



**GLADSTONE**  
REGIONAL COUNCIL

**GENERAL MEETING NOTICE  
AND AGENDA**

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

**On Tuesday 21 January 2025**

**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 17 DECEMBER 2024**

**Responsible Officer:** Chief Executive Officer

**Prepared By:** Executive Secretary

**Council Meeting Date:** 21 January 2025

**File Ref:** CM7.2

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#### **Purpose:**

Confirmation of the minutes of the General Meeting held on 17 December 2024.

#### **Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 17 December 2024 be confirmed.

#### **Attachments:**

1. Minutes of the General Meeting of Council held on 17 December 2024.



### G/3. DEPUTATIONS

#### G/3.1. NFP HOUSE

**Responsible Officer:** Chief Executive Officer

**Prepared By:** Executive Secretary

**Council Meeting Date:** 21 January 2025

**File Ref:** CM7.6

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**Purpose:**

For NFP House to provide an update on the not-for-profit sector and NFP House’s strategic plan.

**Officer's Recommendation:**

That the deputation from NFP House be received.

**Background:**

Deputation details are as follows:

<b>Time of Presentation</b>	9.10am
<b>Duration of Presentation plus question time</b>	15 mins
<b>Speakers to present</b>	Lois Lodding, CCEO Bernadette Ariens, Project Coordinator

**Attachments:**

1. NFP House Presentation

## G/4. OFFICERS' REPORTS

### G/4.1. CONSIDERATION OF DEVELOPMENT APPLICATION DA/46/2024 MATERIAL CHANGE OF USE OF PREMISES FOR CHILDCARE CENTRE AT 51 & 55-57 TANK STREET, WEST GLADSTONE

**Responsible Officer:** General Manager Customer Experience

**Prepared By:** Planning Officer

**Council Meeting Date:** 21 January 2025

**File Ref:** DA/46/2024, DB1.7

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#### Development Application:

<b>Application Number:</b>	DA/46/2024
<b>Applicant:</b>	F5Y Gladstone Pty Ltd c/ Zone Planning QLD
<b>Owner:</b>	F5Y Gladstone Pty Ltd
<b>Date Of Receipt:</b>	26 August 2024
<b>Location:</b>	51 & 55-57 Tank Street, WEST GLADSTONE QLD 4680
<b>RPD:</b>	LOT 1 RP 605330, LOT 1 RP 604867, LOT 2 RP 604867
<b>Area:</b>	3,424m <sup>2</sup>
<b>Current Use Of Land:</b>	3 Dwelling Houses
<b>Zoning:</b>	Medium Density Residential
<b>Proposal:</b>	Material Change of Use - Childcare Centre 129 Spaces
<b>Submissions Received:</b>	1 Not Properly Made

#### Purpose:

The purpose of this report is to determine Development Application for a Childcare Centre (129 spaces) covering 3 lots at 51 & 55-57 Tank Street, WEST GLADSTONE QLD 4680.

#### Executive Summary:

The application for a Childcare Centre was lodged by F5Y Gladstone Pty Ltd and Zone Planning QLD on 8 August 2024 and was properly made on 26 August 2024. The decision period commenced on 9 October 2024 after a response was received to the information request sent 5 September 2024.

The application is Code Assessable and assessed against the Gladstone Regional Planning Scheme, Version 2. Assessment was also conducted against the relevant provisions of the *State Planning Policy – July 2017* (the SPP) and requirements detailed under the *Planning Act 2016* (the Act) and the *Planning Regulation 2016* (the Regulation). Adjoining owners were notified of the proposal on 4 September 2024 as per Councils code notifiable process. One not properly made submission was received on 13 September 2024 and has been attached to this report.

After assessment of the proposal against the Planning Scheme, it is considered that the proposal does not comply, or has not provided sufficient detail in which to assess compliance, with multiple assessment benchmarks and it is therefore recommended that the Development Application for a Material Change of Use of Premises for a Childcare Centre (129 spaces) at 51 & 55-57 Tank Street, WEST GLADSTONE QLD 4680, be refused for the reasons contained herein.

**Subject Site:**

The subject site is located at 51 & 55-57 Tank Street, West Gladstone QLD 4680 (formally known as LOT 1 RP 605330, LOT 1 RP 604867, LOT 2 RP 604867). The site includes three parcels which was most recently occupied by 3 dwelling houses (refer to Figure 1 below). The surrounding locality comprises of mainly residential, with community facilities and commercial land uses such as the Gladstone Aquatic Centre and small businesses at 65 Tank Street. The site has an 85m frontage width, is 56m deep and has a combined size of 3,424m<sup>2</sup>. The site is serviced by council water and sewer with an existing sewer main traversing the site. Under the Our Place Our Plan Gladstone Regional Council Planning Scheme 2015 (the Planning Scheme). The site is within the Medium Density Residential zone.



Figure 1: Site context aerial (source: Geocortex).





**Figure 2:** Current Site perspective (13 January 2025)

**Background:**

**Previous Approval - DA/946/2013**

A proposal lodged as DA/946/2013 for a Multiple Unit Residential (17 Units) was approved on 16 July 2014 with a currency period until 16 July 2026. That development approval is for a 13m high three storey structure with 17 residential units at 51 Tank St. The below figure provides a perspective.



**Figure 3:** Approved Multiple Dwelling (source:DA/946/2013 Approved Plans)

**Pre-lodgement - PL/20/2024**

On 6 June 2024 a pre-lodgement meeting was held with the applicant and owner which presented a similar design to that lodged and currently before Council for Decision. At that meeting, officers raised the provisions of the Medium Density Zone Code regarding the scale of the proposal and the carparking/access arrangements. The subject application was formally lodged for a Childcare Centre with 139 spaces on 9 August 2024 and properly made on 26 August 2024. After the Confirmation Notice was issued, Council met with the applicant and owner on 5 September 2024 before issuing an Information Request to ensure that the content of the Information Request was clear and understood prior to its issuing.

