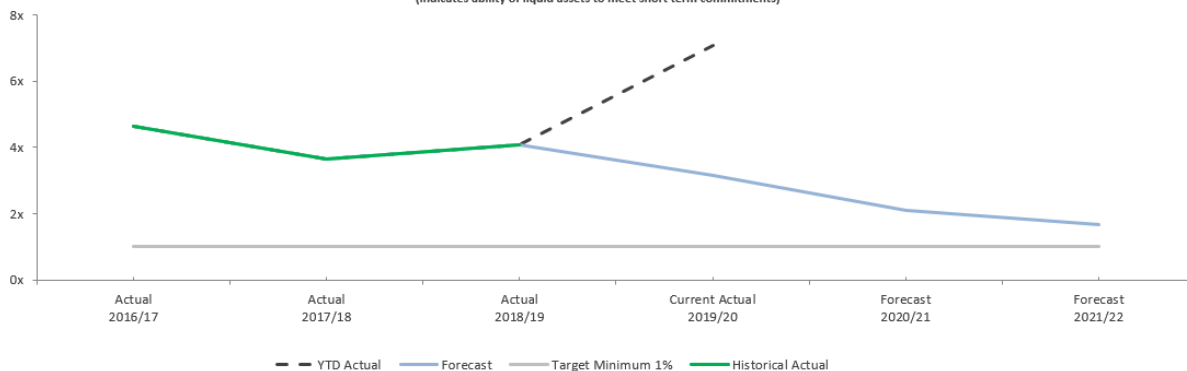
Working Capital Ratio

The working capital ratio shows the ability of Councils current assets, to cover the commitments of its current liabilities. Due to delays in capital expenditure, Council has a large cash balance that increases the results of this ratio. The ratio is in excess of the target minimum, reflecting a healthy position for Council.

Working Capital Ratio				
CURRENT YTD	PRIOR YTD	BUDGET	FORECAST	TARGET
7.10x	6.96x	3.13x	3.17x	Greater than 1:1

Working Capital Ratio

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



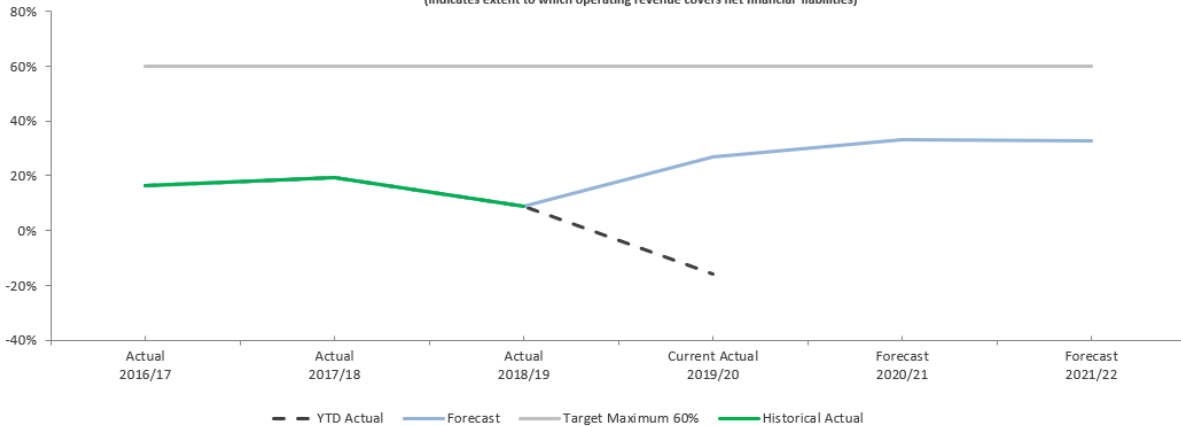
Net Financial Liabilities Ratio

The ratio shows the extent to which operating revenue covers net financial liabilities. Where the current asset value exceeds the total liabilities, the ratio will return a negative value. The results of this ratio are negative due to the high value of cash and the operating surplus. This result is steadily aligning closer to budget as the year progresses.

Net Financial Liabilities Ratio				
CURRENT YTD	PRIOR YTD	BUDGET	FORECAST	TARGET
(15.92%)	(2.38%)	26.70%	26.89%	< 60%

Net Financial Liabilities Ratio

(indicates extent to which operating revenue covers net financial liabilities)



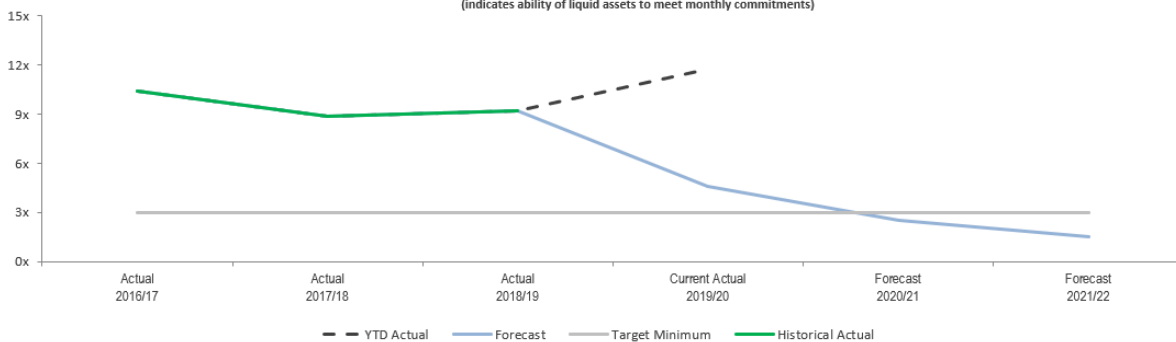
Cash Expenses Cover Ratio

This ratio indicated the number of months that Councils cash balance could cover its cash expenses. 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 YTD	PRIOR YTD	BUDGET	FORECAST	TARGET
11.74x	11.13x	4.32x	4.59x	> 3x

Cash Expenses Cover

(indicates ability of liquid assets to meet monthly commitments)



Options, Risk and Opportunity Analysis:

Nil.

Communication and Consultation:

The report seeks specialist input regarding budget and forecast from Systems Modelling and Metrics Specialist and Cost Analyst.

Capital expenditure commentary is provided through Manager Works Planning and Scheduling and information relative to outstanding rates and prepaid rates is sought from Manager Revenue Services.

Legal Strategy and Policy Implications:

Council is required to receive an update at least monthly relative to its financial position, *Section 204 Local Government Regulation 2012*

Financial and Resource Implications:

Nil.

Summary:

Nil.

Anticipated Resolution Completion Date:

28 April 2020.

Attachments:

1. Monthly Financial Statements for period ending 31 March 2020
2. Operating Statements for month end March 2020

Tabled Items:

Nil.

Report Prepared by: Statutory Accountant

G/3.7. DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A RELOCATABLE HOME PARK (190 SITES) (STAGED) AT LOT 101 BRYANT STREET, AGNES WATER QLD 4677

Responsible Officer: General Manager Customer Experience

Council Meeting Date: 28 April 2020

File Ref: DA/26/2018 and DB1.7

Development Application:

Application Number: 26/2018
Applicant: Vellamo Lifestyle Pty Ltd C/- Urban Planet Town Planning Consultants
Owner: ARDNEH Developments Pty Ltd & Auckland Point Pty Ltd
Confirmation Notice: 16 August 2018
Location: Lot 101 Bryant Street, Agnes Water
RPD: Lot 101 SP 176830
Area: 11.07 hectares
Current Use of Land: Vacant
Zoning: Emerging Community Zone
Proposal: Material Change of Use for a Relocatable Home Park (190 sites) over 16 stages
Public Notification Period: 6 November 2018 to 27 November 2018
Number of Submissions: 19 Properly Made Submissions & Two (2) Not Properly Made Submissions

Purpose:

The purpose of this report is to assess Development Application 26/2018 for Material Change of Use for a Relocatable Home Park (190 Sites) (16 Stages) on land at Lot 101 Bryant Street, Agnes Water, 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 Material Change of Use for a Relocatable Home Park on land at Lot 101 Bryant Street, Agnes Water, was received by Council on 16 July 2018 and considered Properly Made and Confirmed on 16 August 2018. The application was prepared by Urban Planet Town Planning Consultants for the establishment of a Relocatable Home Park within the Emerging Community Zone.

As per the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* (the Planning Scheme), the proposal triggered Impact Assessment within the Emerging Community Zone. By virtue of the level of assessment, Public Notification was required and carried out by the Applicant from 6 November 2018 to 27 November 2018. During this period, 19 Properly Made Submissions and two (2) Not Properly Made Submissions were received. The relevant content raised by the submitters referenced points such as impacts on existing infrastructure, safety concerns regarding increased traffic, access to services, development density, and amenity of the adjoining low density residential and rural residential sites.

As per the *Planning Regulation 2017* (the Regulation) the application triggered referral to Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP), as it effects a Wetland Protection Area and exceeds the referral trigger thresholds for residential development for state transport infrastructure. On 17 May 2019, DSDMIP approved the proposed development subject to conditions stating the proposal does not compromise the safety and efficiency of the state-controlled road network and that adverse impacts to the HES referable wetland can be met with supporting conditions.

This application is assessed against the relevant provisions of the *State Planning Policy – July 2017*, the Planning Scheme and in accordance with the *Planning Act 2016* (the Act). Given the site is zoned Emerging Community, additional assessment criteria apply for certain development types.

Emerging Community Zone's purpose is to:

- identify and conserve land that may be suitable for urban development;
- manage the timely conversion of non-urban land to urban purposes when required to meet community needs; and
- ensure development for the purpose of new urban communities is undertaken only where there is overriding community and economic need.

This zone is often located on the urban fringe and sets a framework for development to be appropriately considered with respect to need and serviceability, i.e. is there a need for this type of development; is it available elsewhere in this location; is development of this nature premature given existing stock.

The Applicant details the development as an over 50s residential community with single dwellings proposed on sites ranging between 280-300m². As such, there is a view that there is enough serviced residential land already developed to accommodate this style of living in Agnes Water. This challenge has been raised with the Applicant particularly given the definition does not restrict the use from the wider residential users (i.e. not over 50s). The opposing view is that the existing residential land stocks are of a standard residential subdivision type at a minimum lot size of 600m² making them unaffordable to the market as outlined by the Applicant. As such, the Applicant has provided further information on how the development is to be operated under the *Manufactured Home (Residential Uses) Act 2003* (Manufactured Homes Act) with a view to demonstrate to Council how this is a unique residential product.

As further detailed within this report, the proposal seeks to provide a 'unique' residential product for the Urban Centre of Agnes Water and greater Gladstone Region community. This development type is supported by the provisions of the Manufactured Homes Act which sets the framework to regulate and promote fair trading practices in the operation of the park. On balance, the development is considered generally consistent with the Planning Scheme and is recommended for approval, subject to reasonable and relevant conditions.

Subject Site:

The site is located at the southern end of Bryant Street, Agnes Water, otherwise described as Lot 101 SP 176830. The site is comprised of a single allotment with a total site area of 11.017 hectares. Figure One provides an aerial view of the subject site.



Figure One: Subject Site

As per Figure Two, the subject site is mapped with various habitat, vegetation and wetlands. With reference to Figure One, it is noted that the subject site has since been cleared of vegetation. This clearing has been addressed through the referral process and is detailed later in this report.

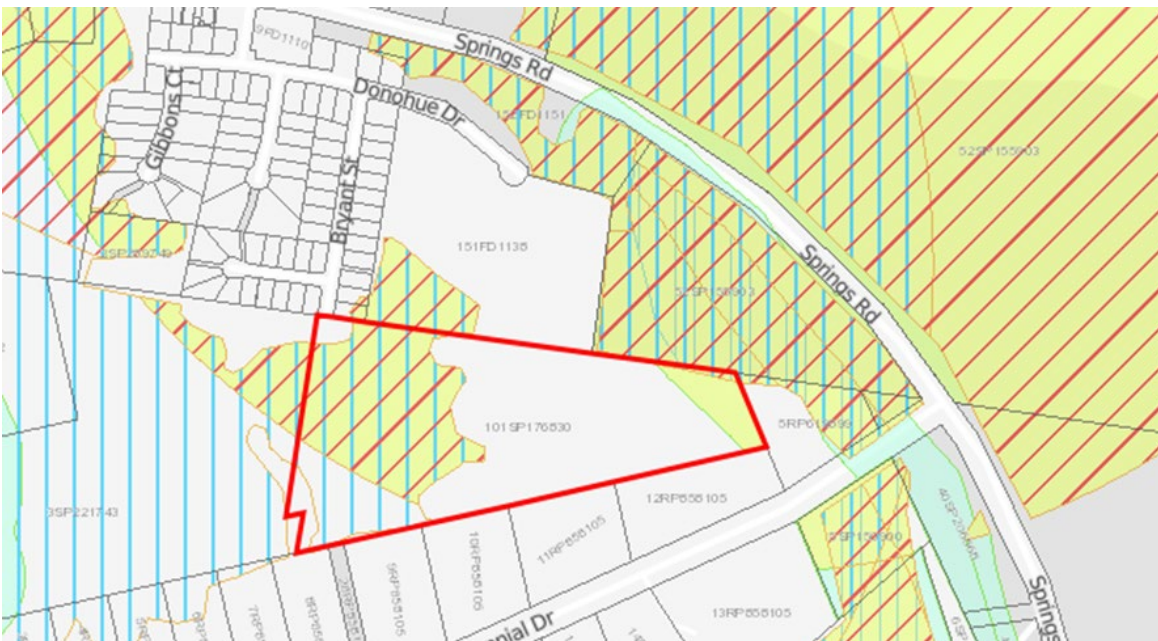


Figure Two: Mapped Wetland, Wildlife Habitat and Essential Vegetation (DSDMIP Mapping)

The subject site is vacant and has the opportunity to access Council's water and sewer infrastructure. The site gradually rises from the eastern corner from 17m AHD to the north western corner at 40m AHD.

