



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING MINUTES

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

On Tuesday 5 December 2023

Commencing at 9.00am

**Leisa Dowling
CHIEF EXECUTIVE OFFICER**

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Elected Members

Councillor - Mayor M J Burnett
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)
Ms C Quinn (General Manager People and Strategy)
Ms K Lee (General Manager Community and Lifestyle)
Mr M Francis (General Manager Assets and Environment)
Ms L Seminutin (General Manager Customer Experience, Acting)
Ms E Landman (Manager Revenue Services)
Mr M Harris (Media Advisor)
Ms H Miers (Communications and Public Relations Specialist)
Mr E Noakes (Strategic Project Specialist)
Ms R Creedy (Community Development Officer)
Ms V Hankinson (Governance Business Partner)
Mr C Irving (Manager Waste Program Delivery)

G/0.3.2. APOLOGIES AND LEAVE OF ABSENCE

Nil

G/0.3.3. MESSAGES OF CONDOLENCE

Nil

G/0.3.4. DECLARATION OF INTERESTS

Mayor Burnett

Mayor Matthew Burnett advised that he has a previously declared conflict of interest in Agenda Item G/4.1. BOYNE TANNUM AQUATIC RECREATION CENTRE (BTARC) INVESTMENT DECISION - AUSTRALIAN GOVERNMENT FUNDING and in accordance with his previous declaration will leave the room.

G/1. MAYORAL STATEMENT OF CURRENT ISSUES

Can I start with the Santos GLNG Mayor's Carols hosted at the Gladstone Ports Corporation (GPC) Marina Parklands on Friday and supported by the team at 4CC and our amazing Community and Lifestyle team as well and everyone at the Gladstone Entertainment Convention Centre (GECC). Everyone put on an amazing show at the parklands on Friday. We were a bit worried about the rain, but the rain held out with only a few spots of rain when the last school choir got on stage.

The fireworks did arrive a little early with Santa on stage, but all in all a fantastic night. Well done to everyone involved in that. A whole bunch of volunteers that put that together. We also had the tribute to the late Norma Tanna as well, who was heavily involved, not only in the arts, but particularly in the carols over many years.

On the weekend it was the Agnes Water Library 25th birthday celebration as well and our Welcome to Gladstone Morning Tea. Another fantastic event in Agnes Water. Thank you to the team again for putting that on. Our Welcome to Gladstone Morning Teas are very special, welcoming all our new residents to the region and an opportunity to celebrate 25 years of the Agnes Water library.

Many other events including the Ulysses Toy Run, another big fundraiser for the Salvation Army, together with the Mayor's Giving Tree at Big W and the Kmart Wishing Tree.

Speaking of Christmas trees, it is the Christmas Tree Decorating Extravaganza at the Boyne Tannum Community Centre tomorrow from 3:30pm.

We have guests this morning from Central Queensland University (CQU), so it would be remiss of me not to mention the graduation ceremony this coming Friday at the GECC. And thank you Councillors for attending the very many graduation ceremonies we've had across the region over the last month.

The Mount Larcom pool reopened on Friday (1 December 2023) and we have an event there on this coming Friday (8 December 2023) to officially reopen the pool and go through the community consultation feedback we had regarding a new facility that we plan to build there in the coming years.

The Calliope markets are on this Sunday (10 December 2023). There is a Miriam Vale Community Information Session coming up regarding the water restrictions that have been put in place. The Baffle Creek level is a lot lower than it has been in recent years and so water restrictions have been put in place and there is a community meeting on Tuesday 12 December 2023 at 6:00pm. We listened to the community and adjusted the meeting date as it was clashing with a few school graduations and the Lions Club's Christmas Light Bus Tour.

Our New Year's Eve Christmas Party will be on the 31 December 2023 and hosted at the GPC Marina Parklands.

Before I wrap up, I'd like to make special mention of the signing of our Friendship Agreement with the City of Melitopol, Ukraine. Mayor Ivan Fedorov and I signed the Friendship Agreement on Monday 27 November 2023. A very special friendship agreement with our good friends in Melitopol in Ukraine.

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 21 NOVEMBER 2023

Responsible Officer: Chief Executive Officer

Prepared By: Executive Secretary

Council Meeting Date: 5 December 2023

File Ref: CM7.2

Purpose:

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

Officer's Recommendation:

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

GM/23/5120 Council Resolution:

Moved Cr Hansen

Seconded Cr Cameron

That the Officer's Recommendation be adopted.

CARRIED

G/3. DEPUTATIONS

G/3.1. CENTRAL QUEENSLAND UNIVERSITY

Responsible Officer: Chief Executive Officer

Prepared By: Executive Secretary

Council Meeting Date: 5 December 2023

File Ref: CM7.6

Purpose:

To provide information regarding Central Queensland (CQ) University's project 'STEM in the Park'.

Officer's Recommendation:

That the deputation from Central Queensland University be received.

GM/23/5121 Council Resolution:

Moved Cr Churchill
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

CARRIED

G/4. OFFICERS' REPORTS

G/4.1. BOYNE TANNUM AQUATIC RECREATION CENTRE (BTARC) INVESTMENT DECISION - AUSTRALIAN GOVERNMENT FUNDING

Responsible Officer: General Manager People and Strategy

Prepared By: Strategic Project Specialist

Council Meeting Date: 5 December 2023

File Ref: PRJ: 279, ED6.1

Mayor Burnett (declarable conflict of interest)
left the room for Agenda Item G/4.1. and did not participate in the decision.
(refer G/0.3.1. Disclosure of Interest section of the minutes - page 3)

Deputy Mayor Kahn Goodluck chaired the meeting for Agenda Item G/4.1.

Purpose:

To seek Council's consideration to enter into a funding agreement for the 2022 election campaign commitment of \$15 million for the construction of the Boyne Tannum Aquatic and Recreation Centre (BTARC).