**Further Information Requests**

The information request was issued on 5 September 2024 and a Further Advice notice followed on 16 September 2024, collectively, raising the below matters;

- Scale of the childcare centre operation in the Medium Density Residential Zone in the context of PO25 and Overall Outcome 2h of the zone code
- Amenity impacts to residential areas from noise produced by the proposed use
- Traffic Impact Assessment, carparking arrangement and numbers and driveway access
- Clarification of the proposed footpath length.
- Site Based Stormwater Management Plan
- Detail of the sewer main relocation
- Detail of proposed retaining walls and acoustic fences

The applicant submitted a response to the Information Request and Further Advice on 8 October 2024 with a revised proposal reducing to 129 childcare spaces but with no considerable design changes to the building or traffic arrangement. Additional information also included a letter from Business Geographics regarding the Needs Assessment, an updated Noise Impact Assessment and response from Moloney and Sons engineering including updated engineering reports such as the Site Based Stormwater Assessment, Engineering Services Report and Traffic Impact Assessment.

After consideration of the additional material, another Further Advice notice was sent on 13 November to highlight several matters still remaining unresolved and therefore would impact on officers consideration of the application against the Planning Scheme benchmarks. The applicant responded to the Further Advice on 26 November 2024. The response to the Further Advice request included an updated Acoustic Assessment by ATP Consulting which has been peer reviewed. The Information Request and two Further Advice Notices are attached to this report for reference.

The application has received 1 not properly made submission as the application is Code Assessable. It has been considered as part of the common material only, due to the application being Code Assessable. It is noted that several adjoining owners have expressed interest in the application with multiple property owners verbally raising issues with Council regarding the proposed development through its assessment.

**Proposal:**

The proposed development seeks approval for Material Change of Use - Childcare Centre. Under the Planning Scheme, a Childcare Centre is defined as: *Premises used for minding, education and care, but not residence, of children.*

The proposed development consists of a main Childcare Centre building fronting Tank Street with a Gross Floor Area of 1047m<sup>2</sup> for 129 childcare places. Off-street car parking consists of 46 spaces of which 30 spaces are in a tandem arrangement. Several turfed and landscaped outdoor play areas are included at the front and rear of the site. The development also involves the relocation of the existing sewer main to the eastern side of 51 Tank Street within the proposed car parking area.

**Figures 4 to 8** illustrate the proposed development.



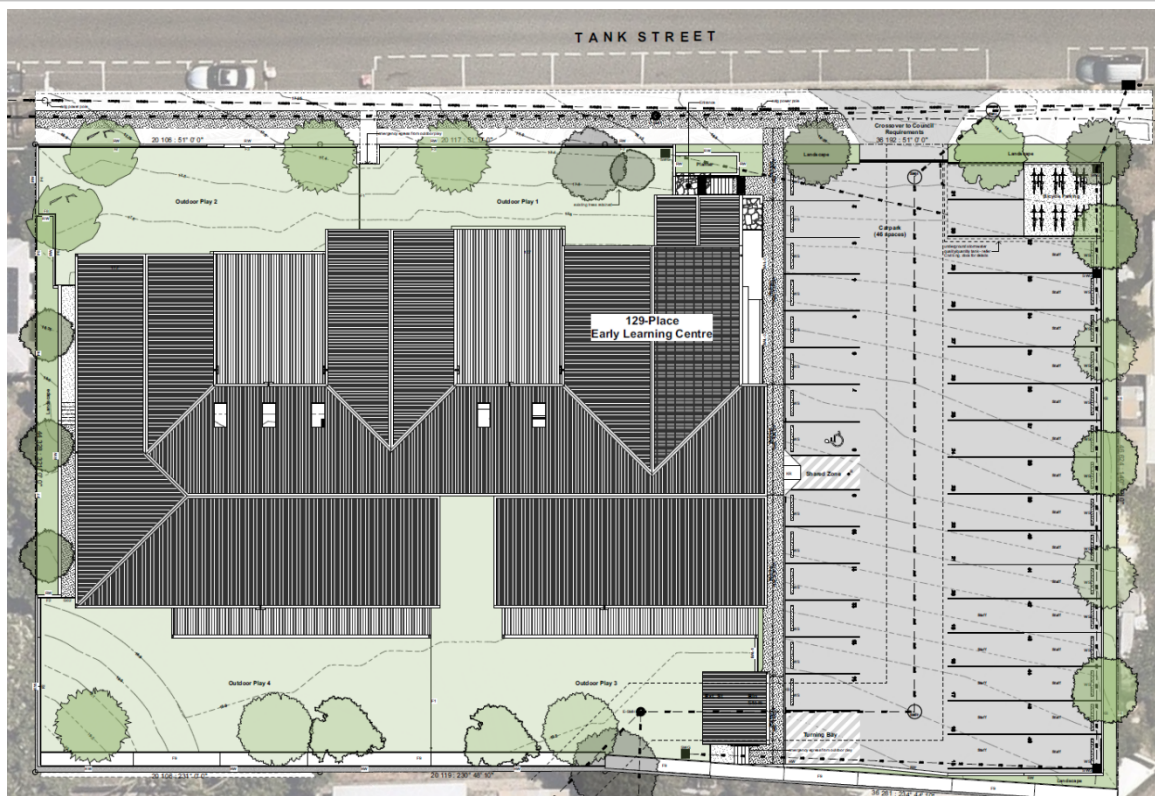


Figure 3: Updated Site Plan after IR (source: IR Response 9/10)

