



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING AGENDA

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

On 6 October 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 15 SEPTEMBER 2020

Responsible Officer: Chief Executive Officer

Council Meeting Date: 6 October 2020

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 15 September 2020.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 15 September 2020 be confirmed.

Attachments:

1. Minutes of the General Meeting of Council held on 15 September 2020.

Tabled Items:

Nil.

Report Prepared by: Executive Secretary

G/3. OFFICERS' REPORTS

G/3.1. FUTURE OF YARWUN TRADEWASTE FACILITY

Responsible Officer: General Manager Strategic Asset Performance

Council Meeting Date: 6 October 2020

File Ref: SS2.3

Purpose:

The purpose of this report is to allow Council to consider the risks and opportunities associated with the Yarwun Tradewaste Facility and the future provision of tradewaste services at the facility.

Officer's Recommendation:

In order to support opportunities to diversify the region's economy that Council:

1. Rescind Council Resolution G/16 2869 relating to Item CSC/8.2;
2. Endorse the continued operation of the Yarwun Tradewaste Facility; and
3. Authorise the Chief Executive Officer to enter into agreements with current and future customer of the Tradewaste Facility.

Background:

Council operates and maintains a tradewaste facility at 21 Gladstone Mount Larcom Road, Yarwun. The facility was designed to accept, balance and discharge tradewaste effluent generated by industrial customers located in the Yarwun area. The tradewaste is then discharged via a gravity main and below water diffuser arrangement located off the Gladstone Ports Corporation wharf at Fisherman's Landing.

Orica is currently the only customer utilising the facility.

Following an uncontrolled release of cyanide into the Gladstone Harbour in 2012, Council resolved to remove itself from the operation and/or ownership of the Yarwun Tradewaste Facility (TWF).

Whilst Council officers were outworking the resolution, approaches were made by two potential proponents expressing interest in using the TWF to facilitate disposal of their tradewaste effluent. In December 2019, Council resolved to carry out additional investigations to better understand the risks and opportunities associated with continuing to operate the TWF.

In accordance with the resolution, Council officers have carried out investigations to understand the condition of existing TWF infrastructure including the water retaining structures, mechanical equipment, discharge pipework, diffusers and disposal structures; capacity of the facility, discharge pipeline and diffusers; environmental licencing implications; land tenure implications; and revenue opportunities. The investigation findings are summarised below.

Condition Assessments

Investigations carried out in 2020 by an independent engineering company found that, with a few exceptions, Yarwun TWF and its associated assets are generally in good condition.

Any leaks within the discharge pipeline were ruled out by performing pressure test in compliance with applicable Australian standards.

The TWF collection tanks are currently delivering significantly less flow than the flows predicted by theoretical model assessments. There is approximately a 70% difference in flows between the known flow (14.58 L/s) at a top water level of 22.06 mAHD and the theoretical flow with the water at the same level (48.88 L/s). This would indicate that there are either blockages within the pipework, or the diffusers are blocked. An inspection of the outlet diffusers suggests that up to a metre of sediment has built up over and around the diffuser outlets. This build up is the most likely cause of the reduced flow capacity.

The remaining useful lives (RUL) of key TWF asset components are summarised below:

Asset component type	Typical asset life (years)	Current Age (Years)	RUL (Years)
Amenities Building	70	31	39
Collection Tanks	70	31	39
Electrical Components	15	7	8
Property Fence	50	31	19
Instrument Components	15	7	8
Aboveground pipes & valves	25	7	18
Discharge Pipeline, valves & diffusers	70	31	39
Steel Structures	50	31	19

Comprehensive list of TWF assets with investigation findings, recommendation, remaining useful life (RUL), estimated cost for replacement/remediation are available in Attachment 2.

Recommended works to improve operational efficiencies and extend remaining useful lives include:

- De-silting of subsurface discharge diffusers at Fisherman's Landing to return operation to design capacity.
- Pigging of the tradewaste discharge pipework to remove potential blockages and return to design capacity.
- Replacing TWF collection tank discharge flow meter.
- Replacing deteriorated inspection pit lids (multiple locations).
- Replacing soil beneath undermined concrete slabs at the TWF to prevent further superficial cracking and make it vermin-proof.
- Conducting additional investigation works at the Fisherman's Landing flow measurement facility to determine below-ground asset arrangements.

Capacity Assessments

Flow modelling through the system has identified that the TWF and associated discharge pipework and diffusers has a theoretical capacity of 52 L/s.

Calibration of the model using actual flowrates and water levels indicates that the plant currently has a through capacity of 14.5 L/s. As discussed in the condition section above, sediment build up around and over the diffusers is most likely restricting flows through the system. Removing the sediment will most likely increase the flow capacity.

A sensitivity analysis was undertaken to determine the impact of increased internal pipe roughness on flows. Pigging the pipeline to remove internal sediment build up may also assist to increase flow capacity.

The TWF currently receives a 24 hour averaged flow from Orica of approximately 11.6L/s. Based on the current calibrated throughput, the TWF currently has a spare capacity of 2.9L/s.

Environmental Licencing Implications

Yarwun TWF is currently noted as an ERA62 activity – Waste transfer station operation within Environmental Authority EPPR00826913, held by Council.

With changes to the Waste ERA Framework introduced by the Department of Environment and Science (DES) over 2018 and 2019, the definition of ERA62 changed and now excludes Yarwun TWF activities. Subsequently there is no relevant ERA that applies to the operation of the Yarwun TWF. The Environment and Conservation Team are currently in the process of seeking the removal of the Yarwun TWF from EPPR00826913.

Environmental Authority EPPR00872013, held by Orica, allows Orica to release tradewaste to the Yarwun TWF. With the removal of Yarwun TWF from Council's environmental authority (EPPR008263913), Orica's environmental authority will require amendment to allow it to discharge its tradewaste to the receiving environment (ie Gladstone Harbour).

Engagement and collaboration with Orica and the Department of Environment and Science has occurred. In the event Orica is unable to obtain the necessary amendment to its environmental authority, Council will be unable to continue to receive tradewaste from Orica at the TWF.

Any new customers seeking to connect to Yarwun TWF will need to obtain an environmental authority with DES which will permit them to discharge the tradewaste to the receiving environment via the TWF and taking into consideration any impacts associated with mixing tradewaste discharges from various sources. Continued access to and usage of Council's tradewaste assets will be conditional on compliance with environmental authorities.