Officer's Recommendation:

That Council enter a funding agreement with the Department of Infrastructure, Transport, Regional Development, Communication and the Arts for the Australian Government's 2022 election campaign commitment of \$15 million for the construction of the Boyne Tannum Aquatic and Recreation Centre (BTARC).

GM/23/5122 Council Resolution:

Moved Cr Cameron
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

CARRIED

A division was called on the motion:

In Favour of the Motion: Cr Goodluck, Cr Branthwaite, Cr Trevor, Cr O'Grady, Cr Cameron, Cr Muszkat, Cr Hansen, Cr Churchill

Against the Motion: Nil

Ineligible: Mayor Burnett

G/4.2. SAIKI SISTER CITY COMMITTEE 2024

Responsible Officer: General Manager Community and Lifestyle

Prepared By: Community Development Officer

Council Meeting Date: 5 December 2023

File Ref: CR2.14

Purpose:

This report recommends appointments to the Gladstone Saiki Sister City Advisory Committee for 2024 and presents the annual President's Report for 2023.

Officer's Recommendation:

That Council:

1. Appoint the following Saiki Sister City Advisory Committee Members for the 2024 calendar year with appointments expiring on the 31 December 2024:
 - Wendy Marsh (President)
 - Carolina Bocos
 - Ayako Carrick
 - Robina Cupitt
 - Beverly Fellows
 - Jaclyn Iwasaka
 - Howard Marsh
 - Peter Masters
 - Maureen Mason
 - Chris Moore
 - Yukiko Moore
 - Peter O'Dwyer
 - Mayumi Rey du Boissieu
 - Gay SIRRIS
 - Cameron Walker
 - Aaron Yea

2. Receive the 2023 Saiki Sister City Advisory Committee President's Report.

GM/23/5123 Council Resolution:

Moved Cr Muszkat

Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

CARRIED

The meeting was adjourned for morning tea at 10:03am and reconvened at 10:28am.

G/4.3. GATES AND GRIDS SUBORDINATE LOCAL LAW

Responsible Officer: General Manager Finance Governance and Risk

Prepared By: Governance Business Partner

Council Meeting Date: 5 December 2023

File Ref: LE3.1 and LE2.26

Purpose:

This report recommends the adoption of a new Subordinate Local Law to regulate gates and grids on public roads and associated amendments to Council's Local Government Controlled Areas, Facilities and Roads Subordinate Local Law to include the installation of gates and grids as a prescribed activity.

Officer's Recommendation:

That Council:

1. To make *Local Government Controlled Areas, Facilities and Roads (Amendment) Subordinate Local Law (No. 1) 2023* as advertised;
2. To make *Subordinate Local Law No. 1.16 (Gates and Grids) 2023* as advertised, but amended as follows:
 - a. schedule 1, section 6(2)(d)(x)—
omit;
 - b. schedule 1, section 6(2)(d)(xi), (xii) and (xiii)—
renumber as section 6(2)(d)(x), (xi) and (xii);
 - c. schedule 1, section 6(2)(h) and (i)—
omit, insert—
 - '(h) require the approval holder to undertake an annual compliance inspection of the gate or the grid, or the gate and the grid, to ensure that the gate or the grid, or the gate and the grid, complies with the requirements specified in the conditions of the approval; and
 - (i) Require the approval holder to, if requested by the local government in writing, and so as to ensure that the gate or the gate, or the gate and the grid, complies with the requirements specified in the conditions of the approval—
 - (i) undertake other safety and compliance inspections of the gate or the grid, or the gate and the grid; and
 - (ii) submit to the local government, within a time frame prescribed by the local government—
 - (A) a report about each safety and compliance inspection; and
 - (B) supporting photographs; and
 - (C) if requested by the local government, documentary evidence that public liability insurance, as specified by the local government in the approval, has been taken out and maintained by the approval holder; and'

- d. schedule 1, section 6(3)(b)(xi)—
omit;
 - e. schedule 1, section 6(3)(b)(xii) and (xiii)—
renumber as section 6(3)(b)(xi) and (xii);
 - f. schedule 1, section 6(3)(f) and (g)—
omit, insert—
 - ‘(f) require the approval holder to undertake an annual compliance inspection of the gate or the grid, or the gate and the grid, to ensure that the gate or the grid, or the gate and the grid, complies with the conditions of the approval; and
 - (g) require the approval holder to, if requested by the local government in writing, and so as to ensure that the gate or the grid, or the gate and the grid, complies with the requirements specified in the conditions of the approval—
 - (i) undertake other safety and compliance inspections of the gate or the grid, or the gate and the grid; and
 - (ii) submit to the local government, within a time frame prescribed by the local government—
 - (A) a report about each safety and compliance inspection; and
 - (B) supporting photographs; and
 - (C) if requested by the local government, documentary evidence that public liability insurance, as specified by the local government in the approval, has been taken out and maintained by the approval holder; and
 - (D) a site specific report about the structural integrity of the gate or the grid, or the gate and the grid, and RPEQ certification for the gate or the grid, or the gate and the grid; and’;
 - g. schedule 1, section 7(1)(b)—
omit, insert—
 - ‘(b) must be fixed, having regard to the likely useful life of the gate or the grid, or the gate and the grid, identified in the approval.’;
 - h. schedule 1, section 8(1)(b)—
omit, insert—
 - ‘(b) must be fixed, having regard to the likely useful life of the gate or the grid, or the gate and the grid, identified in the approval.’.
3. Adopt, pursuant to section 32 of the *Local Government Act 2009*, in the form attached to this report to Council, a consolidated version of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.
4. Subject to Council adopting *Subordinate Local Law No. 1.16 (Gates and Grids) 2023*, Council either:
- a) Set an application fee of \$75 (or other amount nominated by Council) for a Gate or Grid application under the transitional provisions of *Subordinate Local Law No. 1.16 (Gates and Grids) 2023* to apply for the 2023/24 financial year; **OR**
 - b) Not impose a fee or charge for a Gate or Grid application under the transitional provisions of *Subordinate Local Law No. 1.16 (Gates and Grids) 2023* for the 2023/24 financial year.