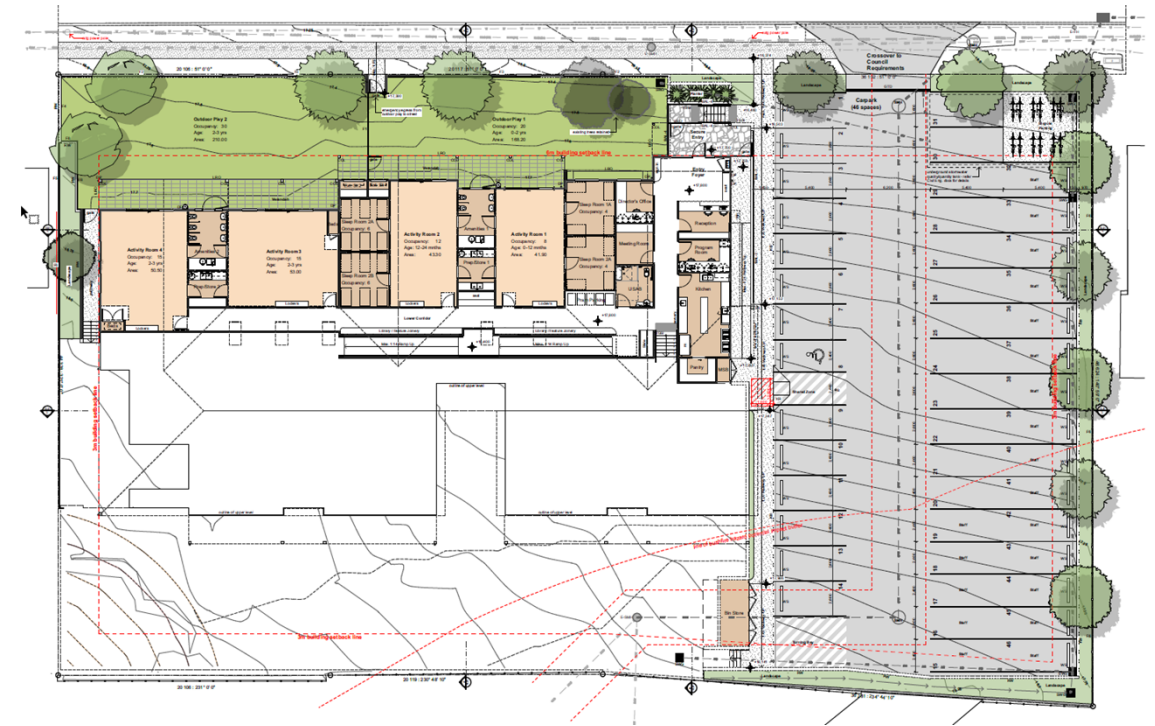


Figure 4: Updated LG Floor Plan (source: IR Response 9/10)







Figure 7: Renders (source: IR Response 9/10)

**Adopted Infrastructure Charges Notice:**

The site has in existing Infrastructure Credit for three dwellings which amounts to \$84,933.60. As the charge for a commercial use with a GFA of 1047m2 is \$74,127.60, there would be no additional infrastructure charge as the existing credit exceeds the infrastructure charge from the proposed use. It is noted that this application is recommended for refusal such that no charges will be levied.

Should the application instead have been recommended for approval, a Nil charge would have been applicable.

**Referral agency:**

Referral was not required for the proposal given the location and nature of the development.

**Public Notification and Submissions:**

The application is Code Assessable and as such formal public notification was not required. However, in accordance with Council’s standard approach, adjoining owners notices were issued on 3 September 2024. One Not Properly Made submission was received from an adjoining owner, the issues raised are discussed further below. The applicant was supplied a copy of the submission on 13 November 2024.

Submission	Officer's Response
<p><b>Issue</b></p> <p><b>Traffic impacts from development and existing uses in the area, particularly on the Glenlyon St/Tank Street intersection</b></p>	<p>Council acknowledges the increased traffic volumes expected from the development and have raised these issues by requesting an updated Traffic Impact Assessment from the applicant. The submitted Traffic Impact Assessment prepared by Moloney and Sons states that traffic volumes are not expected to increase beyond the 5% GTIA threshold to trigger upgrades to road infrastructure but failed to model the peak times of the childcare centre in coincidence with the peak times of the adjacent road network.</p>

	<p>It is highlighted that Section 8.1.1 of the TMR guidelines state: “The appropriate peak periods to use for intersection and access assessments should reflect the combined effects of the development peak traffic and the road peak traffic in providing the worst case of intersection movement patterns for intersection analysis.” The analysis does not provide certainty that the extent of impacts of the development on the network have been adequately considered, and discounting development traffic by 66% also has the effect of assuming that there is no traffic generated by the development outside of the peak hour which is unlikely to be the case.</p>
<p><b>Potential stormwater impacts from overland flow and possible worsening of stormwater conditions on adjoining properties</b></p>	<p>Stormwater concerns have been addressed by the submitted Site Based Stormwater Management Plan. The applicant intends to landscape the rear boundary of the lot and include stormwater drains and tank to capture runoff on site to ensure non worsening of discharge. The stormwater runoff can drain to a lawful point of discharge.</p>
<p><b>Tandem parking spaces</b></p>	<p>Tandem spaces, particularly this development’s large reliance on them to meet the car parking numbers of the planning scheme, has been raised multiple times by officers from pre-lodgement and through the assessment process. It is considered that the scale of the proposed childcare centre is not aligned with the sites ability to provide adequate carparking.</p> <p>Officers consider that the operation of tandem bays requires the operator to ensure each space is available/able to be used at all times. While it may be acceptable to allow a reduced number of spaces in a tandem arrangement (i.e. shared by staff only), it is difficult to support the overwhelming use of tandems in a shared arrangement with customers. It is considered that this leads to confusion for users and will likely result in customers parking in the Tank Street road reserve to avoid the arrangement. This is discussed in more detail in the assessment section below.</p>
<p><b>Relocation of council reticulated sewer main and cost of works</b></p>	<p>The existing sewer line is proposed to be relocated as part of this application. Council’s asset team has reviewed the alignment and requires that any approval for this development relocate the sewer line in accordance with CMDG standards and under a OPW application process. An easement would be required over the relocated asset. It is noted that if the main was relocated, it is at the applicant's full expense.</p>
<p><b>Potential noise impacts and effectiveness of acoustic fencing</b></p>	<p>Potential impacts to amenity from possible noise associated with the development is a key consideration of the location of non residential uses in the Medium Density Residential Zone. An updated acoustic assessment was requested to specifically address potential impacts and provide more accuracy to recommend noise mitigation measures. Review of the acoustic reports has been undertaken and there remains deficiencies in the supplied assessment and assumptions whereby officers cannot determine that the proposed development will not result in noise nuisance to nearby and adjoining residential uses. Particularly in regard to the outdoor play areas and car parking.</p>

