



GLADSTONE
REGIONAL COUNCIL

**GENERAL MEETING NOTICE
AND AGENDA**

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

On Tuesday 7 December 2021

Commencing at 9.00am

**Mark Holmes
CHIEF EXECUTIVE OFFICER, Acting**

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G/1. MAYORAL STATEMENT OF CURRENT ISSUES

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 16 NOVEMBER 2021

Responsible Officer: Chief Executive Officer

Council Meeting Date: 1 December 2021

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 16 November 2021.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 16 November 2021 be confirmed.

Attachments:

1. Minutes of the General Meeting of Council held on 16 November 2021.

Tabled Items:

Nil.

Report Prepared by: Executive Secretary

G/3. DEPUTATIONS

G/3.1. STANWELL CORPORATION LIMITED

Responsible Officer: Chief Executive Officer

Council Meeting Date: 7 December 2021

File Ref: CM7.6

Purpose:

To discuss Stanwell Corporation Limited's project to position Central Queensland as a renewable hydrogen hub.

Officer's Recommendation:

That the deputation from Stanwell Corporation Limited be received.

Background:

Deputation details are as follows:

Hydrogen is being hyped as the next global energy source. The world's smallest molecule contains a world of opportunities and Stanwell Corporation is actively exploring opportunities for hydrogen to be a part of their portfolio as Queensland transitions to the energy market of the future.

Gladstone has been earmarked as a major player in the future generation and export of hydrogen, with both the Queensland and Federal governments announcing the location as a future hydrogen hub. There are a number of factors that make Gladstone an ideal hydrogen production and export hub.

Stanwell have formed a consortium of domestic and international partners, to plan for a large-scale renewable hydrogen production, liquefaction and export facility based in Central Queensland, with the view to producing renewable hydrogen for export to Japan and use in local industries in Gladstone.

Through the project, Stanwell are seeking to achieve the following:

- Position Central Queensland as a renewable hydrogen hub
- Support a pathway to net zero carbon emissions through domestic supply of renewable hydrogen
- Develop an integrated renewable hydrogen supply chain between Central Queensland and Japan
- Deliver economic and social benefits through employment and local business opportunities
- Improve technology and commercial readiness; and
- Achieve target hydrogen pricing set by offtakers

Time of Presentation	9.15am
Duration of Presentation plus question time	30 minutes
Speakers to present	Phil Richardson, General Manager Energy Futures Liam Tobin, Project Director Jodana Anglesey, Senior Marketing & Communication Advisor
Is the matter currently or has previously been subject to legal proceedings?	No
Matter for information only	Yes

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Attachments:

1. Stanwell Corporation Limited Presentation

Tabled Items:

Nil.

Reported Prepared by: Executive Secretary

G/3.2. BRIAN ROBERTSON

Responsible Officer: Chief Executive Officer

Council Meeting Date: 7 December 2021

File Ref: CM7.6

Purpose:

To discuss 33 Agnes Street, Gladstone issues.

Officer's Recommendation:

That the deputation from Mr Brian Robertson and Mr Adrian Robertson be received.

Background:

Deputation details are as follows:

Time of Presentation	11:00am
Duration of Presentation plus question time	15 mins
Speakers to present	Brian Robertson Adrian Robertson
Is the matter currently the subject of legal proceedings?	No
Matter for information only	No

Attachments:

Nil.

Tabled Items:

Nil.

Reported Prepared by: Executive Secretary

G/4. OFFICERS' REPORTS

G/4.1. REQUEST FOR REBATE SCHEME CONSIDERATION TO DEVELOPMENT APPLICATION 28.2020 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A RETIREMENT FACILITY (MANUFACTURED HOUSING ESTATE - 201 DWELLINGS) (5 STAGES) LOCATED AT LOT 300 OCCHILUPO CIRCUIT

Responsible Officer: General Manager Customer Experience

Council Meeting Date: 7 December 2021

File Ref: DA.28.2020 & FM7.2

Purpose:

The purpose of this report is to allow Council to consider entering into an Infrastructure Agreement to reduce the associated Adopted Infrastructure Charge for a Material Change of Use of Premises for a Retirement Facility (Manufactured Housing Estate – 201 dwellings (5 Stages)) located at Lot 300 Occilupo Circuit, Agnes Water (Ref: DA/28/2020) and apply under the Infrastructure Charges Rebate Scheme (Policy Number P-2019-28).

Officer's Recommendation:

That the request to enter into an Infrastructure Agreement to reduce the Adopted Infrastructure Charge and request further exemptions outside the Infrastructure Charges Rebate Scheme for Development Application 28/2020 located at Lot 300 Occilupo Circuit, Agnes Water be refused due to non-compliance with the policy.

Background:

The subject site is located at Lot 300, Agnes Water which can be viewed via Figure One. The total area of the site is approximately 10.53 hectares with two (2) potential road frontages available.



Figure One: Aerial Image of Subject Site

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Development Application 28/2020 was lodged with Council on 9 September 2020 and confirmed on 6 October 2021. A Development Permit and Adopted Infrastructure Charge Notice for this application was issued on 13 April 2021 (Attachments 1 and 2). After receipt of the Development Permit, the Applicant suspended the Appeal Period on 12 May 2021 to make representations. On 25 May 2021, the Applicant notified Council that no representations would be made; resulting in the Decision Notice issued on 13 April 2021 remaining current.

On 13 October 2021, the Applicant lodged a Change Request (minor) to amend several conditions. On 26 November 2021, Council issued a Changed Decision Notice and updated Adopted Infrastructure Charge (Attachment 3 and 4).

The proposal seeks to develop 201 manufactured homes as a Retirement Facility in Agnes Water. The Planning Scheme defines a Retirement Facility as the following:

A residential use of premises for an integrated community and specifically built and designed for older people. The use includes independent living units and may include serviced units where residents require some support with health care and daily living needs. The use may also include a manager's residence and office, food and drink outlet, amenity buildings, communal facilities and accommodation for staff.

The development includes 5 stages which entail onsite community facilities such as a Community Centre, Bowling Green, Pool and Tennis Court (Figure Two below includes an overall site plan). These community facilities will be constructed within Stage 1 and are only available to the gated development (i.e. will not be available for hire by the general community). The elevation for the Clubhouse has been illustrated below in Figure Three and Four.

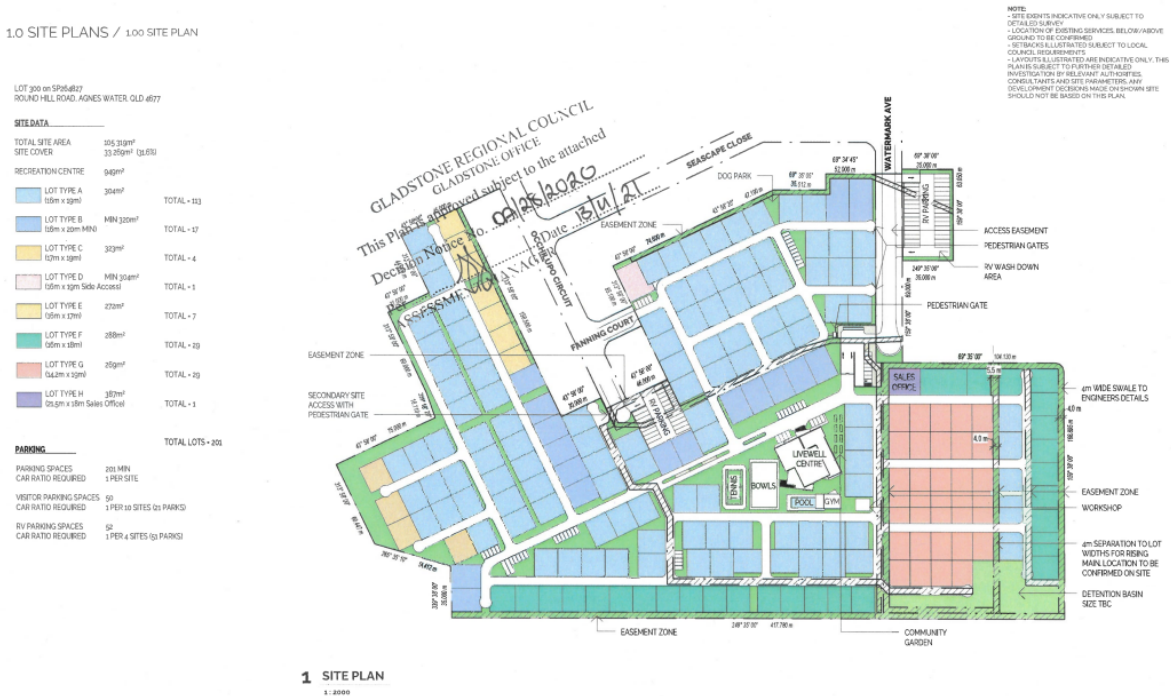





Figure Two: Approved Site Plan

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2.0 BUILDING DETAILS / 2.00 LIVWELL CENTRE

