



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING MINUTES

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

On Tuesday 19 April 2022

Commencing at 9.00am

**Leisa Dowling
CHIEF EXECUTIVE OFFICER**

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Elected Members

Councillor G G Churchill
Councillor K Goodluck
Councillor R A Hansen
Councillor D V O'Grady
Councillor C A Trevor
Councillor N Muszkat
Councillor C Cameron
Councillor D Branthwaite

Officers

Mrs L Dowling (Chief Executive Officer)
Mrs R Millett (Executive Secretary)
Mrs T Whalley (Manager Governance and Risk)
Mr M Holmes (General Manager Finance Governance and Risk)
Mr M Francis (General Manager Strategic Asset Performance)
Ms C Quinn (General Manager Strategy and Transformation)
Ms H Robertson (General Manager Customer Experience, Acting)
Mr J Tumbers (General Manager Operations)
Mr T Mienie (General Manager People Culture and Safety) (via teams)
Ms K Ware (Manager Information Communication Technology, Acting) (via teams)
Ms T McDonald (Manager Development Services, Acting) (via teams)
Mr M Harris (Media Advisor)
Ms S Farrington (Senior Planning Specialist)
Mr F Krause (Manager Engineering Asset Solutions, Acting) (via teams)

G/0.3.2. APOLOGIES AND LEAVE OF ABSENCE

Mayor Burnett was an apology with an approved leave of absence (refer Agenda Item G/3.9. LEAVE OF ABSENCE - MAYOR BURNETT).

G/0.3.3. MESSAGES OF CONDOLENCE

Councillor Darryl Branthwaite mentioned the passing of one of the Gladstone Region's community leaders, Leigh Zimmerlie. Cr Branthwaite mentioned that he and Leigh Zimmerlie spent many years together on the board of the Gladstone Area Promotion and Development Ltd (GAPDL). Cr Branthwaite highlighted that he and Leigh shared a birthday, 21 December, which was affectionately labelled 'Darryleigh' day, where they got together each year to celebrate. Cr Branthwaite mentioned Leigh's career milestones from real estate agency to Kodak as cashier, then to Shotkers Pharmacy as a pharmacist's assistant, and later to the accounts department before devoting her time to bringing up her young family. Leigh then continued her career in the accounts space by completing a finance degree and moving into management positions for various companies, including her memorable time at Bill O'Reilly's Pharmacy where she met lifelong friends including Bill and Marianne O'Reilly and Ken and Narelle Mallon. Following an early stint working for The Rock Building Society, Leigh was later recruited again by The Rock Building Society as Gladstone Area Manager and became part of the executive team before retiring for the first time in 2012, which only lasted 6 months before Leigh was asked to work part time in human resources (HR) for Gladstone Area Group Apprentices Ltd (GAGAL) which soon turned into a full-time role in HR Management. Leigh stepped up to the plate in 2014 in her typical fashion when asked to take over the CEO role with GAGAL. Cr Branthwaite noted that Leigh always had to have a challenge with something that motivated her. Leigh retired from the role of CEO with GAGAL in 2019 however remained actively involved in the community as a sitting director on Gladstone Airport Corporation's Board and as chair of the GAPDL board, an organisation Leigh passionately represented for close to 20 years. Leigh shared her passion for the world to see as an enthusiastic traveller. Leigh loved to travel with friends and family to destinations around the world, through Asia, Europe and the United States but there was no place like home. Leigh became locally known for her promotion of the region through local news media for many years as well as her passionate social media posts spruiking the local sites and destinations around the Gladstone Region. Cr Branthwaite mentioned that Leigh will be remembered as a tireless advocate for the Gladstone community and further that Leigh has touched many hearts. Cr Branthwaite mentioned that Leigh's devotion to her loved ones and her motivation to make the community a better place, not only for her family but for all of Gladstone, will be her lasting legacy.

Councillor Desley O'Grady passed on condolences to Leith and Gavin Farraway who lost their 28 year old son, Jed Farraway, in a tragic fishing accident a two weeks ago. Cr O'Grady mentioned that Jed will be laid to rest this Friday, 22 April 2022 and if anyone is attending to wear a fishing shirt or footy jersey.

Councillor Glenn Churchill paid sincere respects for the passing of Alison Knell, loving wife of Sid Knell, who many know has major investments in our region and has been a great corporate citizen for many of the regions community and not-for-profit organisations. Cr Churchill mentioned that in paying respects to the sudden and unexpected passing of Alison Knell, Alison's funeral will be held at 2pm this Thursday, 21 April 2022 at St John's Cathedral at 373 Ann Street, Brisbane. Cr Churchill mentioned that should further information come to hand it will be distributed to anyone who requests and requires it. Cr Churchill further mentioned that the service will be followed by a wake as a celebration of Alison's amazing life and her contribution to the community followed by a post wake at the Tattersall Club. Cr Churchill expressed condolences on behalf of Council and the Gladstone Region and may Alison Knell rest in peace in God's care.

G/0.3.4. DECLARATION OF INTERESTS

Cr Branthwaite

Councillor Darryl Branthwaite advised that in agenda item G/3.8. LEASE TO DREAMTILT he has a declarable conflict of interest as the proprietor of Dreamtilt, Mr Adrian Robertson, was a close family friend.

Cr Branthwaite elected to leave the meeting room while the matter was considered and voted on.

G/1. MAYORAL STATEMENT OF CURRENT ISSUES

Easter in Gladstone events were held last weekend and it was a fantastic success. Last year there were a number of events that were cancelled due to COVID and rain, and in 2020 we had the entire Easter in Gladstone cancelled due to COVID. This is the first time we've been able to celebrate Easter in Gladstone in its entirety since 2019. There were many people that attended the 60th Gladstone Harbour Festival this year, which was a fantastic success with many thousands of visitors and locals alike attending that event. We also had the 74th Brisbane to Gladstone Yacht race with Black Jack taking line honours, breaking their own record and Ichi Ban won the race on corrected time taking out the Courier Mail Cup. And last year's Courier Mail Cup winner Wistari, the local boat, broke the record of most entries, having now entered the race 52 times and according to skipper Scott Patrick this will be her last race. So it may well be the last time that we get to be graced with Wistari's presence and we wish Scott and the team all the best. We had the multihull race with Rex who crossed the line first taking out the line honours. We also had the live streaming for all the world to see which is a fantastic addition to the Brisbane to Gladstone Yacht Race. We had the B2G village, Harbour Festival and many other events around the region, all taking off which was fantastic to see.

On Tuesday 12 April 2022 Orica announced a partnership with the H2U Group to initiate the first phase of its proposed H2 Hub which is a green ammonia production plant right here in Gladstone. And on Wednesday 13 April 2022 Gladstone has been selected as the location for a new \$500 million renewable diesel and sustainable aviation fuel biorefinery. Oceania Biofuels selected a site within the Yarwun Industrial Precinct within the Gladstone State Development Area for their new biofuel refinery. Fantastic announcements for the Gladstone Region, once again demonstrating that we are leading the way in capitalising on opportunities for those new industries and new jobs of the future for our people.