**Assessment:**

**Instruments for statutory assessment**

Under the *Planning Act 2016* the application must be assessed against each of the following statutory planning instruments to the extent they are relevant to the development:

- *State Planning Policy 2017 (SPP)*
- *Planning Regulation 2017*
- *Central Queensland Regional Plan 2013*
- *Our Place Our Plan, The Gladstone Regional Planning Scheme, Version 2 (the Planning Scheme)*

**Assessment Benchmarks:**

<ul style="list-style-type: none"> <li>• Medium Density Residential Zone</li> <li>• Acid Sulphate Soils Overlay</li> <li>• Development Design Code</li> <li>• Landscaping Code</li> </ul>	<p><i>Our Place Our Plan, The Gladstone Regional Planning Scheme, Version 2</i></p>
<p>Part E</p>	<p><i>State Planning Policy 2017 (SPP)</i></p>

**State Planning Policy 2017**

The Planning Scheme, version 2, dated 3 July 2017 has integrated 16 out of the 17 state interests in Part E, with the exception of infrastructure integration. The proposal does not compromise existing infrastructure. Consequently, the proposed development is consistent with State interest – infrastructure integration.

The development is proposed to develop a childcare centre with 129 places. Therefore, the proposal does not compromise existing or planned infrastructure, in a way that would compromise its ability to function. Council officers assessment is that the proposed development is consistent with State interest – infrastructure integration.

Furthermore, a review of the SPP mapping confirms that the current Planning Scheme overlay mapping is consistent with the SPP natural hazards and there are no inconsistencies between the Planning Scheme and the SPP. No further assessment of the development against the benchmarks of the SPP is required.

**Gladstone Regional Planning Scheme Assessment:**

Planning Scheme Codes

The application has been found to conflict with one or more elements of the below applicable codes of the planning scheme. The pertinent issues arising out of the assessment are discussed below.

Medium Density Residential Zone

The purpose of the Medium Density Residential Zone *is to provide for medium density multiple dwellings and some other housing forms supported by community uses and small-scale services and facilities that cater for local residents. Medium density residential development occurs in urban revitalisation areas and in areas that are clustered around or near major centres and transport nodes.*

The code includes several performance outcomes and acceptable solutions relative to the purpose of this Code, but also specifically for the purpose of Childcare Centres in this particular Zone. The applicable outcomes are provided below with an assessment provided for each relevant benchmark where compliance is not apparent as follows:

<p><b>Benchmark – Effects of Development</b></p> <p><b>PO22</b> <i>Development maintains a high level of amenity within the site and minimises impacts on surrounding areas, having regard to:</i></p> <ul style="list-style-type: none"><li><i>a) noise</i></li><li><i>b) traffic and parking</i></li><li><i>c) visual impact</i></li><li><i>d) signage</i></li><li><i>e) odour and emissions, and</i></li><li><i>f) lighting.</i></li></ul>
<p><b>Assessment:</b></p> <p>This PO has no acceptable outcome and is intended to ensure that the amenity of the existing surrounding area is not unduly impacted upon by a proposed development. To break this PO down, the main items of concern are the impacts anticipated by noise and traffic/parking. It can be considered that largely the impacts of elements c – f are minimised.</p> <p>In regard to noise, the applicant initially submitted a Noise Impact Assessment (NIA) which was reviewed by a third part specialist to provide commentary. This review highlighted several deficiencies in the NIA such as irregularities in the initial ambient noise measurements (background noise), no consideration of noise impacts from the outdoor play areas or indoor activity rooms, no consideration of mechanical plant noise impacts, no consideration of waste collection noise impacts, impacts of vehicle noise (i.e. car doors) in the car parking area and road noise intrusion on the centre itself. As such a Further Advice Notice was issued 13 November 2024 detailing the deficiencies in the NIA and requesting they be addressed.</p> <p>The applicant responded to the Further Advice with an updated Noise Impact Assessment which was also reviewed by the third party specialist. This review highlighted discrepancies between the modelled sound power levels with the outdoor play areas being lower than the Association of Australasian Acoustical Consultants (AAAC) guidelines. The assessment only demonstrated compliance with the ‘outdoors’ acoustic quality objective criteria where an assessment of noise impacts should be conducted against the ‘indoors’ acoustic quality objective criteria for adjoining/nearby residences. Further, given the Gladstone</p>

Aquatic Centre produces significant peak traffic flows to become a feature of the ambient acoustic environment. Noise monitoring data should be present to verify the 55 dBA criterion for outdoor play is not being exceeded for peak traffic hours. Where exceedances are predicted, noise mitigation measures would be required to be provided.

The most recent Noise Impact Assessment submitted included recommended mitigation measures restricting hours of use of the outdoor play areas and waste collection as well as significant acoustic fencing as below;

- South-Eastern Boundary: Install a 2.0m high noise barrier fence with a 1.0m cantilever angled at 30 degrees along the full length of the boundary. The fence should be positioned on top of the retaining walls along the boundary. In areas without retaining walls, the fence should follow the lot boundary.
- North-Eastern Boundary: Install a 2.0m high noise barrier fence along the full length of the boundary.
- South-Western Boundary: Install a 1.8m high noise barrier fence on top of the retaining wall and a 2.0m high noise barrier fence along the lot boundary, extending 7.5m from the retaining wall.

Given the above and taking into consideration the elements of the NIA which remain lacking, it has not been demonstrated that the proposed development will not give rise to unacceptable amenity impacts in respect to noise emissions.