GM/23/5124 Council Resolution:

Moved Cr Churchill
Seconded Cr Trevor

That Council:

1. To make *Local Government Controlled Areas, Facilities and Roads (Amendment) Subordinate Local Law (No. 1) 2023* as advertised;
2. To make *Subordinate Local Law No. 1.16 (Gates and Grids) 2023* as advertised, but amended as follows:
 - a. schedule 1, section 6(2)(d)(x)—
omit;
 - b. schedule 1, section 6(2)(d)(xi), (xii) and (xiii)—
renumber as section 6(2)(d)(x), (xi) and (xii);
 - c. schedule 1, section 6(2)(h) and (i)—
omit, insert—
'(h) require the approval holder to undertake an annual compliance inspection of the gate or the grid, or the gate and the grid, to ensure that the gate or the grid, or the gate and the grid, complies with the requirements specified in the conditions of the approval;
and
(i) Require the approval holder to, if requested by the local government in writing, and so as to ensure that the gate or the gate, or the gate and the grid, complies with the requirements specified in the conditions of the approval—
 - (i) undertake other safety and compliance inspections of the gate or the grid, or the gate and the grid; and
 - (ii) submit to the local government, within a time frame prescribed by the local government—
 - (A) a report about each safety and compliance inspection; and
 - (B) supporting photographs; and
 - (C) if requested by the local government, documentary evidence that public liability insurance, as specified by the local government in the approval, has been taken out and maintained by the approval holder; and'
- d. schedule 1, section 6(3)(b)(xi)—
omit;
- e. schedule 1, section 6(3)(b)(xii) and (xiii)—
renumber as section 6(3)(b)(xi) and (xii);
- f. schedule 1, section 6(3)(f) and (g)—
omit, insert—

- (f) require the approval holder to undertake an annual compliance inspection of the gate or the grid, or the gate and the grid, to ensure that the gate or the grid, or the gate and the grid, complies with the conditions of the approval; and
- (g) require the approval holder to, if requested by the local government in writing, and so as to ensure that the gate or the grid, or the gate and the grid, complies with the requirements specified in the conditions of the approval—
 - (i) undertake other safety and compliance inspections of the gate or the grid, or the gate and the grid; and
 - (ii) submit to the local government, within a time frame prescribed by the local government—
 - (A) a report about each safety and compliance inspection; and
 - (B) supporting photographs; and
 - (C) if requested by the local government, documentary evidence that public liability insurance, as specified by the local government in the approval, has been taken out and maintained by the approval holder; and
 - (D) a site specific report about the structural integrity of the gate or the grid, or the gate and the grid, and RPEQ certification for the gate or the grid, or the gate and the grid; and’;

- g. schedule 1, section 7(1)(b)—
omit, insert—

‘(b) must be fixed, having regard to the likely useful life of the gate or the grid, or the gate and the grid, identified in the approval.’;

- h. schedule 1, section 8(1)(b)—
omit, insert—

‘(b) must be fixed, having regard to the likely useful life of the gate or the grid, or the gate and the grid, identified in the approval.’.

3. Adopt, pursuant to section 32 of the *Local Government Act 2009*, in the form attached to this report to Council, a consolidated version of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.
4. Subject to Council adopting *Subordinate Local Law No. 1.16 (Gates and Grids) 2023*, Council not impose a fee or charge for a Gate or Grid application under the transitional provisions of *Subordinate Local Law No. 1.16 (Gates and Grids) 2023* for the 2023/24 financial year.

CARRIED

G/4.4. REVISED BUILDING OVER OR NEAR COUNCIL INFRASTRUCTURE POLICY

Responsible Officer: General Manager Finance Governance and Risk

Prepared By: Governance Business Partner

Council Meeting Date: 5 December 2023

File Ref: CM28.2

Purpose:

This report presents a revised Building over or near Council Infrastructure Policy.

Officer's Recommendation:

That Council:

1. Repeal existing P-2015/36 Building over or adjacent to Council Infrastructure Policy; and
2. Adopt a revised P-2023-11 Building over or near Council Infrastructure Policy (provided as Addendum 1).

GM/23/5125 Council Resolution:

Moved Cr Hansen
Seconded Cr Cameron

That the Officer's Recommendation be adopted.

CARRIED

G/4.5. SALE OF LAND 2023/24

Responsible Officer: General Manager Finance Governance and Risk

Prepared By: Manager Revenue Services

Council Meeting Date: 5 December 2023

File Ref: RV7.1

Purpose:

The purpose of this report is to seek Council approval to take action on the 36 identified properties that have outstanding rates 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 36 properties listed in Attachment 1 to the officer's report, for overdue rates and charges.

GM/23/5126 Council Resolution:

Moved Cr Branthwaite

Seconded Cr Muszkat

That the Officer's Recommendation be adopted.

CARRIED

G/4.6. EOI 101-24 REPURPOSING OF VARIOUS WASTE STREAMS

Responsible Officer: General Manager Finance Governance and Risk

Prepared By: Manager Contracts and Procurement (Acting)

Council Meeting Date: 5 December 2023

File Ref: FM21.1

Purpose:

This report seeks resolution from Council to proceed to make use of the provisions in s228(3) of the *Local Government Regulation 2012* that allows for the invitation of expressions of interest before considering whether to invite written tenders. This resolution is sought in relation to the repurposing of various waste streams held by Council.