Pipeline Ownership & Land Tenure

Pipeline ownership and land tenure details are summarised in the following table:

Asset	Ownership
Pipeline from Orica to the TWF	Owned by Orica and the responsibility of Orica to operate and maintain.
TWF	Freehold owned by Council.
Pipeline from TWF to diffusers	Owned by Council and the responsibility of Council to operate and maintain. Pipeline crosses the following road reserves/land parcels:- <ul style="list-style-type: none"> • road reserve under the control of Council; • road reserve under the control of DTMR • land owned by Gladstone Ports Corporation Limited (GPCL) • land leased from the State by GPCL (Fisherman Landing) • land leased from the State by DTMR. • Pipeline runs under two railway crossings on Serrant Road.

Council is a service provider under the Water Supply (Safety & Reliability) Act 2008. As a service provider easements over the trade waste pipeline are not necessary from a continuity of access and maintenance perspective, as Council is able to maintain the infrastructure under the Water Supply (Safety & Reliability) Act 2008. However, an easement may create operational efficiencies by eliminating the requirement to provide notice of entry when accessing/maintaining the pipeline.

If the trade waste pipeline is owned/maintained by a proponent other than a local government, they may not have the same powers, and may be required to obtain easements over the land parcels where the pipeline crosses.

These easements will be subject to consent from the landowner, State and in circumstances where the land is leased, consent will be required from the Lessee and the landowner/State.

Where the trade waste pipeline crosses under the railway crossings on Serrant Road, a Wayleave Licence is required for either Council if the service is continued, or another proponent if the service is discontinued and the ownership is transferred.

Gladstone Ports Corporation (GPC) approved a Licence to cover the flow monitoring equipment on the trade waste pipeline within Lot 502 SP 252988 for a term of 25 years commencing 1 January 2013. Should the ownership of this infrastructure not remain with Council and is transferred, GPC reserves the right to implement a rental regime for this infrastructure.

At the time of writing this report, no other agreements have been located where the pipeline traverses land that is not owned or controlled by Council.

Options, Risk and Opportunity Analysis:

Two options have been considered:

- Option 1 – continue tradewaste effluent disposal services.
- Option 2 – discontinue tradewaste effluent disposal services.

The risks and opportunities associated with each option are summarised in the following tables, with more detailed risk assessments available in Attachment 1.

It should be noted that Orica own the tradewaste effluent pipeline between the Orica and TWF sites. It is assumed that future customers will similarly be responsible for obtaining, constructing and maintaining tradewaste effluent pipelines between their sites and the TWF.

Risks and Opportunities Associated with Option 1 – Continue Service

Criteria	Risks	Opportunities
Health and Safety	<ul style="list-style-type: none"> • Requirement to work within road reserves • Dealing with tradewaste effluent • Diving activities to service diffusers 	
Financial	<ul style="list-style-type: none"> • Maintenance and renewal costs due to age of assets. • Location of assets expose them to damage by third parties. • Non-compliant discharges reducing life of assets. 	Current agreement with Orica is on a cost recovery basis with no cost to the general rate payer.
Reputation	<ul style="list-style-type: none"> • Stakeholder apportioning blame to Council for customer non-compliances • Proponents may not be able to achieve necessary licences from DES. 	Enables existing infrastructure to be cost effectively utilized by potential new industrial customers, increasing the region’s economic diversity.
Environmental	<ul style="list-style-type: none"> • Uncontrolled releases of trade waste to the environment • DES does not ratify approach to approvals • Orica does not complete required amendments • Changes in environmental legislation (Great Barrier Reef protection, emerging contaminants) • Non-compatible trade waste effluents 	<p>Minimises the disturbance to land and receiving water by having a single discharge pipeline and diffuser infrastructure.</p> <p>Adequate approvals and agreements place responsibility of environmental harm on customer</p>
Service Delivery	<ul style="list-style-type: none"> • Asset failures interrupting services • Access restricted to assets on privately owned land 	
Legal	<ul style="list-style-type: none"> • Reinstatement of damage due to assets on private land 	

	<ul style="list-style-type: none"> • No easements are currently in place for the segments of the pipeline traversing land that is not owned or controlled by Council • No Wayleave Licences are currently in place for the segments of the pipeline under railway lines • Proponents exceeding volumetric agreements 	
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Risks and Opportunities Associated with Option 2 – Discontinue Service

Criteria	Risks	Opportunities
Health and Safety	<ul style="list-style-type: none"> • None identified 	
Financial	<ul style="list-style-type: none"> • Loss of income to recover sunk costs 	
Reputation	<ul style="list-style-type: none"> • Failure to attract new industry • Loss of existing industry 	
Environmental	<ul style="list-style-type: none"> • None identified 	Alternate solutions for trade waste management by customers may reduce direct release to the Great Barrier Reef Marine Park catchment
Service Delivery	<ul style="list-style-type: none"> • Damage to road infrastructure • Loss of service to existing customers 	
Regulatory and Legal	<ul style="list-style-type: none"> • Proponents unable to access infrastructure • Proponents unable to procure land/easements 	

Communication and Consultation:

Council officers have engaged with:

- DES to gain an understanding on how the tradewaste infrastructure and its operation should be considered under environment legislation;
- Orica to understand the impacts of recent ERA definition changes on the on-going operation of the tradewaste facility; and
- Potential future customers of the TWF to understand discharge requirements.

Internal consultation has occurred across the business to understand engineering, environmental, regional economic and financial risks and opportunities.

Legal Strategy and Policy Implications:

An agreement was entered into between ICI Australia Operations Pty Ltd (now known as Orica Australia Pty Ltd) and Calliope Shire Council on 25 August 1988. The agreement expired on 30 June 1998, with Council continuing to offer a tradewaste service to Orica. The 1988 agreement did not include details on the quantity of tradewaste was permitted to be released to the TWF.

Council records show that Council has been in ongoing discussions with Orica since 2011 for a new agreement.

Under Option 1, Council would need to negotiate and implement tradewaste facility and pipeline access agreements with relevant proponents. These agreements would need to include terms and conditions to minimise risk to Council including requirements for each proponent to have their own environmental authority and conditions as to parameters for release into Council's TWF.

Under Option 2, Council would have two options:

- Option 2A – advise Orica and future customers that the facility will no longer be available from 30 October 2023 and that they would need to find alternate disposal options.
- Option 2B - advise Orica and future customers that Council will be disposing of the Tradewaste Facility and associated assets. This disposal would be in accordance with the Local Government Act and be either through public tender or seeking an exemption from the Minister to transfer the asset to a particular entity.

Three years is considered sufficient time for Orica to identify and implement alternate disposal options for its tradewaste.