LEGEND

 RH	RENDERED FINISH	 WB1	HORIZONTAL CLADDING TYPE 1
 SA1	VERTICAL CLADDING TYPE 1	 WB2	HORIZONTAL CLADDING TYPE 2
 SA2	VERTICAL CLADDING TYPE 2	 MRS	METAL ROOF SHEETING
 FS	FEATURE STONE	NOTE: ALTERNATIVE FACADE AND EXTERNAL COLOUR SCHEMES TO BE SELECTED BY PURCHASERS	

NOTE:
 - SITE EVENTS INDICATIVE ONLY SUBJECT TO DETAILED SURVEY
 - LOCATION OF EXISTING SERVICES BELOW GROUND TO BE CONFIRMED ONLY. THIS PLAN IS SUBJECT TO FURTHER DETAILED INVESTIGATION BY RELEVANT AUTHORITIES, CONSULTANTS AND SITE PARAMETERS. ANY DEVELOPMENT DECISIONS MADE ON SHOWN SITE SHOULD NOT BE BASED ON THIS PLAN.



A LIVWELL CENTRE - ELEVATION A
1:200




B LIVWELL CENTRE - ELEVATION B
1:200

GLADSTONE REGIONAL COUNCIL
 GLADSTONE OFFICE
 This Plan is approved subject to the attached
 Decision Notice No. DA/25/2020 Date 13/11/21
 Per [Signature]
 ASSESSMENT MANAGER

Figure Three: Clubhouse Elevations

2.0 BUILDING DETAILS / 2.00 LIVWELL CENTRE

LEGEND

 RH	RENDERED FINISH	 WB1	HORIZONTAL CLADDING TYPE 1
 SA1	VERTICAL CLADDING TYPE 1	 WB2	HORIZONTAL CLADDING TYPE 2
 SA2	VERTICAL CLADDING TYPE 2	 MRS	METAL ROOF SHEETING
 FS	FEATURE STONE	NOTE: ALTERNATIVE FACADE AND EXTERNAL COLOUR SCHEMES TO BE SELECTED BY PURCHASERS	

NOTE:
 - SITE EVENTS INDICATIVE ONLY SUBJECT TO DETAILED SURVEY
 - LOCATION OF EXISTING SERVICES BELOW GROUND TO BE CONFIRMED ONLY. THIS PLAN IS SUBJECT TO FURTHER DETAILED INVESTIGATION BY RELEVANT AUTHORITIES, CONSULTANTS AND SITE PARAMETERS. ANY DEVELOPMENT DECISIONS MADE ON SHOWN SITE SHOULD NOT BE BASED ON THIS PLAN.



C LIVWELL CENTRE - ELEVATION C
1:200



D LIVWELL CENTRE - ELEVATION D
1:200

GLADSTONE REGIONAL COUNCIL
 GLADSTONE OFFICE
 This Plan is approved subject to the attached
 Decision Notice No. DA/25/2020 Date 13/11/21
 Per [Signature]
 ASSESSMENT MANAGER

Figure Four: Clubhouse Elevations

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A further break down of the staging has been included in the below table:

Stage One	<ul style="list-style-type: none"> • 39 Dwellings • Communal recreational facilities
Stage Two	<ul style="list-style-type: none"> • 41 Dwellings
Stage Three	<ul style="list-style-type: none"> • 39 Dwellings
Stage Four	<ul style="list-style-type: none"> • 40 Dwellings
Stage Five	<ul style="list-style-type: none"> • 42 Dwellings

The development will operate under the *Manufactured Homes (Residential Parks) Act 2003* which permits the Applicant to construct relocatable Dwelling Houses and lease each dwelling out to a potential customer.

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 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 Retirement Facility will attract the following charge rate:

Use	Category	Rate
Retirement Facility	Accommodation (Long Term) (1 or 2 Bedroom)	\$20,222.30 per dwelling
	Accommodation (Long Term) (3+ Bedroom)	\$28,311.20 per dwelling

In accordance with the Resolution the following breakdown for the development is provided below:

Existing Use	Lawful		Proposed Use		
Planning Scheme Definition	Scheme	GFA	Planning Scheme Definition	Amount	Stage
Vacant Lot		N/A	Accommodation (Long Term) (1-2 Bedroom)	24 Dwellings = \$485,335.20	Stage One
			Accommodation (Long term) (3+ Bedrooms)	15 Dwellings = \$424,668.00	
			Accommodation (Long Term) (1-2 Bedroom)	26 Dwellings = \$525,779.80	Stage Two
			Accommodation (Long term) (3+ Bedrooms)	15 Dwellings = \$424,668.00	
			Accommodation (Long Term) (1-2 Bedroom)	19 Dwellings = \$384,223.70	Stage Three

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	Accommodation (Long term) (3+ Bedrooms)	20 Dwellings = \$566,224.00	
	Accommodation (Long Term) (1-2 Bedroom)	25 Dwellings = \$505,557.50	Stage Four
	Accommodation (Long term) (3+ Bedrooms)	15 Dwellings = \$424,668.00	
	Accommodation (Long Term) (1-2 Bedroom)	24 Dwellings = \$485,335.20	Stage Five
	Accommodation (Long term) (3+ Bedrooms)	18 Dwellings = \$509,601.60	
		Total: \$4,736,061.00	

As part of the Decision Notice, an Adopted Infrastructure Charge Notice (AIC) was issued in accordance with the Act for a total AIC charge of \$4,359,927.10 (inclusive of vacant lot credit). However, based on the recent Changed Decision Notice, a Changed AIC charge was issued for \$4,707,749.80 (inclusive of vacant lot credit). The notice was staged and payable upon completion of each retirement dwelling unit.

Applicant's Request

The Applicant lodged a request to be considered under the Rebate Scheme on 14 September 2021 following on from a previous decision made by Council for an Aged Care Facility at Tannum Sands (Attachment 5).

The request advises that although the Retirement Facility independent living units (ILU) provides a variety of configurations such as 2 and 3 bedroom ILUs, the occupation rate of would have a maximum occupation of two permanent residents. These arrangements will be formally documented within the lease arrangements of the development and thus would operate within a 1 to 2 bedroom capacity, which would reduce the overall demand.

Based on previous evidence submitted before Council, surrounding local government areas consider the suggested occupancy loading on networks in which they agreed to enter into an Infrastructure Agreement for the following reduced rates:

- ILU – 2 Bedrooms - \$13,000 per dwelling
- ILU – 3 Bedrooms - \$15,000 per dwelling

As a result of the above considerations, the Applicant seeks for Council to consider entering into an Infrastructure Agreement that will include the following:

1. Agree in principal a charge outside of the current resolution for both the 2-bedroom and 3-bedroom ILUs (reduced charge);
2. Agree in principal to apply the reduced charge outside the current infrastructure charge for the 118 x 2-bedroom and 83 x 3-bedroom ILUs;
3. Apply previous methodology by Council to consider the difference between the Levied Charge and the reduced charge, resulting in the rebated discount.

Options, Risk and Opportunity Analysis:

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

Option 1 – Refuse Applicant’s Request

Officers have correctly applied the applicable charging rate based on the endorsed LGIP and associated Resolution.

If this option was adopted, the Infrastructure Charge can be paid in full (per stage) or negotiations can be undertaken to enter into an Infrastructure Agreement to pay the Infrastructure Charge in installments (plus interest).

Please note that the development could meet the eligible criteria under the Infrastructure Charges Rebate Scheme. Under Delegated Authority, Council Officers could progress the Infrastructure Agreement with the Applicant and stipulate the rebate conditions (timing of completion and capped charge). The Adopted Infrastructure Charge with the \$500,000 cap applied would be reduced to \$4,207,749.80.

Option 2 – Approve Applicant’s Request and agree to a charge outside of the current resolution

The Infrastructure Charge for the Retirement Facility component be reconsidered to include a 1 bedroom and 2 bedroom ‘calculated cost’ based on the lease arrangements conducted by the developer/site manager.