On Monday 25 April 2022 we have the upcoming ANZAC Day ceremonies. I will be at the Boyne Island Dawn Service and then heading up to Ubobo for the morning service. I know councillors will be attending ceremonies all across the Region so keep an eye out for your local service and head out to support ANZAC Day on Monday 25 April 2022.

We also have the Boyne Tannum HookUp, Australia's Biggest Family Fishing Competition, running from Friday 29 April 2022 until Sunday 1 May 2022. We know there will be many thousands of people attending that event and enjoying some fishing over the weekend plus lots of events, great food, and great opportunity to catch up with mates at Bray Park, Boyne Island. Get your tickets if you haven't already, there is over \$100,000 of prizes on offer.

Lastly we have the Miriam Vale Rodeo on Saturday 23 April 2022, so head down there to Miriam Vale and check that out.

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 5 APRIL 2022

Responsible Officer: Chief Executive Officer

Council Meeting Date: 19 April 2022

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 5 April 2022.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 5 April 2022 be confirmed.

GM/22/4717 Council Resolution:

Moved Cr Churchill

Seconded Cr Branthwaite

That the Officer's Recommendation be adopted.

CARRIED

G/3. OFFICERS' REPORTS

G/3.1. DEVELOPMENT APPLICATION 25/2021 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A UTILITY INSTALLATION (GAS DISTRIBUTION) AND RENEWABLE ENERGY FACILITY (HYDROGEN FACILITY) LOCATED AT LOT 43 DERBY STREET, SOUTH GLADSTONE QLD 4680

Responsible Officer: General Manager Customer Experience

Council Meeting Date: 19 April 2022

File Ref: DA.25.2021; DB1.7

Development Application:

Application Number:	DA/25/2021
Applicant:	Australian Gas Network Pty Ltd C/- Attexo Group Pty Ltd
Owner:	State of Queensland with Gladstone Regional Council as Trustee
Confirmation Notice:	17 June 2021
Location:	Lot 43, Derby Street, South Gladstone QLD 4680
RPD:	Lot 43 SP 165451
Area:	2.13 hectares
Current Use of Land:	Vacant Lot (informal stockpiling and laydown area)
Zoning:	Community Facility Zone
Proposal:	Utility Installation and Renewable Energy Facility
Public Notification Period:	13 August 2021 to 3 September 2021
Number Of Submissions:	106 submissions received; 14 Not Properly Made, 82 Properly Made, and 10 Properly Made Principal Submitters (with an extra 36 signatures)

Purpose:

The purpose of this report is to assess Development Application 25/2021 for a Material Change of Use of Premises for a Utility Installation (Gas Distribution) and Renewable Energy Facility (Hydrogen Blending Facility) located at Lot 43 Derby Street, South Gladstone QLD 4680.

Officer's Recommendation:

Statement of Reasons:

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

Description of the development:

The approved development is a Material Change of Use of Premises or a Utility Installation (Gas Distribution) and Renewable Energy Facility (Hydrogen Blending Facility).

Assessment benchmarks:

Benchmarks applying to the development:	Benchmark reference:
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> • <i>State Interest – Natural Hazards, Risk and Resilience</i>
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> • <i>Strategic Framework;</i> • <i>Airport Environs Overlay Code;</i> • <i>Steep Land Code;</i> • <i>Community Facility Zone Code;</i> • <i>Development Design Code; and</i> • <i>Landscaping Code.</i>

Reasons for the assessment manager’s decision:

1. The Application was properly made in accordance with the *Planning Act 2016* and the Development Assessment Rules; and
2. The proposed development aligns with the strategic vision outlined in the planning scheme via the six Strategic Framework themes
3. The identified synergies with introduction of a new industry to the region and associated business and educational opportunities.
4. The co-location of the existing operation of the subject site and the proposed HyP Gladstone facility reflect an integrated extension of the existing characteristics of the area.
5. The Application is deemed compliant with the relevant benchmarks of the *State Planning Policy July 2017* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.
6. The supporting documents have demonstrated the proposed HyP GLadstone facility does not exceed the minimum risk exposure or safety impacts on adjoining sensitive land uses.
7. The proposed HyP Gladstone facility aligns with Council, State and National Strategies regarding Hydrogen as a renewable energy.

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

Benchmark reference	Reasons for the approval despite non-compliance with benchmark
Airport Environs Overlay Code – Table 8.2.2.3.1 – Acceptable Outcome 3	Compliance with Airport Environs Overlay Code – Table 8.2.2.3.1 – Acceptable Outcome 3 via a condition
Airport Environs Overlay Code – Table 8.2.2.3.1 – Acceptable Outcome 4.3	Compliance with Airport Environs Overlay Code – Table 8.2.2.3.1 – Acceptable Outcome 4.3 via a condition
Community Facility Zone Code – Table 6.2.18.3.1 - Acceptable Outcome 5.2	Compliance with Community Facility Zone Code – Table 6.2.18.3.1 - Performance Outcome 5 via conditions
Community Facility Zone Code – Table 6.2.18.3.1 – Performance Outcome 6	Compliance with Community Facility Zone Code – Table 6.2.18.3.1 - Performance Outcome 6 via conditions

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Community Facility Zone Code – Table 6.2.18.3.1 – Performance Outcome 10 and 11	Compliance with Community Facility Zone Code – Table 6.2.18.3.1 - Performance Outcome 10 and 11 via conditions
Community Facility Zone Code – Table 6.2.18.3.1 - Performance Outcome 12	Compliance with Community Facility Zone Code – Table 6.2.18.3.1 - Performance Outcome 12 via conditions
Community Facility Zone Code – Table 6.2.18.3.1 – Performance Outcome 13	Compliance with Community Facility Zone Code – Table 6.2.18.3.1 - Performance Outcome 13 via conditions
Community Facility Zone Code – Table 6.2.18.3.1 – Performance Outcome 15	Compliance with Community Facility Zone Code – Table 6.2.18.3.1 – Overall Outcomes via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 1.1 to 3.1	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 1.1 to 3.1 via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 4.2	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 4.2 via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 5.1 to 6	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 5.1 to 6 via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 8.1 to 8.3	Compliance with Development Design Code – Table 9.3.2.3.1 – Performance Outcome 8 via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 9	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 9 via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 10	Compliance with Development Design Code – Table 9.3.2.3.1 – Performance Outcome 10
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 11.1, 11.2 and 12	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 11.1, 11.2 and 12 via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 13	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 13 via a condition
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 15 and 16	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 15 and 16 via a condition
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 18	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 18 via conditions
Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 21 and 22.1	Compliance with Development Design Code – Table 9.3.2.3.1 – Acceptable Outcome 21 and 22.1 via a condition
Development Design Code – Table 9.3.2.3.1 – Performance Outcome 29	Compliance with Development Design Code – Table 9.3.2.3.1 – Performance Outcome 29 via a condition
Landscaping Code – Table 9.3.5.3.1 – Performance Outcome 1 and 2	Compliance with Landscaping Code – Table 9.3.5.3.1 – Performance Outcome 1 and 2 via conditions
Landscaping Code – Table 9.3.5.3.1 – Performance Outcome 3	Compliance with Landscaping Code – Table 9.3.5.3.1 – Performance Outcome 3 via conditions