Financial and Resource Implications:

Anticipated expenditure required to address current capacity and condition issues and implement good asset management practices under Option 1 are summarised below:

Intervention Timeframe	Estimated Expenditure Required
Immediate	\$ 460,000
2 Years	\$ 330,000
5 years	\$ 55,000
>5 Years	\$ 330,000

Removing the sediment build up around the diffusers account for approximately \$400,000 of the immediate intervention costs.

Summary:

Should Council wish to uphold resolution G16/2869 then consideration needs to be given to how the asset will be disposed of, i.e. as a going concern or via decommissioning.

If the intent is to dispose of the assets as a going concern, an alternate resolution may be:

Due to the risks associated with uncontrolled discharges to the receiving environment, Council confirms its intention to cease providing services through the Yarwun Tradewaste Facility and associated infrastructure and authorises the Chief Executive Officer to commence disposal of the facility and associated assets.

If the intent is to cease operations and decommission the assets, an alternate resolution may be:

Due to the risks associated with uncontrolled discharges to the receiving environment, Council confirms its intention to cease providing services through the Yarwun Tradewaste Facility and associated infrastructure and authorises the Chief Executive Officer to finalise decommissioning activities by 30 October 2023.

Anticipated Resolution Completion Date:

Entering into an agreement with current customers: December 2021.

Attachments:

1. Risk and opportunities
2. Extract from Asset Management Register

Tabled Items:

Nil.

Report Prepared by: General Manager Strategic Asset Performance

G/3.2. RADF 2020 AGM AND 2019-20 ROUND TWO ASSESSMENT**Responsible Officer: General Manager Community Development and Events****Council Meeting Date: 6 October 2020****File Ref: CC7.16****Purpose:**

Regional Arts Development Fund (RADF) Committee reporting on recommendations following assessment of Round Two 2019-20 and Annual General Meeting (AGM)

Officer's Recommendation:

That Council:

1. Accept the recommendations of its RADF Committee and approve funding the following applications for the Round Two 2019-20:

Applicant	Project Title	Project description	Category	Artform	Total project value	RADF investment recommended (committee meeting held 16/9/2020)
Clifton Schulke	<i>'Container' post-production sound training</i>	Brisbane training masterclass in post-production sound, for short film to then benefit local filmmakers	Developing Regional Skills	New media / film	\$18,287	\$9,354.00
Boyne Tannum Arts Business Community Association	<i>Tides of Change – Mural at Tannum Surf Club</i>	Tannum Sands Surf Clubhouse exterior wall public art depicting SLS history	Building Community Cultural Capacity	Visual arts	\$31,664	\$15,395.00
Crow Street Creative Inc.	<i>Curtis Island Discs Podcasts</i>	8 conversation podcasts with Gladstone personalities, discussing music if stranded on Curtis Island	Contemp. Collections/ Stories	New media / film	\$5,165	\$3,559.00
William Debois	<i>Sacrifice: photographic road trip to PHOTO2021</i>	Gladstone to Melbourne photographic portraits themed Sacrifice, attend PHOTO2021	Developing Regional Skills	Visual arts	\$17,256	\$946.00
Luke Wrathall	<i>Our Voice in Colour</i>	Short film of volunteer individuals, accompanied by portraits for exhibition	Contemp. Collections/ Stories	Visual arts	\$24,870	\$8,730.00
Agnes Blues Roots & Rock Festival	<i>2021 #Agnes Blues Fest Art Installation</i>	Agnes Water / 1770 Represent! Art installation at Agnes Blues,	Cultural Tourism	Visual arts	\$19,680	\$13,080.00

		Roots & Rock Festival with documentation				
Creative Gladstone Region	<i>Port City Carnival of Arts</i>	Week-long community festival, featuring diverse artisans	Building Community Cultural Capacity	Visual arts	\$31,730	\$14,220.00
QCWA Tannum Sands	<i>Country Women meet Art: Artist in Residence</i>	Community ephemeral installations and outdoor functional works	Building Community Cultural Capacity	Visual arts	\$16,662	\$7,488.00
Brittany-Elise Johansen	<i>Community Video Clip</i>	Work with community and business to create music short film	Regional Partnerships	New media / film	\$4,435	\$2,882.75
TOTAL					\$214,309.68	\$75,654.75

2. Note the acceptance of Outcome Reports (8) for the following RADF projects:

- a) Gary & Patricia Campbell,
- b) Kristel Kelly,
- c) Capricorn Film Festival,
- d) Ira Seidenstein,
- e) Luke Graham,
- f) Gladstone Maritime History Society and
- g) Jan Ross-Manley
- h) State Emergency Service (SES)

Background:

Regional Arts Development Fund (RADF) is a Queensland Government and Gladstone Regional Council partnership to support local arts and culture in regional Queensland. Each year, a public invitation is advertised for people to become involved in the administration of RADF through appointment to its committee.

Council appointed Cr Glenn Churchill as chair of RADF on 4 December 2018 (re-confirmed 28 April 2020), and provides a secretariat service to the committee through the Gladstone Regional Art Gallery & Museum.

Options, Risk and Opportunity Analysis:

Not all applications have been recommended for funding and the current budgeted funds would not facilitate the total amount of funding requested. Any decision to fund additional applications to those recommended would require consideration of budget implication and reputation of the program integrity.

Communication and Consultation:

Twelve (12) applications for funding were received, requesting \$110,656.43 and nine (9) were recommended for approval, total \$75,654.75

Council initiated RADF Strategic Projects include:

- a) *Take pART Act II* – Gladstone Region and
- b) Community & Committee Training

Legal Strategy and Policy Implications:

RADF is a financial partnership between the Queensland Government (Arts Queensland) and Gladstone Regional Council.

RADF is informed by Council's Arts & Culture Policy

<https://www.gladstone.qld.gov.au/downloads/file/462/arts-and-cultural-development-policy>

developed in conjunction with the advisory committee and the community, adopted 18 June 2019.

Financial and Resource Implications:

The total value of the twelve applications received exceeds the remaining budget however there is no additional financial implications of the proposed recommended nine application for approvals.

Council has budgeted \$163,821 (gross) for the RADF program in 2019-20 which includes: \$23,821 surplus from RADF 2018-19 and \$60,000 from the Queensland Government.

Summary:

Of the twelve (12) applications received in round two, nine (9) have been recommended by the committee for funding. The remaining three applications were either non-conforming applications or the committee felt the projects required additional work.

The total value of the recommended applications is within the remaining fund budget.

Unsuccessful applicants will be provided with detailed feedback.