Officer's Recommendation:

That in accordance with Section 228(3) of the *Local Government Regulation 2012*, Council seek expressions of interest for the collection, processing and disposal of various waste streams throughout the Gladstone Region.

GM/23/5127 Council Resolution:

Moved Cr Hansen
Seconded Cr Branthwaite

That the Officer's Recommendation be adopted.

CARRIED

G/5. COUNCILLORS REPORT

Councillor Kahn Goodluck gave a shout out to the Boyne Tannum Arts Business and Community Association Inc (BTABCA) who held their last Beach Arts Music (BAM) for the year at Millennium Esplanade in Tannum Sands. Cr Goodluck noted that thousands of people attended once again. Cr Goodluck gave particular shout out to Wayne and the team from Audio and Lighting Services Queensland who always do a great job for the music needs at BAM. Cr Goodluck mentioned that there has been over 600 hours of free community entertainment and support given to local and traveling musicians all over the region. Cr Goodluck noted that it is all run by volunteers.

Cr Goodluck highlighted the work of volunteers and community groups throughout the region such as the Christmas celebrations and community events that will be held in the coming weeks. Cr Goodluck encouraged anyone looking for something to do to reach out to the community groups as they are always looking for more help to make our communities more livable.

Cr Goodluck mentioned that he attended the Ulysses Toy Run on the Mayor's behalf on Saturday and it was a great event with many people attending and donating toys and funding towards children that might not be so fortunate this Christmas. Cr Goodluck highlighted that every year the Salvation Army help approximately 200 families (approximately 700 children) in need in our region with this year an anticipated far higher than usual calls for help. Cr Goodluck thanked and congratulated the Ulysses Motorcycle Club for their great event.

Cr Goodluck mentioned the 'Elf on a Shelf' tradition that can sometimes go viral with the naughty little elf that comes to life at night and can sometimes do crazy things in the house such as wrap the Christmas tree in toilet paper. Cr Goodluck asked people to consider that it is all good to have a bit of fun with 'Elf on a Shelf' but there are people out there who can't afford to waste toilet paper or chocolate and for people to consider instead of 'Elf on a Shelf' you could ask your Elf to be a good Elf and put a box under the tree that family members can collect gifts for giving that might be able to help someone in need this Christmas. The Mayor mentioned that there are various gift donation points and that it is an opportunity for the community to support each other and other people.

Councillor Chris Cameron read a media statement regarding the Education Queensland Industry Partnership (EQIP) Gladstone Inc closure:

"After 14 years of providing local students with authentic workplace experiences EQIP Gladstone Incorporated (EQIP) is closing its doors.

In 2022 the Queensland Department of Education cancelled its agreement with EQIP following a review.

This year EQIP board members and staff worked hard to create new ways to continue to support work experience and vocational education opportunities for Gladstone high school students. However, while the organisation had a key role in coordinating the annual Careers Expo and providing work experience support for some independent schools, these services are insufficient to sustain operations.

The management committee of EQIP Gladstone Inc has therefore made the difficult decision to cease operations on 7 January 2024.

In line with EQIP's Constitution, EQIP will be donating its remaining cash and physical assets to Communities of Gladstone Supporting Youth Incorporated (COGSY), another local not-for-profit organisation with similar objectives.

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EQIP President, James Robertson said, "In the absence of EQIP, COGSY is the best fit to continue on with the mission of creating opportunities for young people to develop employability skills, knowledge and experience". COGSY provides young people aged 17 - 25 with industry focused skill sets.

COGSY will also be coordinating the 2024 Gladstone Careers Expo in conjunction with the Rotary Club of South Gladstone.

EQIP Gladstone was incorporated in 2025 after operating as a committee since 2009. It has facilitated over 6,500 local work experience placements and delivered a selection of authentic workplace learning programs to more than 1,800 high school students. Over 80% of students graduating from EQIP's programs secured local apprenticeships, traineeships or employment. EQIP Gladstone Inc won the prestigious QLD Premier's Industry Collaboration Award at the QLD Training Awards in both 2017 and 2019 and were finalists at the Australian Training Awards.

"The Gladstone community including industry, business, schools and individuals has long history of caring and providing opportunities for young people. The EQIP board is grateful to all those that have supported the organisation over the years.

We would like to acknowledge the long-term support of our sponsors: Conoco Phillips APLNG; Shell's QGC Business; Santos GLNG; Gladstone Regional Council; Gladstone Industry Leadership Group (GILG); Honeywell; and WICET. Our program partners: Boyne Smelters; Queensland Alumina Limited (QAL); McCosker Contracting and CQ University; as well as our many committed work experience host organisations including Platinum Host, Gladstone Ports Corporation." said Mr Robertson.

"I also want to express my gratitude to Gaetane Chiffolleau, EQIP's Operations Manager, for her dedicated efforts throughout the past year. Additionally, I extend my thanks to former team members, including Nicole Allison, Melanie Kent-Ford and Jessica Driessen for their unwavering commitment and contributions to achieving EQIP's objectives.

Finally I'd like to thank the current EQIP Board members, Chris Cameron (Vice President), Rob Gibb (Secretary), Charmaine Bennett (Treasurer), Chantale Lane, David Voss, Nicole Allison and Nicole Henry for their commitment.

We look forward to seeing more positive outcomes arise for young people in Gladstone as we hand over the baton to COGSY."

Cr Cameron noted the irony of South Gladstone Rotary having established the work experience expo over 25 years ago and did the expo for many years until taken over by another organisation which saw the expo reduced. The expo was then taken over by EQIP and after 30 years is coming back to be run by South Gladstone Rotary, in conjunction with COGSY. Cr Cameron assured everyone that the Careers Expo is in very good hands with David Nunn, member and past President of South Gladstone Rotary and Bruce Hunt, who is on the board of COGSY.