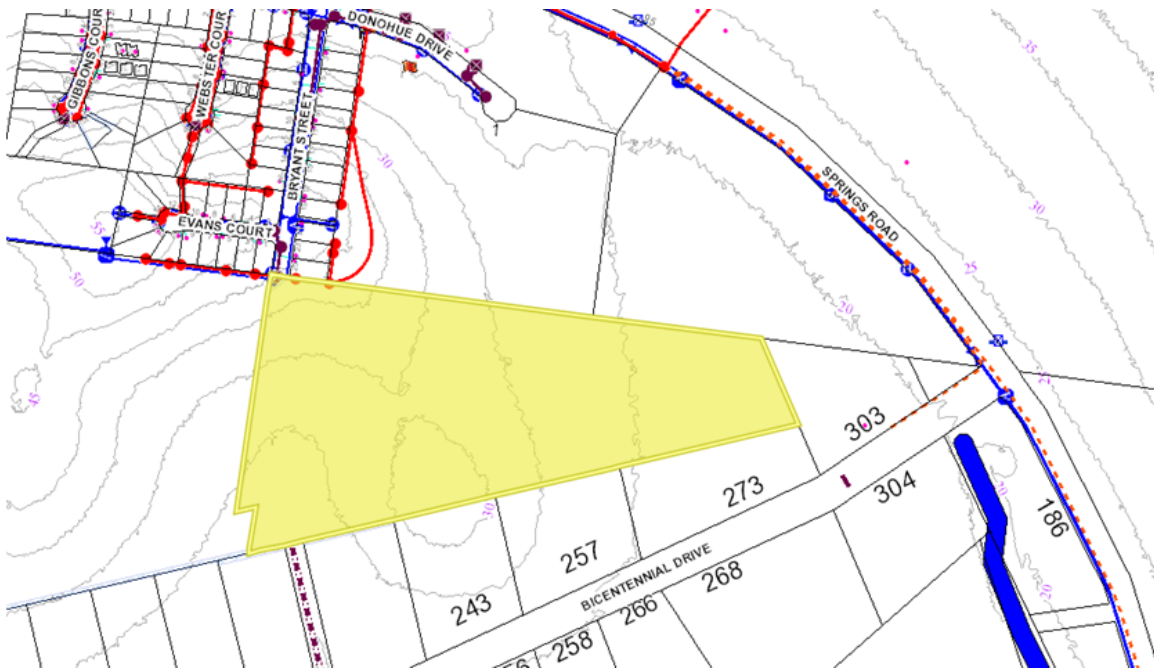


Figure Three: Council's reticulated Water and Sewer Infrastructure

The subject site is located within the Emerging Community Zone as per Figure Four in a large pocket of land at the end of Bryant Street. As such, the site does not have a large street presence and is rather set behind the existing developed area of residential and educational to the north. The zone of the surrounding lots varies between Low Density Residential, Community Facilities (Primary State School), Conservation and Rural Residential zoning.

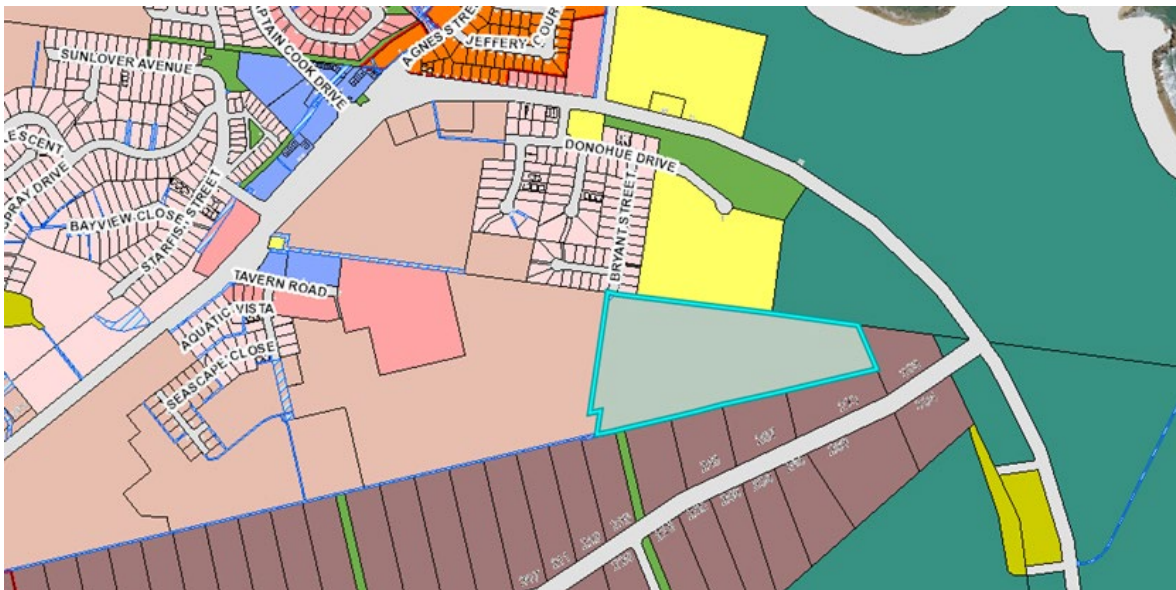


Figure Four: Zoning of Site and Surrounding Area

Adjoining Development Applications

With reference to Figure Five, the subject site adjoins approved development within the mapped Emerging Community Zone. A summary of the current Development Applications has been provided for amenity and density context.



Figure Five: Surrounding Development Approvals

To the west of the subject site, two (2) Reconfiguring a Lot applications remain active which may result in further residential subdivision in the Agnes Water area. DA/44743/2009 was approved for a staged subdivision of 71 lots (shown in Figure Six), while DA/260/2016 was approved as a Preliminary Approval (Residential Zoning) and staged subdivision of 36 lots (refer to Figure Seven). Furthermore, the sites have also recently obtained a Development Permit for a Retirement Facility – Manufactured Home Park (DA/39/2018) which has been illustrated in Figure Eight. DA/260/2016 and DA/39/2018 are yet to be acted upon, therefore are subject to Currency Periods which are due by June 2020 and 2024; DA/44743/2209 has completed the first stage, therefore maintains an ongoing currency.

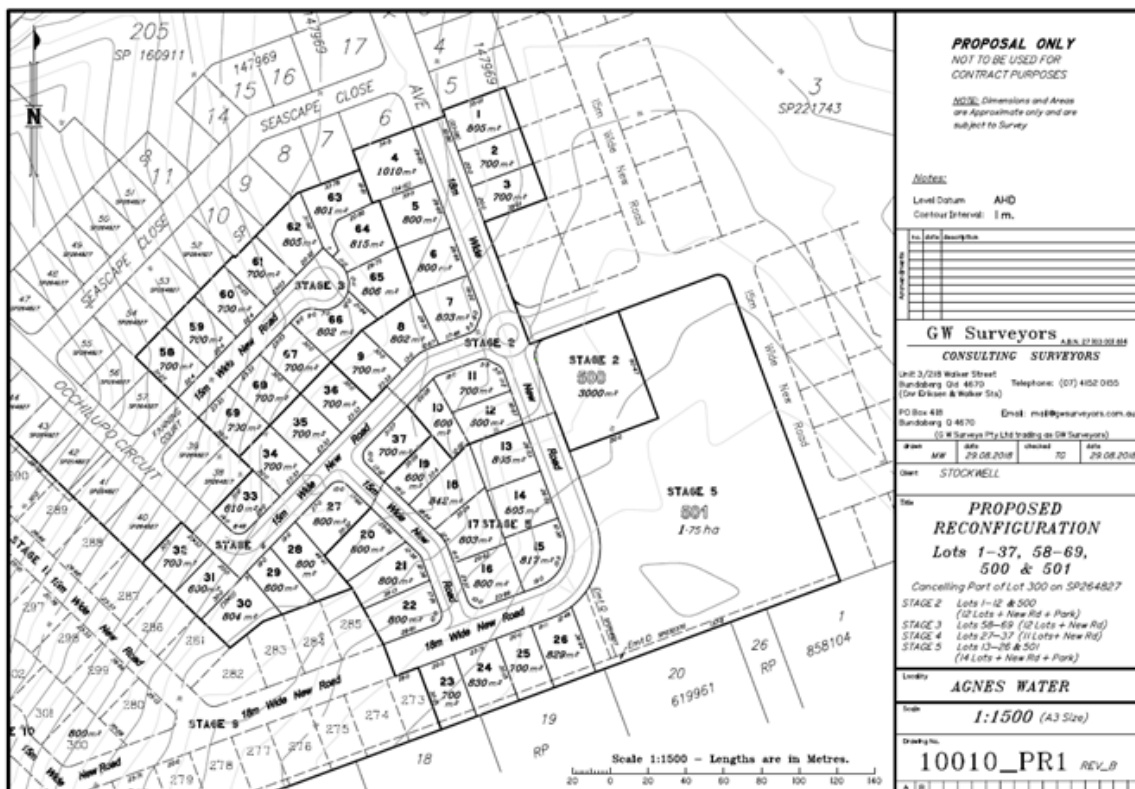


Figure Six: Approved Reconfiguring a Lot (DA/44743/2009)



Figure Seven: Approved Reconfiguring a Lot (DA/260/2016)

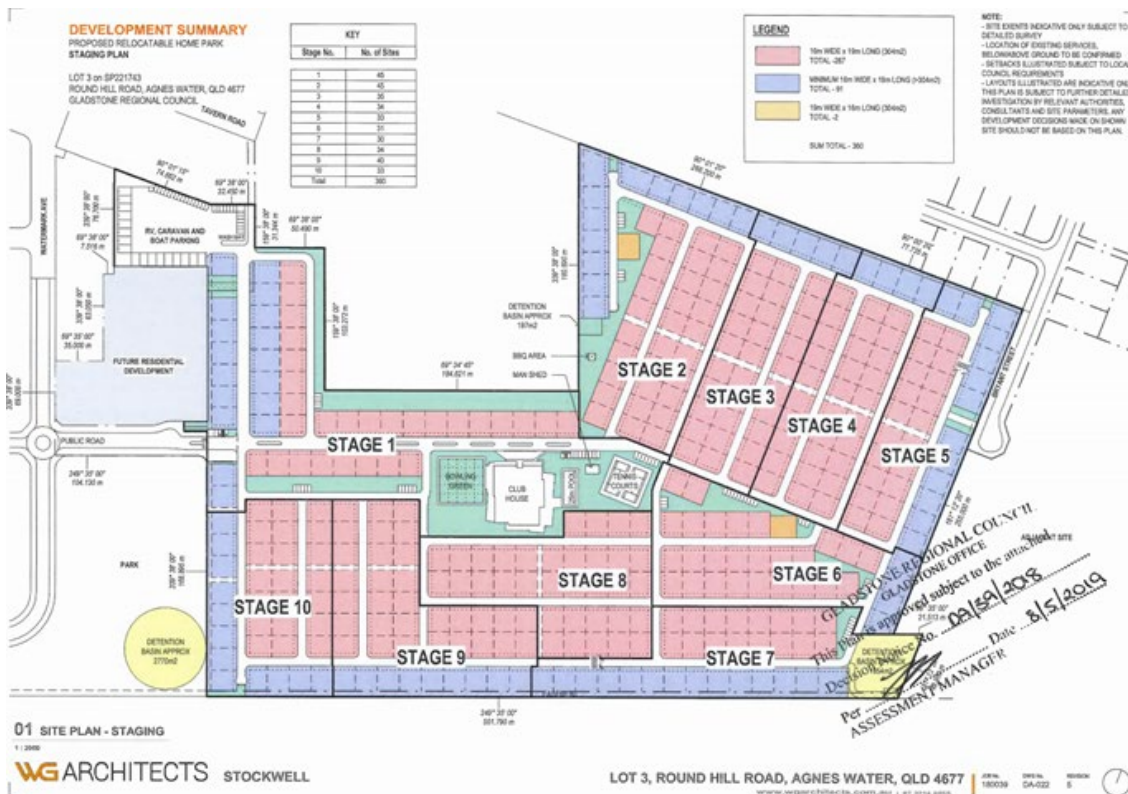


Figure Eight: Approved Retirement Facility – Manufactured Home Park (DA/39/2018)

Previous Applications for the Subject Site

On the current subject site, a Development Application for a Reconfiguration of a Lot (Low Density Residential Subdivision - 85 lots and a balance lot over five stages) (Ref: DA/41946/2007) was approved on 29 February 2007 with a subsequent approval sought through an Operational Works Application (Ref: OPW/44220/2008). A Modified Decision Notice was issued on 21 June 2011 and an Extension of the Currency Period was granted until 27 October 2018. A new Operational Works

for Stage 1 was sought (Ref: OPW/544/2013) with a Negotiated Decision Notice issued on 27 October 2014.

A further approval was sought through a new Development Application (Ref: DA/43783/2007) for low density residential subdivision comprising 19 lots, a park and road (Stages 6 and 7) which was approved by Council on 27 November 2007.

The clearing conducted on the subject site which is illustrated in Figure One was not carried out in accordance with these approvals. It is estimated that the majority of the remaining area was cleared around 2017/2018 and removed all large trees from the site. As the clearing was conducted without appropriate permits, this required further assessment as part of the Concurrence Agency referral.

All of these above approvals on this site have since lapsed; however, they highlight the site as being considered suitable to accommodate a residential land use which can be appropriately serviced. Notwithstanding this, these previous applications were considered under former planning schemes which did not require the overriding Community and Economic need provision to be addressed as part of the assessment to determine the appropriate timing of residential land to be constructed.

Pre-lodgement Advice

A Pre-Lodgement Meeting (Ref: PL/14/2018) was held on 14 May 2018 to discuss a proposal for a Relocatable Home Park. Issues raised included the requirement for a Community and Economic Needs Analysis, staging plan, detailed plans of the layout and architectural styles, bus connectivity, on-site parking, capacity to accommodate additional water demand, sewerage and stormwater requirements, setbacks, and waste disposal.

Current Application

The Development Application was lodged with Council on 16 July 2018 with an Action Notice issued on the 20 July 2018 pertaining to outstanding fees and incorrect DA Form 1. During this period, Council issued advice to the Applicant stating the development may be considered prohibited development as a section 22A determination from the State had not been provided. The Applicant provided advice from State stating a section 22A determination was not required. Subsequently, Council confirmed the Application on 16 August 2018.

Council issued an Information Request on 27 August 2018 pertaining to scale and density, infrastructure design and capacity, access to services, unlawful clearing, car parking and onsite waste management.

The Applicant referred the application to DSDMIP – State Assessment and Referral Agency (SARA) for assessment against the wetland and state control road triggers. SARA issued a Confirmation Notice on 3 September 2018. On 17 September 2018, SARA issued an Information Request to the Applicant seeking additional technical reports and comments on the mapped wetland and vegetation onsite.

The Applicant responded to both Council and SARA's Information Requests on 25 October 2018. The Applicant provided additional material and justification as part of the response; however, no changes were made to the proposal plan.

Public Notification was conducted for 15 business days from 6 November 2018 to 27 November 2018 as per the Act. During the Public Notification Period, 19 Properly Made Submissions and two (2) Not Properly Made Submissions were received.

To date, the Applicant has issued Stop Current Period requests and further justification; Council has issued several extensions to Currency Period and Further Advice Letters with a focus on demonstrating compliance with relevant Planning Scheme requirements and definition.

Throughout the assessment of the application material, Council identified concerns regarding the number of existing available residential lots in Agnes Water and the greater Gladstone region. It was explained to the Applicant that by applying for a Relocatable Home Park definition, given the land is zoned Emerging Community, that residential considerations would apply. Council and the Applicant explored the alternative definition of Retirement Facility on the basis that would more clearly differentiate this product.

While acknowledging the majority of the users of this product were 50+, the Applicant was not willing to restrict the availability of their product to that demographic (likely mix proposed by the Applicant would be in the order of 98-99% 50+). Since the application was lodged, two major Retirement Facilities have been approved which can accommodate the predicted forecast supply in the region.