Use	Calculation	Revised Charge Rate	Quantity	Total
Retirement Facility	ILU – 2 Bedrooms dwelling rated as 1 bedroom dwelling	\$13,000	118 dwellings	\$1,534,000.00
	ILU – 3 bedroom dwelling rated as 2 bedroom dwelling	\$15,000	83 dwellings	\$1,245,000.00
Total Charge				\$2,779,000.00

As per the previous decision by Council, the Applicant has requested the same methodology be applied which is included below:

Formula = Levied Charge – Reduced Charge = Rebate provided within policy conditions

Consideration	Levied Charge	Reduced Charge	Rebate Provided
<i>Flinders Village Outcome</i>	\$2,354,476.60	\$1,571,357.60	\$783,119.00
DA/28/2020 Request	\$4,707,749.80	\$2,779,000.00	\$1,928,749.80

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If Council choose to reduce the charge and apply the rebate incentive, the existing Adopted Infrastructure Charge Notice remains applicable and an Infrastructure Agreement (IA) must be entered into. As a result, the Infrastructure Agreement will outline the below breakdown of charges:

	Charge	Credit/Incentive	Total
Retirement Facility	\$4,736,061.00		
Vacant Lot		\$28,311.20	
Rebate Request Applied		\$1,928,749.80	
			\$2,779,000.00

Communication and Consultation:

The Applicant and Council Officers have irregular meetings regarding this development; the status of the project and any upcoming and/or achieved milestones from the developer.

Legal Strategy and Policy Implications:

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

The reporting and tracking of Infrastructure Charges and payment arrangements are publicly available in accordance with legislation.

Should Council approve the applicant's request to be considered under the Rebate Scheme, reasons will need to be provided.

Financial and Resource Implications:

Option 1 – Nil.

Option 2 – Should Council 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 (i.e. ratepayers) to cover.

Council allocated in its 2021-2022 budget \$200,000 to cover the cost of implementing our Infrastructure Charges Rebate Scheme for developments that meet the eligibility criteria.

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Summary:

Option	Description	Outcome
Option 1	Refuse Applicant's Request	AIC outlined in the Adopted Infrastructure Charge Notice for \$4,707,749.80 remains current and the Applicant could progress a request under the Rebate Scheme in accordance with the requirements (time restriction and cap of \$500,000).
Option 2	Approve Applicant's Request and agree to a charge outside of the current resolution	Enter into an Infrastructure Agreement (IA) outlining that the revised charge applied and Rebate included. The agreement will specify the staged requirements and overall timeframes the Applicant must comply with. The IA would result in the AIC to reflect as \$2,779,000.00 .

Anticipated Resolution Completion Date:

If Option 1 is endorsed and the request is refused, the Applicant will be informed within 10 business days of the decision.

If Option 2 is endorsed, the Applicant must enter into an Infrastructure Agreement with Council.

Attachments:

1. DA/28/2020 - Decision Notice
2. DA/28/2020 - Adopted Infrastructure Charge Notice
3. DA/28/2020 - Changed Decision Notice
4. DA/28/2020 - Changed Adopted Infrastructure Charge Notice
5. Request for consideration against Rebate Scheme

Tabled Items:

Nil.

Report Prepared by: Development Services

G/4.2. GLADSTONE AIRPORT CORPORATION BOARD OF DIRECTORS

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 7 December 2021

File Ref: FM19.1

Purpose:

To consider the composition of the Gladstone Airport Corporation (GAC) Board of Directors.

Officer's Recommendation:

That Council:

1. Reappoint Adrienne Ward to the Board of the Gladstone Airport Corporation as well as Chairman for a further four-year term, commencing on 1 July 2022; and
2. Reappoint Leigh Zimmerlie to the Board of the Gladstone Airport Corporation for a further three-year term, commencing on 1 July 2022; and
3. Commence recruitment for a new Board Director of the Gladstone Airport Corporation with the appointment to be for an initial period of 2 years, commencing on 1 July 2022.

Background:

In accordance with the *Local Government (Beneficial Enterprises and Business Activities) Regulation 2010* (repealed but transitioned) (Regulation) and the Gladstone Airport Corporation's Constitution, the Board of the Corporation must consist of no less than five (5) Directors.

The current Directors of Gladstone Airport Corporation are:

Director	Date Appointment Commenced	Current Appointment End Date
Adrienne Ward (Chairman)	20 September 2016	30 June 2022
Dr Bradley Bowes	01 July 2012	30 June 2022
Cr Rick Hansen	05 April 2016	
Leigh Zimmerlie	20 September 2016	30 June 2022
Tina Zawila	01 July 2017	30 June 2023
Graeme Kanofski	01 July 2017	30 June 2023

Options, Risk and Opportunity Analysis:

The Constitution of Gladstone Airport Corporation does not stipulate the minimum/maximum tenure of a director, with Council as the shareholder to determine board appointments and tenures.

Good governance advocates for the consideration of the composition of a board of directors in terms of skill set but also tenure. The Corporate Governance Principles and Recommendations set out by the Australian Stock Exchange (ASX) Corporate Governance Council (noting these only formally apply to ASX listed companies) suggest that a balance is required between new members (to ensure independence from the entity and maintain engagement, relevance and rigour) and long-serving members (who protect the

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corporate memory of the board). It also recommends consideration of the independence of any board member who has served more than 10 years to ensure that he or she hasn't become too close to management to be considered independent.

The appointment terms of Adrienne Ward (chairman), Dr Bradley Bowes and Leigh Zimmerlie are due to end on 30 June 2022, with these Board positions presented for consideration.

Chairman's Position

Council has the option to reappoint Adrienne Ward as a director as well as the Chairman of the board or alternatively may choose not to reappoint Ms Ward. If Council elects not to reappoint Ms Ward, it will also need to consider appointing one of the existing Directors as the next Chairman prior to June 2022.

Director Positions

Reappoint one (1) Director for a further term, end one (1) Director's appointment and recruit a new Director

Confidential attachment 1 provides correspondence received from the GAC Board Chairman recommending the reappointment of Leigh Zimmerlie for a further three-year term. The correspondence does not recommend reappointing Dr Bradley Bowes due to his length of tenure at 9 years (noting ten years once his current appointment expires). Under this option, Council would elect to reappoint one (1) of the Directors and recruit for the other position. If Dr Bradley Bowes tenure concluded, it is recommended that recruitment for a new Director be targeted at an individual with experience in risk management and compliance however the processes associated with recruitment will be determined after the decision is made on these appointments.

Reappoint both Directors for a further term

Council may wish to retain the existing board composition and retain both directors for a further period given the experience of the existing Directors. If Council wishes to elect for this option, there would not be a requirement to recruit any positions on the board.

Option 3 – End both Director's appointments and recruit two (2) new Directors

Council may elect to end both Directors appointments at the end of their term and recruit for two new Directors.

Alternative Recommendation:

That Council commence recruitment for two (2) new Board Directors of the Gladstone Airport Corporation with the appointment to be for an initial period of 2 years, commencing on 1 July 2022.

Additional Options

Another opportunity available to Council is to reduce the total number of Board Directors from six (6) to five (5). In this circumstance, Council may elect to reappoint one (1) of the current Directors only or not renew either Director and commence recruitment for one (1) vacant position only.

Communication and Consultation:

Gladstone Airport Corporation's Board Chairman has recommended the reappointment of Leigh Zimmerlie to the airport board but is not recommending Dr Bradley Bowes due to his length of tenure.

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, sections 53 and 54 of the Regulation set the process for appointment of directors to the board of the corporate entity.

Further, the Gladstone Airport Corporation operates under a Constitution which provides further requirements in relation to the appointment of Directors.

Financial and Resource Implications:

Directors of Gladstone Airport Corporation are paid meeting attendance fees by the Corporation in accordance with the arrangements negotiated between the parties.

Should Council seek to recruit a new board director/s, resources will be required to manage the recruitment process and will be determined followed the outcome of this report.

Summary:

Nil.

Anticipated Resolution Completion Date:

Within two weeks of resolution where Council elects to renew all positions or prior to 1 July 2022 where recruitment of a Director is required.

Attachments:

1. CONFIDENTIAL – Gladstone Area Corporation Board Directors Reappointment 2022

Tabled Items:

Nil.

Report Prepared by: General Manager Finance Governance & Risk

G/4.3. REVIEW OF TRANSPORT ENVIRONMENT ADVISORY GROUP TERMS OF REFERENCE

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 7 December 2021

File Ref: RD4.4

Purpose:

To allow Council to endorse amendments to the Transport Environment Advisory Group (TEAG) Terms of Reference (ToR).

Officer's Recommendation:

That Council:

1. Rescind Part 2 of Council Resolution G/19/3808 giving effect to repealing the existing Transport Environment Advisory Group Terms of Reference; and
2. Adopt the revised Transport Environment Advisory Group Terms of Reference as attachment 1.

