



GLADSTONE
REGIONAL COUNCIL

**GENERAL MEETING NOTICE
AND AGENDA**

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

On Tuesday 7 March 2023

Commencing at 9.00am

**Leisa Dowling
CHIEF EXECUTIVE OFFICER**

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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 21 FEBRUARY 2023

Responsible Officer: Chief Executive Officer

Council Meeting Date: 7 March 2023

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 21 February 2023.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 21 February 2023 be confirmed.

Attachments:

1. Minutes of the General Meeting of Council held on 21 February 2023.

Tabled Items:

Nil

Report Prepared by: Executive Secretary

G/3. DEPUTATIONS

G/3.1. GLADSTONE AREA PROMOTION AND DEVELOPMENT LTD

Responsible Officer: Chief Executive Officer

Council Meeting Date: 7 March 2023

File Ref: CM7.6

Purpose:

Gladstone Area Promotion Development Limited (GAPDL) will provide an update to Council including recent activities and key performance indicators.

Officer's Recommendation:

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

Background:

Deputation details are as follows:

Time of Presentation	9:15am
Duration of Presentation plus question time	15 mins
Speakers to present	Gus Stedman, Chief Executive Officer
Is the matter currently or has previously been subject to legal proceedings?	No
Matter for information only	Yes

Attachments:

1. July – November 2022 GAPDL Quarterly Report

Tabled Items:

Nil

Reported Prepared by: Executive Secretary

G/4. OFFICERS' REPORTS

G/4.1. EXTENSION OF GECC CATERING AGREEMENT AND COURTYARD LEASE

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 7 March 2023

File Ref: CP8.2 & PE1.1

Purpose:

The purpose of this report is to seek Council's endorsement of an extension to the current lease and catering services agreement for the Gladstone Entertainment Convention Centre.

Officer's Recommendation:

That Council endorse an extension of the agreements below, under the current terms until 28 February 2024:

1. Lease at 56a Goondoon Street Gladstone, currently occupied by Lightbox Espresso and Wine Bar;
2. Catering Services Agreement at Gladstone Entertainment Convention Centre, currently held by Light Group.

Background:

The current agreement with Light Group for the lease at 56a Goondoon Street and the Gladstone Entertainment Convention Centre (GECC) Catering Services is due to expire in May 2023. Council has exercised all extension options of the agreement and is required to approach the market to tender for the lease and the catering services at GECC.

Current procurement timelines project that an open market approach would not be completed and awarded until June/July 2023.

The current lease and agreement holders are Light Group who have operated under the agreements since 2014 and 2016 respectively.

To ensure continuity of service and a planned, smooth transition period if required, officers are proposing an extension of the current agreement, under the current terms until 28 February 2024, with a procurement timeline as per the below;

Mid-July 2023 – Tender opens – respondents can tender on the lease, catering services and agreement or both

- Mid-August 2023 - Tender closes (4 weeks)
- Mid-October 2023 - Responses assessed, endorsed and contract executed
- Commencement date of the new lease and agreement of 29 February 2024, allowing for a 4-month transition period.

Options, Risk and Opportunity Analysis:

Council could elect not to endorse the Officers recommendation and commence the procurement process immediately. Current procurement timelines would indicate that the tender process could be completed by June/July 2023. The current agreements expire in May 2023 and as such, this option would expose GECC to a high level of risk associated with having no lessee and no contracted caterer for an undefined period.

Communication and Consultation:

General Manager Community Development and Events
Current Operators – Light Group
GRC Strategic Property Specialist
GRC Contracts and Procurement Team

Legal Strategy and Policy Implications:

The current agreements have no extension options available. The proposed extension requires Council approval.

Financial and Resource Implications:

Nil. The agreement terms will remain the same during the extension period.

Summary:

The below agreements are due to expire in May 2023:

- Lease of 56a Goondoon Street (GECC Courtyard), currently occupied by Lightbox Espresso and Wine Bar
- GECC Catering Services Agreement

To allow for a well-planned, fair and transparent tender process and transition period, officers are seeking Council's endorsement of an extension of the current agreements for a period, expiring on 28 February 2024.

Anticipated Resolution Completion Date:

7 March 2023
Expiry of Agreement – 28 February 2024.

Attachments:

Nil

Tabled Items:

Nil

Report Prepared by: Manager Arts and Entertainment

G/4.2. PHILIP STREET COMMUNITIES AND FAMILIES PRECINCT ADVISORY COMMITTEE REPORT

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 7 March 2023

File Ref: CR3.2

Purpose:

To present the Philip Street Community Advisory Committee Report to Council.

Officer's Recommendation:

That Council receive the 2021/2022 Philip Street Communities and Families Precinct Advisory Committee Report for the period 1 July 2021 to 31 December 2022.