As such the Applicant sought to demonstrate how the proposal is a unique residential product, different to the standard residential subdivision stock and governed under the Manufactured Homes Act to create a development that fulfils a community and economic need within Agnes Water.

From an infrastructure charging perspective, the opportunity for discount under the Infrastructure Charges Rebate Scheme (Rebate Scheme) would not apply for this proposal given the use class is not supported within the Rebate Scheme.

To provide a summary of the application timeline, Table One has been included given the complexity in assessment of this proposal.

Table One: Timeline of Current Application

Stage	Date	Description of Event
Council's lodgement and Information Request Stage	16 July 2018	Applicant lodged Application.
	20 July 2018	Council issued Action Notice which requested payment of application fee and updated DA Form 1.
	26 July 2018	Council issued a letter stating that the proposed development was prohibited development as a section 22A determination from the Department of Natural Resources Mines and Energy (DNRME), identifying the proposed clearing to be for a relevant purpose, had not been provided.
	16 August 2018	Received information from DNRME via the Applicant that a section 22A determination was not required. Council issued Confirmation Notice acknowledging that the application was now properly made.
	27 August 2018	Council issued an Information Request to Applicant.
	25 October 2018	Applicant responded to Council's Information Request.
Referral lodgement and Information Request Stage	3 September 2018	DSDMIP confirmed that the application was properly referred.
	17 September 2018	DSDMIP issued an Information Request
	25 October 2018	Applicant responded to DSDMIP's Information Request.
Public Notification Stage	29 October 2018	Applicant issued a Notice of intention to commence Public Notification on 6 November 2018.
	28 November 2018	Applicant issued a letter stating that Public Notification Requirements had been met.
	30 November 2018	Council issued a Notification of Submissions received (19 Properly Made and 2 Not Properly Made Submissions).
Referral Assessment Period	15 November 2018	DSDMIP issued an extension of the Referral Agency Assessment Period until 13 December 2018.

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	11 December 2018	Applicant Issued a Stop Current Period notice to stop the Referral Agency Assessment period for 40 business days.
	12 December 2018	Applicant issued another Stop Current Period for a further 92 days on 11 December 2018. DSDMIP replied on the following day confirming that the Referral Agency Assessment Period would be stopped until 26 June 2019.
	26 March 2019	Applicant provided additional information to DSDMIP. Additional information (Stormwater Management Plan) was also provided on 16 April 2019 as a further addendum to this response.
	17 May 2019	DSDMIP issued their Referral Agency Response – an approval with conditions.
Council Assessment Period	10 May 2019	Council issued a Further Advice letter requesting that the Applicant consider changing the proposed use from Relocatable Home Park to Retirement Facility given the supporting material and proposed operation was more aligned with that use. The letter also requested that the Applicant reduce the overall development yield to 166 sites in order more appropriately reflect the desired density and character for the area.
	20 May 2019	Applicant responds to Further Advice issued by Council. The Applicant confirmed that they would continue with the proposal as a Relocatable Home Park. The Applicant interpreted the requirements under the planning scheme for density to be an average density over a wider area than a maximum development density for an individual site. Subsequently, no amendments to the proposed development were made as a result of the Further Advice letter.
	25 June 2019	Council requested an extension to the Decision Making Period until 24 July 2019. Applicant confirms agreement on 25 June 2019.
	22 July 2019	Council requested a further extension of the Decision Making Period until 23 August 2019. Applicant agreed to extension on 22 July 2019.
	20 August 2019	The Applicant was advised on 20 August 2019 that the application was considered inconsistent with provisions of the Planning Scheme and did not sufficiently demonstrate overwhelming community and economic need. The Applicant requested that the application be withheld from the scheduled General Meeting in order to discuss the issues with Development Services staff.
	22 August 2019	A summary of the main reasons identified were emailed to the Applicant on 21 August 2019 with a further extension of the Decision Making Period until 21 October 2019 was issued in order to allow time for discussions to take place.
	11 September 2019	A meeting was held with the Applicant and Developer during which the Applicant addressed the identified concerns that Council had previously raised. The Applicant also proposed to provide further information, including a revised Economic Need Assessment, to support their application.
	18 October 2019	Applicant requested a further extension of the Decision Making Period until 6 December 2019 to prepare additional supporting information. Council agreed to the extension on 18 October 2019.

	24 October 2019	The Applicant provided additional information addressing the matters of concern raised by Council, including a revised Town Planning report and Economic Need Assessment.
	15 November 2019	A meeting was held with the Applicant and Developer to further discuss the additional information that had been provided on the 24 th of October. Council requested that the Applicant further clarify what made a Relocatable Home Park a unique development differing from a low to medium residential subdivision.
	22 November 2019	Received further information from Applicant.
	29 November 2019	By mutual request, a further extension until 28 February 2020 was agreed upon.
	1 December 2019	Applicant submitted a paper on Manufactured Home Estates.
	15 December 2019	The Applicant submits further comments regarding the suitability of the proposed development density.
	30 January 2020	Council and the Applicant conduct teleconference to discuss development interface with adjoining Rural Residential Zoned land.
	6 February 2020	Applicant responds to interface design concerns and proposes no change to density or design.

As detailed in the timeline above, extensive consultation and clarification has been sought with the Applicant and their representatives to ensure that the correct definition for the use has been applied to enable thorough assessment and consideration of the material provided in support of the development.

From the Applicant's responses to the Further Advice enquiries and for clarity, it should be noted that the Development Application will be assessed herein on the revised material and specified use of Relocatable Home Park.

Proposal:

Planning Scheme Definition and Operation Attributes

The Applicant seeks a Material Change of Use for a Relocatable Home Park. As part of the revised Town Planning Report, the Applicant further detailed that the Relocatable Home Park is available to all persons not simply the over 50 demographic. Consideration of the Manufactured Homes Act and its explanatory notes published by the Queensland Government shows the residential park industry is a unique residential product and is characterised by the following features:

- Well-located,
- Affordable,
- Well-regulated through park rules,
- Lifestyle orientated residential accommodation,
- Shared communal facilities, and
- Participation by home owners in the affairs of the park.

The Economic Need Assessment report states that there are a range of product attributes that are certainly unique and respond to specific residential needs for many people within the community. The unique product attributes (Relocatable Home Park) can be compared to both traditional residential product (standard residential subdivision) as well as retirement product (Retirement Facility). A comparison of attributes is provided below as per the Economic Report submitted by the applicant.

Table Two: Comparison of products (extract from Revised Economic Need Report)

	Regular Owner Occupied Residential	Retirement	Relocatable Home Park (i.e MHE)
Ownership	Ownership of house and land	Leasehold/licence to occupy of both house and land	Ownership of house and lease on land
Entry Price	Market Value	Typically 70-80% of median house price	Typically 70-80% of median house price
Average Size	3+ bedroom	<3 bedroom	<3 bedroom
Stamp Duty	Yes	No	No
Ongoing Costs	Rates and Body Corporate Fees	Service Charge	Site Fees
Eligibility for government rent assistance	No	No	Yes
Capital Gains	Yes	Not always - Dependent of operator's financial structure	Yes
Exit fee	No	Yes	No

As defined under the Planning Scheme, a Relocatable Home Park is described as:

Premises used for relocatable dwellings (whether they are permanently located or not) that provides long-term residential accommodation. The use may include a manager's residence and office, ancillary food and drink outlet, kiosk, amenity buildings and the provision of recreation facilities for the exclusive use of residents.

Based on the latest submission of common material provided, Council agrees that the development aligns with the Planning Scheme definition of Relocatable Home Park.

Operation under the Manufactured Homes Act

A manufactured home is a self-contained dwelling that is either built or packaged off-site and then transported to the estate for installation. This includes any associated structures that form part of the dwelling. It is noted that a manufactured home does not include a tent, caravan or any moveable dwelling capable of being registered under the Road and Transport Act. Permanent residents of Manufacturing Housing Estate (MHE) purchase and own the manufactured home and lease the dwelling site upon which the home is located. Residents pay a rental for the site which includes the site rental as well as the operation/management of the MHE and use of the community facilities, if any provided. The underlying land, utility connections, roads and common facilities such as swimming pool and clubhouse is retained by the land owner who operates as a manager or leases to a third party manager.

The Manufactured Homes Act outlines responsibilities for home and park owners. Home owners must use the site only for living, maintain the manufactured home in fit state, and comply with park rules. Park owners must ensure home owners can access the site, maintain common access to the site, maintain common facilities, have reasonable contact hours and comply with park rules.

Proposed Development

The proposal seeks to operate as a Relocatable Home Park under the Manufactured Home Act and offer a Lifestyle Village for independent living in a gated, secure facility that comprises:

- 190 detached dwellings in differing formats based on client demands;
- Community facilities centre;

- Community recreational facilities;
- RV parking; and
- Open Space.

The proposed community facilities include parking, electronic entry gates, tennis, bocce and lawn bowls facilities, men's shed, community centre, passive recreational space and landscaped buffers to adjoining land. The proposed community facilities are contained in a single location with boundary setback, vegetation buffers and building designs that will protect the amenity of existing and future residential land uses.

The single road access for the development site is via Bryant Street which is currently sealed with kerb and channelling installed. The looped internal road network proposes two-way traffic.

The Applicant has stated that the site will be landscaped to ensure visual external aesthetics, integration with the streetscape, and to provide internal amenity and shade.

Figures Nine and 10 illustrate the proposed development.



Nine: Proposed Site and Staging Plan

Figure

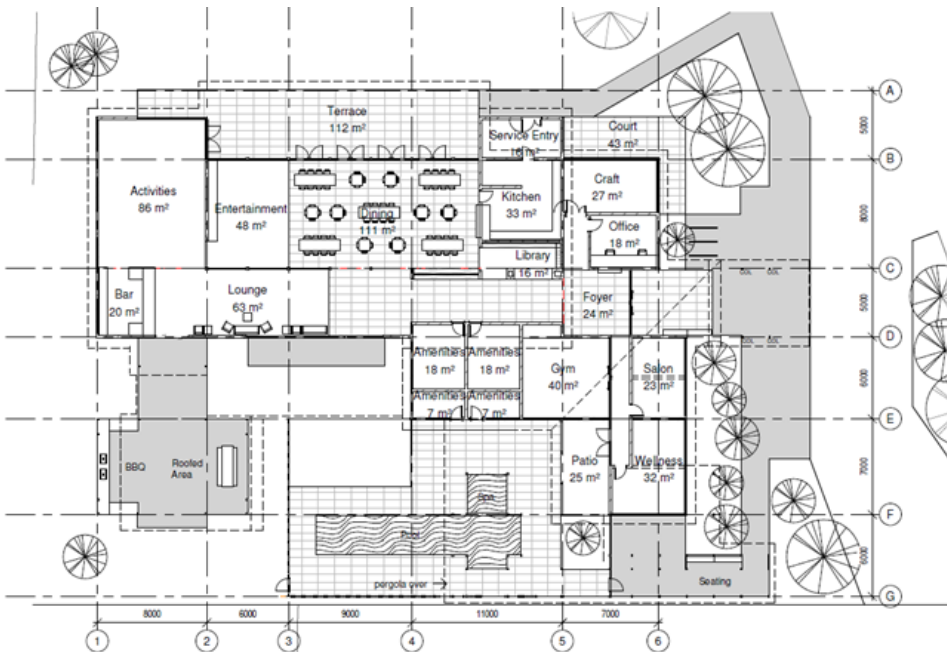


Figure 10: Proposed Community Centre

The development will be progressed in 16 stages. A further breakdown of the staging plan has been included below in table two:

Table Three: Staging Plan

Stage One A	<ul style="list-style-type: none"> • Connection from Bryant Street • Main entry road, internal road network, entry gate • All applicable services connected to the property • 12 x Type 1 dwellings • RV Parking, RV Wash Bay, Service and Community Parking • Maintenance Shed • Tennis Court and shelter hut • Lake - Western Stormwater Detention Basin • Boundary Landscaping
Stage One B	<ul style="list-style-type: none"> • Internal Road Network • Community Centre • Lawn Bowls, Bocce court, Men's Shed and Shelter hut • Boundary Landscaping
Stage Two	<ul style="list-style-type: none"> • Internal Road Network • 7 x Type 2 dwellings • 5 x Type 3 dwellings • Boundary Landscaping
Stage Three	<ul style="list-style-type: none"> • Internal Road Network • 6 x Type 1 dwellings • 5 x Type 2 dwellings • 2 x Type 4 dwellings
Stage Four	<ul style="list-style-type: none"> • Internal Road Network • 11 x Type 2 dwellings • Boundary Landscaping
Stage Five	<ul style="list-style-type: none"> • Internal Road Network • 12 x Type 1 dwellings
Stage Six	<ul style="list-style-type: none"> • Internal Road Network • 12 x Type 1 dwellings
Stage Seven	<ul style="list-style-type: none"> • Internal Road Network

	<ul style="list-style-type: none"> • 6 x Type 2 dwellings • 6 x Type 3 dwellings • Lake – Eastern Stormwater Detention Basin • Boundary Landscaping
Stage Eight	<ul style="list-style-type: none"> • Internal Road Network • 12 x Type 3 dwellings
Stage Nine	<ul style="list-style-type: none"> • Internal Road Network • 11 x Type 1 dwellings • 2 x Type 4 dwellings
Stage 10	<ul style="list-style-type: none"> • Internal Road Networks • 11 x Type 2 dwellings • Boundary Landscaping
Stage 11	<ul style="list-style-type: none"> • Internal Road Networks • 9 x Type 1 dwellings • 3 x Type 4 dwellings
Stage 12	<ul style="list-style-type: none"> • Internal Road Networks • 12 x Type 1 dwellings • 2 x Type 4 dwellings
Stage 13	<ul style="list-style-type: none"> • Internal Road Networks • 6 x Type 2 dwellings • 6 x Type 3 dwellings • Boundary Landscaping
Stage 14	<ul style="list-style-type: none"> • Internal Road Network • 6 x Type 2 dwellings • 2 x Type 3 dwellings • 2 x Type 4 dwellings • Boundary Landscaping
Stage 15	<ul style="list-style-type: none"> • Internal Road Network • 8 x Type 1 dwellings • 2 x Type 3 dwellings
Stage 16	<ul style="list-style-type: none"> • Internal Road Network • 2 x Type 1 dwellings • 10 x Type 2 dwellings • Park • Boundary Landscaping

The development will offer a variety of housing formats in a single storey configuration. All residential dwellings have internal private road access, facilities for parking and landscape buffers to external site boundaries. An example has been included below – Figure 11. It is noted that Type 4 has not been specified as part of the supporting material.