Background:

The Transport Environment Advisory Group (TEAG) is a technical forum consisting of representatives of the Department of Transport & Main Roads (DTMR), Queensland Police Service (QPS), nominated Councillors and Council officers with the aim to share information and consider traffic related matters impacting the Gladstone region (excluding speed limit considerations). A review of the Transport Environment Advisory Group (TEAG) Terms of Reference (ToR) has been undertaken by TEAG and is presented to Council for endorsement.

The proposed changes are summarised below with a tracked version of proposed changes included in Attachment 3:

- Remove requirement for different decision-making rights based on value as this contradicts current capital works and investment decision delegated authorities. Currently the ToR requires any works to occur over \$30,000 to be referred to Council for decision. This contradicts existing financial delegations and internal decision-making processes that have been established since the ToR were last review in 2019. Several references to 'minor or major matters' proposed to be removed through ToR.
- Remove Assessment of Heavy Vehicle related issues as these are now covered by the requirements of the National Heavy Vehicle Regulations, and progressed through the Regional Roads Transport Group
- Updated position references where applicable
- Included ability for attendance via Teams if requested.
- Updated formatting in line with Brand Guidelines.

Options, Risk and Opportunity Analysis:

Option 1- Adopt the revised ToR

This option would result in adopting the proposed revised ToR which has been reviewed in line with current legislation. This option is recommended to align the operations of TEAG with existing internal operational processes.

Option 2 – Adopt the revised ToR with changes

This option would result in adopting the proposed revised ToR but with any changes Council may wish to propose. An alternative resolution may be:

“That Council:

- 1. Rescind Part 2 of Council Resolution G/19/3808 To repeal the existing Transport Environment Advisory Group Terms of Reference; and*
- 2. Adopt the revised Transport Environment Advisory Group Terms of Reference as attachment 1, subject to the following amendments:
a) Insert change;
b) Insert change.”*

Option 3 – Retain existing ToR without any changes

There is an option for Council to retain the existing ToR in its current format and terminology. However, this option is not recommended as the inclusion of ‘minor or major matters’ for decision making is inconsistent with decision making delegations that existing operationally in the business.

Communication and Consultation:

The proposed changes to the ToR were tabled to members of the Group and endorsed at their meeting on 7 October 2021.

Legal Strategy and Policy Implications:

Changes to the ToR will impact the operations of TEAG however, the changes proposed are to align the decision-making rights with existing operational decision-making rights of the business.

Financial and Resource Implications:

Nil.

Summary:

Nil.

Anticipated Resolution Completion Date:

Within two weeks of resolution.

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Attachments:

1. Proposed Transport Environment Advisory Group Terms of Reference
2. Current Transport Environment Advisory Group Terms of Reference
3. Proposed Transport Environment Advisory Group Terms of Reference – tracked changes

Tabled Items:

Nil.

Report Prepared by: Manager Governance & Risk

G/4.4. BAFFLE CREEK AND AUCKLAND CREEK FLOOD STUDIES

Responsible Officer: General Manager Strategic Asset Performance

Council Meeting Date: 7 December 2021

File Ref: LU6.2

Purpose:

The purpose of this report is to seek the Council's endorsement of the Baffle Creek and Auckland Creek Flood Studies.

Officer's Recommendation:

That Council:

1. Endorse the Baffle Creek Flood Study Report (January 2019);
2. Endorse the Auckland Creek Flood Study Report (August 2019).

Background:

The Queensland Flood Risk Management Framework sets the direction for flood risk management in Queensland. This Framework was developed by the Queensland Reconstruction Authority (QRA). Flood studies (and associated mapping) sit within this flood risk management framework. The outcomes from flood studies are used to inform the flood risk assessment and management process.

Flood studies and flood mapping forms the basis for our understanding of flood behaviour and risk, and provides the foundation for flood risk management decisions. Development and implementation of flood studies and flood mapping impacts a wide-range of key users in areas as diverse as land use planning, emergency management and community awareness. Communication of this information helps to build flood resilience within the community and informs a framework for Council and State agencies to manage flood risk into the future

Local Government responsibilities for a flood study as described in the flood risk management framework are to:

- undertake flood studies for catchments within their area/shared with neighbouring local government areas
- publish flood study results
- provide GIS layers of mapped extents on their website and share with state government and Insurance Council of Australia (ICA).

Currently there is no flood mapping published by Council for the Baffle Creek catchment and flood mapping in the Auckland Creek catchment was prepared in 2006.

The Baffle Creek catchment is Council's southernmost riverine catchment that includes the townships of Bororen in the north, Lowmead and Rosedale in the south and Baffle Creek and Rules Beach in the east. It is noted that a small portion of the Baffle Creek catchment falls within the Bundaberg Regional Council area, so Council officers have worked with relevant officers in this Council to ensure that both councils' needs have been met.

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The Baffle Creek catchment has recorded a number of large flood events particularly in January 2011, January 2013 and October 2017, with the largest recorded flood occurring in January 2013 since the start of record in 1970. It is noted that local history suggests that a similar or larger flood to January 2013, occurred in January 1913. Council engaged Engeny Water Management to undertake the Baffle Creek Flood Study and completed in January 2019.

The Auckland Creek catchment covers the majority of the urban areas in the city of Gladstone and, thus, includes residential, commercial and industrial areas. The catchment has recorded a number of large flood events particularly in January 2013 and March 2017. Council engaged Engeny Water Management to undertake the Auckland Creek Flood Study and completed in August 2019.

Attachment 1 and 2 includes the flood mapping extents for the Defined Flood Event in accordance with the Flood Hazard Overlay Code of Council's Planning Scheme. It represents the 1% AEP (previous known as 1 in 100yr ARI) flood event including an allowance for climate change.

This report seeks Council's endorsement of the Baffle Creek Flood Study 2019 and Auckland Creek Flood Study 2019, which would result in Council's current flood mapping being updated in the "Gladstone Regional Council Services" portal of the online mapping system. However, Council's existing flood hazard mapping in the Our Place Our Plan Gladstone Regional Council Planning Scheme (the Planning Scheme) would remain unchanged until a Planning Scheme amendment was undertaken in the future.

Options, Risk and Opportunity Analysis:

Option 1 – Endorse the new flood studies and associated mapping

This option involves:

- Endorsing the Baffle Creek Flood Study 2019 and Auckland Creek Flood Study 2019;
- Updating the flood mapping associated with these flood studies (shown in Attachments 1 and 2) into Council's online mapping "Gladstone Regional Council Services" portal;
- Undertaking Planning Scheme amendment(s) at a later stage to update the Planning Scheme mapping with the new and updated flood mapping in these catchments.

Opportunities:-

- Residents will be better informed of the flood hazard in these catchments.
- Council is complying with the Queensland Flood Risk Management Framework.

Risks:-

- Confusion for residents due to the difference in mapping between the "Gladstone Regional Council Services" portal (with the new and updated flood mapping) and the "Town Planning Scheme" portal (with no flood mapping in the Baffle Creek catchment and the 2006 flood mapping in the Auckland Creek catchment).

Option 2 – Retain existing flood studies and associated mapping

This option involves:

- Retaining Council's currently published flood hazard mapping that has no flood mapping in the Baffle Creek catchment and flood mapping from the Auckland Creek Flood Study 2006.
- Update Council's online flood mapping at the same time as the Flood Hazard Overlay when the Planning Scheme is amended in the future

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Risks:-

- Flood information cannot be given out to the public.
- Residents won't be informed of the updated flood modelling and how it impacts their properties.
- No compliant with the Queensland Flood Risk Management Framework

Communication and Consultation:

Internal

Consultation has been undertaken with the Disaster Response Specialist and officers in the Asset Planning, Engineering Asset Solutions, Asset Performance and Monitoring, Governance, Development Services and Insights and Innovations teams.

External

Consultation has been undertaken with the Local Emergency Coordination Committees (LECCs) in the area. Council undertook community consultation with the Baffle Creek Community as part of the Our Creek, Our Resilience Project. The flood studies are already in use and made available to the Local Disaster Management Group (LDMG) and relevant state agencies.

Legal Strategy and Policy Implications:

The QRA's Queensland Flood Risk Management Framework outlines Local Government responsibilities to undertake flood studies and publish them.

The recommendations of the Queensland Floods Commission of Inquiry (16 March 2012) influenced the above-mentioned framework. Specific recommendations relevant for this report are:

- 2.4 A recent flood study should be available for use in floodplain management for every urban area in Queensland. Where no recent study exists, one should be initiated.
- 2.7 As far as is practicable, councils should maintain up-to-date flood information.
- 2.16 Councils and the Queensland Government should display on their websites all flood mapping they have commissioned or adopted.