Background:

Annual Report

The Philip Street Communities and Families Precinct Advisory Committee ("the Committee") was established by resolution of Council on 2 November 2020 as an advisory committee to Council under Sections 264-265 of the *Local Government Regulation 2012* and operates under a Terms of Reference adopted by Council on 16 February 2021, vide resolution GM/21/4444. The Committee's purpose is to give Council advice on strategic planning, management, and service delivery for the Precinct.

Membership of the Committee is voluntary, and the current membership is as follows:

- Councillor O'Grady
- Councillor Muszkat
- Kylie Lee – General Manager Community Development and Events, Council
- Chris Ford – The Salvation Army
- Shakira Campbell – GAPDL (Gladstone Area Promotion and Development Limited) Communities for Children
- Cecelia Eggmolesse – Ordinary member representing the First Nations community
- Kate Dufty – Ordinary member representing the Disability community
- Supria Singh – Ordinary member representing the Culturally and Linguistically Diverse community
- Maxine Brushe – Ordinary member representing the Seniors community.

In accordance with the current Philip Street Communities and Families Precinct Advisory Committee Terms of Reference item 12.3 states *'The committee will prepare and provide a written Annual Report at the Committee's Annual General Meeting which will also be presented to Council at a General Meeting outlining the Committee's activities, achievements, notable challenges, foreseeable opportunities and any proposed plans for the coming or future years.'*

Options, Risk and Opportunity Analysis:

Option 1 – Adopt the Recommendation

The opportunities associated with this option are that Council can promote the achievements and highlights of the Philip Street Communities and Families Precinct’s Report for the period 1 July 2021 – 31 December 2022.

Option 2 – Reject the report

Officers can see no tangible opportunities or risks associated with this option.

Communication and Consultation:

The development of the Annual Report has been a collaborative work of the Committee with guidance and assistance from the Committee’s secretariat.

The Executive Team have reviewed the report as part of the agenda review process.

Legal Strategy and Policy Implications:

The Philip Street Communities and Families Precinct 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 and resources to support the Committee are absorbed as a part of the existing operational budget of Community Partnerships.

Summary:

This report provides Council with the Philip Street Communities and Families Precinct Advisory Committee Annual Report detailing activities for the period from 01 July 2021 to 30 December 2022.

Anticipated Resolution Completion Date:

10 March 2023

Attachments:

1. Philip Street Communities and Families Precinct Advisory Committee Report

Tabled Items:

Nil

Report Prepared by: Community Development Specialist

G/4.3. PHILIP STREET COMMUNITIES AND FAMILIES PRECINCT ADVISORY COMMITTEE - REVIEW OF TERMS OF REFERENCE

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 7 March 2023

File Ref: CR3.2

Purpose:

To allow Council to consider changes to the Philip Street Communities and Families Precinct Advisory Committee Terms of Reference.

Officer's Recommendation:

That Council:

1. Adopt the revised Terms of Reference for the Philip Street Communities and Families Precinct Advisory Committee as presented in Attachment 3 to the Report.
2. Adopt the selection panel's recommendation to appoint Jakob Humphries to the Philip Street Communities and Families Precinct Advisory Committee as the Youth Community Representative.
3. Renew the appointment of the current Advisory Committee members through to May 2024.

Background:

Change to Terms of Reference

In October 2022, the Philip Street Advisory Committee reviewed the Committee's Terms of Reference. This review reminded the Committee of its purpose and role and provided an opportunity for the group to identify opportunities to strengthen its operations. The proposed changes are relatively with the main recommended amendments outlined below:

- Amendment to Section 2.1 - Purpose – The addition of the words '*from a community perspective*' reinforces that focus of the Committee in delivering services that have the community perspective at the centre of decision making.
- New Objective 3.4 - *Monitor and champion the Theory of Change and its impacts, outcomes, enablers and foundations* - This inclusion future proofs the Advisory Committee's operations in relation to the Theory of Change which is currently in its final stages of development. The Theory of Change, which will be presented to Council at the end of the design phase for endorsement, has been developed collaboratively by key collaborators at the Precinct. The Theory of Change will illustrate and describe the strategies, actions, conditions, and resources to facilitate change and achieve outcomes of the operations of the Philip Street Communities and Families Precinct in alignment with the Precinct's values of Connection, Wellbeing and Learning.
- New Objective 3.5 - *The Precinct and its services will evolve to address informed trends and aspirations of the community* - This inclusion provides clarity within the Terms of Reference to Advisory Committee members that the services, and activities delivered from and supported by the Precinct will respond and evolve when required.