Relevant matters for impact assessable development:

1. Australia’s National Hydrogen Strategy
2. Queensland Hydrogen Industry Strategy
3. Energising the Gladstone Region’s Future Economy Strategy

Matters raised in submissions for impact assessable development:

Submission	Officer’s Response
Staged Development Application	
Current application is for Stage 1 – with information suggesting expansion of refuelling and increased production to export to the world.	<p>The proposed development seeks to establish at Lot 43, a Renewable Energy Facility and Utility Installation. As part of the response to submissions the Applicant revised some of the supporting material to avoid confusion on what the application included. Furthermore, conditions have been recommended to ensure the development does not exceed the proposed scale and restricts potential ancillary uses from the facility.</p> <p>Any further intensification of the proposal would trigger additional assessment, either via a new Development Application, or a Change to the subject application.</p> <p>Based on these recommended conditions, the feedback regarding other operations have been addressed.</p>
Full scale export will see trucks towing hydrogen trailers driving around town, turning in/out of Derby Street on the approved B Double access road. Planning application should redirect heavy vehicle traffic outside of Gladstone. It does not make sense to increase heavy traffic in south Gladstone near a school.	
Documents suggest expansion on the site – making future proposal more difficult to object.	
AGN have explicated stated their ambition to increase hydrogen supply to then network from 10 to 100%. They also say to establish a vehicle hydrogen refuelling facility.	
Based on the vision of the consortium and the big picture from government, the small hydrogen plant proposed really does grow into a much larger facility as per SA plant for export of hydrogen. This application does not take into consideration the full-scale impacts to community. Council must consider the end game of where this is all headed before approving the use of land.	
Proposed Definition	
Renewable energy facility – this definition does not actually reflect the use that will be onsite. There is no energy being generated on site. The facility will use existing electricity from the ergon network. To claim this is renewable is dishonest. This is a medium industrial use.	<p>The definition of Renewable Energy facility speaks to the production of energy from renewable sources. Within the common material the Applicant has detailed the hydrogen production will be sourced via green energy and water, resulting in green hydrogen.</p> <p>As such, the proposed use aligns with the Renewable Energy Facility definition.</p>
Community Consultation	

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<p>There has been no consultation with the residents that live close to the site.</p>	<p>The Applicant has detailed the different engagement methods conducted prior and during the application process.</p>
<p>No stakeholders have been notified of this development other than the customer currently on gas, therefore the community consultation portion of the <i>Planning Act 2016</i> has not been followed. Two signs that are knocked over do not constitute notification</p>	<p>An Impact Assessable development application requires Public Notification as per the <i>Planning Act 2016</i> (the Act) requirements. This legislation requires the Applicant to, at minimum, place notice signs at the frontage of each lot, a newspaper advert and written notification of the proposal to adjoining land holders. This period was conducted between 13 August until 3 September 2021 with a notice of compliance submitted to Council confirming the above was conducted in accordance with the legislation.</p>
<p>Object that the fact that there was no community consultation.</p>	
<p>A user of the gas network and I'm still waiting a letter as per AGIG's website.</p>	
<p>Lease</p>	
<p>Council has consented to the lease of the site to AGN. By already agreeing to a 30 year lease council has effectively approved the site for the use without any consultation with the community.</p>	<p>In accordance with the purpose of the Crown Reserve located at Lot 43, Council as Trustee prepared a draft lease for the Applicant, subject to conditions which included obtaining all relevant development permits. This must occur in order for the application to be considered properly made and is undertaken separately to the development assessment.</p>
<p>Can council validate there is no wrong doings here regarding the lease and correct planning and due process has been followed?</p>	<p>The draft lease and owners' consent have allowed the Applicant to lodge a Properly Made Development Application which has been determined as an Impact Assessable Material Change of Use.</p>
<p>We noticed there has been no Cultural Heritage Plan submitted, please advise how the local Gooreng Gooreng, Byellee, Gurang and Taribelang Bunda Peoples have been consulted regarding this land use.</p>	<p>Upon review against the provisions of the ILUA confirmed the proposed use is considered as Low Impact Infrastructure under Schedule 7, thus compliant with the ILUA in place for the region.</p>
<p>Community Purpose</p>	
<p>This area is proposed to be developed in the community facility zone. As per the code, the land is to be used for higher order community facilities generally in the Gladstone urban area. Community facilities may include the provision of municipal services, government installations, hospitals and schools and community infrastructure of an artistic,</p>	<p>The Utility Installation component of the Development Application is considered as a suitable use within the Community Facility Zone Code.</p> <p>The zone however has not envisaged a Renewable Energy Facility, resulting in the</p>

<p>social or cultural nature. The purpose of the zone code clearly provides for the development of facilities and municipal serves that meet the need of the local Gladstone Community.</p>	<p>the Development Application being triggered as Impact Assessable.</p>
<p>With child care facilities in town overloaded, elderly respite centre stretched, and minimal aged care facilities, surely Community land should be used to benefit the whole of the Gladstone community in a sustainable way suppling services to the greater community for the betterment of those living in the Gladstone region. This project reaches only estimated 770 users of domestic gas, not a large benefit to the community of 35 thousand people in the Gladstone district. This does not benefit the greater community based on the claim of 10% injection to existing gas customers.</p>	<p>The introduction of the proposed development within the lease provides a new facility to the Gladstone Region that aligns with the Strategic Framework; Council, State and National Strategies for Hydrogen. The HyP Gladstone facility will assist in progressing decarbonisation targets set out in the strategies by creating green hydrogen and injecting the renewable energy product into the existing gas transmission network up to a 10% blend.</p>
<p>780 residents in Gladstone are on domestic gas service, so it is not a community benefit. Even if council depot had strategic plan to convert to hydrogen fuel source for their entire fleet, this sill doesn't meet criteria of a higher order community facility.</p>	<p>This small scale proposal will also create new linkages with the energy sector, and educational and technology sectors in the region. The proposed relationships may assist in progressing Hydrogen as a Renewable Energy source in Queensland to achieve the set targets outlined in the strategies. This will ultimately advance the purpose of the <i>Planning Act 2016</i> which aims to <i>establish an efficient, effective, transparent, integrated, coordinated, and accountable system of land use planning, development assessment and related matters that facilitates the achievement of ecological sustainability.</i></p>
<p>The purpose of the zone code says:</p> <p><i>The purpose of the community facilities zone code is to:</i></p> <p><i>(a)provide for community related activities and facilities whether under public or private ownership;</i></p> <p><i>(b)ensure all communities have access to a range of community services and facilities which meet local needs; and</i></p> <p><i>(c)locate higher order community facilities generally in the Gladstone urban area.</i></p> <p>A renewable energy facility and utility installation are not community related activities or facilities. The renewable energy facility and utility installation are better suited to industrial zoned land. Object to re-zoning this community facility land for industry.</p>	<p>With regard to the current operation of the site, the proposed development does not remove or impact existing community uses. The proposal has demonstrated the emission, traffic and amenity impacts which were found to be consistent with the existing operation of the Community Facility Zone site.</p>
<p>The DA does not address P09, P10 or P11 satisfactorily regarding non-community activities or limitations to future community activities. Just because council uses it as a bulk storage yard does not mean this project classifies as a community project and can draw a comparison to current usage. The comment around the balance of site for other</p>	<p>Furthermore, the proposed development does not sterilise the balance of the subject site from potential future uses such as complimentary educational and training uses which have been</p>