Note there are also other recommendation relevant to flood information in Council's Planning Scheme.

Financial and Resource Implications:

Nil.

Summary:

Nil.

Anticipated Resolution Completion Date:

7 December 2021

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Attachments:

1. Baffle Creek 1% AEP (with climate change impact) flood mapping
2. Auckland Creek 1% AEP (with climate change impact) flood mapping
3. Baffle Creek Flood Study 2019
4. Auckland Creek Flood Study 2019

Tabled Items:

Nil.

Report Prepared by: Engineer – Asset Planning

G/4.5. LEASE OF 2 RAFTING GROUND ROAD, AGNES WATER

Responsible Officer: General Manager Strategic Asset Performance

Council Meeting Date: 7 December 2021

File Ref: CP8.2

Purpose:

The purpose of this report is to allow Council to consider leasing the buildings at 2 Rafting Ground Road, Agnes Water to Impact Community Services Limited.

Officer's Recommendation:

That Council:

1. Resolves that s236(1)(c)(iii) of the *Local Government Regulation 2012* applies to the proposed lease of the building at 2 Rafting Ground Road, Agnes Water to IMPACT Community Services Limited; and
2. Delegates authority to the Chief Executive Officer to negotiate a lease of part of 2 Rafting Ground Road, Agnes Water to Impact Community Services Limited for a term not exceeding 10 years.

Background:

Council is the registered owner of 1.37ha parcel of freehold land at 2 Rafting Ground Road, Agnes Water (8 RP 619964) ("Lot 8"). Lot 8 is illustrated in *Image 1: Lot 8 – Site Location* and the characteristics of Lot 8 are detailed in *Attachment 1: Strategic Land Review – Lot 8 on RP 619964*.



Image 1: Lot 8 – Site Location

Lot 8 is zoned as Community Facilities under the current planning scheme. Development within the Communities Facilities zone may include the provision of municipal services, government installations, hospitals and schools and community infrastructure of an artistic, social or cultural nature.

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Historically both Building 1 and Building 2 have been rented to third parties for the provision of health services.

Building 1 is currently occupied by Impact Community Services Ltd (“Impact”) for the purposes of the provision of health care services under a Licence Agreement. Impact has operated from Lot 8 for almost 20 years providing nursing, mental health and allied health services to the community. Impact has advised that during 2020/21, it delivered over 4,900 occasions of service and facilitated 350+ group sessions with over 2,800 people attending. In addition, Impact facilitated a range of visiting and co-located services including:

- General Practice
- Skin Screening
- Physiotherapy
- Women’s Health
- Optometry
- Telehealth Services
- Audiology
- Mental Health Services
- Fever Clinic
- Psychology

Building 2 is currently vacant but has in the past been leased as a private dentist surgery. The previous lessee failed to bring the premises into use during the lease term and the lease was not renewed on its expiry on 30 June 2021.

Impact has expressed a desire to expand the current services that are offered from the premises at Lot 8 and have requested a lease over Building 2 or alternatively for Council to consider selling the entire land parcel to Impact.

Council is asked to consider the grant of a lease over Building 1 and Building 2 to Impact.

Options, Risk and Opportunity Analysis:

Option 1 – Lease of Buildings 1 & 2 to Impact - Officer’s Recommendation

It is the officer’s recommendation that Council resolves to negotiate a lease of part of Lot 8 incorporating Building 1 and Building 2 with Impact.

It is proposed that, subject to negotiations with Impact, the lease will be on the following terms:

- Term: up to 10 years;
- Rent: By negotiation noting that Impact currently pays \$3,333.00 per month for premises that they occupy at Agnes Water, Baffle Creek and Miriam Vale. As Impact is a Community Organisation, Council is not obligated to charge market rental.
- Outgoings: The responsibility of the Lessee
- Maintenance: General Maintenance the responsibility of the Lessee with structural/capital maintenance the responsibility of the Lessor
- Conditions: Standard Lease Terms and Conditions

The opportunities associated with Option 1 are:

- A lease up to 10 years would provide Impact with certainty of tenure
- Impact will be able to expand their program and provide additional services to the Agnes Water Community
- Reduction in administrative effort (1 lessee vs 2 lessees)
- Reduction in operational effort (if Impact take on a lease of the site it would be expected that they would take on the maintenance of the landscaping)
- Retaining control over the balance of Lot 8 allows Council to investigate the potential for further development of the site

The risks associated with Option 1 are:

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- Further development within Lot 8 may not be viable within Council's budgetary constraints – Council could consider disposal at a later date once that is known
- There is termite damage and maintenance works required to be undertaken at the property that will be Council's responsibility if the asset is retained
- Council has received several enquiries on the leasing of Building 1 at Lot 8 – If this was a concern for Council, Council may wish to run a Tender or Expression of Interest process.

Option 2 – Continue to lease Building 1 to Impact and release a tender for the Lease of Building 2

If Council was of a mind to proceed with Option 2, the Property Acquisition and Disposal Team would prepare and release a tender for the lease of Building 2.

The opportunities associated with Option 2 are:

- Other community organisations will have the opportunity to tender for Building 2 – the tender could be limited to Community Organisations if Council were of a mind to do so.

The risks associated with Option 2 are:

- As a result of there only being one source of water on the property, one septic system and no separate electricity meters, two separate tenants at Lot 8, the management of the property would require additional administrative effort on Council's behalf.

Option 3 – Dispose (sell) Lot 8

Under Option 3, Council would dispose of Lot 8. As this land is freehold land, the *Local Government Regulation 2012* require that the land be disposed by Tender or Auction.

The disposal (sale) of Lot 8 is not recommended as Council has limited freehold land in the Agnes Water Area and the Property Acquisition and Disposal team regularly receives requests from community groups seeking land/buildings to lease in the area. Currently only half of Lot 8 has been developed and it is proposed that Council investigates the potential development of the property as a "community services hub".

The opportunities associated with Option 3 are:

- Council would no longer be responsible for the costs associated with managing Lot 8 and maintenance at Lot 8.
- The sale proceeds could be applied to the maintenance of other property assets.
- The provisions in the *Local Government Regulation 2012* does allow Council to negotiate a sale direct with Impact as they are a current tenant. Alternatively, Council is required to sell the land via a tender/auction process.

The risks associated with Option 3 are:

- Once sold, Council would not have any control over the future sale or development of the land except through it's role as the planning authority.
- If the land was sold to a third party other than Impact, Impact could be displaced and the services it offers to the Agnes Water community disrupted.
- Council would not be able to develop Lot 8 to provide much needed land / premises for community organisations.

Communication and Consultation:

The Officer's recommendation has been discussed with Impact who are very receptive of the proposal and willing to negotiate lease terms.

Legal Strategy and Policy Implications:

The Officer's recommendation is consistent with Council's policies.

Under s227 of the *Local Government Regulation 2012* ("LGR"), Council cannot enter into a valuable non-current asset contract (a contract for the lease or sale of freehold land) unless it first invites written tenders or offers the non-current asset for sale by auction. There are two applicable exceptions to s227 of the LGR, that is where:

- (a) s236(1)(b)(ii): the valuable non-current asset (land) is disposed of to a community organisation, or
- (b) s236(1)(c)(iii): the disposal is for the purpose of renewing the lease of land to the existing tenant of the land,

providing that Council passes a resolution that the exception applies.

Further, by virtue of s236(3) and (4) of the LGR, where land is disposed of (leased or sold) to a community organisation, Council can dispose of the land for less than the market value.

Financial and Resource Implications:

Should Council adopt the Officer's Recommendation, the Property Acquisition and Disposal Team will prepare the Lease.

Costs associated with the preparation and registration of the Lease are estimated to be:

- Survey Fees: \$2,500
- Registration Fees: \$ 591
\$3,091

These costs can be recovered from the Lessee depending on the negotiated terms of the Lease however in the case of community organisations, are generally absorbed by Council.

There will be ongoing maintenance costs associated with the retention of Lot 8 and once the Lease has been negotiated, officers will develop a maintenance plan and schedule for Lot 8 with all maintenance costs to be incorporated with Council's operation budget.

Summary:

NA

Anticipated Resolution Completion Date:

It is estimated that a new lease could be negotiated and executed by 25 February 2021.

Attachments:

1. Strategic Land Review – Lot 8 on RP 619964

Tabled Items:

Nil.