Figure 11: Proposed Unit Floor Plans

Adopted Infrastructure Charges Notice:

The Applicant has outlined that the site will be developed into a Relocatable Home Park. As per the Gladstone Regional Council Adopted Infrastructure Charges Resolution (No.1) – 2015 Version 2, the following breakdown is provided below:

Table Four: Adopted Infrastructure Charges Break Down

Existing Use	Proposed Use		
Planning Scheme Definition	Stage	Planning Scheme Definition	Amount
Vacant Lot	1	Relocatable Home Park - Stage 1A - 12 Dwellings - Stage 1B - Community Centre	\$311,423.20 Nil
	2	Relocatable Home Park - 12 Dwellings	\$339,734.40
	3	Relocatable Home Park – 13 Dwellings	\$368,045.60
	4	Relocatable Home Park - 11 Dwellings	\$311,423.20

	5	Relocatable Home Park - 12 Dwellings	\$339,734.40
	6	Relocatable Home Park - 12 Dwellings	\$339,734.40
	7	Relocatable Home Park - 12 Dwellings	\$339,734.40
	8	Relocatable Home Park - 12 Dwellings	\$339,734.40
	9	Relocatable Home Park - 13 Dwellings	\$368,045.60
	10	Relocatable Home Park - 11 Dwellings	\$311,423.20
	11	Relocatable Home Park - 12 Dwellings	\$339,734.40
	12	Relocatable Home Park - 14 Dwellings	\$396,356.80
	13	Relocatable Home Park - 12 Dwellings	\$339,734.40
	14	Relocatable Home Park - 10 Dwellings	\$283,112.00
	15	Relocatable Home Park - 10 Dwellings	\$283,112.00
	16	Relocatable Home Park - 12 Dwellings	\$339,734.40
	ALL	Relocatable Home Park - Community Centre - 190 Dwellings	\$5,350,816.80

As part of any Decision Notice, an Adopted Infrastructure Charges Notice (AIC) will be issued in accordance with the Act. As per the AIC, the proposed development charge will be \$5,350,816.80. The notice will be staged and payable upon completion of each stage.

It is noted that under the Infrastructure Charges Rebate Scheme, the proposed Relocatable Home Park is an excluded use. As such, the proposal is not an included use type able to apply for a reduced charge under this policy.

Referral:

The application was referred to the SARA as it effects a Wetland Protection Area and exceeds the referral trigger thresholds for residential development for state transport infrastructure. SARA issued an Information Request on 17 September 2018. The Applicant responded on 2 October 2018 stating that there were no wetlands of High Ecological Significance present on Lot 101 SP 176830. In support of this statement the Applicant provided a document prepared by Base Consulting Group.

On 17 May 2019, SARA approved the proposed development subject to conditions (1808-6987 SRA). The response stated that the reasons for the department's decision were that the development:

- is for a relocatable home residential facility;
- is a significant distance from any state-controlled roads;
- does not compromise the safety and efficiency of the state-controlled road network;
- can be conditioned to mitigate adverse impacts to the HES referable wetland with regard to:
 - a suitable buffer to the wetland
 - erosion and sediment control
 - stormwater quality entering the wetland
- complies with State code 6; and
- complies with State code 9 with conditions.

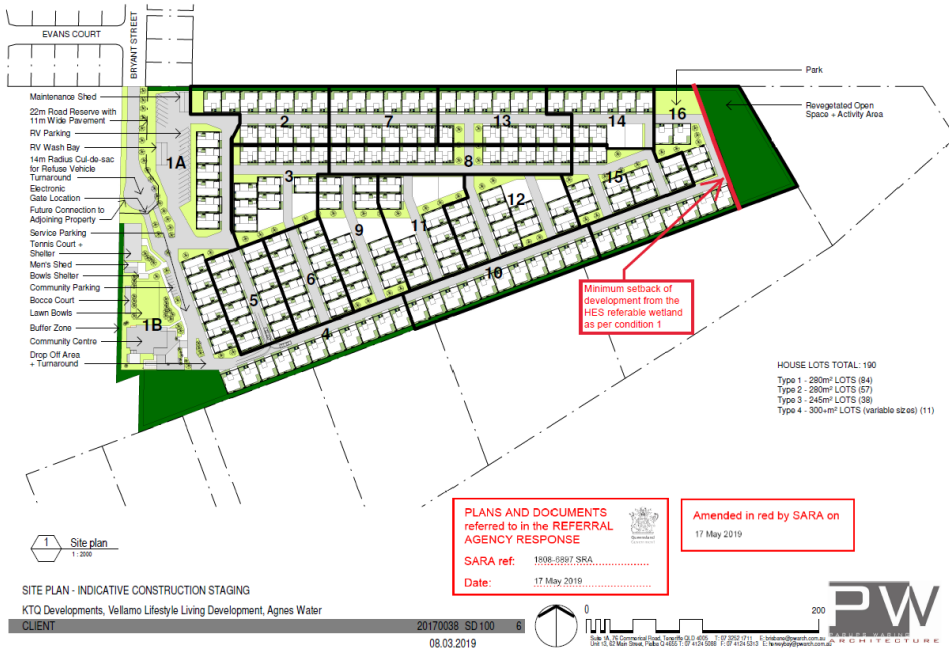


Figure 12: Approved SARA plan

Assessment:

Consideration of the proposed development will be undertaken within the requirements of the Act and assessed against the benchmarks within the 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

State Planning Policy

The SPP articulates the State Interests that have been identified as critical to protecting and enhancing Queensland and delivering developments. 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 Five: SPP Assessment

State Interest	Trigger	Assessment
Biodiversity	Water Quality	Complies – 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 . Benchmark (1) requires that development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values arising from altered stormwater quality and hydrology, wastewater, and the release and mobilisation of nutrients and sediments. The Development Design Code adequately addresses these issues and any approval would

		be required to comply with all relevant Acceptable and Performance Outcomes.
Natural Hazards, Risk and Resilience	Flood Hazard Area	<p>Complies – The proposal is located within the SPP mapping; however, the Planning Scheme does not include identified flood hazard areas for the Agnes Water region. As part of the revised Stormwater Management Plan, the modelling of the conceptual design data suggests that it is possible to mitigate any negative effect to the surrounding sites and convey the increased flows from the site in such a way that it will not negatively affect the existing stormwater infrastructure or downstream catchments. The Applicant has acknowledged that further investigation will be required in the Operational Works stage in order to assess the internal site drainage with finished surface levels and final road grading.</p> <p>Additionally, the site proposes to construct two (2) detention basins to ensure all stormwater is captured appropriately and does not create worsening on adjoining residential properties and mapped wetland. As a result, it is determined that the development has adequately demonstrated that there is no potential or increase of flood risk to the development, property or people.</p>
	Bushfire Prone Area	<p>Complies - With respect to bushfire risk, the site has been extensively cleared and therefore the on-site risk has been significantly lowered. It is noted that the subject lot adjoins a wide band of High or Very High Potential Bushfire Intensity that could result in a bushfire threat from beyond the eastern boundary. Therefore, whilst it is acknowledged that the site itself will have a much lower level of bushfire risk due to extensive clearing, the site may still be exposed to bushfire risk. Council have requested from the Applicant a Bushfire Management and Evacuation Plan to understand the onsite management. Subsequently, it is considered appropriate conditions applied will mitigate the risks to property and people to an acceptable level.</p>

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 provisions in order of hierarchy:

- Strategic Framework
- Acid Sulphate Soils Overlay Code;
- Biodiversity Overlay Code;
- Bushfire Hazard Overlay Code;

- Emerging Community Zone Code;
- Development Design Code; and
- Landscaping

Code.

Strategic Framework – 3.4 Community Living

Strategic Outcome 3.4.1 (1) requires that *new housing is located with ready access to employment and services, providing affordable living options in the region*. The proposed development is approximately 1km to the Agnes Water town centre, which provides small-scale localised employment options and some lower order services for residents and tourists. The proposal includes onsite community recreational and social interaction facilities for the exclusive use of the residents but does not provide any in-house medical or social support service facilities.

The Applicant has contended that the proposed development and corresponding population growth will trigger an increase to community services but is silent on how the proposed occupants will cope with any shortfall until this eventuates. It is assumed, therefore, that any occupants of the proposed development (regardless of age) would require access to private vehicles and the ability to travel to access support services, shopping or other employment opportunities. However, the proposed level of access to social, employment or commercial hubs is consistent with other residential development within the Agnes Water locality. In order to increase the accessibility of residents of the development to surrounding services, a condition has been recommended to construct a footpath along the eastern side of Bryant Street to link with the footpath network on Donohue Drive to integrate the development into the existing urban framework.

Strategic Outcome 3.4.1 (4) states that *residential development within the region occurs where it can be demonstrated that there is both overwhelming community and economic need*. The Emerging Community Zone Code requires that development for the purpose of new urban communities is undertaken only where there is overriding community and economic need and in accordance with a Plan of Development.

The first Economic Needs Assessment report (2018) assessed the economic need for retirement living accommodation at the subject site based on a defined catchment being the Gladstone Regional Council area, competing supply, and demand generated by existing and future demographic and location drivers. The Applicant was advised on 20 August 2019 that the proposal was unlikely to be supported as it was considered inconsistent with several provisions of the Planning Scheme and did not sufficiently demonstrate overwhelming Community and Economic Need. Furthermore, Council identified concerns within the submitted supporting material regarding the mix of terminology used in the report confusing retirement living with standard residential living for over 50s.

Council sought to obtain further information and clarification that would align the use with the correct definition; thus requiring the Applicant to reconsider the submitted material to support the development against the planning scheme requirements (i.e. the content of the Economic Need Assessment conflicted with the proposed use). This material was pertinent to assist Council in adequately assessing need of the proposal in the Emerging Community Zone in the Agnes Water location.

A revised Economic Need Assessment (the Revised Report) was submitted on 24 October 2019. Table Six outlines the major differences between the two reports.

Table Six: Comparison of 2018 and 2019 Economic Needs Assessment Reports

Aspect	Original Report (2018)	Revised Report (2019)
Target Demographic	Retirement accommodation for people aged 55+	<ul style="list-style-type: none"> Downsizing older couples (55+) Low Income Households* Single Parent Households* Single Person Households*
Existing Supply (Gladstone Region)	206 Retirement units	206 Retirement units 31 Relocatable Home Park dwellings
Forecast Supply in 2031 (excluding proposal)	589 retirement dwellings - includes 383 new retirement dwellings	980 units - includes 743 new retirement units
Forecast Demand in 2031	918 dwellings	730 relocatable home park and/or retirement dwellings - Under 50's: 80 units - Over 50's: 650 dwellings
Forecast Undersupply* (Net) in 2031 <i>*Assumes approved developments</i>	329 retirement dwellings	170 dwellings - Under 50's: 80 dwellings - Over 50's: 90 dwellings
Notes	*Quote from letter received on 22 November 2019: – “Less than 1-2% of MHRPA residents are below 50 years old in Queensland MHRPA developments. Market forces dictate younger demographics do not want to live in MHRPAs.”	

Since the revised report was submitted, Council has approved the following applications:

- Development Permit 39/2018 - Retirement Facility (Manufactured Housing Estate – 360 house sites) at Watermark Avenue, Agnes Water - was not included in their original forecast supply estimate as it was submitted after this proposal was lodged. This approval was included in the revised report forecast supply, and
- Development Permit 32/2019 – 100 Retirement Facility and 84 Residential Care Facility Units at Tannum Sands Road, Tannum Sands - was not included in the revised report as it was only approved in February 2020.

With reference to Agnes Water locality, there are only two Medical Service / Retirement Facility approvals within the area (i.e. not yet constructed). In addition to DA/39/2018 which is adjoining this subject site, there is an approved Preliminary Approval for a Hospital, Retirement Facility and Reconfiguring of Lot (1 into 2) at Lot 2 SP 117407, Agnes Water (Ref: DA/53/2017). This approval seeks to allow future construction of facilities such as, a Hospital, Health Care Services and Residential Care Facilities.

Subsequently, the Forecast Under Supply numbers for retirement dwellings would now be nil based on the numbers provided within the report (i.e. currently in surplus of 10 retirement units, not considering this Development Application). As detailed earlier, the Applicant has provided additional information stating the development is not only for specific retirement living but can cater for the wider residential market while maintaining a unique operating model (detailed in table two).

Furthermore, the Revised Report considers the following groups: Downsizing older couples (55+), Low Income Households, Single Parent Households, and Single Person Households, in its estimation of demand. In calculating the existing supply, the report only considered Relocatable Home Parks and Retirement Facilities. It did not consider other housing types that the groups above

may also source accommodation from such as units, duplexes, townhouses, detached houses (three bedrooms or less) on the basis that these options are not affordable to this market. This position aligns with the Applicant's statement regarding Relocatable Home Park's operation as an affordable housing option compared to traditional residential development making this proposal a unique residential product currently not catered for in the Agnes Water locality.

In addition, a key element in consideration of Community and Economic Need, is the location of this development within Agnes Water. Whilst the Economic Need Assessment has addressed the regional context, the existing provision of affordable housing options are located well outside of the Agnes Water locality (Gladstone and Tannum Sands Urban Centres). Furthermore, the attributes of the locality as a holiday coastal village promote the attraction to the majority market identified by the Applicant as early retiree, and as indicated by the success of this product type operating in other coastal regional areas. This product type facilitates a transitional downsizing step between standard residential subdivision and retirement facilities while also catering for an affordable housing shortfall in this location.

Strategic Element 3.4.2. – Housing Growth outlines *residential development in new neighbourhoods must achieve an average density of 15 dwellings per hectare net. This is to enable a range of housing forms (not just one housing type) and densities. It also contributes towards establishing well balanced and functional urban communities that support a range of household compositions and people from different backgrounds.* This was raised in the IR and Further Advice Notice for the Applicant to provide further justification as to why it should exceed the average density. As part of the response, the Applicant justified that this specifically relates to a minimum average residential density, not a maximum density.

Furthermore, the unique development type further supports the diversification of housing stock in the Agnes Water locality. The Applicant has proposed four (4) dwelling types within the development to provide a mix of household compositions. As such, the proposal is considered to generally comply.

Strategic Element 3.4.2 – Housing Mix stipulates that *diverse range of housing options also caters for award workers and low income households. This is partly achieved through the retention of existing affordable housing, including relocatable home parks and permanently occupied caravan parks.* Within the Gladstone Region, there are currently five (5) caravan parks which can accommodate permanent living (Calliope, Gladstone, Boyne Island and Tannum Sands). Additionally, there are State Government facilitated housing developments that contribute towards affordable and diverse housing options for the region (Tannum Sands and Gladstone). These existing developments provide the urban centres an option to retain diverse housing for low income households within the region.

Within Agnes Water, there is currently no identified Relocatable Home Park for permanent living or a Priority Development Area for affordable housing. The proposal seeks to transition future urban land to provide affordable residential housing in an urban centre that currently does not have a product such as this. As a result, the proposal will comply with the intent of Housing Mix by supporting the diversification of the housing market in the Urban Centre of Agnes Water.