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<p>community activities is flawed when you consider the site boundary is the total block of land and not just the compound. Placing a Hydrogen Plant on this location limits the future potential for further community developments within the valuable useable land in town.</p>	<p>acknowledged in the State and National strategies.</p>
<p>This land is designated for community purpose and not suitable for industrial production</p>	<p>In summary, the proposed development is considered to align with the intent of the Community Facility Zone and broader Planning Scheme, ensures the impacts are managed and mitigated appropriately, and as such, it is recommended for approval, subject to conditions.</p>
<p>Location</p>	
<p>Please refer to the installation of AGIG operates in Thornsley SA. It is built in a dedicated industry and innovation zone. Which is an appropriate area and not 90m from a nearest resident or 200m from a school or major connection road.</p>	<p>While the Applicant acknowledged other alternative sites were reviewed, this does not form part of the statutory assessment.</p>
<p>Propose that it be built at a location away from all residents living which includes south Gladstone primary school, sports fields used by children at the TAFE grounds.</p>	<p>The Development Application has been prepared and lodged over Lot 43 Derby Street. As such, the legislation requires the Planning Scheme to determine if the proposed development aligns with the Statutory assessment document.</p>
<p>There is other land available such as the Aldoga industrial estate.</p>	<p>Upon assessment of the Strategic Framework, the proposed development was determined to align with the intent of the Planning Scheme by introducing new industry, providing new business and industry opportunities, not sterilising the subject site for future development nor surrounding uses, and co-locating with the current stockpiling and storing operations onsite.</p>
<p>Saddens me to think that the Council would approve application by AGN to build this in a peaceful residential area and close to a large school. I repeat close to a large school.</p>	<p>Therefore, the proposed HyP Gladstone facility is considered to be of a suitable scale and operation at the location of Lot 43 Derby Street.</p>
<p>If you go back some years – the powers that be resumed a large area in Targinnie/Aldoga area that was believed for industrial purposes – this is where the proposed facility should be located.</p>	
<p>The recent announcement of hydrogen injection into the gas supply at Rio Tinto Yawun raises the question – why isn't a single facility at Yarwun installed for the whole of Gladstone.</p>	
<p>Great idea – wrong site</p>	
<p>The site adjoins residential uses. The surrounding area is predominately residential uses, with the TAFE college (CQ Uni Campus) and South Gladstone Primary School located nearby. The primary school was established in 1989 and has 350 students. The health and safety of these children, the teachers and the staff need to be consideration in Council's assessment of the proposed industrial use.</p>	
<p>Prioritise the community, value the people. Accepting a plant to be built in such proximity to</p>	

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<p>schools and homes when QAL and Rio Tinto have a occupational building proposal to move all their employees out of a blast zone running, is money thinking.</p>	
<p>Object to its location next to medium density, well established housing and next to a major primary school.</p>	
<p>For years you have been trying to force industry out of town. Now you want to allow the building of this plant within 100m of high quality homes.</p>	
<p>With the other Hydrogen projects announced at Aldoga, the main transition line to town can be charged with Hydrogen and supplied to the domestic customers and industry. We don't need AGN to supply blended gas if the other large projects can do so in the longer term. Upgrade the existing city gate valve station at a better location than Breslin Street and let the Hydrogen come Aldoga.</p>	
<p>Perhaps AGN should invest in Gladstone by purchasing industrial zoned land and paying rates. Much of the funding for this project is coming from state government</p>	
<p>I do not want industry nearby</p>	
<p>Safety</p>	
<p>Due to the plant containing the most flammable gas on the planet – hydrogen – the site must be secure. People should not be able to access the plant in any way – need to be kept away from being able to damage the plant or cause leakage or explosion (e.g. throw a rock over the fence)</p>	<p>As part of the Development Application and in response to submissions, the Applicant prepared a Quantitative Risk Assessment (QRA). The purpose of the QRA was to model hazardous inventories that present a credible risk to determine the level of risk to populations in the area surrounding the development.</p>
<p>Rocks and derby should be removed from around the facility due to the high risk nature of the development</p>	
<p>Safety of residents. In the event of an explosion or fire there is not sufficient buffer to protect people or buildings from potential harm. Has a thorough risk analysis been carried out?</p>	<p>An independent peer review was further conducted by a RPEQ of the submitted QRA regarding the risk assessment and methodologies.</p>
<p>Proposed to store up to 10kg of hydrogen gas in a 4000L storage vessel – this implies an operating pressure of up to 3300 kPa with a hazard level B according to AS4343 – 2005. As this storage vessel is intended to cater for daily fluctuations in demand and generation, it's service conditions will have high cyclic fatigue component, potentially increasing risk</p>	<p>The findings outlined that the HyP Gladstone proposal, noting the multiple layers of automated controls include flame detectors, pressure safety valves and a fail-safe independent emergency shut down and blowdown system; has reduced</p>

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<p>of failure compared to static vessel</p> <p>It is not clear that a proper safety assessment on the installation has been carried out, and whether the cost of the project will be increased by compliance with good safety practice. An application such as this should show evidence of HAZOP studies, detailed quantitative risk assessment, and sign-off by RPEQ</p>	<p>the likelihood of risk onsite and noted if there were to be a catastrophic event, the risk exposure would not extend and impact the adjoining educational and residential uses.</p>
<p>The proposal to dispense compressed hydrogen by road increases the risk to road users from interaction with more heavy vehicle activity. Large compressed hydrogen should be by rail or ship</p>	<p>As such, the supporting RPEQ QRA and independent review of the QRA have been included as supporting approved documentation for the development. Additionally, conditions have been included to align the proposed scale,</p>
<p>The proposed plant uses evaporative cooling from the town water supply to control the temperature of the electrolyser. As Gladstone’s water supply is currently at risk from droughts this method of cooling seems to be irresponsible for the long term. Why was dry cooling not employed? Why was process heat not used to distil effluent brine to produce water for the process?</p>	<p>design and ongoing operation.</p>
<p>Serious safety concern.</p>	
<p>Hydrogen is highly explosive gas – it has an explosive range of 4%-74% in air, compared to natural gas/methane of 5-15%. Hydrogen also requires very low ignition energy compared to natural gas. The production of hydrogen in any quantity presents potential explosion hazard. A hydrogen explosion of the facility would have two outcomes – blast pressure wave which could shatter windows and burst eardrums – second could be metal projectiles from failed equipment being launched towards populated areas. Even the slightest event of these occurring should deem the proposal unsafe to operate in the proposed area</p>	
<p>AGN claims to have completed fire and dispersion modelling for the proposed plan but no detail or summary of this work as been presented. At minimum the following should have been conducted and released to the public – HAZOP, Fire and explosion modelling and a Quantitative Risk Analysis</p>	
<p>It is impossible to guarantee zero risk of explosion and consequential damage from the proposed plant, the only logical solution is to locate any hydrogen production facility, regardless of size, at Aldoga Industrial Estate, away from people and surrounded by an exclusion zone</p>	
<p>Unacceptable explosion risk to residents in the area</p>	