Anticipated Resolution Completion Date:

6 October 2020

Attachments:

1. RADF R2 2019-20 Minutes of the Assessment Meeting
2. RADF AGM Minutes 2020

Tabled Items:

Nil.

Report Prepared by: Cultural Projects Specialist

G/3.3. NEW FEES AND CHARGES EVENTS AND ENTERTAINMENT

Responsible Officer: General Manager Finance, Governance & Risk

Council Meeting Date: 6 October 2020

File Ref: FM7.1

Purpose:

To seek Council's endorsement of proposed new fees and charges for

- Technical equipment (which enables live streaming and video conferencing) at Gladstone Entertainment Convention Centre (GECC) and
- Hire of the new Calliope Community Facility (old Fitzroy Basin Association Office)

in the existing 2020/2021 Fees and Charges schedule.

Officer's Recommendation:

That Council adopt the proposed new fees and charges for inclusion in the 2020/2021 Fees and Charges schedule for:

1. Gladstone Entertainment Convention Centre Blackmagic web presenter (live streaming): \$57.00/day
2. Gladstone Entertainment Convention Centre Boardroom video conferencing package: \$100.00/day
3. Calliope Community Facility venue hire:
 - Community Hire - \$10.00 per hour
 - Private/Commercial Hire: \$20.00 per hour.

Background:

At the Council budget meeting of 7 July 2020 Council adopted the 2020/2021 Fees and Charges schedule. At the time, GECC did not offer live streaming services or video conferencing technology as a regular service to clients. Changes in the business prompted by the COVID -19 pandemic has presented GECC with an opportunity to include video conferencing and streaming as part of its regular available services. Council are required to adopt and publish fees and charges associated with this service/technology.

As of September 2020, the Fitzroy Basin Association (FBA) relinquished their lease at 3 Don Cameron Drive Calliope. Council took over the management of this facility and performed repairs and maintenance to make this an additional community venue for hire. Council are required to adopt and publish fees and charges associated with the hire of this facility.

Options, Risk and Opportunity Analysis:

Proposed new fees and charges are listed below.

- GECC black magic web presenter (live streaming): \$57.00/day
- GECC Boardroom video conferencing package: \$100.00/day
- Calliope Community Facility venue hire:
 - Community Hire - \$10.00 per hour

Private/Commercial Hire: \$20.00 per hour

Communication and Consultation:

- GECC Venue Leader
- GRC Bookings Officer
- Maintenance and Logistics Specialist
- Senior Revenue Officer
- General Manager Community Development and Events

Legal Strategy and Policy Implications:

Nil.

Financial and Resource Implications:

GECC video conferencing and live streaming equipment fees and charges have been developed in line with industry rates.

Calliope Community Facility rates have been developed in line with Council's other community facility hire rates (Mount Larcom Hall, Calliope RSL Hall, Agnes Water Meeting Room).

The rates are commercial charges.

Summary:

The proposed new fees and charges have been developed in consultation with subject matter experts. Endorsement of the fees and charges will allow for publishing and promotion of these services and facilities, effective immediately.

Anticipated Resolution Completion Date:

Fees and charges will be effective immediately however anticipated full completion within two weeks of resolution to allow for updating fees and charges schedules.

Attachments:

Nil.

Tabled Items:

Nil.

Report Prepared by: Manager Events and Entertainment

G/3.4. REQUEST TO CONSIDER WAIVING ADOPTED INFRASTRUCTURE CHARGES ASSOCIATED WITH DEVELOPMENT APPLICATION 38/2019 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A BAR AND INDOOR SPORT AND RECREATION USE LOCATED AT 25 AND 38 YARROON STREET, GLADSTONE

Responsible Officer: General Manager Customer Experience

Council Meeting Date: 6 October 2020

File Ref: DA/38/2019 & FM7.2

Purpose:

The purpose of this report is to allow Council to consider waiving the associated Adopted Infrastructure Charge for a Material Change of Use of Premises for a Bar and Indoor Sport and Recreation use located at 35 and 39 Yarroon Street, GLADSTONE QLD 4680 (Ref: DA/38/2019).

Officer's Recommendation:

That Council refuse the request to waive the Adopted Infrastructure Charge for Development Application 38/2019 located at 35 and 39 Yarroon Street, GLADSTONE QLD 4680.

Background:

Subject Site

The subject site comprises two lots with a total area of 3,182 m² located at 35 and 39 Yarroon Street, Gladstone. The site has frontage of approximately 70m to Yarroon Street and 50m to Central Lane. It has vehicular access to both street frontages. The subject site is improved by the Central Lane Hotel which includes the main hotel building, several small motel rooms currently used for staff accommodation, and carparking. The Central Lane Hotel was established prior to 1975 and therefore Council does not have any records dating from its initial construction. Subsequent applications from the 1980's onward have been approved for refurbishments, signage and extensions to the existing Hotel building.

The existing building is single level at Central Lane and two stories at the western end of the site adjacent to Yarroon Street. Aerial and street views of the subject site are provided in Figures One and Two.



Figure One: Subject Site



Figure Two: View from Yarroon Street

The current Material Change of Use of Premises for a Bar and Indoor Sport and Recreation (Bowling Alley) on land at 35 and 39 Yarroon Street, Gladstone, was Confirmed on 31 July 2019 and approved under Delegated Authority on 19 September 2019 with a Decision Notice and Adopted Infrastructure Charge Notice issued (Attachments 1 and 2). The Applicant lodged representations against the Decision Notice, with Council issuing a Negotiated Decision Notice under Delegated Authority on 29 October 2019 (Attachment 3).

The approval includes a number of extensions and modifications to the existing Hotel on the site including;

- Redesign of the ground floor level including the existing gaming area, a new outdoor bar area, a new back of house area and rearrangement and relocation of ground floor toilets;
- New fit-out upstairs to include four full bowling lanes and associated infrastructure;
- Rearrangement and formalisation of carparking areas on the site;
- Relocation of bin storage areas and associated refuse vehicle access; and
- New disabled access from the carparking area into the hotel.

Additionally, a new carpark is proposed with access from a new crossover located on Yarroon Street towards the western end of the site. The new crossover will provide access to 31 carparks (including

one disabled bay) and a servicing area. A new pedestrian ramp will provide access from the carpark to the Yarroon Street entry to the Hotel. The carpark will be sealed with all stormwater collected at the north-western corner of the site and piped to the kerb.