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In regard to traffic and car parking, the car park and driveway layout as proposed presents several issues as below:

- (i) The car park does not comply with AS2890.1 cl. 3.4 Queuing Areas, which requires a minimum queuing length of 2 cars measured between the vehicular control point and the property boundary, noting that the vehicular control point is defined as "... the location of the first of any spaces on a parking aisle at which parking or unparking may cause traffic flow to be retarded" (refer to AS2890.1 cl. 1.3.11). The proposed layout has carparking immediately upon entry to the site. This forces cars entering the site to prop in the driveway and road reserve while making a decision on carparking. At peak times this may cause queuing into the Tank Street road reserve.
- (ii) The design of the car park facilitates an increased risk of queuing at the entrance due to the single blind aisle proposed and therefore creates potential hazard of vehicle interactions on Tank Street.
- (iii) The proposed development utilises tandem parking as its primary means of achieving the minimum parking space numbers required by the planning scheme. This arrangement involves the sharing of tandem parking between staff and patrons. The use of shared tandem parking results in inadequate number of car parks available and encourages confusion, uncertainty and misuse of the parking space. Noting the already inefficient layout of the proposal it is seen that this introduces an undue risk to the safety and performance of both the road network and the parking spaces.
- (iv) It is likely that, by not adequately providing for the convenience of the user, there may be an increase in on-street parking by way of avoiding the use of an inconvenient drop-off and parking arrangement that is proposed. It is also highlighted that the availability of on-street parking on Tank Street is typically at maximum, and the proposal also results in a loss of at least two on-street parking spaces.
- (v) The Traffic Impact analysis does not provide certainty that the extent of impacts of the development on the network has been adequately considered, particularly the Tank Street/Glenlyon Street intersection. The appropriate peak periods to use for intersection and access assessments should reflect the combined effects of the development peak traffic and the road peak traffic in providing the worst case of intersection movement patterns for

intersection analysis which has not been provided.

Given the above it is considered that it has not been demonstrated that the proposed development will not give rise to unacceptable amenity impacts in respect to traffic and carparking.

**Benchmark – Childcare centre, Community care centre or Community use**

**PO25**

*Development is low impact, limited in scale and:*

- a) compatible with neighbouring residential uses and complementary to local character*
- b) incorporates design elements that are consistent with the surrounding residential development*
- c) supports the day to day needs of residents*
- d) located on a site which must adequately accommodate activity needs and space requirements, and*
- e) does not undermine the viability of nearby centres.*

**Assessment:**

The proposed use exceeds the anticipated low impact and limited in scale development within the zone as:

1. The childcare centre (catering for 129 spaces) seeks to serve the day-to-day needs of the broader Gladstone community as detailed within the submitted Childcare Needs Assessment, rather than limited in scale to serve the immediate residential community.
2. The development is not located on site that adequately accommodates the activities needs and space requirements (as demonstrated by the carparking deficiencies and noise impacts).

**Benchmark - Childcare centre, Community care centre or Community use**

**PO27**

*Development does not adversely impact on the amenity of area.*

**Assessment:**

It has not been demonstrated that the proposed development will not give rise to unacceptable amenity impacts including in respect of noise emissions as:

- (i) No assessment has been conducted against the acoustic quality objectives residence (indoors) criteria.
- (ii) The modelled sound power levels associated with children playing is inconsistent with the formulae provided in the ASAC Guideline for Childcare Centre Acoustic Assessment v3.0. Therefore, noise prediction calculations have not be conducted accurately.

**Benchmark - Childcare centre, Community care centre or Community use**

**PO30**

*Where a childcare centre, development minimises:*

- a) the hazards of heavy traffic*
- b) introduction of non-local traffic into minor, residential streets, and*
- c) on-site conflict between children's activities, pedestrian movement, vehicle movement and car parking.*

**Assessment:**

The car parking arrangement results in 32 of the 46 car parks being on the opposite side of the driveway. This results in children and pedestrians having to cross the driveway in order to access the centre. The carparking layout has not attempted to minimise this conflict given almost 70% of car parks are on the opposite side of the internal driveway.

It is evident from the above assessment of several of the Performance Outcomes that the development is not compatible with the purpose of the Medium Density Residential Zone Code. This is further supported by an assessment of the proposal against the following relevant Overall Outcomes for the zone code which specify:

<p><b>Benchmark – Overall Outcome 2f</b></p> <p><i>The purpose of the zone will be achieved through the following overall outcomes:</i></p> <p><i>f. Development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting, overshadowing and other locally specific impacts.</i></p>
<p><b>Assessment:</b></p> <p>Given the deficiencies with the car parking layout and access and consideration of the noise impact, the applicant has not been able to demonstrate that that the development will maintain a high level of residential amenity having regard to traffic and noise.</p>
<p><b>Benchmark – Overall Outcome 2h</b></p> <p><i>The purpose of the zone will be achieved through the following overall outcomes:</i></p> <p><i>h. Small scale non-residential uses may be supported where such uses directly support the day to day needs of the immediate residential community, do not undermine the viability of nearby centres and complement residential amenity.</i></p>
<p><b>Assessment:</b></p> <p>The Centre is not considered to be small scale, given it would service a larger catchment than the immediate residential community as detailed within in the submitted Childcare Needs Assessment.</p>

Development Design Code

The purpose of the Development Design Code is to:

- a. Ensure all development is provided with appropriate infrastructure, services and parking provisions.*
- b. Ensure development manages stormwater and wastewater as part of the integrated total water cycle and in ways that help protect the environmental water values specified in the [Environmental Protection \(Water\) Policy 2009](#).*
- c. Protect surface water and ground water.*
- d. Ensure adverse impacts of development on the environment and the amenity of the locality are avoided.*



The code includes several performance outcomes and acceptable solutions relative to infrastructure and engineering standards and requirements for all developments. The applicable outcomes are provided below with an assessment for each relevant benchmark where compliance is not apparent as follows:

<p><b>Benchmark – Parking and Access</b></p> <p><b>PO9</b>  <i>Development includes the provision of adequate and convenient car and bicycle parking on-site to satisfy the anticipated requirements of the activity.</i></p>
<p><b>Assessment:</b></p> <p>The Planning Scheme parking rates for a Childcare Centre is 1 space per full time equivalent employees; plus 1 space per 5 children able to be accommodated on the site. Provision is to be made for the setting down and picking up of children.</p> <p>The proposed car park includes 46 car spaces, of which 30 (i.e. 65%) are in tandem arrangement. There is no provision of a set down/pick up for children. Bicycle parking is proposed.</p> <p>As discussed in the assessment above, the proposed development utilises tandem parking as its primary means of achieving the minimum parking space numbers required. This arrangement involves the sharing of tandem parking between staff and patrons. It is reasonable to consider that 2 tandem spaces do not operate in practice the same as 2 standard car parks, given the access restrictions. The use of shared tandem parking results in an inadequate number of car parks available and encourages confusion, uncertainty and misuse of the parking space. As such it is considered that development does not provide adequate and convenient car parking to satisfy the requirements of a childcare facility.</p>
<p><b>Benchmark – Parking and Access</b></p> <p><b>PO11</b>  <i>Access driveways are designed and constructed to:</i></p> <ul style="list-style-type: none"> <li><i>a. provide convenient access to the site and maintain the safety and efficiency of the road</i></li> <li><i>b. minimise conflicts with traffic and pedestrians, and</i></li> <li><i>c. are constructed to a standard that is appropriate to the location and to meet the anticipated volume and type of traffic.</i></li> </ul> <p><b>PO12</b></p> <ul style="list-style-type: none"> <li><i>i. Vehicle movement areas (including internal driveways, access aisles, manoeuvring areas, parking areas (car and bicycle) and service bays) are designed to ensure:</i> <ul style="list-style-type: none"> <li><i>a. a gradient appropriate for the type of vehicles</i></li> <li><i>b. a surface suitable for the proposed use</i></li> <li><i>c. effective stormwater drainage</i></li> <li><i>d. clearly marked and signed spaces</i></li> <li><i>e. convenience and safety for drivers and pedestrians, and</i></li> <li><i>f. adequate dimensions to meet user requirements, including access and egress for emergency vehicles.</i></li> </ul> </li> </ul>
<p><b>Assessment:</b></p> <p>The proposed driveway is 6.2m wide and a turning bay is provided at the rear of the carpark to allow vehicles to exit in a forward gear</p> <p>The access driveway does not comply with AS2890.1 cl. 3.4 Queuing Areas, which requires a minimum queueing length of 2 cars measured between the vehicular control point and the property boundary, noting that the vehicular control point is defined as "... the location of the first of any spaces on a parking</p>



<p>aisle at which parking or unparking may cause traffic flow to be retarded” (refer to AS2890.1 cl. 1.3.11). The proposed layout has carparking immediately upon entry to the site. This forces cars entering the site to prop in the driveway and road reserve while making a decision on carparking. At peak times this may cause queuing into the Tank Street road reserve.</p> <p>The design of the car park facilitates an increased risk of queuing at the entrance due to the single blind aisle proposed and therefore creates potential hazard of vehicle interactions on Tank Street.</p> <p>As such it is considered that the access as proposed does not provide convenient access for drivers to the site and may impact on the safety and efficiency of the road.</p>
<p><b>Benchmark – Acoustic and Air Quality</b></p> <p><b>PO15</b></p> <p><i>Development minimises potential conflicts with, or impacts on, other uses having regard to odour, dust or other emissions.</i></p> <p><b>PO16</b></p> <p><i>Development prevents or minimises the generation of any noise or vibration so that:</i></p> <ol style="list-style-type: none"> <li>1. <i>nuisance is not caused to adjoining premises or other nearby sensitive land uses, and</i></li> <li>2. <i>desired ambient noise levels in residential areas are not exceeded.</i></li> </ol>
<p><b>Assessment:</b></p> <p>It has not been demonstrated that the proposed development will not give rise to unacceptable amenity impacts including in respect of noise emissions as:</p> <ol style="list-style-type: none"> <li>(iii) No assessment has been conducted against the acoustic quality objectives residence (indoors) criteria.</li> <li>(iv) The modelled sound power levels associated with children playing is inconsistent with the formulae provided in the ASAC Guideline for Childcare Centre Acoustic Assessment v3.0. Therefore, noise prediction calculations have not be conducted accurately.</li> </ol>

It is evident from the above assessment of several of the Performance Outcomes that the development is not compliant with the purpose of the Development Design Code. This is further supported by an assessment of the proposal against the following relevant Overall Outcomes for the Code which specify:

<p><b>Benchmark – Overall Outcome 2k</b></p> <p><i>The purpose of the zone will be achieved through the following overall outcomes:</i></p> <ol style="list-style-type: none"> <li>k. <i>Access, parking, servicing and associated manoeuvring areas are designed to be safe, functional and meet the reasonable demands generated by the development.</i></li> </ol>
<p><b>Assessment:</b></p> <p>The Centre is not considered to provide safe and functional access, parking or associated manoeuvring areas which will meet the reasonable demands generated by the development.</p>
<p><b>Benchmark – Purpose Statement 1a</b></p> <p><i>The purpose of the development design code is to:</i></p> <ol style="list-style-type: none"> <li>a. <i>Ensure all development is provided with appropriate infrastructure, services and parking provisions.</i></li> </ol>
<p><b>Assessment:</b></p> <p>The Centre is not considered to provide appropriate car parking and access provisions.</p>

Acid Sulphate Soils Overlay

Regarding compliance with the Acid Sulphate Soils Overlay Code, it is noted that whilst a portion of the site is within the 5-20m subject area, this hazard can be managed via an Acid Sulphate Soils management plan which could be considered as part of an Operational Works application, should an approval be considered. As such the proposal is considered to be able to comply with the purpose of this code.

Landscaping Code

The proposal includes indicative areas for landscaping within the submitted plans and landscape intent and it is considered that the development is capable of providing areas for landscaping either as demonstrated on those plans or via conditions (i.e. street trees, shade trees within carparking). As such the proposal is considered to be able to comply with the purpose of this code.

Need – Other Relevant Matters

It is important to understand that as a Code Assessable application, this assessment is bound to the specific benchmarks of the triggered Code as detailed above. If the application was Impact Assessable, there is the ability for Council to consider ‘other matters’ when assessing the application.

The applicant has provided supporting documentation including a Childcare Needs Assessment to justify the need for childcare centre places in the wider Gladstone Region as reason to support the development application. As the above Code assessment details, there is no benchmark which allows for any perceived under supply of childcare places in the region to override the need to comply with the Medium Density Zone Code and Development Design Code provisions. It is noted that the Medium Density Zone Code does specify non residential development is to serve the needs of the immediate residential community, which has been considered in the Code Assessment above.