Report Prepared by: Property Acquisition and Disposal Specialist

G/4.6. SPECIALISED SUPPLIER - HUMAN SYNERGISTICS

Responsible Officer: General Manager Operations

Council Meeting Date: 7 December 2021

File Ref: PE1.1

Purpose:

This report seeks a resolution from Council to make use of the provisions in s235 of the Local Government Regulation 2012 that allows for the exceptions to the requirement for written quotes or tenders. The use of this provision is sought in relation to human synergistics culture tools and services provided by Human Synergistics International.

Officer's Recommendation:

That Council resolves, in accordance with Section 235(b) of the *Local Government Regulation 2012*, that it is satisfied that due to the specialised nature of the services sought, Human Synergistics International should be engaged to provide access to Human Synergistics culture tools and services.

Background:

Council started a culture journey in June 2021, making a commitment at the beginning of the journey to measure and remeasure Council's culture using the Human Synergistics International Organizational Culture Inventory (OCI®) model. This model will be used in 2021, 2023 and 2025.

The OCI® is used to measure the attributes of organisational culture most closely related to the behavior and performance of employees. The OCI® reveals what employees collectively believe is expected of them and how those behavioral norms influence their engagement and effectiveness — ultimately providing an unmatched foundation for constructively changing organisational culture.

Facilitators of the OCI® must hold Life Styles Inventory (LSI®) accreditation. LSI® provides a foundation in Human Synergistics' diagnostics, methodology and research. For the 2021 culture survey, and results compilation and interpretation, Council engaged an external consultant.

Options, Risk and Opportunity Analysis:

Option 1 – Preferred

As the OCI® model is intended to be used in future years, Council wishes to build internal capability to self-administer future OCI® surveys. However, as practitioners require accreditation, it is necessary for Council to engage with Human Synergistics International for LSI® training.

Upskilling several employees in the OCI® tool will increase internal capability to administer future surveys, support positive change towards a more constructive culture and reduce external consultant fees.

This option involves receiving resolution from Council to engage with Human Synergistics International for tools and training to support Council's culture journey. LSI® accreditation costs approximately \$6,000 per person and tools are purchased separately.

Option 2

Council may elect to continue utilising the services of an external consultant to administer the OCI® surveys. Consultants available to Council that hold the appropriate accreditation typically charge between \$2-2,500 per day.

Option 3

Council may elect to approach the market for an alternate culture tool. The risk of this option is that the results from the 2021 survey will be unique and unable to be used as a baseline for measuring culture improvement.

Communication and Consultation:

Nil.

Legal Strategy and Policy Implications:

It is a requirement of the Local Government Regulation 2012 section 225 to invite written quotations or tenders where the supply of goods or services with a cost greater than \$15,000 ex GST. Section 235 of the regulation does provide some exceptions, relevant to this report is section 235(b) which provides an exception where:

“The local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders...”

Financial and Resource Implications:

If option 1 is supported, Council expects to spend approximately \$100,000 ex GST on accreditations and tools over the next 5 years.

Summary:

Nil.

Anticipated Resolution Completion Date:

N/A.

Attachments:

Nil.

Tabled Items:

Nil.

Report Prepared by: Manager Contracts and Procurement.

G/4.7. SOLE SUPPLIER - NUGROW

Responsible Officer: General Manager Operations

Council Meeting Date: 7 December 2021

File Ref: PE1.1

Purpose:

This report seeks a resolution from Council to make use of the provisions in s235 of the Local Government Regulation 2012, that allows for exceptions to the requirement for written quotes or tenders. The use of this provision is sought in relation to the disposal of oily water and sludge material.

Officer's Recommendation:

That Council resolves, in accordance with Section 235(a) of the Local Government Regulation 2012, that it is satisfied that NuGrow is the only supplier reasonably available to Council to provide oily water and sludge material disposal services.

Background:

Council generates oily water and sludge from wash bays, public washdown facilities (for weed and seed) and any other materials vacuumed. These materials must be disposed of in accordance with the *Environmental Protection Act 1994* and only at facilities which hold an Environmental Authority Permit for waste and waste derived products.

Options, Risk and Opportunity Analysis:

Council currently engages with third-parties who on-charge the waste disposal fees, however an opportunity to directly engage with the waste facility presents a cost saving.

NuGrow Rockhampton Pty Ltd (Gracemere) are the closest facility to Gladstone according to the Environmental Protection Act 1994 Public Register. The closest alternate facility is in Bundaberg and is licensed to NuGrow Bundaberg Pty Ltd. There are no licensed facilities within the Gladstone Region.

NuGrow see waste as a resource and an opportunity to improve the environment, by reducing waste going into landfill and developing products that improve soil quality and productivity and delivers revegetation outcomes that leave a positive legacy.

Due to the nature of this requirement, the disposal of oily water and sludge material outside of the immediate region does not present value to Council due to transportation costs incurred. NuGrow are therefore the only supplier reasonably available to Council for this service.

Communication and Consultation:

Nil.

Legal Strategy and Policy Implications:

It is a requirement of the Local Government Regulation 2012 section 225 to invite written quotation or tenders where the supply of goods or services costs greater than \$15,000 ex GST. Section 235 of the regulation provides several exceptions to the requirement and relevant to this request is clause a) which states:

The local government resolves it is satisfied that there is only 1 supplier who is reasonably available.

Financial and Resource Implications:

The estimated annual expenditure for oily water and sludge material disposal is \$100,000 ex GST.

Summary:

Nil.

Anticipated Resolution Completion Date:

N/A

Attachments:

Nil.

Tabled Items:

Nil.

Report Prepared by: Manager Contracts and Procurement

G/4.8. SOLE SUPPLIER - EZMACHINERY

Responsible Officer: General Manager Operations

Council Meeting Date: 7 December 2021

File Ref: PE1.1

Purpose:

This report seeks a resolution from Council to make use of the provisions in s235 of the Local Government Regulation 2012, that allows for exceptions to the requirement for written quotes or tenders. The use of this provision is sought in relation to the provision of EZ Hydraulic Mulcher attachments and spare parts.

Officer's Recommendation:

That Council resolves, in accordance with Section 235(a) of the *Local Government Regulation 2012*, that it is satisfied that Bespoke Engineering & Fabrication T/As EZ Machinery is the only supplier reasonably available to Council to supply EZ Hydraulic Mulcher attachments and spare parts.

Background:

The Roads Program Delivery team utilises mulcher attachments for vegetation clearing and management, as well as generating an external income stream by undertaking these tasks for Main Roads.

Previously this work has been outsourced to contractors due to Council not owning the equipment.

Options, Risk and Opportunity Analysis:

In September 2020, Council approached the market with a Request for Quote (RFQ) for the supply and delivery of a hydraulic swinging flail mulcher and a hydraulic fixed flail mulcher to suit CAT excavators, for the Roads Program Delivery team.

Of the seven (7) suppliers approached with the RFQ, the mulchers offered by EZ Machinery were evaluated as presenting the best value to Council and were subsequently awarded the contract for supply.

EZ Machinery are the Original Equipment Manufacturer (OEM) for the EZ hydraulic mulchers owned by Council and are therefore the only supplier reasonably available to Council to supply EZ Hydraulic Mulcher attachments and spare parts.

Communication and Consultation:

Nil.

Legal Strategy and Policy Implications:

It is a requirement of the Local Government Regulation 2012 section 225 to invite written quotation or tenders where the supply of goods or services costs greater than \$15,000 ex GST. Section 235 of the regulation provides several exceptions to the requirement and relevant to this request is clause a) which states:

The local government resolves it is satisfied that there is only 1 supplier who is reasonably available.

Financial and Resource Implications:

The estimated annual expenditure for EZ Hydraulic Mulcher attachments and spare parts is \$25,000 ex GST.

Summary:

Nil.

Anticipated Resolution Completion Date:

N/A

Attachments:

Nil.

Tabled Items:

Nil.

Report Prepared by: Manager Contracts and Procurement.

G/4.9. RADF 2022 COMMITTEE - NEW MEMBER APPOINTMENT

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 7 December 2021

File Ref:

Purpose:

The purpose of this report is to seek Council endorsement of new Regional Arts Development Fund (RADF) Committee Member.

Officer's Recommendation:

That Council endorses the appointment of Bettina Van Haeften to the 2022 Regional Arts Development Fund Committee.

Background:

In September 2021, an AGM was held for the Regional Arts Development Fund and a new committee for the 2022 year was appointed. The committee was ratified by Council at the General Meeting of 5 October 2021.

Since being ratified, committee member Sharon Hare has accepted a position at Banana Shire Council and subsequently, has tendered her resignation from the RADF Committee.

The RADF Committee sought nominations from the Discovery Coast area to fill the vacant position and has since received an application from Bettina (Bina) Van Haeften.