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- Amendment to Section 4.1 - New Primary Member - The inclusion of a representative from the Department of Communities, Housing and Digital Economy ensures that each of the founding collaborative partners are represented on the Advisory Committee.
- New Section 7.5 - Replacement of Members – This inclusion aims to ensure and provide certainty that the committee can outwork creative solutions to capture the community voice of the relevant category of membership while actively seeking to recruit new members when required. Under the current Terms of Reference, vacancies have been challenging to fill. This inclusion will provide for alternative measures for capturing the views and voice of these categories of membership.
- Amendment to Section 8.2 - Meeting and Voting - Given that there are no longer isolation requirements associated with the COVID-19 pandemic, the Committee considered it appropriate to remove the reference to virtual meetings.

Appointment of Youth Representative

There is currently a vacancy on the Committee, being a representative of the region's youth. The 2023 Youth Council was appointed with Jakob Humphries being one of the new appointments to the Youth Council. The Advisory Committee has received an expression of interest from Jakob Humphries to join the Advisory Committee as its Youth Representative. The Youth Council and Committee are confident that Jakob will be able to capably contribute and add value in this representative role.

Renew current Advisory Committee Representative Appointments

The current Advisory Committee representatives were initially appointed for a 24-month term, due to expire in May 2023. Following consultation with the current Advisory Committee representatives, Officers seek Council's endorsement of renewing the term of appointment for an additional 12 months through to May 2024. This will provide an opportunity for the inaugural Advisory Committee to oversee the implementation of the Precinct's Evaluation Framework and continue to strengthen the Advisory Committee's function within the Precinct's operating model.

Options, Risk and Opportunity Analysis:

Option 1 – Adopt the Recommendation

The opportunities associated with this option include:

1. Ensuring that the parameters under which the Committee work are defined and reflect the evolving nature of the collaboration at the precinct
2. It ensures alignment to the Precinct Values
3. Allows the primary tenants to be represented on the Committee
4. Future proofs the operations of the Committee to ensure its continued success within the operating model
5. Allows the existing representatives to oversee the implementation of the Precinct's Evaluation Framework.

There are no foreseeable risks associated with this option.

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Option 2 – Adopt the Recommendation subject to changes to Terms of Reference

Should Council seek to amend the recommendation the resolution to give effect to this option effect is:

That Council:

1. *Adopt the revised Terms of Reference for the Philip Street Communities and Families Precinct Advisory Committee as presented in Attachment 3 to the Report, subject to the following amendments:
 - a. *Insert amendment*
 - b. *Insert amendment....”**
2. *Adopt the selection panel’s recommendation to appoint Jakob Humphries to the Philip Street Communities and Families Precinct Advisory Committee as the Youth Community Representative.*
3. *Renew the appointment of the current Advisory Committee members through to May 2024.’*

The risks associated with this option is that the Terms of Reference may not reflect an effective operating environment as informed by the existing Advisory Committee members.

Communication and Consultation:

The proposed changes to the Terms of Reference have been considered by the Advisory Committee. The Executive Team has reviewed the report as part of the agenda review process.

Legal Strategy and Policy Implications:

The Philip Street Communities and Families Precinct Advisory Committee is an advisory committee to Council constituted under Section 264 and 265 of the *Local Government Regulation 2012* and operates under the Council adopted Terms of Reference.

Financial and Resource Implications:

Administrative and secretarial costs and resources to support the Committee are absorbed as a part of the existing operational budget of Community Partnerships.

Summary:

This report proposes changes to the Philip Street Communities and Families Precinct Advisory Committee Terms of Reference and seeks the endorsement of a Youth Community Representative to the Committee. The report also seeks the reappointment of the current Advisory Committee members for an additional 12-month period through to May 2024.

Anticipated Resolution Completion Date:

10 March 2023

Attachments:

1. Existing Philip Street Communities & Families Precinct Advisory Committee Terms of Reference
2. Updated Philip Street Communities and Families Precinct – Terms of Reference – Tracked changes
3. Updated Philip Street Communities and Families Precinct – Terms of Reference – No Mark Up

Tabled Items:

Nil

Report Prepared by: Community Development Specialist

G/4.4. ENDORSEMENT OF ADDITIONAL REGIONAL ARTS DEVELOPMENT FUND COMMITTEE MEMBER

Responsible Officer: General Manager Community Development and Events

Council Meeting Date: 7 March 2023

File Ref: CC7.16

Purpose:

The purpose of this report is to seek Council endorsement of the appointment of an additional Committee Member – Bettina Van Haeften to the Regional Arts Development Fund 2023 Committee.

Officer's Recommendation:

That Council endorse the appointment of Bettina Van Haeften to the 2023 Regional Arts Development Fund Committee.

Background:

The Regional Arts Development Fund (RADF) is a Queensland Government and Gladstone Regional Council partnership designed to support local arts and culture in regional Queensland. Each year, a public invitation is advertised seeking committee members to become involved in the administration of RADF.