Council will be aware that there are currently several applications and approvals for Childcare Centres in various stages of assessment, approval and construction in the community. This is detailed in the table below.

<b>DA Number</b>	<b>Location</b>	<b>Current Status</b>	<b>No. Children</b>
<b>Under Assessment</b>			
DA/20/2024	6 Harvey Road, CLINTON QLD 4680	Under Assessment	125
DA/45/2024	20 Ballantine Street, CLINTON QLD 4680	Under Assessment	98
DA/46/2024	57 Tank Street, WEST GLADSTONE QLD 4680	Under Assessment	129
<b>Approved</b>			
DA/58/2022	7 Stirrat Street CALLIOPE	Under Construction	88
DA/960/2014	LOT 200 Victoria Avenue, GLEN EDEN QLD4680	Under Construction	136
DA/44/2022	Main Street, Dawson Highway CALLIOPE	Approved	82
			<b>Total additional places - 658</b>

## GLADSTONE REGIONAL COUNCIL GENERAL MEETING AGENDA - 21 JANUARY 2025

Supporting Information lodged with the current applications under assessment suggests that the number of childcare places within existing operating facilities within the Gladstone locality is approximately 850-1,020 places. The current approved/under construction childcare centres involve an additional 306 places in the Gladstone/Calliope area (exclusive of the applications currently under assessment and yet to be decided).

The below extract from the submitted Childcare needs assessment for this application indicates that by 2029 under the demand assumptions for childcare places could be between 1,030 to 1,133 places.

----- HISTORIC, CURRENT & FORECAST DEMAND FOR LONG DAY CARE -----										
	2021		2024		2029				Change (2024-29)	
	<i>(actual)</i>		<i>(estimate)</i>		<i>(low forecast)</i>		<i>(high forecast)</i>		<i>(low – high)</i>	
	No.	%	No.	%	No.	%	No.	%	No. total	% p.a.
<b>Total Population</b>	36,318	100%	36,904	100%	38,399	100%	38,399	100%	1,495	0.81%
<b>Children Aged 0 - 4</b>	2,444	6.73%	2,479	6.72%	2,595	6.76%	2,595	6.76%	116	0.94%
<b>Participation Rate *</b>	50%		50%		50%		55%		-	-
<b>Children Attending Long Day Care</b>	1,222		1,239		1,297		1,427		58 - 188	0.94% - 3.03%
<b>Attendance Rate #</b>	70%		70%		70%		70%		-	-
<b>Resident Daily Demand (0-4)</b>	856		868		909		999		41 - 131	0.94% - 3.03%
<b>Uplift for 5-year-olds</b>	+77		+78		+82		+90		4 - 12	1.2% - 3.07%
<b>Demand Inflows</b>	+38		+38		+39		+44		1 - 6	0.53% - 3.16%
<b>Unmet Demand</b>	-99		-112		0		0		112	
<b>Net Daily Demand</b>	872		872		1,030		1,133		158 - 261	3.62% - 9.98%

Based upon officers calculations and information provided from the several applications approved and under assessment, between 850-1,020 places exist in the region with an additional 306 places under construction and approved. This takes the total places to 1,156-1,326 anticipated to be created (largely already under construction), notwithstanding the applications currently under assessment which may also be approved.

Officers acknowledge that currently childcare places are difficult to secure in the Gladstone region, however it is important to understand the centres under construction, with approval and under assessment represent a significant increase to the number of places available in the medium and longer term.

### Summary

The proposed Material Change of Use for a Childcare Centre (129 places) at the subject site has not adequately demonstrated compliance with:

1. Medium Density Residential Zone Code PO 22, 25, 27 & 30 and Overall Outcomes 2f & 2h; and
2. Development Design Code PO 9, 11, 12, 15 & 16 and Overall Outcome 2k and Purpose Statement 1a.

Whilst for some benchmarks (i.e. footpath, landscaping works including street trees), a condition may address non-compliance, the remaining deficiencies in the application are not points able to be lawfully conditioned, as there is a high level of uncertainty as to whether compliance with the planning scheme can be achieved to the extent of conditions and what the resulting development may be. This is mainly in regard to the car parking arrangement and how the requirement for the 46 spaces to largely be in a single arrangement would significantly impact on the built form footprint and site arrangement.

It is also important to note that in regard to acoustic impact, Council has not been provided evidence of a compliant acoustic assessment and acceptable attenuation measures so it is difficult to ascertain what measures could be conditioned without having an accurate understanding of the impact on residents and/or users of the daycare.

In advancing the purpose of the Planning Act 2016 (s5) an entity that performs a function under this Act must perform the function in a way that includes:

*(a) following ethical decision-making processes that—*

- (i) take account of short and long-term environmental effects of development at local, regional, State and wider levels; and*
- (ii) apply the precautionary principle, namely that the lack of full scientific certainty is not a reason for delaying taking a measure to prevent degradation of the environment if there are threats of serious or irreversible environmental damage; and*
- (iii) seek to provide for equity between present and future generations; and*

*(b) providing opportunities for the community to be involved in making decisions*

*(i) applying amenity, conservation, energy use, health and safety in the built environment in ways that are cost-effective and of public benefit; and*

*(j) avoiding, if practicable, or otherwise minimising the adverse environmental effects of development (climate change, urban congestion or declining human health, for example) are key*

In light of the above, it is considered that there are unknown effects and impacts that the development may have at a local level, particularly pertaining to traffic/parking impacts and noise amenity. In applying the precautionary principle, there is a lack of certainty that this application will not detrimentally impact on amenity of residents, impact on road networks, increase noise volumes, or utilise the site at a scale as intended by the Planning Scheme.

The application has failed on numerous occasions to demonstrate the outcomes that that Planning Scheme can be complied with or conditioned to be complied with. On this basis, the application is recommended for refusal for the reasons set out in the Officer's Recommendation below.

**Anticipated Completion Date:**

The Decision Notice is required to be issued within 5 business days as per the Planning Act 2016.

**Officer's Recommendation:**

That the proposed for a Material Change of Use - Childcare Centre located at 51 & 55-57 Tank Street, WEST GLADSTONE QLD 4680 is **refused**, based on the following grounds.