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and also the south Gladstone state school	
Hydrogen used in fuel cells is a very flammable has and can cause fire explosions, yet a bushfire management plan has not been included. The site adjoins bushland off coon street. If there was a fire or explosion at the site it could spread to this bushland and the homes that adjoin it	
No firefighting equipment in it	
AGN show no commitment to community safety or transparency on the issues of environment impacts	
You will argue that all the safety measures will be put in place to prevent those same safety measures would have been in place for Chernobyl and now here we are with it 35 years on the nuclear reactor still smouldering away in the tomb built around it just waiting to explode again. Yes Chernobyl was a nuclear plant but the potential is still there with hydrogen to cause a large explosion and fire with absolutely no protection to the residents around the area	
Derby Street is a very popular street for kids commuting to and from school – their safety should not be jeopardized	
Is there a Fire management plan in place for the facility, generally this would be covered in the Facility Safety Case, but as mentioned above, it has not be submitted. This also brings to question whether there is a bushfire management plan, conscious that our local Fire Station will be managing community emergencies and this plant should not rely on local resources that rate payers should have priority for.	
In fact, according to Western Australia Environment Protection website, the required buffer distance for Gasworks (premises on which coal, coke and oil (mixtures or derivatives of) are processed to produce combustible gas) is 1000-2000 meters, depending on raw materials used, odorising process used & size. Most likely similar laws exist in Queensland, and at minimum the mentioned buffer distance can be considered an Industrial best practice.	
Road Network	
Current application does not include sealing the access driveway. The nearby residents should not be	The revised proposed plans following on from the submissions received now

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<p>impacted by airborne dust particles generated from accessing the facility</p>	<p>include a sealed internal driveway and associated parking area as required by the Development Design Code of the Planning Scheme.</p>
<p>Increased traffic flow in a school zone and residential area</p>	<p>The Development Application sought only the establishment of the Renewable Energy Facility and Utility Installation. The references to the potential of refuelling and exporting Hydrogen from the plant have been further confirmed by the Applicant and do not form part of the subject application.</p>
<p>Additional and regular activity at this site adds increased risk to commuters that use Derby St, particularly at the intersection and Ann and Adelaide St. During construction and commissioning there will be a large increase in traffic competing with school traffic at peak times. Important to also consider traffic disturbance with pending install of power across Derby Street and integration into sewage network in Ann Street.</p>	<p>As such, the expected traffic generation from the site will remain minimal given the unmanned nature of the facility. A condition has been recommended to ensure the development cannot not alter the operation to include refuelling or exporting Hydrogen from the site without further assessment processes.</p>
<p>Gladstone rate payers, along with State Government, have funded a recent bypass road to take trucking out of residential areas. This location does not take advantage of this initiative. Explain how increased trucking is a positive move in this location. How does this location make use of the bypass road imitative</p>	<p>To facilitate a pedestrian connection within the existing network, a condition has been recommended that the Applicant install a pedestrian footpath between the Lyons Street link and Ann Street. This will provide the missing pedestrian link within the Derby Street network.</p>
<p>Will a pedestrian crossing be put in to cater for foot traffic currently (school kids and parents) walking to and from South school on Derby Street adjacent to proposed installation</p>	<p>Visual Amenity</p>
<p>The plant does not fit into the nearby residential buildings, school or TAFE oval. The plans show the development will be hidden behind trees and completely secure behind what looks like a prison fence</p>	<p>The proposed developments interface will reflect the existing vegetation screening of Council's stockpiling and laydown area. To provide further screening of the compound area, the revised plan now includes additional landscaping treatments and fencing. These requirements to further reduce visual impacts have been included in the condition package.</p>
<p>If the development proceeds, improvement on the aesthetics of the laydown area could be done</p>	<p>Odour</p>
<p>What will the air/odour emission impacts be?</p>	<p>The proposed development will not result in odour emissions. However, to ensure the development complies with the <i>Environmental Protection (Air) Policy 2019</i>, a condition has been recommended to that effect.</p>

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Noise	
The noise study says traffic will drown out plant noise. However, no background noise measurements have been completed yet as per the report; instead assumptions have been made for modelling. Equipment in the water treatment plant of the facility showing 89Db at full load. What happens in the evening to 10pm when there is not a lot of traffic?	As part of the Revised Noise Report, the Applicant has included the additional equipment components to undertake a preliminary assessment of the facility and associated noise impacts. From the assumption and recommendations, the proposed facility has achieved the minimum noise requirements in accordance with the <i>Environmental Protection (Noise) Policy 2019</i> .
The noise report submitted is not clear on how the proposal will satisfy noise generation	
More concerning than the increase in background noise – is intermittent noise from machinery operation and venting of gas at all hours. This area is already subject to heavy vehicle traffic on derby street and vehicle and machinery alarm noise from Council depot in Lyson Street. A further increase in noise either background or intermitted, in this largely residential area will be unacceptable	This development will be further regulated via a requested Noise Report once operational and additional conditions pertaining to construction management plan and ongoing operation to comply with the policy at all times.
Will be an increase in noise levels, background and intermittent	
Spurious Alarms – Experience with gas detection systems is that spurious alarms are common due to moonlight reflection into sensors or sunlight reflection into sensors (usually from valve and instrument tags). They will need to assess and provide mitigation around how spurious audible alarms will be managed to avoid nuisance noise and shift workers that live in the area	
Operation	
Plant will be unmanned (operated remotely) and will have the capacity to vent the full inventory of stored hydrogen in the event of equipment malfunction – therefore slow technician response time to any operational issues may arise	The proposed HyP facility has been designed in accordance with the relevant Australian Standards. The Applicant has noted within the common material the several mechanisms that can appropriately detect and disarm the facility if required. A condition has been recommended to ensure the design and operation of the facility complies with the Australian Standards at all times.
Water consumption	
As a rate payer – I need to know how the increased water consumption will impacts on residents. Residents in the regions close by have seen a higher increase in rates to cover desalination plant,	The expected water consumption rate aligns with the current capacity of the water network and the anticipated demand assumed for the subject site. As