Council appoints the chair of the RADF committee, and also provides a secretariat service to the committee through the Gladstone Regional Art Gallery and Museum.

At the 2022 AGM, eight (8) applications were received, and representatives were selected representing a large geographical area across the region and bringing a wealth of cultural experience and knowledge to the Committee.

The RADF Terms of Reference state that;

2.1 Local artists, arts and cultural workers, members of cultural groups, local organisations or associations and people active within the arts community are eligible to be members of the RADF Committee.

2.2 Nominations to serve on the Committee will be received via a nomination process. Voting on nominations received will be at the Committee's Annual General Meeting held in September of each year, with a recommendation on member appointment put forward to Council.

2.3 Members can also be invited onto the Committee by Gladstone Regional Council.

2.4 Membership on the Committee will be decided by Gladstone Regional Council.

2.5 Members may serve for a maximum term of 4 years, with an expected commitment of a minimum term of two years. Committee members who have served for a continuous four-year-term are required to 'rest' for a period of 12 months before being eligible for re-election.

In February 2023, a late nomination was received from 2022 Committee Member, Bettina Van Haeften. The RADF Committee, by way of flying minute were supportive of the nomination. Bettina is a representative of the Agnes Water and 1770 area and is an active, established visual artist.

Options, Risk and Opportunity Analysis:

Council could elect not to endorse the appointment of an additional Committee Member. A decision to maintain the endorsed Committee of 8 community representatives aligns to the Terms of Reference.

Communication and Consultation:

Regional Arts Development Fund Committee

Legal Strategy and Policy Implications:

Nil. Both options align with the Regional Arts Development Fund Terms of Reference.

Financial and Resource Implications:

Nil

Summary:

On 20 December 2023, Council endorsed the appointment of the Regional Arts Development Fund Committee for 2023. 8 nominations were endorsed with members representing a large geographical area across the region and bringing a wealth of cultural experience and knowledge to the Committee. An additional nomination has since been received, representing the Agnes Water and 1770 areas.

Anticipated Resolution Completion Date:

7 March 2023

Attachments:

Nil

Tabled Items:

Nil

Report Prepared by: Manager Arts and Entertainment

G/4.5. LOCAL GOVERNMENT INFRASTRUCTURE PLAN (LGIP) REVIEW

Responsible Officer: General Manager Strategic Asset Performance

Council Meeting Date: 7 March 2023

File Ref: LU6.3

Purpose:

The purpose of this report is to seek Council's endorsement of the Local Government Infrastructure Plan (LGIP) five-year review and to seek a resolution from Council to prepare an amendment to Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2 (The Planning Scheme) – Local Government Infrastructure Plan (LGIP).

Officer's Recommendation:

That Council:

1. Accepts the review undertaken and completed of the Local Government Infrastructure Plan contained in the Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2, pursuant to section 25(3) of the Planning Act 2016, and that the Local Government Infrastructure Plan review process has been followed as set out in Chapter 5, Part 5 of the Minister's Guidelines and Rules;
2. Is satisfied that the accuracy, currency and relevance of the current Local Government Infrastructure Plan (adopted by Council on 6 March 2018) has been considered using the Local Government Infrastructure Plan Review Checklist to determine compliance of the current Local Government Infrastructure Plan with the matters identified in Chapter 5, Part 6 of the Minister's Guidelines and Rules, pursuant to Chapter 5, Part 5, Section 23.1 of the Minister's Guidelines and Rules;
3. Decides, pursuant to Chapter 5, Part 5, Section 23.2 and Chapter 5, Part 3, Section 8.1 of the Minister's Guidelines and Rules, to make a Local Government Infrastructure Plan amendment;
4. Directs, pursuant to Chapter 5, Part 3, Section 8.2 of the Minister's Guidelines and Rules, that Council prepares a Local Government Infrastructure Plan amendment in accordance with Chapter 5, Part 6 of the Minister's Guidelines and Rules and the Local Government Infrastructure Plan template;
5. Directs, pursuant to Chapter 5, Part 5, Section 23.3 of the Minister's Guidelines and Rules, that notice be given to the Chief Executive of the Planning Act 2016 being the Director-General of the Department of State Development, Infrastructure, Local Government Planning advising of the completed Local Government Infrastructure Plan Review and that Council's decision is to make a Local Government Infrastructure Plan amendment in accordance with Chapter 5, Part 3 of the Minister's Guidelines and Rules.

Background:

A Local Government Infrastructure Plan (LGIP) is the part of a Planning Scheme that outlines the Local Government's priorities for the provision of trunk infrastructure to service anticipated urban development in a coordinated, efficient and orderly way (over the next 10 to 15 years). Trunk Infrastructure is 'higher order' infrastructure required to facilitate urban development for the supply of water, sewer, stormwater, roads/transport and parks and land for community facilities.