Mayor Burnett noted that this is the second unique program to Gladstone that Education Queensland have walked away from. Mayor Burnett expressed his disappointment with Education Queensland walking away from another unique program that benefited Gladstone Region's next generation coming through who should be learning the industry that we're so proud of to have here.

Councillor Rick Hansen reminded councillors that the documents from the recent Local Authority Waste Management Action Committee (LAWMAC) meeting are available on the Councillor Portal and thanked Carly Quinn, General Manager People and Strategy and staff for collating and making the document available.

Cr Hansen provided the following statement:

"I am announcing today, that I will not be seeking reelection at the March 2024 Council Elections.

I have had the honour of serving the community in Council for 18 years, in a region I truly value and appreciate. It's the 5th term, 4 and a half, I started with Gladstone City for half a term on a by-election.

I thank the community for supporting me during this time, enabling me to gain a wide range of experience of which I have learnt and grown from.

I have met and worked with many community volunteers and champions. I applaud the work that you do and what you achieve in making this region always a better place to live.

Thanks to the wonderful staff I have worked with during this period and friendships made along the way.

I can't say that I won't miss this place, and I will for a time, but I wish Councillors who are seeking reelection and those new candidates the very best of luck in guiding this Council and community moving forward. I will no doubt make further comments of my time in Council prior to the election.

Finally, thanks for the wonderful experience I've had in Council, it's been a total privilege."

Councillor Chris Trevor provided the following statement:

"In 2004 my public life began with the two word slogan 'It's time'. Next year in 2024 it will end just as it began with the same two words - it's time. Indeed for the first time in a long time, 20 years to be exact, my name will not appear on any ballot paper. In that time I faced 7 elections, won some and lost some. In reflecting yesterday on where did all those years go, I wanted to thank publicly my wife Colleen and our children, Joel, Guy, Rhys, Pryce and Kiara, as well as their partners, my dear friends and my extended family as well as the people of the Gladstone Region for their support over the past 20 years.

I want to thank my loyal and trusted staff at my legal practice who have freed me up to have such a wonderful public life over many years. Thank you.

I also wanted to thank you, Mayor Matt, Leisa, Natalia, Rick, Glenn, Kahn, Darryl, Desley and Chris for your friendship and support. I have had a bit of bad luck with my health these past few years and without your personal sacrifices I would have had to simply give up a long time ago. I am luckier than most.

The Gladstone Region is also very lucky to have you all as their advocates and representatives. With Desley, Darryl, Rick and myself leaving next year, over 40 years of public experience leaves the boardroom table. However I am absolutely confident that those staying, which have a combined experience well in excess of that some 60 years, will ensure that we remain and continue to thrive as the economic powerhouse of the nation, the industrial capital of Australia and the Port City to the world (to coin a time honoured phrase).

Thank you to the officer's and employees of the Gladstone Regional Council. I have loved every minute of my time here sharing with you the ups and downs of public service. You do an amazing job and the people of the Gladstone Region should know that if they don't already.

Thank you to the general public for your support over the past 20 years. I have tried my best to repay your trust in me as best I could. I wanted to say to you all that my family and I are truly blessed. We have 5 beautiful grandchildren and more on the way. We have so much to look forward to in the future and I hope you all do too. But along with happiness will also come the inevitable sadness which will test our resolve like it does all families.

Colleen and I out of the spotlight, are very private people, however I never have but wanted today to publicly thank the paramedics, Gladstone Hospital Doctors and nurses, the Royal Flying Doctor Service and Wesley Hospital Doctors and nurses for helping to save my life after a heart attack last year. A big thank you on behalf of everyone who relies on your services. The irony was not lost on me at the time, having become the first ever Federal Member for the new seat of Flynn in 2007 a new Federal Seat named after the Reverend John Flynn who founded the world's first aerial medical service, the Royal Flying Doctor Service.

I wanted to publicly thank former Prime Minister Kevin Rudd for giving me the chance to represent Flynn and for checking in on me since my heart attack. That's the type of good bloke I have always known him to be.

In public life, I have never been short of a headline but always done with good intentions and self belief that it was the right thing to do.

I drink rum and Coala (Cola spelt coal-a is now CT folklaw). I guess as the famous song goes, "I did it my way".

Team, during my stay here I have laughed a lot, never taken myself too seriously, except when it come to defending our region, most certainly enjoyed all your company, given the best that I could, won some, lost some, got emotional at times, got on my high horse at other times but I know in my heart that I am leaving the region in a better shape than which I found it.

May the force be with you all. Enjoy the rest of your public journey - and remember to be kind to each other. Thank you, thank you very much, it's been a pleasure and an honour to serve with you and alongside you all.

Best wishes always."

G/6. URGENT BUSINESS

Nil

G/7. NOTICE OF MOTION

Nil

G/8. CONFIDENTIAL ITEMS

Nil

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

THE MEETING CLOSED AT 11:25am.

ATTACHMENTS
Addendum 1



Gladstone Regional Council

Council Policy

Title	BUILDING OVER OR NEAR COUNCIL INFRASTRUCTURE
Policy Number	P-2023-11
Business Unit/s	CUSTOMER EXPERIENCE
Date of Adoption	
Resolution Number	
Date Repealed	

1.0 PURPOSE:

The purpose of this policy is to:

1. Protect Council from potential impacts on Council Infrastructure from activities associated with building work over or near Council infrastructure; and
2. Provide clear guidance on Council’s expectations on the application of the Queensland Development Code (QDC) MP1.4 ‘Building over or near relevant infrastructure’ in relation to:
 - Building work that is not exempt under Chapter 1 and/or cannot meet the requirements of Chapter 3 (Acceptable Solutions) as contained in QDC MP1.4;
 - Light-Weight Class 10 Buildings and Structures;
 - The Repair and Replacement of Class 10B Pre-Existing Buildings and Structures over or near Council infrastructure; and
 - Requests for approvals of Pre-Existing Unapproved Buildings or Structures over or near Council infrastructure.
3. Set the criteria for when an application is required for Class 2 to 9 Building Work over or near Council infrastructure.