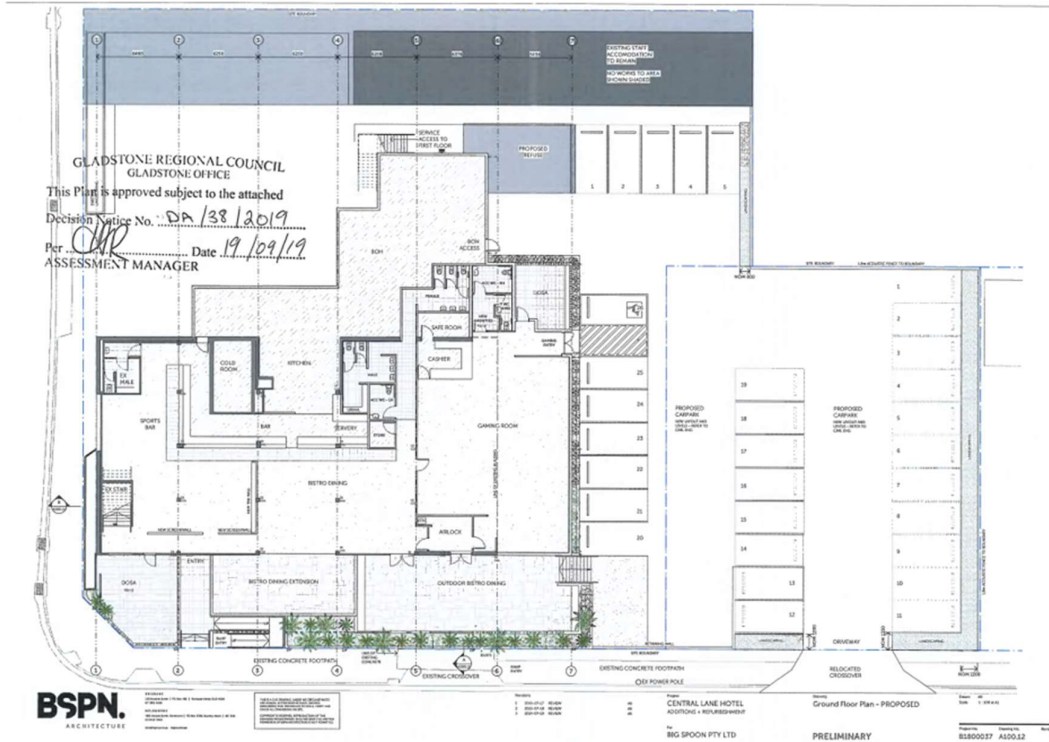


Figure Three: Approved Site Plan – Lower Floor

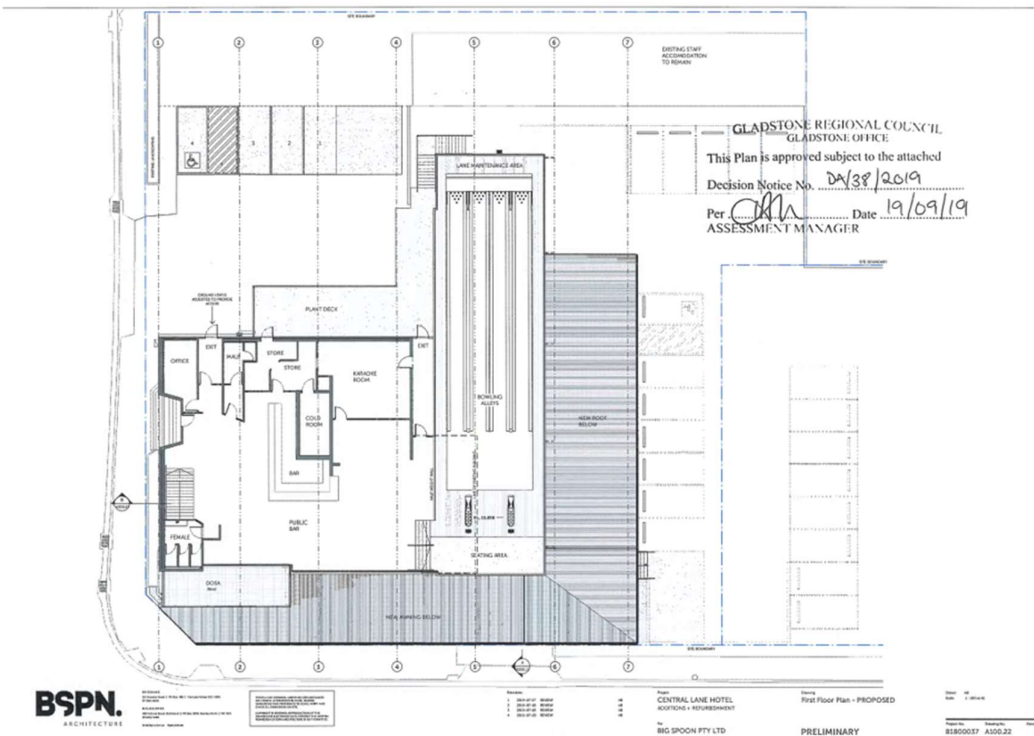


Figure Four: Approved Site Plan – Upper Floor

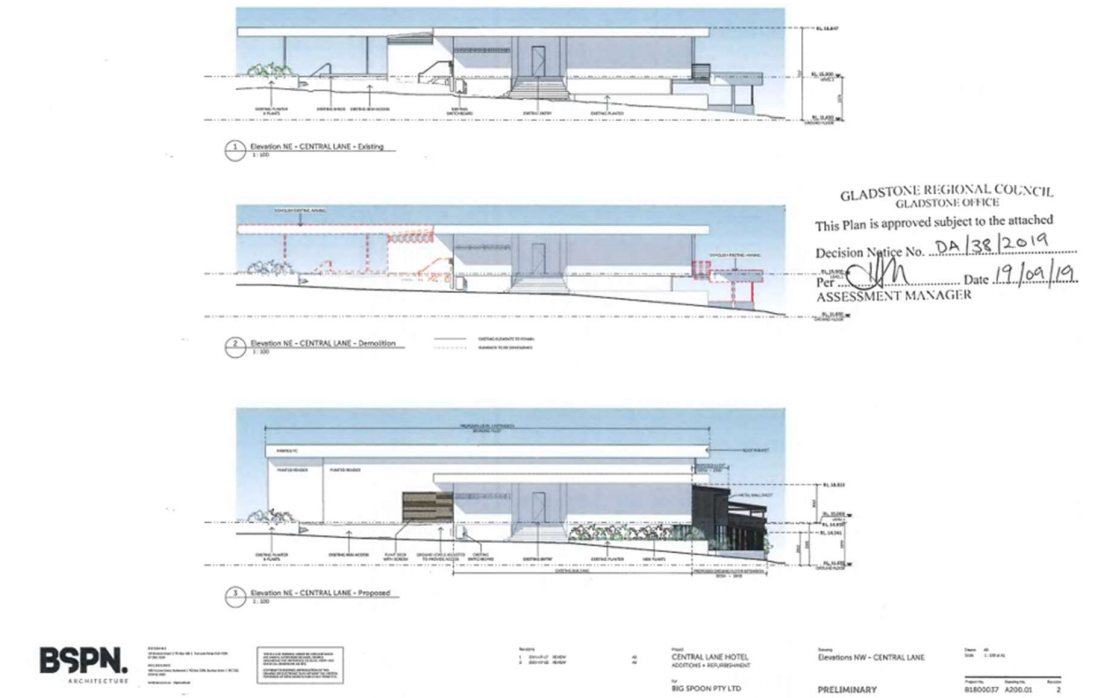


Figure Five: Approved Elevations from Central Lane

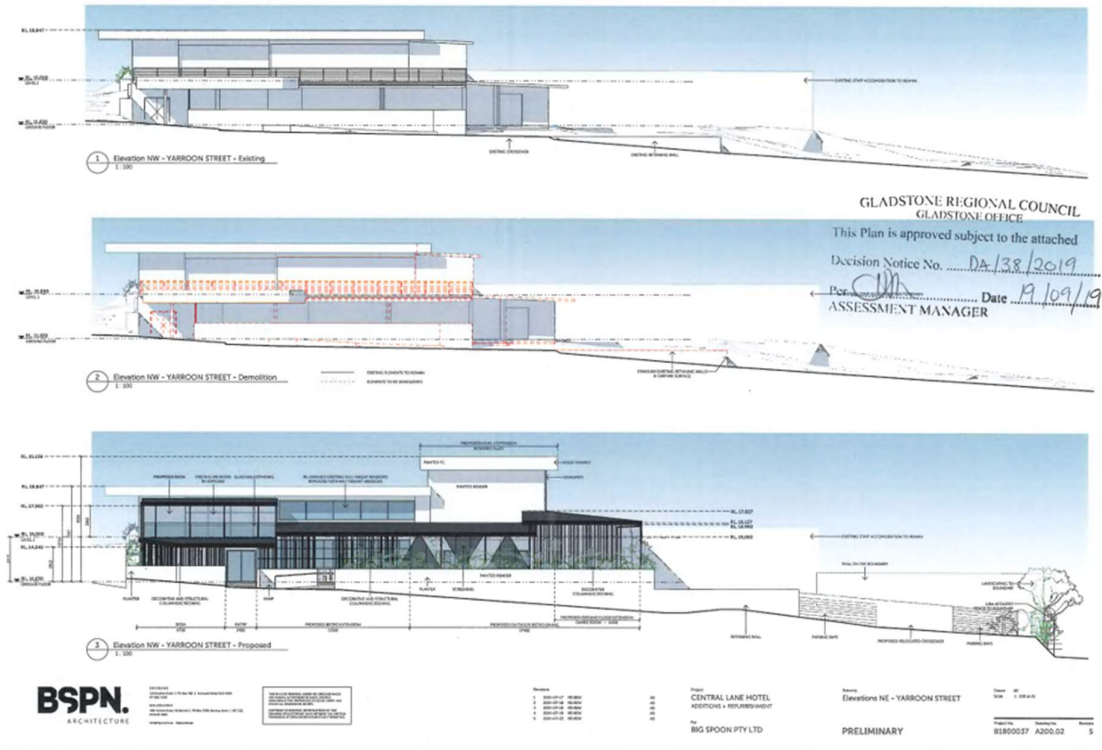


Figure Six: Approved Elevations from Yarroon Street

Use	Existing Site Cover	Proposed Site Cover
Hotel	1,103m ²	1,103m ²
Bar	-	453.9m ²
Indoor Sport and Recreation	-	329m ²

Total	1,103m²	1,885.9m²
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Adopted Infrastructure Charge Calculation

The infrastructure charge areas for Gladstone Regional Council have been identified based on the 'calculated cost' of servicing a 3 bedroom house with trunk infrastructure. This cost analysis aligns with the Local Government Infrastructure Plan (LGIP) to identify the relevant networks which enables a local government to estimate the cost of infrastructure provision to assist its long term financial planning.

The subject site is located within Charge Area 1 which is the urban area of Gladstone, Calliope, Boyne Island, Tannum Sands, Agnes Water, Seventeen Seventy that can be serviced with sewer, transport, water and parks trunk infrastructure. These charge areas contribute to both the existing and future trunk infrastructure.

As per the *Gladstone Regional Council Adopted Infrastructure Charges Resolution (No.1) – 2015 Version 2 (Resolution)*, a Bar and Indoor Sport and Recreation use will attract the following charge rate:

Planning Scheme Use	Category	Rate
Hotel, Bar and Indoor Sport and Recreation	Commercial	\$141.55/m ² GFA