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something often associated with hydrogen production plants	such, no additional upgrades or new infrastructure is required for the water service.
Application Submission	
The common material gives the impression of minimum cost exercise – no proposed access sealing, no formal stormwater plan, sourcing components from China. The common philosophy ‘build it cheap and fix the defects alter’ is not acceptable	Within the common material, the design and operation of the facility are regulated via several Australian Standards. As such, a condition has been recommended that the development complies at all times to ensure the facility is compliant.
Land Impacts	
How will this project with unknown technology in terms of impacts affect house and land values in the area	The Development Application process assesses the proposal against the planning scheme.
AGIG provides no confidence or indication as to whether there will be sustainable jobs for Gladstone residents on this project, during and/or post construction.	The Applicant has indicated local expertise may be used for the maintenance of the facility. This will be upon the Applicant to consider as part of the ongoing operation of the HyP Gladstone facility.
Submission	Officers Response
Suggestions	
Why is the by-product oxygen that is vented from the plant not being collected for use in the industry? The purpose of this plant is for carbon abatement, and this opportunity to substitute for energy-intensive air separation seem to be ignored	The proposed suggestions were noted by the Applicant and can be considered as part of the detailed operational design or later opportunities to retrofit.
Justification for this facility is abatement of atmospheric pollution by carbon dioxide and yet overlooks opportunities to further abatement by reducing water consumption and reducing energy consumption in producing industrial or medical oxygen	
General Support	
Not opposed in principle to the supplementation or replacement of existing fossil-based gas supplies with renewable powered hydrogen.	The opportunity to introduce Hydrogen as a renewable energy source and facilitate a blend up to 10% into the existing gas transmission line has demonstrated synergies with not only the Planning Scheme but Council, State and National Strategies too. As such, the proposed development has been recommended for approval, subject to conditions.
I’m in support in general and am confident that the design and construction will be safe. I’m in favour as this is a big part of our move to renewable based energy system and I work with hydrogen on a regular basis.	

Matters prescribed by a regulation:

1. The *State Planning Policy July 2017 – Part E*;
2. The *Our Place Our Plan Gladstone Regional Council Planning Scheme, Version 2*

Conditions of Approval:

The following provides the Conditions of Approval under Section 63 of the *Planning Act 2016*:

Approved Documentation

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

Drawing Number	Revision	Description	Author	Date
GLA-C-001-01	A1	Bulk Earthworks & Overall Civil Foundation Plan	Australian Gas Networks (AGN) Pty Ltd	27/10/2021
GLA-G-005-01	3	Combined Utilities & Services Plan	Australian Gas Networks (AGN) Pty Ltd	27/04/2021
GLA-M-010-01	2	Overall Site General Arrangement	Australian Gas Networks (AGN) Pty Ltd	31/05/2021
GLA-M-100-01	2	Hydrogen Storage Vessel Injection and Blending Site General Layout	Australian Gas Networks (AGN) Pty Ltd	28/05/2021
GLA-M-101-01	1	Storage Vessel, Injection and Blending Skid Piping	Australian Gas Networks (AGN) Pty Ltd	29/04/2021
GLA-M-101-02	1	Storage Vessel, Injection and Blending Skid Piping	Australian Gas Networks (AGN) Pty Ltd	29/04/2021
GLA-M-200-01	2	Hydrogen Generator & Utilities	Australian Gas Networks (AGN) Pty Ltd	1/06/2021
GLA-M-200-02	2	Hydrogen Generator & Utilities	Australian Gas Networks (AGN) Pty Ltd	1/06/2021

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GLA-M-300-01	2	GC Shelter & Control Room	Australian Gas Networks (AGN) Pty Ltd	30/05/2021
GLA-M-301-01	1	GC Shelter & Control Room	Australian Gas Networks (AGN) Pty Ltd	29/04/2021
GLA-M-400-01	2	Gladstone Gate Station	Australian Gas Networks (AGN) Pty Ltd	2/06/2021
AGI-001-APP-PLN-001	-	Site Analysis & Landscape Plan	Attexo Group Pty Ltd	21/10/2021

And supporting documents

Document Number	Revision	Description	Author	Date
J20611086	1	HyP Gladstone Wastewater Pipe Sizing	Sustech Engineering	3/08/2021
M7328_001-REP-001-1	1	Stormwater Management Plan	Energy Water Management	29/07/2021
J20611065	B	Determination of Pipe Size for HyP Water Feeder	Sustech Engineering	29/07/2021
AE21016-R001	1	Gladstone Hydrogen Park Quantitative Risk Assessment	Thorton Tomasetti	28/01/2022
GLA-Z-REP-009-01	1	HyP Gladstone Environmental Noise Modelling	Asset Integrity Consultants	16/11/2021
411012-00430	0	Review of QRA Study	Advisian Worley Group	28/01/2022

Special Conditions

2. Prior the lodgement of the first Operational Works application and the Notice of Decommissioning to the Petroleum and Gas Inspectors, the Applicant must prepare and submit to Council the following for the Breslin Street City Gate:
 - a. A Decommission and Rehabilitation report
 - b. A Demolition Management Plan that includes key dates, necessary permits and associated timelines

3. At all times, the Renewable Energy Facility must not:

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- a. Exceed 10kg of Hydrogen storage onsite;
 - b. Install an Electrolyser larger than 175kW onsite; and
 - c. Inject a blend greater than 10% Hydrogen via the Utility Installation Facility (City Gate)
4. This approval is only for the Renewable Energy Facility and Utility Installation as referenced in the approved plan package. The approval does not include the provision of:
- a. collection or distribution of Hydrogen via trailer export
 - b. refuelling of any vehicles
5. In addition to the reporting obligations under the *Petroleum and Gas (Production and Safety) Act 2004*, the Applicant must prepare and submit to Petroleum and Gas Inspectorates a quarterly facility report for the first 24 months post the commencement of the facility.
6. As part of the lodgement for the first Operational Works application, the Applicant must submit a copy of the endorsed Fire and Emergency Management Plan that includes the appropriate response to emergency events (fire, explosion, gas leak, medical emergency and security threats).
7. As part of the lodgement for the first Operational Works application, the Applicant must submit for review and approval, an Operational Management Plan for the HyP Gladstone facility at the subject site.
8. The Applicant must lodge with Council at least six (6) months before the lease expiry date, a Decommission and Rehabilitation Plan. The Plan is to outline the project timeline and measures proposed to regenerate the site to an environmentally sustainable state after the removal of all structures and associated services.
9. The design, construction and operation of the development must achieve compliance with the necessary Australian Standards and *Petroleum and Gas (Production and Safety) Act 2004* at all times.

Operational Works

10. A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction. The Development Application for Operational Works is to include the following:
- a. Earthworks (including retaining walls);
 - b. Road works (including signage and footpaths);
 - c. Water Infrastructure;
 - d. Sewer Infrastructure;
 - e. Stormwater Management (quantity and drainage control);
 - f. Lighting, electrical and telecommunications; and
 - g. Landscaping, environmental protection and associated works.

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11. As part of the lodgement for the first Operational Works application, the Applicant is to submit for approval an Engineering Design and Drawing(s) for the proposed extension of sewer network assets for the proposed lot connection.
12. Development Applications for Operational Works shall be designed and constructed in accordance with Australian Standards, the Engineering Design Planning Scheme Policy under the Our Place Our Plan Gladstone Regional Council Planning Scheme or any other applicable standards at the time of lodgement. Prior to the commencement of the use, all Operational Works conditioned by this approval must be accepted "on maintenance" by Council.