Strategic Framework 3.5 – Connecting Our Places

Strategic Outcome 3.5.1 (1) states that *communities are well connected to each other. Neighbourhoods are linked to centres, employment and recreation areas by an integrated transport system across a mix of modes that meets a range of mobility needs and offers choice about how to move around the region.* The proposed development is approximately 1km from the Agnes Water town centre which can be accessed via the existing road network. Access via mixed transport modes for recreational and community services will be fundamental for the development to integrate within the region. The nearest bus stop is located in the Agnes Water township which is coordinated by a commercial operator (Grey Hound Bus). Additionally, Agnes Water has various footpath networks connecting residents to the beach and commercial/community services as shown in Figure 13. To further facilitate pedestrian connectivity, it is recommended that the Applicant construct a footpath

from the subject site connecting into the existing footpath network along Donohue Drive. This will provide additional options for residents to move around the urban centre while complying with Strategic Outcome (5) which highlights that *pedestrian and cycle networks are fundamental to the movement functions of neighbourhoods and centres throughout the region. They are essential components of new neighbourhoods, urban revitalisation neighbourhoods and other urban place types.*

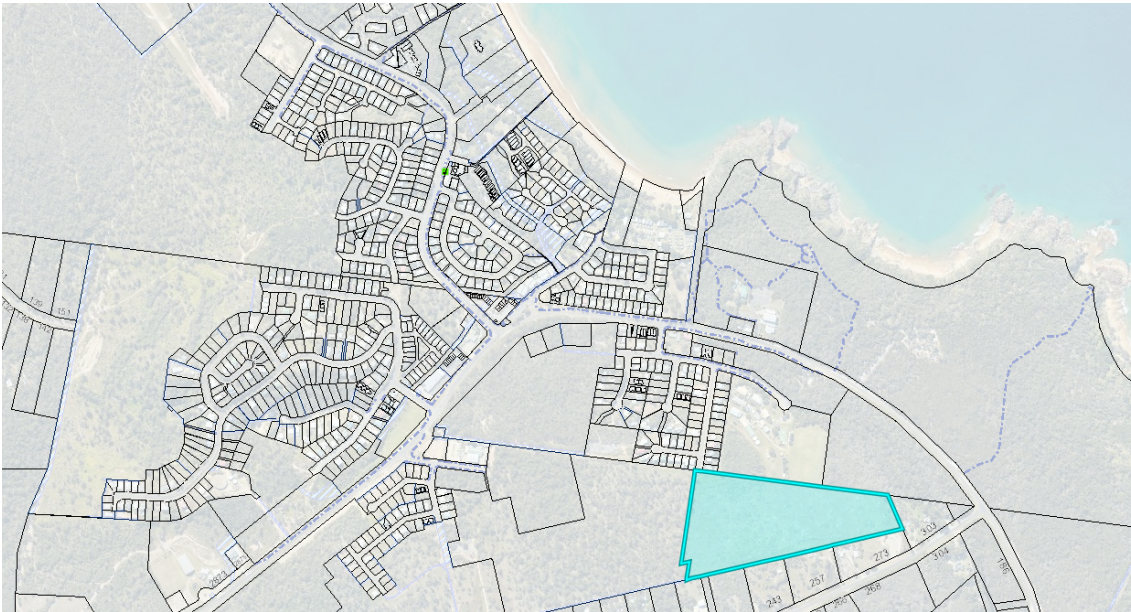


Figure 13:

Agnes Water existing Pedestrian Footpath Network

Strategic Framework 3.6 – Building it better

Strategic Outcome 3.6.1 (5) requires that *the design of the region's new neighbourhoods provide a range of housing choices, are characterised by walkability and have a neighbourhood structure with a central focus such as a park or shop.* The proposal has included a community centre which is for the exclusive use of residents. The scale and operation of the community centre is unlikely to compete with existing commercial premises based on the limited proposed footprint and restrictions on access to the general public to these facilities.

As highlighted, the proposal will be required to construct a connecting pedestrian footpath as part of Stage 1, promoting walkability to the town centre and existing services. Therefore, the proposal generally complies with Strategic Outcome (5).

Strategic Outcome 3.6.1 (8) requires that *infrastructure planning and investment is organised to support development in an efficient and timely manner.* The site is partly within the Priority Infrastructure Area (PIA). Council's preliminary modelling suggests there is adequate capacity within the network, however, further analysis is required in relation to availability. The Local Government Infrastructure Plan (LGIP) has not identified any upgrade to water provision in this area based on existing and approved developments. Therefore, any upgrades would be out-of-sequence with Council's current capital expenditure program and would be at the Applicant's expense.

Furthermore, the Applicant will be required to construct approximately 800 metres of gravity fed sewer infrastructure to appropriately connect the subject site. The connection and construction from Manhole 217072 or 217073, along the northern verge of Bicentennial Drive and north through Lot 28 RP858105 to the property boundary has been determined as the most suitable way to service the subject site.



Figure 14: Proposed gravity fed sewer connection (yellow line - to be constructed)

Strategic Element 3.6.2 - Building it better: New neighbourhoods states that residential development in new neighbourhoods provides for a minimum average of 15 dwellings per hectare net which is a moderately increased number of dwellings per hectare of land compared to existing conventional suburban development in the region. The Applicant has proposed a higher density than typically considered with approximately 17 dwellings per hectare. Within the Applicant's response to the Information Request and Further Advice notices, it was advised that the proposed development will appropriately integrate with the surrounding approved development density. Moreover, the subject site is located at the end of Bryant Street which has no further connections provided. Existing development (residential and a school) located on similar contours will further assist in reducing the perceived visual impacts from Donohue Drive, Springs Road and Agnes Water township. To assist in reducing the visual bulk from Bicentennial Drive given the topography, additional landscape buffers, solid boundary fencing and single storey, varying architecturally designed buildings will be required.

In addition to density, the Strategic Element seeks a diverse range of low–medium residential detached and attached housing types in new neighbourhoods. This is consistent with the character of the low–medium density residential zone elsewhere in the region. These housing types include dwelling houses on narrow lots, dual occupancy and some townhouse style multiple dwellings. Residential buildings in these areas must complement neighbourhood character, present to the street and include design elements that reduce building bulk, minimise overshadowing and create pleasant living environments.

In response, the proposed development will contribute to the expansion of the settlement pattern through efficient use of land and infrastructure in Agnes Water specifically. The unique residential product type will facilitate a transitional downsizing step between standard residential subdivision and retirement facilities while also catering for an affordable housing shortfall in this location. This is further supported as the development will provide for a range of housing types while avoiding large tracts of one (1) housing type. As the submitted building types are preliminary, a condition has been included for the Applicant to provide additional details regarding architectural features, roof lines and ensuring the single storey dwellings do not exceed 4.5 metres in overall height.

Strategic Framework 3.7 – Our Environment and Heritage

Strategic Outcome 3.7.1 (5) requires that the environmental values and quality of the region's waters, waterways and the Great Barrier Reef World Heritage values are protected.

The Applicant cleared vegetation within the area mapped as MSES – High Ecological Significant Wetlands prior to submitting this application. The Applicant stated that this clearing occurred under an existing approval (Ref: DA/41943/2007). However, examination of the permit indicated that the vegetation clearing occurred outside of the area previously approved.

On 19 February 2019, the Department of Environment and Science (DES) advised the Applicant that the wetland mapping amendment application in relation to the subject site was certified. The DES updated map has acknowledged that the wetland was mapped incorrectly and has since been amended as per Figure 15.

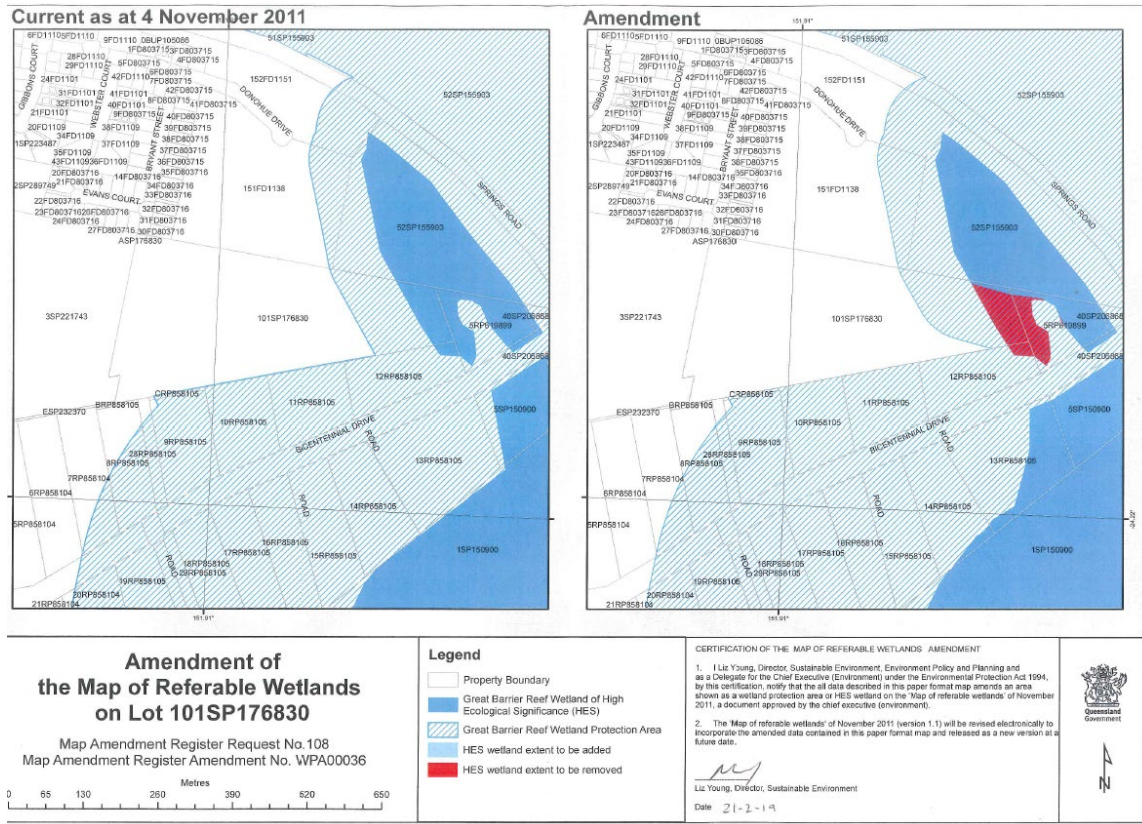


Figure 15: Amended Wetland Mapping

Subsequently, SARA approved the proposed development subject to conditions requiring a minimum setback from the adjoining HES referable wetland and treatment of stormwater to avoid the release of sediment into the HES referable wetland. Conditions have been imposed requiring the Applicant to submit detailed designs as part of subsequent Operational Works applications to ensure ongoing management of stormwater through development cycle is appropriately conducted.

Acid Sulphate Soils Overlay Code

Approximately 20,000m² of the subject site is affected by Acid Sulphate Soils 5-20m AHD (approx. 18% of the entire site). Performance Outcome 1 (PO1) requires that *development avoids disturbing acid sulphate soils or is managed to prevent the mobilisation and release of acid and metal contaminants*. Given that the contours within the affected area are between 17m and 20m AHD, it is unlikely that any future Operational Works application for earthworks would trigger assessment against the Acid Sulfate Soils overlay Code.

Biodiversity Overlay Code

Since 2016, the Applicant has cleared the majority of the site as illustrated by Figure 16. With the exception of the area mapped as MSES – High Ecological Significance Wetlands, the vegetation clearing is considered to be lawful due to an exemption under the *Vegetation Management Act 1999* for clearing for an urban purpose.



Figure 16: Biodiversity Overlay Mapping and aerial image of clearing

In response to Council and SARA's Information Requests, the Applicant commissioned Base Consulting Group to undertake an ecological investigation of matters of State Environmental Significance mapped on the property. The assessment concluded that wetlands of High Ecological Significance were not present on the property. Given that the site was cleared of all vegetation prior to the Application's lodgement on 16 August 2018, the mapping in regard to MSES – Wildlife Habitat and MSES – Regulated Vegetation is no longer considered up to date.

Subsequently, review of the proposal has been constrained to benchmarks relating to wetlands and wetland buffers, wetland hydrology and stormwater management and ecological values.

Performance Outcome 5 states that *alterations to natural landforms, hydrology and drainage patterns do not adversely impact on areas containing MSES*. Also, Acceptable Outcome 21 outlines *development does not result in any measurable change to the quantity or quality of stormwater entering a wetland in a wetland protection area during construction and operation*. In conjunction with SARA's approval, it is recommended that the Applicant implement Best Practice designs for erosion and sediment control, and stormwater discharge into the eastern detention basin (adjoining the mapped wetland) as part of the relevant Operational Works application. This will ensure no adverse impacts on the adjoining wetland.

Bushfire Hazard Overlay Code

The subject lot is affected by the Bushfire Hazard Overlay (Potential Impact Buffer, Medium and High Potential Bushfire Intensity). Notwithstanding the existing mapping, as the subject site has been extensively cleared, it is likely that the subject site would now be more appropriately mapped as Potential Impact Buffer only.

Performance Outcome 1 (PO1) requires that *development maintains the safety of people and property by not exposing them to an unacceptable risk from bushfire*. The subject lot adjoins vegetated lots that form part of a large band of vegetated land including Workman's Beach, Springs Beach Recreation Reserve, and Reedy Creek Nature Refuge. Therefore, whilst it is acknowledged that the site itself will have a much lower level of bushfire risk due to extensive clearing, the site may still be exposed to external bushfire risk. Council have requested from the Applicant a Bushfire Management and Evacuation Plan to understand the onsite management in the event of an emergency.

In response, the Applicant advised that Council could condition such a report as part of the Development Application. As such, it is recommended that the Applicant submit a Bushfire Management and Evacuation Plan prior to the first Operational Works application.

With reference to onsite water pressure, it is recommended as part of the first Operational Works application (when calculating Council's water network capacity) that the Applicant ensure any connection to the subject site maintains a sufficient pressure as per minimum standards. A condition has been included to this effect to demonstrate compliance against Acceptable Outcome 3.

As Acceptable Outcome 4.2 states, *the location of water supplies is readily identifiable from the street frontage with clear signage directing firefighters to its access point*. As part of Operational Works, the Applicant will be required to install any relevant signage and fittings for fire fighting purposes. This recommended condition will ensure compliance with Acceptable Outcome 4.2.

Emerging Community Zone Code

Acceptable Outcome 4.1 requires that *residential density is limited to one dwelling house per allotment (including one secondary dwelling)*. The proposed development will operate under the Manufactured Homes Act, which does not require subdivision (residential lots or strata tilting). Therefore, the proposal would result in 190 dwelling houses located on one allotment. Notwithstanding this, the Applicant has proposed single storey detached dwelling houses with a setback from the site boundaries of 4m. As such, the proposal will be assessed against the corresponding Performance Outcome.