As part the Decision Notice, an Adopted Infrastructure Charge Notice (AICN) was issued in accordance with the Act. As per the AICN, the proposed development charge is \$84,293.03.

Applicant's Request

The Applicant lodged a request for Council to consider waiving the Adopted Infrastructure Charge on 15 August 2020. The Applicant's request acknowledges they were eligible for the Infrastructure Rebate Incentive Scheme, which they were appreciative of, however given the impacts endured from COVID-19, the Applicant is seeking further financial assistance from Council (Attachment 4).

Options, Risk and Opportunity Analysis:

The following two (2) options exist in consideration of this request.

Option 1 – Refuse Applicant's Request

The calculation was undertaken in accordance with the Resolution. As such, the Applicant's request is recommended for refusal.

Notwithstanding this, the Applicant could still progress the application under the Infrastructure Rebate Scheme and apply for the 50% reduction via an Infrastructure Agreement between both parties (i.e. Council and the Applicant). The specified criteria within the Rebates Scheme would be upheld as per Delegated Authority.

Option 2 – Approve Applicant's Request

The Infrastructure Charge for the Bar and Indoor Sport and Recreation approval be waived.

As no provisions exist within the Resolution or Rebate Scheme to allow Officers to consider the request, the decision must be made by Council.

If Council choose to waive the charge, the existing Adopted Infrastructure Charge Notice remains applicable and an Infrastructure Agreement must be entered into. The Agreement will align with the currency period of the associated Development Permit.