2.0 SCOPE:

This policy applies to Building Work over or near Council Infrastructure that is:

1. For new or repair/replacement building work for Class 1 and 10 Buildings and Structures which cannot meet an ‘Acceptable Solution’ under QDC MP1.4 ‘Building over or near relevant infrastructure’ and an ‘Alternative Solution’ is proposed; and
2. For Class 2 to 9 Buildings and Structures where building work is proposed in close proximity to Council Infrastructure (within 5 metres of the infrastructure, or for ground anchors or rock bolts, within 10m of the infrastructure) .



This Policy does not apply where:

1. Any public utility easement (including an easement for sewerage, water or drainage purposes) is registered over Council Infrastructure which prohibits or restricts construction of structures in the easement area, in which case the Building Work will be governed by the terms of the easement; or
2. A requirement for an approval under *Local Law No. 1 (Administration) 2011* that applies for Building Work within Council controlled roads or areas.

3.0 RELATED LEGISLATION:

- *Building Act 1975*
- *Building Code of Australia*
- *Building Regulation 2016*
- *Local Government Act 2009*
- *Planning Act 2016*
- *Planning Regulation 2017*
- *Plumbing and Drainage Act 2018*
- *Plumbing and Drainage Regulation 2019*
- *Professional Engineers Act 2002*
- *Water Supply (Safety and Reliability) Act 2008*
- *Workplace Health and Safety Act 2011*

4.0 RELATED DOCUMENTS:

- Building Code of Australia contained within the National Construction Code Building and Plumbing Newsflash 604, published by the Queensland Government
- Capricorn Municipal Development Guidelines (CMDG)
- Queensland Development Code, MP1.4 Building over or near relevant infrastructure

5.0 DEFINITIONS:

To assist in the interpretation of this policy the following definitions apply:

Acceptable Solution means Building Work that complies with the Acceptable Solutions column of Chapter 3 of the Queensland Development Code MP1.4 Building over or near relevant infrastructure

Alternative Solution means proposed Building Work that does not meet an exemption under Chapter 1 or the requirements of the Acceptable Solutions column of Chapter 3 of the Queensland Development Code MP1.4 Building over or near relevant infrastructure

Building Work means building work as defined by section 5 of the *Building Act 1975* (Qld) for any building or structure

CCTV means closed-circuit television. It is also known as video surveillance. Closed circuit means that the cameras transmit footage to a closed audience.

Class 1 Building or Structure is as defined under the *Building Code of Australia* contained within the *National Construction Code*

Class 10 / Class 10A, 10B Building or Structure is as defined under the *Building Code of Australia* contained within the *National Construction Code*

Class 2 to 9 Building or Structure is as defined under the *Building Code of Australia* contained within the *National Construction Code*

Council means Gladstone Regional Council

Council Infrastructure means relevant infrastructure as defined under QDC MP1.4 which is owned and/or controlled by Council (for example: sewers, water mains, stormwater drains and combined sanitary drains)

Light-Weight Class 10 Building or Structure is as defined in the Queensland Development Code MP1.4 Building over or near relevant infrastructure and as further defined in Attachment 1 to this Policy, Building and Plumbing Newsflash 604, published by the Queensland Government

Pre-Existing Building or Structure means an existing building or structure that was constructed prior to the commencement of the Queensland Development Code MP1.4 Building over or near relevant infrastructure (commencement date: 13 December 2013)

QDC MP1.4 means Queensland Development Code MP1.4 Building over or near relevant infrastructure

Repair or Replacement of Pre-Existing Class 10B Building or Structure means:

- a Pre-existing 10B Class Building or Structure as defined in this Policy that requires replacement or repair as the condition of the building or structure is a safety risk or is likely to fail if not replaced or repaired; and
- the owner seeks to repair and/or replace the building or structure in the same position and/or alignment as the existing building or structure

For the purposes of this Policy the proposed Building Works must not include any extension or other significant change as determined at Council's sole discretion, to be considered a repair or replacement

RPEQ means Registered Professional Engineer of Queensland

Water Main includes the pipes and associated infrastructure that carries potable water, raw water and recycled water.

6.0 POLICY STATEMENT:

6.1 Background

Council as an essential service infrastructure provider (water, sewerage and drainage) must ensure that this infrastructure is protected from damage and can be operated, repaired and maintained in a safe, efficient and effective way. Where this infrastructure is located on or near private property, these responsibilities must be balanced against the rights of property owners to use and develop their land without unnecessary constraints and to minimise the risk of private property damage and/or harm to people as a result of Council operating, maintaining and repairing its infrastructure.

Class 1 and 10 Buildings or Structures

Council prefers and strongly encourages all Class 1 and 10 building work to comply with the

'Acceptable Solutions' under the Queensland Development Code MP1.4 'Building over or near Relevant Infrastructure'. Where an 'Acceptable Solution' is proposed there is no requirement for building proponents to obtain an additional Council approval to build over or near Council infrastructure.

Where an 'Alternative Solution' is proposed (ie. building work does not comply with an Acceptable Solution), the application for building work must be referred to Council for 'Concurrence Agency' assessment. Alternative Solutions that restrict the available space for the operation, maintenance and repair of Council infrastructure can be problematic as Council's standard equipment and work practices may not be suited to a reduced workspace and therefore may:

- result in additional costs to operate, maintain and repair the infrastructure; and/or
- reduce repair and maintenance options; and/or
- increase safety risks; and/or
- result in the need to demolish the building/structure to enable Council to maintain or repairing Council Infrastructure.