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

13. As part of the lodgement for the first Operational Works application, the Applicant must submit for approval a detailed Construction Management Plan, which addressed, but is not limited to, the following matters:
 - a. Water quality and drainage;
 - b. Erosion and silt/sediment management;
 - c. Top soil management;
 - d. Interim drainage plan during construction;
 - e. Construction programme;
 - f. Geotechnical issues;
 - g. Emergency vehicle access;
 - h. Construction and Maintenance Noise Management Plan;
 - i. Dust suppression; and
 - j. Waste management.
14. At all times, the Applicant must comply with the approved Construction Management Plan for the development works.
15. All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked wholly within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Derby Street or Lyons Street.
16. All Development Permits for Operational Works must be obtained prior to the issue of a Development Permit for Plumbing and Drainage Works and Building Works.

Noise and Air Quality

17. Within 3 months of the commencement of the use, the Applicant must conduct a new Noise Assessment test to demonstrate the proposed facility remains compliant with the relevant standards for adjoining sensitive land use receptors. The Noise Assessment Report must be submitted to Council for review and approval.

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18. At all times, the Applicant must adhere to the recommendations and restrictions within the approved Noise Report.
19. At all times, the development must achieve the noise generation levels set out in the *Environmental Protection (Noise) Policy 2019*, as amended.
20. At all times, the development must achieve the air quality design objectives set out in the *Environmental Protection (Air) Policy 2019*, as amended.

Building, Plumbing and Drainage Works

21. As part of Building Works, construction of a security fence around the facility compound to all boundaries must be completed in accordance with the approved documentation.
22. The Applicant is required to obtain a Development Permit and Building Final for Building Works in accordance with the *Planning Act 2016*. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.
23. The Applicant is required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final in accordance with the *Planning Act 2016*. Construction is to comply with the *Plumbing and Drainage Act 2018* and the requirements of other relevant authorities.
24. Prior to the commencement of the use, all plant and equipment (including air conditioners, exhaust fans and the like) are to be housed, screened and located so that these do not cause environmental nuisance or harm to residential uses in the surrounding area.
25. As part of Building Works, all outdoor lighting is to comply with Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.
26. Prior to the commencement of the use, all lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting to adversely affect the residential uses on this site and the adjoining sites.
27. As part of Building Works, sealed and raised bunding is to be constructed around all areas that may result in potential chemical contamination for overland flow.

Water Infrastructure

28. Prior to the commencement of the use, a maximum 40mm diameter water service connection is to be provided from Council's water supply infrastructure to the front property boundary. The location of the water service (and any associated fire service) is to be determined in consultation with Council.
29. Prior to the commencement of the use, connections to Council's live water reticulation network must be carried out by Council. The cost of these works is to be borne by the Applicant.

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

Sewerage Infrastructure

30. Prior to the commencement of the use, all sanitary drainage is to drain into a new 1050mm diameter privately owned maintenance hole within the development site, before connection to Council's sewerage infrastructure. The location and size of the sewer service is to be determined in consultation with Council.
31. Prior to the commencement of the use, connections to Council's live sewerage network must be carried out by Council. The cost of these works is to be borne by the Applicant.

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

32. Prior to the commencement of the use, the Applicant is required to obtain a Trade Waste Permit to discharge trade waste to the Sewer in accordance with Councils Trade Waste Approval Process prior to Plumbing Final being issued.

Advisory Note: Applications for Trade Waste Discharge can be found at <http://www.gladstone.qld.gov.au/trade-waste-approval-process>.

Stormwater Infrastructure

33. As part of the Development Application for Operational Works, the Applicant is to submit for approval by Council an amended Site Based Stormwater Management Plan following detailed design. The Site Based Stormwater Management Plan must address both stormwater quantity and quality and be in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Our Place Our Plan Gladstone Regional Council Planning Scheme* and the *State Planning Policy – July 2017*. The Site Based Stormwater Management Plan must be certified by a Registered Professional Engineer of Queensland experienced in this type of work.

Transportation Services

34. As part of Operational Works, the Applicant is to seal the internal access and parking areas within the leased portion of the subject site as per the approved plans.
35. Upon commencement of the use, the Applicant must ensure at all times that no more than four (4) vehicles associated with ancillary tours/demonstrations are to be onsite.
36. As part of Operational Works, a total of four (4) car parking spaces are to be constructed on site generally in accordance with the approved plans, including designated disabled car parking spaces. These spaces and all vehicle movement areas are to be constructed, sealed, line marked, provided with wheel stops and maintained in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme* and AS2890.1.

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37. As part of Operational Works, a Commercial Driveway is to be constructed in accordance with Council's Standard Drawing Urban Commercial/Industrial Driveway.

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

38. Prior to the commencement of the use, any damage to the driveway crossing and kerb and channel shall be repaired at the owner's expense and to Council's Standard Drawing Urban Commercial/Industrial Driveway.

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

39. Prior to the commencement of the use, all grassed footpath areas disturbed by the development are to be top dressed and turfed following completion of construction activity.

40. As part of Operational Works, construction of a 2 metre wide concrete footpath from the existing Lyons Street pedestrian link to Ann Street within the southern portion of the Derby Street road reserve must be completed in accordance with Council's Standard Drawing Concrete Pathway/Bikeway Details.

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

41. As part of Operational Works, provision of shade street trees along the pedestrian footpath required in Condition 40 in accordance with Table 9.3.5.3.2 - Plant Species List of the Landscaping Code of the Our Place Our Plan Gladstone Regional Council Planning Scheme and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification.

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

Landscaping

42. As part of Operational Works, the Applicant is to install turf within the balance of the lease area (excluding sealed driveway, parking areas and compound area). This is to be reflected in the submitted Landscaping Plan.

43. As part of the first Development Application for Operational Works, a full Landscaping Plan is to be provided in accordance with Table 9.3.5.3.2 - Plant Species List of the Landscaping Code of the Our Place Our Plan Gladstone Regional Council Planning Scheme and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification. The full Landscaping Plan is to be certified by a Landscape Architect and reflect the approved plans and conditions within this package.

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

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44. Prior to commencement of the use, all landscaping areas within the lease are to be constructed with an appropriate irrigation system. Details of the irrigation system are to be provided as part of the full Landscaping Plan.
45. At all times, the Applicant must ensure ongoing maintenance and replanting of the landscaped areas (if required) is maintained.

Waste Management

46. Upon commencement of the use, the Applicant must ensure domestic waste collection shall not be provided on site at all times.

Lawful Commencement

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

GM/22/4718 Council Resolution:

Moved Cr Trevor
Seconded Cr Hansen

That Council refuses the Development Application 25/2021 for a Material Change of Use of Premises for a Utility Installation (Gas Distribution) and Renewable Energy Facility (Hydrogen Facility) located at Lot 43 Derby Street, South Gladstone QLD 4680 on the grounds that Council recognises the safety issues expressed by the Community.

CARRIED

The meeting was adjourned at 10:15am and reconvened at 10:45am.

G/3.2. 68-22 SEWER RELINING AND URBAN DRAINAGE - VARIATION 3

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 19 April 2022

File Ref: PE1.1

Purpose:

The purpose of this report is to allow Council to consider a variation to contract 68-22 Sewer and Stormwater Relining (Rehabilitation), with Interflow Pty Ltd.