Communication and Consultation:

The Applicant and Council Officers undertook various communications relating to the process of requesting a reduced Adopted Infrastructure Charge and other items relating to Development Application process and fees (Development Services have a current Operational Works application). The Applicant has stated that the project is ready to commence construction (i.e. would expect commencement under 1 year) once financial backing can be obtained.

Legal Strategy and Policy Implications:

If the Applicant's request is agreed to, this will not be in accordance with the Resolution.

As such, the reporting which is publicly available in accordance with the legislation will reflect the correct charge calculation and any Infrastructure Agreement that is applied, as per the Rebate Scheme or any request that departs from the Resolution.

Financial and Resource Implications:

Option 1 – Nil.

Option 2 – Nil Infrastructure Charges received by Council. Should Council apply its discretion against Officer's Recommendation and decide to consider this option, the calculation of additional demand placed upon trunk infrastructure that will be generated by the development will fall to Council to cover. A breakdown of the Adopted Infrastructure Charge cost has been included below:

	Applicant Cost	Council Cost	Total
Infrastructure Charge	\$84,293.03	-	\$84,293.03
Rebate Scheme Incentive Applied	\$42,146.52	\$42,146.52	\$84,293.03
Waived Infrastructure Charge	-	\$84,293.03	\$84,293.03

Summary:

As the Applicant's request does not meet the requirements outlined in the Resolution, it is recommended that the request be refused.

Option 1 – Refuse Applicant's Request

Option 2 – Approve Applicant's Request

Anticipated Resolution Completion Date:

If Option 1 is endorsed and the request is refused, the Applicant will be informed within 5 business days of the decision via formal correspondence.

If Option 2 is endorsed, the Applicant must enter into an Infrastructure Agreement with Council. The Agreement will reflect the Negotiated Decision Notice currency period.

Attachments:

1. DA/38/2019 – Decision Notice
2. DA/38/2019 - Adopted Infrastructure Charge Notice
3. DA/38/2019 – Negotiated Decision Notice
4. Request for waived Adopted Infrastructure Charge

Tabled Items:

Nil.

Report Prepared by: Development Services

G/3.5. MIRIAM VALE WATER SECURITY

Responsible Officer: General Manager Customer Experience

Council Meeting Date: 6 October 2020

File Ref: WS19.2; PRJ-305

Purpose:

To provide an update on the supply and security of water to Miriam Vale, and seek Council's approval for officers to vary and lift restriction levels with proper community engagement.

Officer's Recommendation:

That Council resolve to rescind Resolution G/19/3894 made at the 20 August 2019 General Meeting, providing for the Drought Management Team to vary and lift restriction levels.

Background:

The Gladstone region was drought declared on 1 May 2019 by the Queensland Government, following a sustained decline in rainfall across the region.

Drought conditions significantly affected the water source at Baffle Creek. Baffle Creek is the primary water source for the Miriam Vale township.

The Miriam Vale township has a population of around 515 made up of rural residential properties, small businesses, parks, open spaces, and a Primary School.

Following routine quarterly water monitoring in mid 2019, it was found that the water levels in Baffle Creek were extremely low and the estimated remaining days of supply required Council to activate its Drought Management Plan.

In mid-July 2019 officers began to investigate and activate strategies to secure Miriam Vale's water supply. An element of the strategy included the identification of an aquifer below Baffle Creek which potentially could be used as the township's water source. During the time it took to secure the aquifer supply water was carted to the town from the Awoonga scheme. At this point officers referred the decision to impose restrictions on residents to Council and at the General Meeting of 20 August 2019, Council resolved that

1. Restrictions are applied to residents connected to the Miriam Vale water network of 125 litres per person per day;
2. Consumption is monitored and communicated regularly to Miriam Vale residents to inform behavioural change;
3. Should water supply shortages continue and restriction targets are not met, Council reserves the right to transition to compliance-based water monitoring system.
4. Write to the Premier and Prime Minister stating the urgency of the water supply issue
5. Provide an urgent report on the Miriam Vale State School water infrastructure to a future Council meeting.

The community responded very well to the situation, attending events with officers and executives and weekly monitoring of metered consumption showed an immediate, dramatic, and sustained reduction in water usage from residential meters.

Summer of 19/20 brought no relief to the conditions, and a further season of less than expected rainfall. What was originally expected to be a straightforward modification of the plant to take a different source of water became a significant engineering project.

During the drought modification upgrade (the Baffle Creek bore installation), a pre-existing design issue was found within the Treatment Plants filter cleaning and potable water supply systems connected to the township. These two systems were directly coupled together, meaning that if an issue arose with the upstream filter cleaning system it would invariably flow through to the potable water supply system and onto the township, causing regulatory non-compliances.

Once this issue was found, a design review was conducted, which included external parties, of the two systems (filter and potable). It was decided that the only process for ending this issue was through an engineering control. A new design was completed which separated the two systems so the potable water supply would not be affected by a failure/malfunction of the upstream filtering cleaning system.

A Hazard and Operations Study (HAZOP) was conducted on the design, again including external parties. Once the HAZOP was completed, the final design was approved for construction.

Upon installation of the new pipework and valves separating the two systems, testing was conducted on all the Treatment Plants Critical Control Points to prove the plants ability to safely shutdown once these regulated points had been reached. After this testing, there was a 5-day proof of performance water treatment testing period to produce water within specification over a longer period. Upon completion of this testing, the treatment plant was recoupled to the towns potable water supply and the automated treatment process enabled.

Since recently returning to normal operations, we have seen a more efficient plant producing cleaner water for the community.

While this work was ongoing the township experienced welcome rainfall, refilling the creek. Metered usage has increased to levels above the current, resolved restriction.

While the operation of the plant and the current measurement of water levels and days of supply remaining in the creek are encouraging, our region as reviewed on 1 August 2020 remains fully drought declared.

Options, Risk and Opportunity Analysis:

Officers are confident that the resolved restriction level is no longer appropriate and would like to relax it. To achieve this, we recommend that Council rescinds its previous resolution which specified 125 litres per person per day (L/p/day).

Option One

Council rescinds its previous resolution, with no new restriction specified. Provides for Drought Management Team to relax or remove restrictions as required by data.

Option Two

Council rescinds its earlier resolution and specifies a new restriction level. Officers would need to return to Council to vary or relax restriction.

Should you decide that to be the best course of action an alternative recommendation could be:

That Council rescinds its previous resolution (G/19/3894) and resolves that restrictions are applied to residents connected to the Miriam Vale water network of 195 litres per person per day.