Bettina is a visual artist with extensive experience in festivals, events and the arts as well as with the RADF program and her nomination demonstrated strong community support.

In accordance with Section 2.8 and 2.9 of the Committee's Terms of Reference (below) the appointment of a new member will need to be by resolution of Council.

2.7 Members can resign at any time by notice in writing to Council

2.8 Members may be replaced at any time by resolution of Council

2.9 Replacement members may be sought in the event a vacancy by a new or prior expression of interest process. A replacement member will fill the vacant position to the end of the prior member's term. The appointment must be made by Council resolution.

Options, Risk and Opportunity Analysis:

Two 1770/Agnes Water Artists were approached to nominate – the other candidate declined the opportunity.

The RADF Committee represents the Gladstone Region. As such, representation from the Discovery Coast area is crucial.

Bettina brings extensive arts experience to the committee.

Communication and Consultation:

Cultural Projects Specialist
RADF Chair
Acting Manager Gladstone Regional Art Gallery & Museum
Governance Advisor

Legal Strategy and Policy Implications:

Nil

Financial and Resource Implications:

Nil

Summary:

The RADF Committee sought nominations from the Discovery Coast area to fill the vacant position and has since received an application from Bettina (Bina) Van Haeften.

Bettina has extensive experience in the Arts and with the RADF program and her nomination demonstrated strong community support.

In accordance with Section 2.8 and 2.9 of the Committee's Terms of Reference the appointment of a new member will need to be by resolution of Council.

Anticipated Resolution Completion Date:

7 December 2021

Attachments:

Nil

Tabled Items:

Nil.

Report Prepared by: Manager Arts & Entertainment

G/4.10. SAIKI SISTER CITY ADVISORY COMMITTEE

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 7 December 2021

File Ref: CR2.14

Purpose:

This report presents proposed changes to the Saiki Sister City Advisory Committee Terms of Reference, recommends appointments to the Committee for 2022 and presents the annual President's Report for 2021.

Officer's Recommendation:

That Council:

1. Adopt the amended Terms of Reference for the Saiki Sister City Advisory Committee as Attachment 1 to this report; and
2. Appoint the following Saiki Sister City Advisory Committee Members for the 2022 calendar year with appointments expiring on the 31 December 2022:

Wendy Marsh (President)
Chris Moore (Vice-President)
Beverly Fellows
Howard Marsh
Maureen Mason
Yukiko Moore
Robina Cupitt
Gay SIRRIS

3. Receive and note the 2021 Saiki Sister City Advisory Committee President's Report.

Background:

The objective of sister city relationship is to provide a forum for cultural, economic and educational interchange between communities and to encourage friendship, cooperation, understanding, goodwill and harmony. A Declaration of Friendship between Gladstone and Saiki City in Japan was first signed on 4 September 1996. The Gladstone Saiki Sister City Advisory Committee was reconstituted on 16 July 1997 operating under a Committee Constitution. On 20 August 2019, Council reaffirmed the appointment of the Gladstone Saiki Sister City Advisory Committee as an advisory committee to Council constituted under Section 264 of the Local Government Regulation 2012 and adopted a Terms of Reference.

Under the Terms of Reference, membership of the Committee is reviewed annually and appointments made for the upcoming calendar year. Council received eight applications for membership in 2022, with each applicant offering a variety of skills, knowledge, and experience to the committee. Given the current level of interest in participating on the Committee, it has been recommended by the 2021 Committee, that Council consider increasing the number of ordinary members permitted under the Terms of Reference from 'up to 4 ordinary members' to a 'a minimum of 4 ordinary members' to allow the Committee to grow and benefit from the increased level of interest. It was also considered appropriate to request that Council include a staff member from the Tondoon Botanical Gardens to the Committee as a non-voting ex-officio

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member to provide advice and guidance to the Committee on the maintenance and continued development of the Sister City Teahouse and Gardens located in the Botanical Gardens. As part of the review of the Terms of Reference, it was noted that the recent changes to the *Local Government Regulation 2012*, no longer required the advertising of Council meetings in a newspaper circulating generally in the local area, but rather it references publishing meeting dates on Council's website. Therefore, changes to both to the membership section and advertising of meetings and agendas in the Terms of Reference are recommended in accordance with the red text in Attachment 1 to this report.

The Terms of Reference for the Committee require that the President provide an annual report to Council to brief members of the activities of the Committee for the past year and to outline the Committee's activities, achievements, notable challenges, foreseeable opportunities and any proposed plans for the coming or future years. The 2021 President's Report is Attachment 2 this report for Council's Information. Officers have extracted the following notable highlights from the report:

"2021 marked the 25th anniversary of the signing of the Declaration of Friendship between the sister cities. While pandemic restrictions in both Australia and Japan stopped face to face contact, the committee worked as a team to reaffirm their commitment and friendship in this anniversary year.

The celebration required innovation as well as adaptation, with a multi-faceted program due to pandemic restrictions stopping face-to-face contact. This was achieved in several ways:

- *The creation of a video of the Gladstone Region, with Japanese subtitles, was a visual reminder to our friends in Saiki that we continue to share our region with them.*
- *The purchase of a bonsai tree and plaque, to be housed in the Bonsai House at the Tondoon Botanic Gardens, is a lasting, living connection between the two cities.*
- *The Shorebirds Art Installation outside the City Hall in Goondoon Street, demonstrates that if those little birds can make the journey from the Gladstone Region to Japan, then we also will be able to meet in person once again.*

While the Covid-19 pandemic created difficulties, the enthusiasm and expertise of the Committee Members and Council Officers ensured the relationship between the Gladstone Region and Saiki City did not falter. This year, more than ever, the committee was aware of the tremendous and on-going support provided by Mayor Matt Burnett and the Gladstone Regional Council.

The annual children's book exchange had successful delivery on a second attempt because of postal restrictions in Japan. An updated communication strategy and website were devised, facilitating better communication and information distribution. The committee were delighted to see the new roadside Gladstone Saiki Sister City Friendship signs. Mayor to Mayor greetings and invitations were sent and received. At the Gladstone Regional Art Gallery and Museum, the very popular Children's Day became Children's Days and kits were sent to schools unable to attend. Their Celebrate Australia Primary School Art Competition, Saiki Children's Art Competition and Saiki Images Photographic Exhibition were successfully celebrated thanks to the wonders of the postal service, modern technology and printers. During the year, the committee quickly settled into a new meeting venue in the exciting new Philip Street Community and Families Precinct.

Further ideas are in the pipeline for 2022. Several focus upon the Tondoon Botanic Gardens, including highlighting the Japanese Gardens with the possibility of additional informative displays, the engagement of a sculptor from the Saiki Region and the installation of a traditional bamboo tipping water feature, a tsukubai. The relationship with our Sister City has positively grown during the adaptations and has blossomed during the innovations in 2021, and the committee looks forward to 2022 with enthusiasm."

Options, Risk and Opportunity Analysis:

Option 1 – Adopt the Recommendation

The opportunities associated with this option are that Council can facilitate the growth of the Committee through increased Ordinary Membership which will benefit the further development of the relationship and share the workload across a broader number of Committee Members. It also builds the capacity of the Committee, drawing in new and varied skill sets that will broaden the perspective and experience of the Committee. The only potential risk in increasing membership is that it will require 50% plus one of members to be present for a quorum at meetings.

Option 2 – Retain the current Terms of Reference and reduce the appointment of Ordinary Members

Officers can see no tangible opportunities in this option. The risk of this option is disincentivizing community members from volunteering with the Committee by excluding them from ordinary membership.

Communication and Consultation:

Expressions of interest for committee membership for 2022 were sought in several ways including social media, Gladstone Regional Council Website, Conversations Platform, local school newsletters, email distribution through local networks and community groups, and flyer distribution through committee members.

After consultation with the Manager Engagement and Partnerships and Community Development Officers, it was evident that from the applications received, the committee would have a strong skill set and all applicants were suitable. Amongst the group, applicants included those with Japanese heritage, Japanese teaching experience, cultural awareness through time spent living in Japan, diverse cultural backgrounds, a passion for volunteering and experience in student cultural exchange programs. Following a discussion with Council's Governance Advisor, it was decided an interview process was unnecessary in this instance. At the Saiki Annual General Meeting on 18 November 2021, the committee recommended that subject to Council accepting an amendment to the current Terms of Reference, that all applicants be appointed to the 2022 committee. The committee have nominated and recommended the appointment of Wendy Marsh as President and Chris Moore as Vice President in 2022.

Legal Strategy and Policy Implications:

On 20 August 2019, Council reaffirmed the appointment of the Gladstone Saiki Sister City Advisory Committee as an advisory committee to Council constituted under Section 264 of the Local Government Regulation 2012 and adopted a Terms of Reference.