Officer's Recommendation:

That Council approve a variation to contract 68-22 Sewer and Stormwater Relining (Rehabilitation) with Interflow Pty Ltd for \$2,397,319.10 ex GST, to include additional meters of sewer and stormwater line.

GM/22/4719 Council Resolution:

Moved Cr Cameron
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

CARRIED

G/3.3. BEFORE YOU DIG AUSTRALIA - SOLE SUPPLIER

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 19 April 2022

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 the provision of Dial Before You Dig services.

Officer's Recommendation:

That Council resolves, in accordance with Section 235(a) of the *Local Government Regulation 2012*, that it is satisfied Before You Dig Australia is the only supplier reasonably available to it to provide underground infrastructure location services to Council.

GM/22/4720 Council Resolution:

Moved Cr O'Grady

Seconded Cr Branthwaite

That the Officer's Recommendation be adopted.

CARRIED

G/3.4. TENDER RPQS 89-22 IT CYBER SECURITY SOFTWARE AND MANAGED SERVICES

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 19 April 2022

File Ref: PE1.1

Purpose:

This report seeks resolution from Council to enter into agreements for the provision of IT Cyber Security Software and Managed Services under a Register of Pre-Qualified Suppliers.

Officer's Recommendation:

That Council:

1. Endorse the Tender Evaluation Panel's recommendation to appoint the following four (4) service providers on RPQS 89-22 IT Cyber Security Software and Managed Services:
 - Cube Cybersecurity Pty Ltd;
 - Cultural Cybersecurity Pty Ltd;
 - RIOT Solutions Pty Ltd; and
 - Secure Internet Storage Solutions Pty Ltd.

2. Authorise the Chief Executive Officer to enter into panel arrangements for a term of two (2) years with the option to extend for a further three periods of one (1) year each, with the above service providers.

GM/22/4721 Council Resolution:

Moved Cr Hansen

Seconded Cr Branthwaite

That the Officer's Recommendation be adopted.

CARRIED

G/3.5. TENDER RPQS 86-22 SUPPLY OF LANDSCAPING AND HORTICULTURE MATERIAL

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 19 April 2022

File Ref: PE1.1

Purpose:

This report seeks resolution from Council to enter into agreements for the supply of landscaping and horticultural material under a Register of Pre-Qualified Suppliers.

Officer's Recommendation:

That Council:

1. Endorse the Tender Evaluation Panel's recommendation to appoint the following nine (9) suppliers on RPQS 86-22 Supply of Landscaping and Horticultural Material:
 - 906 Turf Group Pty Ltd;
 - Grycan Pty Limited as trustee for the Blomfield Family Trust trading as Blomfield Excavations;
 - Fernland Agencies Pty Ltd;
 - Eastern Signs Pty Ltd trading as Gladstone Garden & Landscaping Supplies;
 - The Hardcore Performance Trust Trading as Hardcore Sands and Pink Lily Sands;
 - Plants Direct Queensland;
 - Stillers Pty Ltd trading as Stiller's Recycling; and
 - Grant & Thurecht G.D & G.E & J.G & W.G trading as Mini Excavations.

2. Authorise the Chief Executive Officer to enter into panel arrangements for a term of three (3) years with the above suppliers.

GM/22/4722 Council Resolution:

Moved Cr Churchill
Seconded Cr Cameron

That the Officer's Recommendation be adopted.

CARRIED

G/3.6. METRO COUNTS SOLE SUPPLIER

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 19 April 2022

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 the provision of MetroCount traffic monitoring equipment.

Officer's Recommendation:

That Council resolves, in accordance with Section 235(a) of the Local Government Regulation 2012, that it is satisfied Microcom Pty Ltd T/A MetroCount is the only supplier reasonably available to it to provide MetroCount traffic monitoring equipment to Council.

GM/22/4723 Council Resolution:

Moved Cr Muszkat
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

CARRIED

G/3.7. MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 MARCH 2022

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 19 April 2022

File Ref: FM15.1

Purpose:

This report seeks Council adoption of the Monthly Financial Statements for the 2021-22 year to date, for the period ended 31 March 2022.

Officer's Recommendation:

That Council adopt the Monthly Financial Statements attached to the officer's report for the 2021-22 year to date, for the period ended 31 March 2022 as required under Section 204 *Local Government Regulation 2012*.

GM/22/4724 Council Resolution:

Moved Cr Branthwaite
Seconded Cr Cameron

That the Officer's Recommendation be adopted.

CARRIED

G/3.8. LEASE TO DREAMTILT

Responsible Officer: General Manager Strategic Asset Performance

Council Meeting Date: 19 April 2022

File Ref: CM8.2

**Councillor Branthwaite (declared Conflict of Interest)
left the room for Agenda Item G/3.8. and did not participate in the decision.
(refer G/0.3.4. Disclosure of Interest section of the minutes - page 5)**

Purpose:

The purpose of this report is to allow Council to consider leasing freehold land for telecommunications purposes.

Officer's Recommendation:

That Council:

1. Resolves that s236(1)(c)(vi) of the *Local Government Regulation 2012* applies to the proposed lease of part of Lot 2 on SP266708 to Dreamtilt Pty Ltd; and
2. Delegates authority to the Chief Executive Officer to negotiate a lease with Dreamtilt Pty Ltd for telecommunication purposes over part of Lot 2 on SP266708 for a period of up to 20 years.

GM/22/4725 Council Resolution:

Moved Cr O'Grady
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

CARRIED

G/3.9. LEAVE OF ABSENCE - MAYOR BURNETT

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 19 April 2022

File Ref: CM7.2

Purpose:

To report a request for leave of absence as required under 6.1.2 of Council's *P-2020-19 Council Meetings Procedures Policy*.

Officer's Recommendation:

That Council approve Mayor Burnett's request for a leave of absence from 18 April 2022 to 21 May 2022.

GM/22/4726 Council Resolution:

Moved Cr Goodluck
Seconded Cr Cameron

That the Officer's Recommendation be adopted.

CARRIED

G/4. DEPUTATIONS

Nil

G/5. COUNCILLORS REPORT

Councillor Desley O'Grady mentioned that this weekend, Saturday 23 April 2022 to Monday 25 April 2022 is the Centenary of Boyne Valley Soldier Settlement at Ubobo. Cr O'Grady noted that it was scheduled to be held 2 years ago however was rescheduled due to COVID. Cr O'Grady acknowledged that a lot of work has gone into the 100 years centenary including Kathy McLaughlin attending the State Archives to undertake substantial research. Cr O'Grady highlighted the activities that are scheduled over the weekend including displays about the settlements at Memorial Hall, a self drive soldier settler farm trail, a book launch, roll call, cutting of a cake, dinner, raffles finishing with ANZAC Day Service and sausage sizzle. Cr O'Grady recommended everyone check it out and support the event and advised you can find more details via the Facebook page.

G/6. URGENT BUSINESS

Nil

G/7. NOTICE OF MOTION

Nil

G/8. CONFIDENTIAL ITEMS

Nil

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

THE MEETING CLOSED AT 11.17am.