The LGIP also:

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- Integrates infrastructure planning with the land use planning identified in the Planning Scheme
- Enables Council to estimate the cost of providing infrastructure to assist its long-term financial planning and asset management
- Identifies the desired standard of service for infrastructure required and details how the infrastructure is to be provided in an efficient and financially sustainable manner;
- Highlights assumptions about future growth and urban development including demand assumptions for each trunk infrastructure network which accommodates the anticipated urban growth;
- Includes the Priority Infrastructure Area that identifies where Council anticipates urban development to occur in this timeframe.

Under the Planning Act 2016, local governments with an adopted LGIP can levy infrastructure charges and stipulate development approval conditions for relevant trunk infrastructure on development approvals.

The current LGIP was adopted by Council at its General Meeting on 6 March 2018 (Vide Resolution No. G/18/3333). Part 4 of the Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2 contains Council's current LGIP and outlines the provision of trunk infrastructure up to 2031.

In accordance with section 25(3) of the Planning Act 2016 (the Act), Council must review any LGIP (LGIP Review) contained in its planning scheme within five years after:

- a. the LGIP was included in the planning scheme; and
- b. if the LGIP has been reviewed—the LGIP was last reviewed.

The LGIP Review has been undertaken in accordance with Chapter 5, Part 5 of the Minister's Guidelines and Rules (MGR) to ensure that the LGIP complies with statutory requirements and is accurate, relevant and current. Council must then take one of several pathways following this review to amend or make an LGIP or decide that no amendments are required to the LGIP.

The outcome of the LGIP Review is set out in the LGIP Review Checklist (see Attachment 1). It is proposed that Council prepares an LGIP amendment in accordance with Chapter 5, Part 3 of the MGR.

The LGIP amendment will include:

1. an update to planning assumptions including development projections and infrastructure demand projections, the Priority Infrastructure Area (PIA), desired standards of service (DSS) and plans for trunk infrastructure (PFTI);
2. changes to LGIP content such as text, maps, schedules of works (and SOW models), extrinsic material and any relevant consequential amendments;
3. An update of the LGIP checklist.

Options, Risk and Opportunity Analysis:

In accordance with section 25(3) of the Planning Act 2016, Council must review any LGIP contained in its planning scheme within five years after when the LGIP was included in the planning scheme and if the LGIP has been reviewed, the LGIP was last reviewed.

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After completing the review in accordance with section 23.1 of the MGR, the local government must decide

- a. to make a LGIP amendment in accordance with Part 3 of the MGR;
- b. to make a LGIP (new) in accordance with Part 4 of the MGR; or
- c. subject to section 24, 25 and 26 of Part 5 of the MGR, decide not to make a LGIP amendment.

The LGIP was adopted by Council at its meeting on 6 March 2018 and took effect on 7 March 2018. To ensure the LGIP remains compliant, Council must complete its statutory review by the 7 March 2023. The LGIP review has been undertaken in accordance with Chapter 5, Part 5 of the MGR, to ensure that the LGIP complies with the statutory requirements and is accurate, relevant and current.

The LGIP amendment will constitute a major amendment and will provide a further update to the LGIP based on the latest information available, including new plans, assumptions and related growth. It is anticipated that it will come before Council in mid-2024, at which point approval will be sought to proceed to the formal State Government review and public consultation.

Communication and Consultation:

Asset Planning officers have liaised with officers from the Rockhampton Office for the Department of State Development, Infrastructure, Local Government Planning (DSDILGP) in regard to the date for Council to complete its 5 yearly review of the LGIP and DSDILGP 's records show the 29 March 2023.

Officers in the Asset Planning Team have liaised and continue to liaise with officers in the Development Services Team in the review of the LGIP, the proposed timeline for any amendment to the LGIP and any impacts and/or efficiencies this may have on any future amendment(s) to the Planning Scheme.

An Internal Workshop was held on the 2 February 2023 to undertake the review of the LGIP with officers from the Asset Planning and Development Services' Teams.

Legal Strategy and Policy Implications:

The *Planning Act 2016* establishes Queensland's planning framework and is supported by other Acts and regulations. It also establishes the framework of planning instruments that support the operation of the three main systems: plan-making, development assessment and dispute resolution.

The Minister's Guidelines and Rules (MGR) is a statutory instrument sets out guidelines and rules for plan-making in accordance with the Planning Act 2016 as well as a variety of other important functions, including mandatory steps local governments must follow when making, amending or reviewing an LGIP.

The guidelines and rules in the MGR are made by the Planning Minister.

Financial and Resource Implications:

The timeframe for an LGIP Amendment as estimated in the MGR is listed below and provided as a best practice guide only.