Performance Outcome 4 outlines that *development reflects the low density character of the area*. As previously mentioned, the Applicant has proposed a higher density than typically considered (17 dwellings per hectare) in low density areas which seeks on average 15 dwellings per hectare. Within the Applicant's response to the Information Request and Further Advice notices, it was reiterated that the proposed development will appropriately integrate with the surrounding approved development of the adjoining residential estate and Retirement Facility (illustrated in Figures Five to Eight).

The approved adjoining Retirement Facility located to the west (Figure Eight), in its efforts to reduce any perceived bulk from the southern boundary (Rural Residential properties), maintained the rear boundary setback at a minimum of 5m with the inclusion of landscaping and a screening fence, with the average site size 300m² and more. This was a method of mitigating impacts of the visual building bulk. It is considered the same considerations apply for this development site.

This proposed development has included a rear setback of 4m while incorporating landscaping, a screen fence with an average lot size of 280m². Within the Public Notification period, several submitters raised concerns regarding the interface between Rural Residential properties and the subject site resulting in perceived amenity impacts. Council requested further evidence on how the proposed development sought to reduce perceived visual impact on the adjoining rural residential lots. The Applicant responded stating the existing dwellings on the adjoining Rural Residential sites are located away from the road frontage and towards the higher parts of the land; the proposed development advocates a setback of approximately 1.5 metres to the individual house site, in addition the plan provides for a 4 metre landscape buffer strip along the southern site boundary. This response did not adequately satisfy the improved interface result desired and as such an appropriate condition has been prepared to satisfy this requirement.

A condition has been recommended that the site plan be amended to increase the southern boundary (rear) landscaping setback to a minimum of 5m (consistent with adjoining development approval) and have all sites that directly adjoin the Rural Residential Zone be a minimum of 300m² in size. This amendment to the site plan will further mitigate the perceived density and amenity impacts from adjoining lots by being more sensitive to the interface between the development and the existing low density character of the adjoining rural residential lots and their existing amenity; thus generally complying with Performance Outcome 4.

Performance Outcome 7 seeks that development responds sensitively to on-site and surrounding topography, drainage patterns, utility services, access, vegetation and adjoining land use. As part of subsequent applications, the Applicant will be required to submit detailed technical reports to

demonstrate integration and ensure non-worsening of overland flow on surrounding low-lying properties.

Performance 8 stipulates that development maintains a high level of amenity within the site and minimises impacts on surrounding areas. The proposal retains the intended residential nature of the area by proposing a residential use that reflects a similar amenity and density of adjoining developments whilst mitigating conditions address the interface between the subject site and the adjoining Rural Residential landholders.

Development Design Code

Acceptable Outcomes 1.1 – 3.2 require the development to provide services such as water, sewer, electricity and telecommunication connections. The submitted Engineering Services report has outlined the potential connections; however, it was identified that the capacity of Council's water and sewer infrastructure would need to be modelled to determine the demand from the proposed development. Due to the detailed data required from both parties (Council and Applicant), it is recommended to include conditions requiring the data as part of the Operational Works application.

Meanwhile, Acceptable Outcomes 4.1 and 4.2 require the development to ensure the appropriate firefighting infrastructure is located within the property and is maintained by the Applicant/Owner. As the capacity of the water connection for the development is currently under review, it is unknown what additional requirements will be needed to ensure the development has adequate water pressure for firefighting services. As such, it is requested that the Applicant provide detailed plans, certified by a suitably qualified Registered Professional Engineer of Queensland that is experienced in that type of work, that states the site meets the minimum requirements under the relevant legislation for fire services (hydrants, onsite water storage, water pressure, water fittings, etc.).

The Applicant submitted a Stormwater Management Plan to demonstrate that the development is in accordance with the requirements of the Engineering Design Planning Scheme Policy (as per Acceptable Outcomes 5.2 and 6). The proposed stormwater treatment system is considered acceptable. A condition has been recommended that all future works are generally in accordance with the Site Based Stormwater Management Plan.

To ensure the development complies with the minimum requirements for onsite earthworks, a condition has been recommended for the Applicant to lodge an Operational Works application for earthworks. As part of this application, the Applicant will be required to provide detailed cut/fill plans that demonstrate compliance with the Planning Scheme. This requirement will satisfy Acceptable Outcome 8.1 to 8.3 of the Development Design Code.

The Applicant has proposed road access to the development via Bryant Street. The following provision for parking has been proposed:

- Each Dwelling House will be provided with single or double garages with an equivalent number of uncovered visitor space(s) provided in front of each garage.
- 16 RV Parking Spaces; and
- 8 car parking spaces associated with the community centre.

This is compliant with the Parking Rates Planning Scheme Policy; however, a condition has been included to reflect the minimum number of car parking spaces that should be constructed at various stages throughout the development.

Acceptable Outcome 12 (AO12) requires that *manoeuvring, loading and unloading areas, and parking areas (car and bicycle) are (a) designed and constructed in accordance with the Engineering Design Planning Scheme Policy; (b) imperviously sealed using concrete or asphalt bitumen; (c) in accordance with AS2890 as amended, and (d) certified by a Registered Professional Engineer of Queensland.* The Applicant has not demonstrated how design vehicles are able to access,

manoeuvre and egress the site in a forward gear, nor has compliance with AS2890.1 been demonstrated. As such, a condition has been recommended that the Applicant must demonstrate that adequate access can be achieved as part of the first Operational Works application.

In regard to the surrounding uses (residential and community), there is an existing footpath along Donohue Drive. As per Acceptable Outcome 13, a footpath should be provided in accordance with the Engineering Design Planning Scheme Policy and connect to the existing footpath network. Due to the nature of the development, a condition has been recommended to construct a footpath as part of the first Operational Works application.

The Applicant has not provided sufficient information regarding waste collection for individual dwellings and the community facilities for the development. When information was requested regarding onsite management, it was advised that this component could be included as a condition. As such, to demonstrate compliance with Acceptable Outcomes 21 and 22.2, several conditions have been recommended as part of the first Operational Works application to submit more matter. This will allow Council the opportunity to review the onsite waste management and endorse a suitable design.

Acceptable Outcome 31 requires that *external road works are provided in accordance with the requirements of the Engineering Design Planning Scheme Policy*. During the Public Notification Period, several submissions raised safety concerns regarding increased traffic generated by the development and/or the transport of relocatable homes oversized vehicles through the town centre, school zone and/or potential danger to students walking home. The Applicant commissioned an Engineering Services Report which stated that the development would generate approximately 95 vehicles per hour. It also stated that all internal roads would be designed and constructed in accordance with Gladstone Regional Council Standards and that detailed design would be provided with subsequent applications. Bryant Street is classified as an Urban Residential Collector within Council's Road Hierarchy Policy and as such, will be able to accommodate the increase in vehicular traffic generated by the proposed development.

In response, the Applicant will be required to construct an extension to Bryant Street road as part of the first Operational Works and dedicate the infrastructure as road reserve. The road design will be lodged, assessed and determined compliant through the Operational Works application. As a result of this requirement, the proposal is considered to generally comply with Acceptable Outcome 31.

Landscaping Code

To ensure the development's proposed landscaping complements the built form, topography and utilises suitable plant species, a condition has been recommended for the Applicant to submit a Landscape Plan as part of Operational Works.

Public Notification and Submissions:

Public Notification was triggered as the application is categorised as Impact Assessable; prescribed by the Act. The Public Notification period occurred between 6 November 2018 to 27 November 2018. During the Public Notification period, 19 Properly Made Submissions and two (2) Not Properly Made Submissions were received (attached). Of these submissions, 16 were in objection and five were considered neutral (i.e. did not support or oppose the proposal but raised issues or concerns). A further breakdown of the submissions has been included below.

Table Seven: Response to Submissions

Submission	Officer's Response
Density	
The current zoning is for low density residential, which this development is not. It is very high density with very little green	The subject site is located within the Emerging Community Zone under the Planning Scheme which seeks to facilitate

<p>spaces. This does not fit in with the surrounding area.</p>	<p>land for future urban development that is managed in a timely conversion. Further to the Zone Code, the Strategic Framework provides further guidance on housing stock, density and ultimately the transition of the land for urban purposes. The proposed development has demonstrated compliance with the Zone Code and Strategic Framework by providing urban development in the Agnes Water Urban Centre which currently has a short fall of housing mix with a density that is consistent with adjoining approvals.</p>
<p>Future low-medium residential developments state a minimum 300m² block. This development proposes a significant amount of blocks of less than 300m².</p>	<p>land for future urban development that is managed in a timely conversion. Further to the Zone Code, the Strategic Framework provides further guidance on housing stock, density and ultimately the transition of the land for urban purposes. The proposed development has demonstrated compliance with the Zone Code and Strategic Framework by providing urban development in the Agnes Water Urban Centre which currently has a short fall of housing mix with a density that is consistent with adjoining approvals.</p>
<p>Section 3.8 of the planning scheme talks about rural and coastal townships which state strategic outcomes which include retaining the individual character and unique identity of the township.</p>	<p>In accordance with Schedule 2 of the Planning Scheme, Agnes Water is considered an Urban Centre, not a Coastal or Rural Township. As such, the specific benchmarks outlined in Section 3.8.1 are not relevant. Regardless of this point, the Relocatable Home Park will construct and reflect detached dwellings. Furthermore, a condition has been recommended for the Applicant to submit a suite of building plans to illustrate varying roof lines, colours and textures to maintain the coastal design and reduce visual building bulk of the development from adjoining land.</p>
<p>Where creating new neighbourhoods, the GRC Planning Scheme states a number of overall outcomes which are not supported and in fact are in total contrast to what this development proposal would achieve.</p>	<p>As per the Planning Scheme, the proposed development has demonstrated that it contributes to a logical expansion of the settlement pattern through the efficient use of land and infrastructure, facilitates integration with existing and future urban development and provides a range of housing types and a variety of formats in the Agnes Water Urban Centre, satisfying an appropriate housing mix. As such, the proposed development is considered generally compliant with the Planning Scheme.</p>
<p>Predicted Population</p>	
<p>Predicted population growth (Table SC 3.1.1) do not support this development which may potentially increase the population growth by up to 400 persons, almost one half of the predicted population growth you estimate by 2031.</p>	<p>The proposed development will be constructed over 16 stages. This will allow the development to align with the expected need and associated population growth for the Agnes Water area over time.</p>
<p>Amenity</p>	
<p>This development will affect the amenity of the existing residents and to the detriment of whole town.</p>	<p>As per the Planning Scheme, the subject site has been identified as a location for future urban expansion to accommodate population growth. The development has demonstrated that the use type will facilitate a complementary housing mix within the Agnes Water Urban Centre. The proposed setbacks, landscaping and general siting of</p>

	the development in addition to recommended conditions will assist to ensure the development integrates with the emerging residential form.
Current fencing infrastructure needs to be considered in the building approval, replacing existing four-foot fence with appropriate six to eight foot safety fence along the adjoining boundaries. The developer should be required to enter into an agreement regarding the type and design of the fencing.	As per a recommended condition, the Applicant will be required to construct a solid boundary fence to all property boundaries.
Development requires more buffer zones along all rural residential neighbours.	The proposed development will be required to amend the existing site plan to comply with recommended conditions stating an increased landscaped buffer and larger plot sizes on the houses directly adjoining the existing Rural Residential lots. Complementary to these recommended amendments, the landscaping plan and proposed fencing will further reduce visual, noise and sound impacts.
Winds come from south east most the year – may effect proposed residents given the nature and operation of adjoining rural residential blocks.	
Ongoing noise, dust, and vibration will occur as a result of an intensive housing development.	
Open Space	
The lack of green space within this proposal.	The proposed green space associated with the development is located within private property (i.e. not a traditional residential subdivision). The proposed landscaping is to support the residents needs while achieving suitable buffers from adjoining land to reduce any adverse bulk built form. A condition has been included for the Applicant to increase the landscaping buffer on the southern boundary (rear) directly abutting the Rural Residential lots.
Development Type	
Whilst the proposal states that the “target” market would be retired people, it would need to be mandated by the Development Body Corporation that this facility would only be available to over 55 years. There would need to be a caveat on this. This would address the majority of the social issues, such as unemployment, crime and drug related issues which are generally prevalent in this type of development.	The proposed developed is aligned with a Relocatable Home Park definition under Schedule 1 of the Planning Scheme. This use type allows for the development to target all users, not only persons over the age of 55. This development will provide the Agnes Water Urban Centre with a unique residential product that will facilitate a current under supply in the area. Furthermore, the Applicant has provided additional information pertaining to existing Relocatable Home Parks in Queensland and how they are operated. This development type is supported by the provisions of the Manufactured Homes Act which sets the framework to regulate and promote fair trading practices in the operation of the park.
Infrastructure	
Can the sewerage system cope with the extra persons in this park, not to mention	As part of the Development Application for Operational Works, the Applicant is required to submit for approval a Sewer Master Plan

future development within the Agnes Water township?	for the entire development. This technical report will provide additional information regarding the appropriate sizing and location of the future gravity fed sewer main. Any upgrades as a result of the development will be required to be delivered at their expense.
The proposal is to put a large number of senior citizens in an area that has no footpaths, no pedestrian crossing, is on large hilled area to access from shops and other facilities.	As part of Development Application for Operational Works, the Applicant is required to construct a pedestrian footpath connecting into the existing network along Donohue Drive.
Consider the impacts this will have on the limited parking spaces that the community has to access supermarkets and shopping generally.	Car parking external to the subject site is outside the Planning Scheme assessment benchmarks for this Development Application. The subject development provides onsite parking as per the Planning Scheme requirements for the associated users.
Construction	
As there is only one entrance via Bryant Street, Council need to consider the fact that any relocatable will be transported through the centre of town and past the area where children are walking to school.	As part of the subsequent Development Application for Operational Works, the Applicant will be required to submit for approval a Construction Management Plan. This plan will detail proposed traffic movements (frequency and routes), expected duration for each relevant stage and recommendations to reduce any adverse impacts during the construction phases. As there are no other direct access routes, any alternative routes will be considered as part of the lodged Construction Management Plan subject to consent (if required).
Construction will result in a number of semi-trailers entering the town and these suburban streets disturbing the amenity of the residents in these streets and surrounds and risking children's safety.	
It would be a far better deal if the property could be accessed via Bicentennial Drive and particularly during construction	
Access to Services	
The park is to contain 190 units presumably with at least 2 occupants per unit. This will be a 20% increase in the town's population. If 2 persons are not in each unit it will come down to between 10% and 20%. This town does not have the necessary medical and other services that it requires now. We are behind similar towns who have a population less than Agnes Water i.e., Childers and Gin Gin. Our town is situated an 11/2hours from the next biggest centre where a hospital is, both north and south and still no sign of a shorter route being developed in the near future.	There is an existing approval (DA/53/2017) for a Hospital, Retirement Facility and Reconfiguring of Lot (1 into 2) at Lot 2 SP 117407, Agnes Water. This approval seeks to allow future construction of facilities such as, a Hospital, Health Care Services and Residential Care Facilities. Those future services would offer additional medical facilities for the Agnes Water and Seventeen Seventy area. The provision of services comes with the increase in demand and Council's role is to support the growth in line with the provisions of the planning scheme. The current assessment for public transport may change with the increased demand directly relating to proposed developments.
The developers are planning a low cost residential option in a town that has no public transport. What transport is available is a distance from the town and is a high cost to access unless there is a kind neighbour or friend available to assist.	
There is limited infrastructure and employment opportunities to support a	
	The Planning Scheme's structure plan for Agnes Water has included appropriate