Communication and Consultation:

Significant community engagement, including Community Information Sessions, letter drops, and media engaged took place when restrictions were first imposed. The Drought Management Team consisting of Executive Team and Subject Matter Experts from Strategic Asset Performance and Operations continue to meet and monitor production and usage.

Legal Strategy and Policy Implications:

The Drought Management Plan will be revised to take into consideration the latest information and methods of measurement of supply, and triggers for restrictions.

Financial and Resource Implications:

There was a significant cost incurred securing a supply of water for the residents and businesses of Miriam Vale with carting water, exploring alternative water supply and treatment plant modifications. These are detailed in the table below

Water Trucking	\$ 611,354.46
Alternate Water Source Analysis	\$ 173,357.30
Treatment Plant Modifications	\$ 128,750.27

Summary:

The community at Miriam Vale responded very well to the imposition of restrictions at the height of the drought and concern for continuity of supply. While we are still in drought with another year of below average rainfall predicted officers require the ability to balance supply and demand by varying restriction levels.

Anticipated Resolution Completion Date:

31 October 2020

Attachments:

Nil

Tabled Items

Nil.

Report Prepared by: General Manager Customer Experience

G/3.6. BIOSECURITY PROGRAM (SURVEILLANCE) SUMMER 2020

Responsible Officer: General Manager Customer Experience

Council Meeting Date: 6 October 2020

File Ref: EM 12.6

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 Bellyache Bush, Giant Rats Tail Grass, Groundsel Bush, Mother of Millions, 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 1 November 2020 to 30 April 2021.

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. Additionally, Gladstone Regional Council's Biosecurity Plan 2021-2025 will also contain success indicators to implement Biosecurity Programs to target priority invasive species within our region.

Council Officers have undertaken the following inspections during the current Biosecurity Plan period 2016 to 16 September 2020.:

- more than 605 properties inspected, under Biosecurity Programs,
- 17 Council properties and
- 102 properties resulting from CSRs.

25 of these properties contain no weeds, the remainder require regular follow up inspections to ensure action is taken to comply and control the invasive species.

The biannual program is proposed to be implemented based on the following framework:

- When the region'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 the region'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 2020-21 Summer Biosecurity Surveillance Program (Attachment 1) to be undertaken from 1 November 2020 to 30 April 2021 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.

Bellyache Bush, Giant Rats Tail Grass, Groundsel Bush, Mother of Millions, 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. This option would require more resources through the administrative overhead it would incur.

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. This option would also require more resources through the administrative overhead it would incur.

Communication and Consultation:

Relevant officers in Customer Experience and Strategic Asset Performance have been consulted in the development of the proposed 2020-21 Summer Biosecurity Surveillance Program.

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 19 August 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:

21 October 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. 2020-21 Summer Biosecurity Surveillance Program

Tabled Items:

Nil.

Report Prepared by: Manager Biosecurity and Environmental Health

G/3.7. CONTRACT STAFF REMUNERATION POLICY

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 6 October 2020

File Ref: CM28.2

Purpose:

To propose that Council adopts a policy position for contract staff remuneration principles and contract duration terms.

Officer's Recommendation:

That Council adopt P-2020-14 Contract Staff Remuneration Policy.

Background:

Historically, there has not been an adopted policy position on the remuneration or duration of terms for contract positions (including the CEO position) which does not provide clarity or consistency of application when recruiting to fill contract positions. As Gladstone Regional Council competes in a dynamic regional labour market with not only other local government but also local industries (with most individual contract positions able to work across industries with very few bound to the local government sector), it is prudent for Council to adopt a policy on contract staff remuneration to provide direction and clarity to Mayor and Councillors when recruiting for the CEO's position, and the CEO / General Managers when recruiting for other contract positions.

Options, Risk and Opportunity Analysis:

Currently there is a risk that individual contract staff positions are not being remunerated against a consistent benchmark which can lead to poor staff morale or an inability to successfully recruit for positions. The proposed policy aims to clarify Council's position in the market based on a nationwide remuneration survey which provides transparent consistent data.

The policy also clarifies the delegation for approving remuneration levels of positions and any annual review decisions. The Mayor is proposed to have delegation to approve the CEO remuneration with all other contract positions remuneration determined by the CEO.

Council may choose to adopt a different benchmark proposed in the policy.

Communication and Consultation:

The policy has been developed by the General Manager People, Culture and Safety with input from the Chief Executive Officer. General Managers have been provided the opportunity to contribute feedback on the policy with the governance team ensuring relevant policy development processes have been applied.

Legal Strategy and Policy Implications:

The adoption of the policy is expected to provide clarity on Council's position for offering remuneration and contract duration terms for individual contract staff positions. The policy aligns to the principles of the *Local Government Act 2009* which provide for the local government to appoint the CEO (and individual contract terms) whilst the CEO has accountability for employment of all other positions in Council.

Financial and Resource Implications:

There are minimal financial implications associated with the proposed policy. A recent survey undertaken of contract positions identified most positions within the proposed benchmark.

Summary:

A new Contract Staff Remuneration Policy is proposed to be adopted to provide clarity and consistency to the remuneration and contract duration term offered when recruiting for individual contract staff positions.

Anticipated Resolution Completion Date:

Within two weeks of resolution.

Attachments:

1. Proposed P-2020-14 - Contract Staff Remuneration Policy

Tabled Items:

Nil.

Report Prepared by: Specialist Adviser – Governance & Risk

G/4. DEPUTATIONS

G/4.1. GAPDL DEPUTATION

Responsible Officer: Chief Executive Officer

Council Meeting Date: 6 October 2020

File Ref: CM7.6

Purpose:

A presentation to Council will be held by Gladstone Area Promotion Development Limited (GAPDL) to provide an information update on the outcomes of GAPDL for the past twelve months and demonstrate the value of GAPDL's service provision.

Officer's Recommendation:

That the Deputation from Gladstone Area Promotion Development Limited (GAPDL) be received.

Background:

Gladstone Regional Council are a major funding partner of Gladstone Area Promotional Development Limited (GAPDL).

Time of Presentation	9:00 am
Duration of Presentation plus question time	30 minutes
Speakers to present	Gus Stedman Nicola Scurr Leigh Zimmerlie
Is the matter currently or subject to legal proceedings?	No
Is the matter for information only to Council?	No

Attachments:

Nil.

Tabled Items:

Nil.

Reported Prepared by: Executive Secretary

G/5. COUNCILLORS REPORT

Nil

G/6. URGENT BUSINESS

Nil

G/7. NOTICE OF MOTION

Nil

G/8. CONFIDENTIAL ITEMS

Nil

ATTACHMENTS