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Part 3 – LGIP Amendment	
Section 8: Planning and preparation	12 months
Section 9: Compliance check	45 business days
Section 10: State review	30 business days
Sections 11.1–11.2: Public consultation	25 business days (Including a 15-business-day statutory consultation period)
Sections 11.3 – 11.9: Consideration of submissions	45 business days
Section 12: Minister’s consideration	20 business days
Section 13: Adoption	30 business days

Council must engage an approved reviewer at its own cost to undertake the required compliance checks as part of the process for reviewing, amending or making a LGIP. Based on the cost involved in engaging a reviewer for the current LGIP, it is estimated that this would cost from \$15,000 to \$25,000.

Asset Planning officers are currently proposing to prepare the LGIP amendment in-house with engagement from stakeholders as required from across the business. To support the primary officers involved in preparing the LGIP, it is proposed to engage a consultant to provide professional advice as required and further development of Council staff at an estimated cost from \$10,000 to \$25,000 (based on 50 to 100 hours of support).

Summary:

Part 4 of Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2 (the planning scheme) contains Council’s Local government infrastructure plan (LGIP). The LGIP was adopted by Council at its meeting on 6 March 2018. The LGIP has a planning horizon until 2031.

In accordance with section 25(3) of the Planning Act 2016 (the Act), Council must review any LGIP (LGIP Review) contained in its planning scheme within five years after:

- d. the LGIP was included in the planning scheme; and
- e. if the LGIP has been reviewed—the LGIP was last reviewed.

The LGIP Review has been undertaken in accordance with Chapter 5, Part 5 of the Minister’s Guidelines and Rules MGR) to ensure that the LGIP complies with statutory requirements and is accurate, relevant and current.

The outcome of the LGIP Review is set out in the LGIP Review Checklist (refer Attachment 1). It is proposed that Council prepares an LGIP amendment in accordance with Chapter 5, Part 3 of the MGR.

Anticipated Resolution Completion Date:

31 March 2025

Attachments:

1. LGIP Review Checklist

Tabled Items:

Nil

Report Prepared by: Technical Officer

G/4.6. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ANNUAL NATIONAL GENERAL ASSEMBLY MOTIONS

Responsible Officer: General Manager Strategy and Transformation

Council Meeting Date: 7 March 2023

File Ref: GR3.1

Purpose:

The purpose of this report is to

1. Provide Council with the opportunity to consider a submission of motions to Australian Local Government Association's (ALGA) annual National General Assembly (NGA) to be held 13-16 June 2023 in Canberra
2. Allow Council to nominate attendance at the same event

Officer's Recommendation:

That Council:

1. Submit the following conference motions to the Australian Local Government Association (ALGA) for consideration:
 - a. The National General Assembly calls on the Australian Government to provide local government funding to support Council's operational and capital expenses in implementing climate adaptation and carbon offset and mitigation initiatives to:
 - i. Move towards net zero emissions
 - ii. Minimise the impacts on climate change in our communities
 - iii. Minimise and offset emissions across Council operations
 - b. The National General Assembly calls on the Australian Government to establish a dedicated fund to
 - i. Provide support for communities and regions to transition to renewable energy and a net zero carbon economy
 - ii. Support other regional economic and community development opportunities as part of the great energy transition
 - iii. Provide fiscal stability and long-term sustainability to support inter-generational equity in regions.
 - c. The National General Assembly calls on the Australian Government to establish a regional transition authority to
 - i. Coordinate across all levels of government, industry and community, the transition of the energy sector and resource dependent regions, to renewable energy
 - ii. Undertake planning that informs effective policies to improve coordination, clarity and mitigate disruptions
 - iii. Support regions to strengthen existing long-term industries and seize a range of economic opportunities
2. Authorise Councillor _____ and Councillor _____ to attend the NGA, 13-16 June in Canberra, noting Mayor Burnett is scheduled to attend as a representative of the Australian Local Government Association.

Background:

The Australian Local Government Association's National General Assembly will be held in Canberra 13 – 16 June. The NGA aims to focus on how partnerships, particularly between the Australian Government and Local Governments, can tackle immediate challenges facing communities as well as confidently facing the future. The theme of the 2023 NGA is *Our Communities, Our Future*.

The NGA provides the opportunity for Council to influence the national policy agenda and promote new ways of strengthening the local government sector, as well as providing a valuable networking forum with other participating Council's. In preparation for the National General Assembly, ALGA seeks Council to submit motions in advance to be debated at the assembly. Acceptance of motions close Friday, 24 March 2023 and must first be agreed and approved through Council processes.

Motions that are adopted at the National General Assembly influence ALGA's strategic priorities and annual action plans which determines the focus of advocacy, activities and resources.

If Council elects to submit a motion for debate at the conference, a Councillor must also be present at the conference to present and speak on the motion.

This report identifies proposed motions for discussion and endorsement before submitting to ALGA for consideration.