Further, should an Alternative Solution fail and there is no recourse available via third parties, the associated costs are generally borne by Council / Ratepayers.

Class 2 to 9 Buildings and Structures

The impact on Council infrastructure of Class 2 to 9 buildings and structures needs to be assessed based on the type of building work proposed.

This Policy sets the criteria to determine if an application for Class 2 to 9 building work proposed in close proximity to Council infrastructure requires an application for assessment. The application process will allow building proponents to:

- where necessary, consider other building footprints/options prior to any costs being incurred and work being carried out;
- ensure that building work proposed does not interfere with or place a load on Council infrastructure which could lead to the proponent being asked to remove the building or structure and/or relocate, repair or replace damaged infrastructure;
- incur fines under the *Water Supply (Safety and Reliability) Act 2008*.

6.2 Class 1 and 10 Buildings and Structures

6.2.1 New Building Work (excluding Repair or Replacement of Pre-Existing Building or Structure)

Where Alternative Solutions are proposed Council will generally require and provide the following advice to proponents:

- a. That the proposed building work be changed to achieve compliance with Acceptable Solutions or an exemption under QDC MP1.4; or
- b. That the building proponent consider applying to ¹relocate the existing Council Infrastructure so that the Building Work can achieve compliance with Acceptable Solutions or exemption

¹ The relocation of Council Infrastructure will be performed by Council or an approved contractor. The design, materials and construction method must also be approved by Council and in accordance with Council's engineering standard requirements. Council will inspect all open trenches prior to backfilling. All associated costs will be borne on the property owner/developer.

under QDC MP1.4.

- c. Where a building proponent seeks to proceed with an Alternative Solution (ie. Acceptable Solution/s cannot be achieved), the following requirements are likely to be imposed:
- The Alternative Solution must be RPEQ certified to achieve the performance criteria of Chapter 3 of QDC MP1.4
 - Lodgement of current ²CCTV data for the infrastructure proposed to be impacted by the Alternative Solution, at the proponent's cost (ie. this may be pre, post and/or at particular stages of the work)
 - Subject to the condition of the proposed impacted infrastructure, the building proponent may be required to contribute to the early replacement, or early Council planned relocation, of the impacted infrastructure.

6.2.2 Repair or Replacement of Pre-Existing Class 10B Building or Structure

Applications to repair or replace a Pre-Existing Class 10B Building or Structure over or near Council Infrastructure which is not exempt under Chapter 1 or does not meet the requirements of Chapter 3 (Acceptable Solutions) of QDC MP1.4 will be considered. They will be assessed as an Alternative Solution and take into consideration the following matters to determine reasonable and relevant conditions:

- a. the building rights of property owner prior to the commencement of QDC MP1.4;
- b. the purpose of the building or structure and whether it can be practically relocated (ie. it may not be practical to relocate load bearing retaining walls);
- c. protection of the infrastructure and the community's long-term interests.

6.2.3 Light-Weight Class 10 Buildings and Structures

Council endorses the definition of Light-Weight Class 10 Buildings and Structures as clarified in Attachment 1 to this Policy 'Building and Plumbing Newsflash 604'.

Should Council receive building approvals for Light-Weight Class 10 Buildings or Structures over or near Council infrastructure granted/certified by external parties (ie. private building certifiers, Registered Professional Engineer of Queensland), that are outside of that defined in Attachment 1, Council may take compliance action or other action against the external parties and/or the property owner to ensure the long-term protection of Council Infrastructure.

6.2.4 Requests for Building Approval for an Unapproved Pre-existing Class 1 or Class 10 Building or Structure constructed over or near Council Infrastructure

Should a property owner seek a building approval for an Unapproved Pre-existing Building or Structure over or near Council infrastructure, which is not exempt under Chapter 1 of QDC MP1.4 or does not meet the Acceptable Solutions of QDC MP1.4, Council may impose all or some of the following requirements depending on the type of building or structure being assessed:

- a. Lodgement of the required building and plumbing application/s and associated fees (with the Assessment Manager/s).

² CCTV data will be obtained by Council at the proponent's cost.

- b. Lodgement of survey data (prepared by a Registered Surveyor) to evaluate the relationship between the existing building/s and/or structure/s and Council Infrastructure.
- c. Certification of the constructed building/s or structure/s by a RPEQ, if required, at Council's sole discretion.
- d. Lodgement of current ³CCTV data for the Council infrastructure impacted by the building work at the proponent's cost, if required, at Council's sole discretion.
- e. Any other conditions deemed relevant.

6.3 Class 2 to 9 Buildings and Structures

Proposed Class 2 to 9 building works as defined in Chapter 1 S.4 (5)(a) of QDC MP1.4, requires an application to Council for assessment of the potential impacts on Council infrastructure where the proposed building work does not meet the criteria of Chapter 1 S.4 (5) (b) to (d) of the QDC MP1.4. Council will generally require and provide the following advice to proponents:

- 6.3.1 That the building proponent amend the proposed building footprint to achieve compliance with Chapter 1 S.4 (5) (b) to (d) of the Queensland Development Code MP1.4; or
- 6.3.2 That the building proponents consider applying to ⁴relocate existing Council Infrastructure so that the Building Work achieves compliance with Chapter 1 S.4 (5) (b) to (d) of the Queensland Development Code MP1.4.
- 6.3.3 Where proposed building work cannot achieve compliance with Chapter 1 S.4 (5) (b) to (d) of QDC MP1.4, the following requirements are likely to be imposed:
 - a. RPEQ certification that demonstrates that the proposed building work:
 - will not adversely affect the operation of Council's infrastructure or place a load on Council's infrastructure that adversely affects it; and
 - the integrity of proposed building work is unlikely to be affected as a result of Council's infrastructure being maintained, replaced or failing to function properly; and
 - when completed, the building work allows any gas that builds up in Council's infrastructure to escape in a way that ensures individuals in close proximity to a maintenance cover for Council's infrastructure are not harmed by the gas; and
 - when completed the building work allows Council the required access above its infrastructure to inspect, maintain or replace the infrastructure.
 - b. Lodgement of current ⁵CCTV data for the Council infrastructure proposed to be impacted by the building work, at the proponent's cost (ie. this may be pre, post and/or at particular stages of the building work), as required, at Council's sole discretion.