<p>development of this size. The town of Agnes Water is already majorly impacted by lack of employment opportunities.</p>	<p>zoning for commercial, industrial and community development to occur. To date, approvals which may provide further employment diversification for the Urban Centre remain current awaiting construction. With the increase of permanent residents in the Agnes Water Urban Centre, this may assist in future investment. Notwithstanding this, employment opportunities may arise from the construction and/or ongoing maintenance of this development.</p>
<p>Road Network</p>	
<p>Road infrastructure is not in place to accommodate the expected 95 additional vehicles per hour that this development would be expected to bring to Bryant Street and its residents, not to mention the impact this traffic would have on a steep hill leading into an already congested school zone.</p>	<p>Bryant Street is classified as an Urban Residential Collector within Council's Road Hierarchy Policy and as such, has been designed to be able to accommodate the increase in vehicular traffic generated by the proposed development.</p>
<p>Impact of increased traffic upon safe student movement. Due consideration to student safety must be planned for with the significant increase of traffic during peak movement periods. The planned increase is almost 5 times current peak traffic movement, including a significant increase in heavy vehicles and vehicles towing caravans and trailers. This must include consideration of adequate, signed and where possible supervised or traffic controlled crossings at the corner of Donohue and Bryant Street, Donohue and Tate Street and Tate and Springs Road.</p>	<p>The Applicant will be required to construct an extension to Bryant Street road as part of the first Operational Works and dedicate the infrastructure as road reserve. The road design will be lodged, assessed and determined compliant through the Operational Works application.</p> <p>Furthermore, as per a recommended condition, the Applicant will be required to submit for approval a Construction Management Plan to ensure traffic conflict during the staged construction is appropriately mitigated.</p>
<p>Bryant Street should not be the entrance and exit point for the entire development. It is absurd that this developer has proposed this for over 190 houses. Bryant street is not suitable for the increased traffic in peak time of 95 vehicles per hour as per the engineer's report.</p>	
<p>If this park is to go ahead its entrance should not be Bryant Street, it should be Bicentennial Drive or Tavern Road that leads on to Round Hill as these roads are better equipped to take the additional 95 vehicles per hour in peak time and will not cause a danger to our school children.</p>	
<p>Overland Flow</p>	
<p>It will place a major impact on storm water and other amenities, it clearly does not embrace and augment the natural environment.</p>	<p>As part of the subsequent Operational Works applications, the Applicant is required to construct the relevant stormwater infrastructure within the applicable stages to achieve compliance with the Engineering Policy of the Planning Scheme.</p>
<p>Emergency Standards</p>	

Are these relocatable homes going to cyclone ratings as is the rest of the town.	As part of the subsequent Development Application for Building Works, the proposed Dwelling Houses will be required to meet the relevant building standards of the area.
For safety, fire management and infrastructure protection, and to eliminate any impacts or issues on existing surrounding vegetated rural residential lifestyle lots, all areas & lots within the development that directly adjoin surrounding rural residential lots need a buffer /clear zone. This buffer or clear zone could be grassed open areas for example to eliminate all risk associated with fires, wildfire, treefalls etc.	As per a recommended condition, the Applicant will be required to submit, for approval, a Bushfire Hazard Assessment and Evacuation Plan which will outline the ongoing operation and procedures to ensure the site has adequate measures in the case of an emergency.
Vegetation Clearing	
We have great concerns around the huge tree clearing operation that has already been undertaken on this proposed site and that the proper notifications been undertaken to allow such clearing of a huge stand of native trees.	On 19 February 2019, the Department of Environment and Science (DES) advised the Applicant that the wetland mapping amendment application in relation to the subject site was certified. The DES updated map has acknowledged that the wetland was mapped incorrectly and has since been amended. Therefore, the clearing has been addressed as part of the referral process.
Development has no allowance for native wildlife movement/corridors from surrounding mapped remnant vegetation and mapped HES/GES wetlands & protected areas.	As per the Department of State Development, Manufacturing, Infrastructure and Planning, the Concurrence Agency has specified the minimum setbacks to adjoining wetlands to ensure the existing corridors are maintained and the potential overland flow impacts are reduced.

The Observer also published an article regarding the proposed development on 15 November 2018 titled "Agnes Lifestyle Village Lodged – Plans for 190 homes plus central country club".

Summary:

The proposed development will result in a unique residential product occurring in the Emerging Community Zone which will accommodate a short fall for early retirement and affordable housing, specifically in the Agnes Water Urban Centre. Concerns raised by the submitters regarding residential density and amenity impacts have been addressed with recommended conditions. As such, the proposed development is considered to comply with the Planning Scheme.

Officer's Recommendation:

That Development Application 26/2018 for a Material Change of Use for a Relocatable Home Park on land at Lot 101 Bryant Street, Agnes Water, be recommended for approval. The approval is supported by a Notice of Reasons as follows:

Notice of Reasons:

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

Description of the development:

The approved development is for Material Change of Use for a Relocatable Home Park.

Assessment Benchmarks:

Benchmarks applying to the development:	Benchmark reference:
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> • State Interest – Liveable Communities • State Interest – Water Quality • State Interest - Natural Hazards, Risk and Resilience
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> • Strategic Framework • Acid Sulphate Soils Overlay Code • Biodiversity Overlay Code • Bushfire Hazard Overlay Code • Emerging Communities Zone Code • Development Design Code • 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 Rules; and
2. Conditions have been recommended to mitigate inconsistencies with the relevant benchmarks of the *State Planning Policy July 2017* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.

Reasons for Approval despite any Non-compliance with certain Benchmarks:

Benchmarks applying to the development	Reasons for the approval despite non-compliance with benchmark
Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (1)	Compliance with Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (1) via a condition
Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (4)	Generally compliant with Strategic Framework – 3.4 Community Living – Strategic Outcome 3.4.1 (4)
Strategic Framework – 3.4 Community Living – Strategic Element 3.4.2. – Housing Growth	Compliance with Strategic Framework – 3.4 Community Living – Strategic Element 3.4.2. – Housing Growth via conditions
Strategic Framework – 3.4 Community Living – Strategic Element 3.4.2 – Housing Mix	Generally compliant with Strategic Framework – 3.4 Community Living – Strategic Element 3.4.2 – Housing Mix
Strategic Framework – 3.5 Connecting Our Places – Strategic Outcome 3.5.1 (1) and (5)	Compliance with Strategic Framework – 3.5 Connecting Our Places – Strategic Outcome 3.5.1 (1) and (5) via a condition
Strategic Framework – 3.6 Building it Better – Strategic Outcome 3.6.1 (5)	Compliance with Strategic Framework – 3.6 Building it Better – Strategic Outcome 3.6.1 (5) via a condition
Strategic Framework – 3.6 Building it Better – Strategic Outcome 3.6.1 (8)	Compliance with Strategic Framework – 3.6 Building it Better – Strategic Outcome 3.6.1 (8) via a condition
Strategic Framework – 3.6 Building it Better – Strategic Element 3.6.2 - Building it better: New neighbourhoods	Compliance with Strategic Framework – 3.6 Building it Better – Strategic Element 3.6.2 - Building it better: New neighbourhoods via conditions

Strategic Framework – 3.7 Our Environment and Heritage – Strategic Outcome 3.7.1 (5) and Biodiversity Overlay Code	Generally compliant with 3.7 Our Environment and Heritage – Strategic Outcome 3.7.1 (5) and Biodiversity Overlay Code based on Concurrence Agency Decision Notice
Biodiversity Overlay Code – Table 8.2.3.3.1 – Performance Outcome 5.	Compliance with Biodiversity Overlay Code – Table 8.2.3.3.1 – Performance Outcome 5 via a condition.
Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Performance Outcome 1.	Compliance with Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Performance Outcome 1 via a condition.
Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 3.	Compliance with Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 3 via a condition.
Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 4.2.	Compliance with Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 4.2 via a condition.
Emerging Community Zone Code – Table 6.2.19.3.1 – Acceptable Outcome 4.1.	Compliance with Emerging Community Zone Code – Table 6.2.19.3.1 - Performance Outcome 4 via conditions.
Emerging Community Zone Code – Table 6.2.19.3.1 – Performance Outcome 7.	Compliance with Emerging Community Zone Code – Table 6.2.19.3.1 - Performance Outcome 7 via conditions.
Emerging Community Zone Code – Table 6.2.19.3.1 – Performance Outcome 8.	Compliance with Emerging Community Zone Code – Table 6.2.19.3.1 - Performance Outcome 8 via conditions.
Development Design Code – Table 9.3.2.3.1	Compliance with Development Design Code – Table 9.3.2.3.1 via conditions.
Landscaping Code – Table 9.3.5.3.1	Landscaping Code – Table 9.3.5.3.1 via conditions.

Relevant Matters under Section 45(5)(b) of the Act that the Development was Assessed Against:

N/A

Matters raised in Submissions and Councils response in dealing with these matters:

As listed 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.*

Conditions of Approval:

The following provides the Conditions of Approval under section 63(2)(3e) of the *Planning Act 2016*:

Approved Documentation

1. Development is to be carried out generally in accordance with the submitted application including the following plans and supporting documentation except where amendments are required to satisfy the conditions of this approval:

Drawing Number	Revision	Description	Author	Date
SD100	6	Site Plan	PW Architecture	17/9/2019
SD101	2	Community Centre Floor Plan	PW Architecture	5/3/2018
SD102	2	Unit Floor Plans 1	PW Architecture	5/3/2018
SD101	2	Unit Floor Plans 2	PW Architecture	5/3/2018

And supporting documents

Document Number	Revision	Description	Author	Date
FC-16-078	0	Conceptual Stormwater Management Plan (Quality)	Engineering Solutions Qld Pty Ltd	4/4/2018
FC-16-078	1	Conceptual Stormwater Management Plan (Quantity)	Engineering Solutions Qld Pty Ltd	25/10/2018
FC-16-078	A	Sewerage Supply Analysis	Engineering Solutions Qld Pty Ltd	17/10/2018
FC-16-078	0	Engineering Services Report	Engineering Solutions Qld Pty Ltd	17/4/2018
-	1	Agnes Water Relocatable Home Park Economic Need Assessment	MacroPlan	October 2019

Special Conditions

2. Stage 1 is to be completed within six (6) years from the subject approval taking effect. Each subsequent stage is to be completed within two (2) years of the commencement of use of the previous stage.
3. Prior to lodging the first Development Application to Council, the Applicant must amend the Site Plan to include the following changes:
 - a. Each dwelling site adjoining a Rural Residential Zone must be a minimum of 300m² in area; and
 - b. The proposed rear landscape buffer directly adjoining the Rural Residential Zone is to be increased to 5m off the boundary. The relevant dwellings must maintain an offset a minimum of 1.5m off the dwelling site boundary in addition to the landscape buffer.
4. Prior the lodging the first Development Application to Council, the Applicant must submit to Council for approval detailed Building Plans for the proposed dwelling types further outlining the
 - a. a variety of at least four different textures, colours and designs within the external façade of the building must complement the established costal character of the area. Details of the proposed colour scheme, materials and finishes for all external areas of the building

- b. dwelling heights must not exceed 4.5 metres and one storey from ground level.
- 5. At all time, the Relocatable Home Park must operate in accordance with the *Manufactured Homes (Residential Uses) Act 2003*.
- 6. At all times, the Relocatable Home Park must not exceed the development yield of 190 sites.
- 7. At all times, strata titling of individual sites will not be permitted.
- 8. Communal facilities must be accessible for the sole use of the residents and their guests and must be provided in a central location. Construction shall be in accordance with the *Disability Discrimination Act 1992*.
- 9. Upon commencement of the use, the identified RV parking must remain as ancillary parking for the Relocatable Home Park residents.

Note: Use of the site for accommodation in Caravans/RVs for the general public for short term holiday purposes is not permitted.

Operational Works

- 10. A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction of each applicable stage. The Development Application for Operational Works is to include the following:
 - a. Earthworks (including retaining walls) (as applicable);
 - b. Road works (including extensions, private access gates, signage and footpaths) (Stage 1);
 - c. Water Infrastructure (Stage 1);
 - d. Sewer Infrastructure (Stage 1);
 - e. Stormwater Management (quantity, quality, flood and drainage control) (as applicable);
 - f. Erosion and Sediment Control (as applicable);
 - g. Construction Management (as applicable);
 - h. Street lighting, electrical and telecommunications (Stage 1); and
 - i. Landscaping, environmental protection and associated works (as applicable).
- 11. As part of each Operational Works application, the submission of a Construction Management Plan for the proposed works for each stage must be submitted for approval by Council. The Construction Management Plan must identify:-
 - a. How the relocatable homes will be transported to site;
 - b. The route/s that construction/delivery traffic will utilise;
 - c. Times of the day delivery to site is scheduled;
 - d. Number of vehicle trips to/from site scheduled per day;
 - e. Details of approvals from other authorities;
 - f. Provide evidence of information being issued to adjoining residents; and
 - g. Any other critical elements raised by Council in consideration of the Operational Works application.
- 12. As part of the first Development Application for Operational Works, the Applicant is to provide a Water Master Plan (including modelling) for approval by Council for the entire development site. The assessment shall include a staging assessment to ensure all infrastructure is appropriately sized.

13. As part of the first Development Application for Operational Works, the Applicant must extend Council's water supply infrastructure, within the western verge of Bryant Street, to the end of the proposed cul-de-sac.
14. As part of the first Development Application for Operational Works, a water service connection is to be provided from Council's water supply infrastructure to the front property boundary (Bryant Street). The location and size of the water service (and any associated fire service) is to be determined in consultation with Council.

Advisory Note: Only (one) water connection point is permitted to the development, further stages must connect to the existing connection point.

15. As part of the first Development Application for Operational Works, connections to Council's live water reticulation network must be carried out by Council. The cost of these works is to be borne by the Applicant.

Advisory Note: Council's Application for Water Service is found at <http://www.gladstone.qld.gov.au/forms>.

16. As part of the first Development Application for Operational Works, the proposed development must provide a master meter at the property boundary and sub meters for each dwelling in accordance with the Queensland Plumbing and Drainage Code. Sub-meters must be purchased from Council.

Note: Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.

17. As part of the first Development Application for Operational Works, the Applicant is to provide a Sewer Master Plan (including modelling) for the approval by Council for the entire development site. The assessment shall include a staging assessment to ensure all infrastructure is appropriately sized.