Please see attached background information and a summary of the key arguments for each of the proposed motions.

Options, Risk and Opportunity Analysis:

All of the proposed motions align with ALGA's strategic priorities from their 2020-2023 Strategic Plan - <https://alga.com.au/app/uploads/ALGA-Strategic-Plan.pdf> which identifies the following priority areas:

- Financial Sustainability
- Roads and Infrastructure Funding
- Waste Reduction and Recycling
- Stronger Community Resilience
- Addressing the Risks of Climate Change

Communication and Consultation:

Internal communication and collaboration has occurred with subject matter experts (SMEs) across the business including Governance, Legal, Economic Development, Waste and Environment and Conservation areas of the business for suggested submissions.

Officers have also directly engaged with Central Highland Regional Council, and indirectly with Isaac Regional Council and Rockhampton Regional Council regarding the proposed motions. All Councils are presenting similar motions to their Council for adoption.

Legal Strategy and Policy Implications:

Council is required to formally approve motions for submission prior to ALGA by Friday, 24 March 2023.

Financial and Resource Implications:

There are no costs associated with submitting motions for debate other than internal staff resources.

As a representative of ALGA, Mayor Burnett’s registration fee will be covered, and his travel and accommodation will be funded from the Elected Members budget.

Registration, travel and accommodation costs are applicable for all other conference attendees. The below costs are estimated per person. There are funds allocated in the Elected Members budget for up to two Councillors to attend this conference in addition to Mayor Burnett

Registration (per person)	Travel and Accommodation (per person)	Total Estimate (per person)
\$895.00	\$1000 flights \$1200 accommodation	\$3095 per person

Summary:

This report provides Council with the opportunity to consider the submission of three motions to ALGA’s National General Assembly

- Climate change funding
- Dedicated transition fund
- Regional Transition Authority

And nominate attendance of the Mayor and two additional Councillors to attend and speak to the submitted motions.

Anticipated Resolution Completion Date:

21 March 2023

Attachments:

1. ALGA Motion – Climate Change Funding
2. ALGA Motion – Dedicated Transition Fund
3. ALGA Motion – Regional Transition Authority

Tabled Items:

Nil

Report Prepared by: Corporate Planning Specialist

G/4.7. SALE OF LAND REPORT

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 7 March 2023

File Ref: RV7.1

Purpose:

This report identifies properties that have outstanding rates in excess of three years or a one-year period for vacant or commercial properties where default judgment has been granted and recovery action is available under the Local Government Regulation 2012.

Officer's Recommendation:

That Council, pursuant to section 140(2) of *Local Government Regulation 2012*, resolve to sell the 2 properties listed in Attachment 1 to the officer's report, for overdue rates and charges.

Background:

At Councils meeting on 7 February 2023, Council resolved to sell 37 properties. After receiving legal advice, sale of land action was deemed the best course of action to recover outstanding rates and charges on the additional 2 properties.

Attachment 1 provides a list of properties with outstanding rates which have now exceeded the three-year period, and the one-year period for vacant or commercial properties as at 20 February 2023. As per the attached table, this is a loss in revenue to Council amounting to \$584,125.22.

Section 140(2) of the *Local Government Regulation 2012* enables Council to resolve to sell land for recovery of overdue rates or charges where rates or charges have been overdue in excess of three years, or where default judgment has been obtained for vacant or commercial properties.

Once notice of its intention to sell land has been issued, if payment is not made within three months, Council may within 6 months of giving notices of intention to sell, start the procedures for selling the land by auction under section 142.

An Auction must be held within 35 days of issuing an Auction Notice. The reserve price will be set in accordance with section 143. If the reserve is not reached, either by auction or subsequent negotiation, Council may decide to continue to offer sale under section 144 but the selling procedure must end within 12 months of giving the notice of intention to sell.

Interest will continue to accrue until the outstanding balances are paid in full. Section 141 requires that overdue rates and charges must be paid in full for sale procedures to be stopped.

It is possible that Queensland Land Tax owed to the Office of State Revenue will apply to several of the listed properties. Specific information regarding Land Tax is obtained closer to the auction date if applicable.

Options, Risk and Opportunity Analysis:

2 Properties are identified in Attachment 1 as being eligible for sale of land action. This makes 39 total properties for the 2022/2023 financial year. This year's number of properties decreased by 32 properties in comparison to 2021/22 financial year. Both properties are encumbered by registered mortgages.

The utility of sale of land action to Council does not lie in the actual sale of properties. Historically, only a very small percentage of properties on the sale listed are sold;

2020/21 - 5 properties out of the original 219 were taken for sale on auction

2021/22 - 5 properties out of the original 71 were taken for sale on auction.