³ CCTV data will be obtained by Council at the proponent's cost.

⁴ The relocation of Council Infrastructure will be performed by Council or an approved contractor. The design, materials and construction method must also be approved by Council and in accordance with Council's engineering standard requirements. Council will inspect all open trenches prior to backfilling. All associated costs will be borne on the property owner/developer.

⁵ CCTV data will be obtained by Council at the proponent's cost.



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- c. Subject to the condition of the proposed impacted infrastructure, the building proponent may be required to contribute to the early replacement, or early Council planned relocation, of the impacted infrastructure.

6.4 Delegation to the Chief Executive Officer

Council shares its decision making and discretionary powers as contained in this Policy through delegation of Policy powers to the Chief Executive Officer.

7.0 ATTACHMENTS:

- 1. Building and Plumbing Newsflash 604

8.0 REVIEW MECHANISM:

This policy will be reviewed when any of the following occur:

- 1. The related legislation or governing documents are amended or replaced; or
- 2. Other circumstances as determined by resolution of Council or the CEO; or
- 3. Five years from date of adoption.

TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	3 December 2013	G/13/1819	Formerly Policy No. P-2013/29
Amendment 1	17 November 2015	G/15/2646	Formerly Policy No. P-2015-36
Amendment 2			

.....
LEISA DOWLING
CHIEF EXECUTIVE OFFICER

ATTACHMENT 1 – BUILDING AND PLUMBING NEWSFLASH 604

Building and Plumbing Newsflash 604

Light-weight class 10 buildings and structures under the Queensland Development Code Mandatory Part 1.4 – Building over or near relevant infrastructure

Purpose

To clarify the intent of the concessions for light-weight class 10 buildings and structures under the Queensland Development Code Mandatory Part 1.4 - Building over or near relevant infrastructure (QDCMP1.4), version 1.2.

Background

The QDCMP1.4 applies to building work for buildings and structures to be carried out on, or adjacent to, a lot that contains relevant infrastructure (sewers, water mains, stormwater drains and combined sanitary drains).

Building work must be assessed against QDCMP1.4 as part of a building development application.

The QDCMP1.4 provides acceptable solutions for the:

- location of footings, excavations, compaction, piles and piers
- design of footings in certain instances
- extent filling can be undertaken
- clearance zones around infrastructure.

Concessions for light-weight class 10 buildings and structures are also provided in the acceptable solutions, specifically A1(2)(b)(i) to (iii) and A2.2.

Where QDCMP1.4 applies and a building or structure does not comply with an acceptable solution of the code, a certifier must refer the application to the service provider for assessment.

Issue

An issue has been identified concerning the light-weight concessions being applied to complex, bulky and integrated buildings and structures, contrary to the intent of the provision.

This has resulted in structures being built that:

- cannot be easily removed or rebuilt without considerable effort and expense
- adversely affect the operation and/or place an adverse load on the infrastructure
- restrict the service provider's access to infrastructure.

Applying light-weight concessions

The QDCMP1.4 defines a building or structure to be a light-weight class 10 if:

- (a) it is a class 10 building or structure, and
- (b) all of the walls, columns and roofs of the building or structure are constructed from materials other than concrete and masonry.

Examples include a:

- steel-framed shed, carport or garage with a slab
- timber patio, deck or gazebo
- fiberglass or polyethylene rainwater tank.

This definition and the subsequent concessions are to be strictly and narrowly applied. Typical light-weight class 10s have the appearance of a building or structure that is **ancillary** to the main building.

Buildings and structures that are not light-weight class 10

For the purposes of QDCMP1.4, the following should not be classified as light-weight class 10s:

- **class 10 buildings or structures with roofing that is integral to, or a continuation of, the main building's roof.**

Examples include buildings and structures that are connected to, and project directly out from, the main building. These structures are under the same roofline of the main building, i.e. their roofs are a continuation of the roof trusses of the main building.

They are often constructed at the same time as the main building e.g. integrated outdoor entertainment rooms, entranceways and garages/carports.

- **class 10 buildings or structures that form an integral part of the design of the main building**

Examples include buildings and structures that form an integral part of the design of the main building, such as a porch whose floor is connected to the main structure of the house, rather than being attached to the house.

Buildings and structures that are light-weight class 10

For the purposes of QDCMP1.4, the following can be classified as light-weight class 10s:

- patio structures of simple timber post and beam construction
- patio structures made of prefabricated elements i.e. polycarbonate roofed patios
- simple decks and gazebos that are attached to, rather than form part of, the main building
- modest carports and garages
- steel sheds
- rainwater tanks.

Note: the examples provided are not exhaustive but demonstrate how to apply the principles of the light-weight class 10 definition.

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Building and Plumbing Newsflash 604

More information

To view the QDCMP1.4, please visit the [Business Queensland website](#).

Visit the Queensland Government legislation website to view the [Building Act 1975](#) and the [Building Regulation 2021](#).

Contact us

Building Policy
Department of Energy and Public Works
Email: buildingpolicy@epw.qld.gov.au

If you have not received this newsflash directly from Building Policy, you can subscribe via bcqnewsflash@qld.gov.au.

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