18. As part of the first Development Application for Operational Works, the Applicant is to construct a gravity sewer main from Manhole 217072 or 217073, along the northern verge of Bicentennial Drive and north through Lot 28 RP858105, such that the proposed development can obtain a connection Council's sewerage network.

19. As part of the first Development Application for Operational Works, all sanitary drainage is to drain into a new 1050mm diameter privately owned maintenance hole within the south-western corner of the development site, prior to connecting to Council's sewerage infrastructure. The location and size of the sewer service is to be determined in consultation with Council.

20. As part of the first Development Application for Operational Works, connections to Council's live sewerage network must be carried out under the supervision of Council. The cost of these works are to be borne by the Applicant.

Advisory Note: Council's Application for Sewer is found at <http://www.gladstone.qld.gov.au/forms>.

21. As part of Operational Works, the retention basins must be constructed at the following stages of the development:

- a. Stage 1 – Western Basin; and
- b. Stage 7 – Eastern Basin.

22. As part of the first Development Application for Operational Works, the Applicant is to extend Bryant Street as an 11m wide Residential Collector, within a 22m (minimum) wide road reserve, to an appropriately designed cul-de-sac, on the alignment shown on the approved Site Plan, in accordance with Council's Road Hierarchy Policy.
23. As part of the first Development Application for Operational Works, the Applicant is to submit a Traffic Impact Assessment Report that:
- Provides swept path analysis for the largest design vehicle accessing the development within the internal road network;
 - Demonstrate that emergency vehicle access and parking facilities will be provided onsite;
 - Demonstrate sufficient queuing area is provided between the cul-de-sac and vehicular control point (entrance gate), such that the influx of traffic will not adversely affect traffic or pedestrian flows along Bryant Street, in accordance with AS2890.
 - As part of the first Development Application for Operational Works, the Applicant must construct a 2 metre wide concrete footpath for the full extent of Bryant Street, along the eastern verge, connecting into the existing footpath located along Donohue Drive, in accordance with Council's Standard Drawing Concrete Pathway/Bikeway Details.

Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <http://www.cmdg.com.au/index.htm>.

24. As part of any Development Application for Operational Works, any new retaining walls which are visible from the road reserve, must receive a surface treatment such as rendering or cladding to maintain the visual amenity of the streetscape. The treatments must complement with the proposed colour pallet of the proposed buildings.
25. As part of the first Development Application for Operational Works, a Master Landscaping and Rehabilitation Plan is to be provided in accordance with Table 9.3.5.3.2 - Plant Species List of the Landscaping Code of the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification. The Master Landscaping Plan is to be certified by a Landscape Architect and/or a suitably qualified environmental consultant. It must include a detailed ongoing rehabilitation and maintenance plan for the area marked as "Revegetated Open Space and Activity Area" including the revegetation, enhancement and weed management of the disturbed area.

Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <http://www.cmdg.com.au/index.htm>.

26. As part of the first Development Application for Operational Works, the Applicant must construct a minimum 1.8m high solid acoustic fence to all property boundaries.
27. Development Applications for Operational Works shall be designed and constructed in accordance with Australian Standards, the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme* or any other applicable standards at the time of lodgement. Prior to the commencement of the use, all Operational Works conditioned by this approval must be accepted "on maintenance" by Council.

Advisory Note: The Capricorn Municipal Development Guidelines within the Engineering Design Planning Scheme Policy is the current document for preparing any Development Application for Operational Works which is found at <http://www.cmdg.com.au/index.htm>.

Bushfire Hazard

28. Prior to the commencement of the use for Stage 1, the Applicant must submit a Bushfire Hazard Assessment and Evacuation Plan to Council for approval. The Management Plan is to:
- a. Be prepared by a suitably qualified person experienced in the area of bushfire management;
 - b. Be provided for the whole of the site;
 - c. Provide an evacuation and emergency plan in the event of a bushfire event;
 - d. Identify of the location and severity of all bushfire risks including vegetation, topography and bushfire history;
 - e. Identify fire risk reduction features including fire-fighting facilities to be installed and their ongoing maintenance schedule;
 - f. Demonstrate that each stage is adequately serviced with onsite firefighting equipment; and
 - g. Be implemented by the Applicant for the life of the approval.
29. The Applicant is to construct all internal roads with a minimum formed width of 6m and with a maximum grade of 12.5%.

Building, Plumbing and Drainage Works

30. The Applicant is required to obtain a Development Permit and Building Final for Building Works for each site in accordance with the *Planning Act 2016*. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.
31. The Applicant is required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final for each site in accordance with the *Planning Act 2016*. Construction is to comply with the *Plumbing and Drainage Act 2018* and the requirements of other relevant authorities.
32. As part of Building Works, all outdoor lighting is to comply with Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.
33. As part of any Building Works, the location of the proposed buildings shall comply with Council Policy P-2015/36 Building Over or Adjacent to Council Infrastructure.
34. As part of any Building Works, where a habitable room window is within 9m of another habitable room window or private open space of another Dwelling adjacent to the premise:
- a. Windows are provided with fixed translucent glazing, such as frosted or textured glazing, for any part of the window less than 1.5m above floor level; or
 - b. Windows are provided with fixed with permanent external screens that are:
 - i. Solid translucent screens; or
 - ii. Perforated panels or trellises that have a maximum of 50% openings, with a maximum opening dimension of 50mm, and that are permanently fixed and durable; and
 - iii. Offset a minimum of 300mm from the wall of the building.
35. Prior to the commencement of the use for each stage, all plant and equipment (including air conditioners, exhaust fans and the like) are to be housed, screened and located so that these do not cause environmental nuisance or harm to residential uses in the surrounding area.

36. Prior to the commencement of the use for each stage, all lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting to adversely affect the residential uses on this site and the adjoining sites.

Stormwater Infrastructure

37. Prior to the commencement of the use, all stormwater infrastructure is to be constructed on the site generally in accordance with the approved Site Based Stormwater Management Plan and any associated Operational Works approval, including quality and quantity infrastructure. The stormwater infrastructure is to be in accordance with the Engineering Design Planning Scheme Policy under the Gladstone Regional Planning Scheme, State Planning Policy and Queensland Urban Drainage Manual.

Transportation Services

38. Prior to the commencement of the use of Stage 1, a C2 Commercial Driveway is to be constructed in accordance with Council's Standard Drawing Urban Commercial/Industrial Driveway.

Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <http://www.cmdg.com.au/index.htm>.

39. Prior to the commencement of Stage 1, a minimum of 8 visitor car parking, and 16 RV parking spaces are to be constructed on site generally in accordance with the approved plans, including designated disabled car parking spaces. The communal spaces and associated vehicle movement areas are to be constructed, sealed, line marked, provided with wheel stops and maintained in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and AS2890.1.
40. Prior to the commencement of the use of Stage 1, a minimum of four (4) bicycle spaces are to be constructed onsite within 20m of the communal facilities. All bicycle spaces are to be constructed in accordance with AS2890.3 (2015).
41. Prior to the commencement of the use, any damage to the driveway crossing and kerb and channel shall be repaired at the owner's expense and to Council's Standard Drawing Urban Commercial/Industrial Driveway.

Advisory Note: Council's standard drawing is located within the Capricorn Municipal Development Guidelines - Drawings and Specifications at <http://www.cmdg.com.au/index.htm>.

42. Prior to the commencement of the use for each stage, all grassed footpath areas disturbed by the development are to be top dressed and turfed following completion of construction activity.
43. Prior to the commencement of the use, any manholes located on the proposed driveway are to be covered with Class D Covers to AS 3996, maintained at finished surface levels and must remain accessible at all times.
44. At all times, each relocatable home site must access the internal road network only. Direct access to any Council road not permitted.
45. At all times, individual relocatable home sites must be able to accommodate a minimum of two car parking spaces and, if applicable, one recreational vehicle parking space.

Landscaping

46. Prior to commencement of the use for each stage, all landscaping areas are to be constructed with an appropriate irrigation system. Details of the irrigation system are to be provided as part of the Master Landscaping Plan.

Waste Management

47. Prior to the commencement of the use of each stage, refuse bins are to be provided in accordance with the approved Waste Management at a rate of:
 - a. Residential Dwellings: 1 x 240L General Waste wheelie bin and 1 x 240L Recyclable Waste wheelie bin per dwelling; and
 - b. Community Facilities: 1 x 1.1m³ General Waste Bulk Bins and 1 x 1.1m³ Recyclable Waste Bulk Bins.
48. Prior to the commencement of the use of each stage, the waste storage area/s at the community facilities are to be sufficient in size to house all waste collection containers including recycling waste containers. The waste storage area/s must be suitably enclosed and imperviously paved, with a hose cock and hose fitted in close proximity to the enclosure to ensure the area can be easily and effectively cleaned.
49. Prior to the commencement of the use of each stage, open storage areas shall be adequately screened so as not to detract from the visual amenity of the area. One way of achieving compliance with this condition is as follows:
 - a. Outdoor storage areas are situated in locations not visible from the street; and
 - b. A 1.8m solid screen fence is located around storage areas.

Electrical, Telecommunication and Gas services

50. All electrical (and telecommunication) conduits are to be installed (including conduits under roads, under concrete pathways and beneath retaining walls etc.) together with the associated infrastructure (including electrical pits, light pole and sub-station footings etc.).
51. Prior to the commencement of Stage 1, a Certificate of Supply shall be provided to demonstrate connection of electricity supply to the subject site.

Advisory Note: The Ergon Energy Rockhampton Office are available on (07) 49311012.

52. Prior to commencement of Stage 1, a Certificate of Supply shall be provided to demonstrate connection of telecommunication supply to the subject site.

Advisory Note: The Telstra Smart Communities Team are available on 1800 226 543.

Survey Plan Endorsement

53. The Applicant is to provide registered easement documents in favour of Council and at no cost to Council over relevant infrastructure (access, water supply, sewerage, stormwater, etc) within the development and over other parts of the development property as may be deemed necessary by Council having considered the engineering drawings submitted with the Operational Works application for a particular stage of the development.

Lawful Commencement

54. Prior to the commencement of the use for each stage, the Applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
55. Upon receipt of confirmation from Council that the relevant conditions of this staged Development Permit are considered compliant, the Applicant is to notify Council within 20 business days that this approved use has lawfully commenced.

END OF CONDITIONS

Advice to Applicant:

An Adopted Infrastructure Charge Notice in relation to the infrastructure charges applicable to this development has been provided separately.

Attachments:

1. Proposed Site Plan
2. Economic Needs Assessment
3. Submissions received during Public Notification Period

Tabled Items:

Nil

Report Prepared by: Planning Officer

G/3.8. AMENDMENT TO METERED STANDPIPE (MOBILE AND FIXED) & HYDRANT USAGE POLICY

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 28 April 2020

File Ref: CM28.2

Purpose:

To amend the Mobile Metered Standpipe (Mobile and Fixed) and Hydrant Usage Policy to accommodate amended business practices for the COVID-19 Public Health Emergency.

Officer's Recommendation:

That the P-2014-26 Mobile Metered Standpipe (Mobile and Fixed) and Hydrant Usage Policy be amended by inserted a new clause 3A:

"5.4 ADDITIONAL CONDITIONS FOR USING A MOBILE METERED STANDPIPE

...

- 3A. Where it is not practical for a Mobile Metered Standpipe to be returned to the Gladstone Lyons Street Depot in accordance with Additional Condition 3, GRC may at their absolute discretion, by written notice to a user, prescribe an alternate method of meter reading verification. A user must comply with any prescribed method of meter reading verification.*

...

Background:

The *Mobile Metered Standpipe (Mobile and Fixed) Hydrant Usage Policy* ("the Policy") was adopted by Council in 2014. The Policy sets the terms and conditions upon which Customers access and use Council's fixed and mobile standpipes. A copy of the Policy is included in Attachment 1.

The Policy, currently under review, includes a number of conditions for users of mobile metered standpipes which are generally operational and procedural in nature. Included in these conditions is a requirement for users to present their mobile metered standpipes to the Lyons Street Depot each month to have the meter ready by an officer (5.4 Additional Conditions for using a Mobile Metered Standpipe – condition 3).

In response to the COVID-19 Public Health Emergency ("COVID-19") the business has adopted a number of social distancing measures including minimising contact with customers and having our office based employees working from home where possible.

The requirement for users of mobile metered standpipes to attend at the Lyons Street Depot has been identified as an unnecessary risk and not practical during COVID-19.

Due to the recent rapid change within the business, officers have had to implement an alternate procedure for meter verification of mobile standpipes whereby users have been requested to submit a date stamped photograph of the meter by email. Monthly usage is then determined in accordance with that photograph.

Amendments to the Policy are sought to accommodate this change to operational procedure.

Options, Risk and Opportunity Analysis:

The officers within the Water Program Delivery Team responsible for undertaking the meter readings for mobile metered standpipes presented at the Lyons Street Depot are currently working from home. Customer's attending the Lyons Street Depot also pose a risk to employees both through contact with customers and potential for contamination on the surface of the standpipe.

The Officer's Recommendation provides flexibility to the business to amend the method of meter reading verification as required.

There is a risk that customers may attempt to take advantage of the new process by providing inaccurate photographs however this risk is limited by requiring the photograph to be date stamped. Metadata associated with the photograph can also be used to determine the date taken. Any errors in reported consumption can be rectified when the meters are inspected in person at a future date.

It is essential that water consumption continues to be regularly billed to ensure both monitoring of consumption and the unnecessary accumulation of debt for our customers.

Any long-term changes for the reading of mobile standpipe meters will be considered as part of the policy review.

Communication and Consultation:

This report was prepared at the request of and in consultation with Manager Water Program Delivery.

Legal Strategy and Policy Implications:

Contractually, the General Conditions between Council and users of standpipes includes a condition whereby Council "*reserves the right to review conditions as required and implement changes with immediate effect*".

The proposed changes remain consistent with the objectives of the Policy, namely:

1. Protect the integrity and functionality of GRC's Reticulated Water Supply by providing guidelines for the use of Mobile Metered Standpipes, Fixed Standpipes, Fire Flow/Pressure Testing Devices and other extraction equipment which is to be used where alternative options have been evaluated and are not feasible;
2. Provide GRC with a procedure to manage service delivery to external customers; and
3. Provide GRC with detailed and accurate water usage data for GRC's – System Leakage Management Plan and Drought Management Plan Strategies.

Financial and Resource Implications:

The proposed amendment will enable the business to continue monthly readings and billing taking into account social-distancing measures therefore there are no financial or resource implications.

Summary:

Nil.

Anticipated Resolution Completion Date:

The adopted changes will be implemented immediately.

Attachments:

1. P-2014-26 Metered Standpipe (mobile and fixed) and Hydrant Usage Policy

Tabled Items:

Nil.

Report Prepared by: Manager Governance

G/4. DEPUTATIONS

Nil.

G/5. COUNCILLORS REPORT

Nil.

G/6. URGENT BUSINESS

Nil.

G/7. NOTICE OF MOTION

Nil.

G/8. CONFIDENTIAL ITEMS

Nil.

ATTACHMENTS