The true utility of sale of land action lies in its unique and powerful ability to focus the minds of owners (as well as mortgagees) on the implications of non-payment of rates, or alternatively, on the implications of not abiding by the terms of a payment arrangement which Council has granted in good faith.

Sale of land action is an effective means of encouraging ratepayers to comply with their legislative responsibilities, as indeed most ratepayers already do, in order to ensure that a fair and equitable financial contribution to the Gladstone Region is made by all.

Option 1 (Officer's recommendation):

That Council, pursuant to section 140(2) of *Local Government Regulation 2012*, resolve to sell the 2 properties listed in Attachment 1, for overdue rates and charges.

Option 2

That Council resolve not to proceed with selling the 2 properties listed in Attachment 1 for overdue rates and charges.

Communication and Consultation:

General Manager Finance Governance and Risk

General Counsel

Senior Rates Officer

Debt Recovery-Rates Officers

Legal Strategy and Policy Implications:

Chapter 4 Part 12 of the *Local Government Regulation 2012* deals with the collection of overdue rates and charges by court proceedings and the sale of land.

Council may sell land for overdue rates and charges where the rates and charges remain unpaid for a period of more than three years for residential properties and one year for commercial properties and vacant land Council has obtained Court Judgment.

Financial and Resource Implications:

Rates and charges arrears are due and payable to Council. Failure to collect these amounts will result in a reduction of funds available to be expended for the benefit of the Gladstone Region by Council in accordance with its adopted budget.

All costs associated with the debt recovery process for the listed properties are recoverable either from the sale of land or can be added as a charge against the land.

Summary:

Nil

Anticipated Resolution Completion Date:

It is anticipated that sale of land proceedings with respect to this resolution will be completed by 31 July 2023.

Attachments:

1. Property List for Sale of Land dd21022023

Tabled Items:

Nil

Report Prepared by: Manager Revenue Services

G/4.8. COUNCILLOR ATTENDANCE AT WELCOMING AUSTRALIA SYMPOSIUM

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 7 March 2023

File Ref: CM6.1

Purpose:

To seek approval for Councillor Natalia Muszkat's attendance at the Welcoming Australia 2023 Symposium in Melbourne.

Officer's Recommendation:

That Council approve Councillor Natalia Muszkat attendance at the Welcoming Australia 2023 Symposium.

Background:

The Welcoming Australia Symposium, held from 9 to 11 of May 2023 in Melbourne, brings together international, national and local practitioners, policy-makers, researchers, business innovators and civic leaders to share and discuss the challenges, benefits and opportunities of migration, settlement, cultural diversity and inclusion.

In May 2022, Cr Muszkat attended the Welcoming Interactive Conference in Charlotte, North Carolina to present on Council's Rural Welcoming Strategies. Cr Muszkat, on behalf of Council, shared our progress with respect to the Welcoming Cities initiative, and the challenges faced by our migrant population and the opportunities that exist to foster inclusion and participation and the benefits that diversity brings to community.

Options, Risk and Opportunity Analysis:

The proposed conference offers an opportunity for Council to enhance knowledge, learn about new practices, network with regional and interstate colleagues and represent the interests of the Gladstone Region.

It is the officer's recommendation that Council approve Councillor Natalia Muszkat's attendance at the Welcoming Australia 2023 Symposium.

Council may choose to nominate additional councillors to attend the conferences however the officer's recommendation is consistent with the 2022/23 Operating Budget as adopted by Council.

Council may also choose not to approve Cr Muszkat's attendance at the conferences.

Communication and Consultation:

Councillors were initially consulted during the preparation of the 2022/23 Operating Budget. Councillor Muszkat has expressed an interest to attend the Welcoming Australia Symposium.

Legal Strategy and Policy Implications:

In accordance with Council's *Councillor Expenses Reimbursement and Provision of Facilities Policy P-202118*, where a councillor seeks reimbursement for attendance at a conference that was held outside of Queensland, the attendance must be supported by a resolution of Council.

Section 6.1.2 of Council's *Council Meetings Procedures Policy P-2020-19* provides that a leave of absence is automatically granted to a Councillor where Council passes a formal resolution for a Councillor to attend a conference or the Councillor is nominated to represent Council at another event.

Financial and Resource Implications:

The table below is a summary of the estimated costs associated with the proposed attendance which is within the 2022/23 Operating Budget.

Expense Item	Associated Cost
Registration	\$550
Flights	\$800
Accommodation	\$1,200
TOTAL	\$2,550

Summary:

N/A

Anticipated Resolution Completion Date:

11 May 2023

Attachments:

N/A

Tabled Items:

Nil

Report Prepared by: Manager Governance and Risk

G/5. COUNCILLORS REPORT

G/6. URGENT BUSINESS

G/7. NOTICE OF MOTION

G/8. CONFIDENTIAL ITEMS