Financial and Resource Implications:

In 2021/22 Council has allocated a budget of \$20,000 for Sister Cities activities and will retain control of finances, accounting, and administration of these funds. The Committee may recommend through delegated Officers how these funds will be apportioned to the Committee's annual program of activities.

Summary:

Not applicable

Anticipated Resolution Completion Date:

31 December 2021

GENERAL MEETING AGENDA 7 DECEMBER 2021

Attachments:

1. Proposed amended Terms of Reference
2. 2021 Saiki Sister City Advisory Committee President's Annual Report

Tabled Items:

Nil.

Report Prepared by: Community Development Officer

G/4.11. YOUTH COUNCIL ANNUAL REPORT

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 7 December 2021

File Ref: CC9.10

Purpose:

The purpose of this report is to present an overview of the work and achievements of the Gladstone Region Youth Council in 2021.

Officer's Recommendation:

That Council receive and note the 2021 Gladstone Region Youth Council Advisory Committee Report as presented below.

Background:

Council endorsed 10 members to the Gladstone Region Youth Council Advisory Committee (Youth Council) on 06 April 2021, as recommended by the Selection Panel consisting of the Community Development Team who work closely with the Youth Council. Youth Council members have the chance to develop skills and knowledge in advocacy, leadership, governance and teamwork while being mentored by Gladstone Regional Council staff. As a formal advisory committee to Council, the group endeavour to benefit the work of Council through providing a youth perspective on Council related matters. Youth Council aims to promote and encourage the involvement of youth in the planning, development and implementation of programs and events throughout the year, contributing to the wellbeing of local young people and the wider community.

2021 Youth Council Annual Report:

The 2021 Youth Council have been consistently demonstrating their ability and ambition to be involved in meetings, workshops and events to better their understanding of local government operations and to contribute positively to the community.

Prior to the committee's endorsement to Council, the group of aspiring young leaders attended the annual Council 'Meet and Greet' at the main Council chambers. They were welcomed by the Mayor, CEO, Councillors and General Managers of Gladstone Regional Council. This provided members with an excellent opportunity to learn about the roles and responsibilities of Council and what the year ahead would entail as a committee member.

A Governance Workshop was well attended by Youth Council, hosted by Gladstone Regional Council Governance Advisor, Vicky Hankinson. The tailored session covered relevant topics including the purpose and role of Youth Council members, how a formal meeting should be conducted, how decisions are made, how to vote, the role of the chair and vice-chair, and conflicts of interest. The meeting further explained Council's Code of Conduct and the Gladstone Youth Council Terms of Reference. The workshop was well-timed before the Youth Council's first official meeting, where four self-nominated members delivered speeches (Brooke Assman, Layla Dow, Charlise Falconer and Rommiel Malig) to run for chair and vice-chair.

Youth Council anonymously voted in members Brooke Assman and Layla Dow who tied for the position on two accounts. In traditional Council format, members had a progressive discussion, unanimously agreeing to award both members the position of co-chair.

GENERAL MEETING AGENDA 7 DECEMBER 2021

Youth Council members were encouraged to participate in the 2021 Youth Week activities. Member William Patrick volunteered at the Amazing Race with co-chairs Brooke Assman and Layla Dow co-hosting the Mayor's Youth Breakfast with Mayor Burnett. Multiple Youth Council members were also in attendance. Following this, Youth Council were consulted to provide feedback on the 2021 Youth Week program and share ideas on how they feel recognised and celebrated.

The Gladstone Region Youth Council were also invited to attend the National Volunteer Week Celebrations that were held throughout the region. This year focused on recognising, reconnecting and reimagining volunteering. Charlise Falconer and Brooke Assman co-hosted the Gladstone morning tea alongside the Mayor. Brooke also hosted the Agnes Water event and member Aaron Yea attended the Calliope and Miriam Vale events.

Aaron Yea was also appointed to the Saiki Sister City Advisory Committee. Aaron attended his first Saiki meeting on the 20th of May at the Tondoon Botanic Gardens. Aaron Yea's involvement in the Saiki Sister City Committee has been valued by the committee, having a youth perspective on website updates and the creation of the Saiki 25th Anniversary Video. Aaron also contributed his ideas towards the public Shorebird art piece that the committee commissioned with local artist, Margaret Worthington, and attended a launch event for the Shorebird Book.

Guest speaker Hannah Heers from Women's Health Queensland engaged with the Youth Council on 17/05/2021 to discuss the Youth Ally project. This is a pilot project that aims to educate young people on domestic, family and sexual violence, how and why it occurs and the drivers or predictors of violence. The proposed project requires the Youth Council to take part in a 2 x half day workshops, which took place on 08/7/21 & 09/7/21 at the Community Engagement Centre.

The program aims to turn the young people's newly acquired knowledge into meaningful and sustainable change by providing them with the tools to design primary prevention campaigns in their communities. Following this workshop, the Youth Council continued their monthly Communities of Practice workshops with Women's Health Queensland where they discussed the types of Domestic Violence, trends they notice within the Gladstone Region, the goal for their campaign and target demographic.

With the assistance of Council, the committee have been working on finalising the wording and marketing plan for their primary prevention campaign. The campaign is targeted at young males aged between 11-15 years of age.

In September, the Youth Council held their committee meeting in the town of Agnes Water. The day started with a presentation from Gooreng Gooreng Traditional Owner Annie Johnson. Annie spoke to the group about her ancestry, the indigenous culture and what it means to be a First Nations person in Australia and the Gladstone Region. Annie also taught the group how to complete An Acknowledgement of Country in traditional language.

Following this, the committee held their scheduled Youth Council meeting at Air Sea Rescue Park, 1770 where Councillor Trevor joined them. The day out also included sightseeing at Tom Jeffery Park, Reedy Paperbark Trail in Reedy Creek Reserve, Chinamans Beach, the 1770 Headland and the MV Dianne monument.

As part of Seniors Month 2021, Youth Council member Aaron Yea attended the H.O.P.E Café, H.O.P.E standing for Helping Other Possibilities Emerge. The theme of Senior's Month this year was 'Social Connection' which was achieved by bringing together our older and younger generations from different backgrounds to enjoy lunch while being guided by a menu of conversation.

Both youth and seniors were given the opportunity to talk about their life experiences, hopes and dreams for their community. Many powerful and impactful conversations were had throughout the day.

GENERAL MEETING AGENDA 7 DECEMBER 2021

The Youth Council also engaged with Lorna McGinnis from Stronger Places Stronger People. Lorna discussed the place-based, community-led, change initiative with the young people and sought feedback on trends and gaps that they are noticing within the community. The three common topics that were discussed were mental health, domestic violence and homelessness & emergency housing. The committee also heard from Councils Community Engagement team on the topic of Waste Management.

Throughout the committee's term in Council they also volunteered at the Mayor's Charity Ball, Luminous, Port to Park FunD Run, Springability, Ecofest, National Tree Day, PopCon and the Philip Street Opening Day.

Options, Risk and Opportunity Analysis:

Nil – information only report.

Communication and Consultation:

This report was prepared in consultation with the Gladstone Region Youth Council Advisory Committee for 2021.

Legal Strategy and Policy Implications:

The Gladstone Region Youth Council Advisory Committee is an advisory committee to Council, constituted under Section 264 and 265 of the *Local Government Regulation 2012* and operates under a Council adopted Terms of Reference.

Financial and Resource Implications:

Administrative and secretarial costs for Youth Council are absorbed as a part of the existing operational budget of Engagement and Partnerships

Summary:

This report summarises the activities of the 2021 Youth Council and highlights the benefits of the Committee to Council and the broader community.

Anticipated Resolution Completion Date:

31 December 2021

Attachments:

Nil.

Tabled Items:

Nil.

Report Prepared by: Community Development Officer

G/5. COUNCILLORS REPORT

G/6. URGENT BUSINESS

Nil.

G/7. NOTICE OF MOTION

Nil.

G/8. CONFIDENTIAL ITEMS

G/8.1. OUT-OF-POLICY WATER LEAK CONCESSION REQUESTS

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 7 December 2021

File Ref: RV4.4, RV4.5

Reason for Confidentiality:

This report is **CONFIDENTIAL** in accordance with Section 254J of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

(d) rating concessions.

**G/8.2. DEFERRAL OF ACCUMULATED UNDER RECOVERY CHARGES - GLADSTONE AREA
WATER BOARD**

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 7 December 2021

File Ref:

Reason for Confidentiality:

This report is **CONFIDENTIAL** in accordance with Section 254J of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.