**Reasons for the Assessment Managers Decision:**

**Amenity**

1. It has not been demonstrated that the proposed development will not give rise to unacceptable amenity impacts including in respect of noise emissions as:
  - (v) No assessment has been conducted against the acoustic quality objectives residence (indoors) criteria.
  - (vi) The modelled sound power levels associated with children playing is inconsistent with the formulae provided in the ASAC Guideline for Childcare Centre Acoustic Assessment v3.0. Therefore, noise prediction calculations have not be conducted accurately.

Therefore, the development has not been demonstrated to comply with the following provisions of the planning scheme:

- a) Overall Outcome 2 f) of the Medium Density zone code requires development to have a high level of residential amenity having regard to traffic and noise.
- b) PO25 a) of the Medium Density Residential zone code requires development is low impact and compatible with neighbouring residential uses and complementary to local character
- c) PO22 requires development to maintain high level of amenity within the site and minimises impacts on surrounding areas, having regard to noise and traffic.
- d) PO27 requires development ensures residential amenity is maintained on adjoining properties.
- e) PO15 of the Development Design code requires development to minimise potential impacts on, other uses having regard to emissions.
- f) PO16 of the Development Design Code requires development to prevent or minimise the generation of any noise or vibration so that nuisance is not caused to adjoining premises, nearby sensitive land uses, and desired ambient noise levels in residential areas are not exceeded.

The development cannot be lawfully conditioned to comply with the above listed provisions as the changes required to comply would likely result in substantial changes to the development.

**Traffic Impacts / Carparking**

2. The proposed development is likely to give rise to unacceptable impacts in relation to the safety and functionality of the access, parking, servicing, and associated manoeuvring areas, including the following considerations:
  - (i) the car park does not comply with AS2890.1 cl. 3.4 Queuing Areas, which requires a minimum queueing length of 2 cars measured between the vehicular control point and the property boundary, noting that the vehicular control point is defined as "... the location of the first of any spaces on a parking aisle at which parking or unparking may cause traffic flow to be retarded" (refer to AS2890.1 cl. 1.3.11).
  - (ii) the design of the car park facilitates an increased risk of queuing at the entrance due to the single blind aisle proposed and therefore creates potential hazard of vehicle interactions on Tank Street.
  - (iii) it is likely that, by not adequately providing for the convenience or safety of the user, there will be an increase in utilisation of on-street parking by way of avoiding the use of an inconvenient drop-off and parking arrangement.

- (iv) the proposed development utilises tandem parking as its primary means of achieving the minimum parking space numbers required by sharing parking between staff and patrons. The use of shared tandem parking results in an inadequate number of car parks and encourages confusion, uncertainty and misuse of the parking space, and noting the already inefficient layout of the proposal, this will in Council's opinion introduce an undue risk to the safety and performance of both the road network and the parking spaces.
- (v) in Council's opinion, there is a high risk that, by not adequately providing for the convenience of the user, there will be an increase in on-street parking by way of avoiding the use of an inconvenient drop-off and parking arrangement that is proposed. It is also highlighted that the availability of on-street parking on Tank Street is at a likely maximum, and the proposal also results in a loss of at least two on-street parking spaces.
- (vi) The Traffic Impact analysis does not provide certainty that the extent of impacts of the development on the network has been adequately considered. The appropriate peak periods to use for intersection and access assessments should reflect the combined effects of the development peak traffic and the road peak traffic in providing the worst case of intersection movement patterns for intersection analysis which has not been provided.

Therefore, the development has not been demonstrated to comply with the following provisions of the planning scheme:

- a) Overall Outcome 2 f) requires development to have a high level of residential amenity having regard to traffic and noise.
- b) Overall Outcome 2 h) which requires (amongst other things) that non-residential uses be small scale, directly support the day to day needs of the immediate residential community and complement residential amenity.
- c) PO30 of the Medium Density Residential code that requires a childcare centre to minimise the hazards of heavy traffic, and on-site conflict between vehicle movement and carparking.
- d) Development design code purpose statement 1 a) requires development is provided with (amongst other things) appropriate parking provisions.
- e) Development Design Code Overall Outcome 2 k) which requires Access, parking, servicing and associated manoeuvring areas are designed to be safe, functional and meet the reasonable demands generated by the development.
- f) Development Design Code Overall Outcome 2 j) which requires Development provides adequate on-site vehicular access and adequate parking and servicing facilities for vehicles.
- g) PO9 of the Development design code requires development include adequate and convenient car parking onsite.
- h) PO11 of the Development Design Code which requires access driveways to be designed and constructed to provide convenient access to the site and maintain the safety and efficiency of the road, minimise conflicts with traffic and pedestrians and be constructed to a standard that is appropriate to the location and to meet the anticipated volume and type of traffic.
- i) PO12 of the Development Design Code requires vehicle movement areas (including carparking areas) are to be designed to ensure convenience and safety for drivers and adequate dimensions to meet user requirements including access and egress of emergency vehicles.

The development cannot lawfully be conditioned to comply with the above provisions.

**Scale**

3. The proposed use substantially exceeds the scale and intensity of small-scale and low impact non-residential uses anticipated for the zone as:
  - a. The childcare centre (catering for 129 spaces) seeks to serve the needs of the broader Gladstone community rather than limited in scale to serve the immediate residential community, or the day to day needs of residents (read as being the residents of the immediate residential community) (as required by Overall Outcome h), and PO25 of the Medium Residential Zone Code,
  - b. The development has not demonstrated a high level of amenity regarding noise emissions and traffic impacts, as required by Medium Density Zone code Overall outcome f), and
  - c. The development is not located on site that adequately accommodates the activities needs and space requirements (as demonstrated by the carparking deficiencies and noise impacts), as required by PO25d) of the Medium Density Zone Code.
  
4. It is not considered, nor has it been demonstrated, that the proposed childcare centre is needed, at the proposed scale, to serve the day to day needs of the immediate residential community as required by PO25 and Overall Outcome 2 h) of the Medium Density Residential zone Code.

**Attachments:**

1. Updated Proposal Plan Package
2. Info Request and Further Advice letters
3. NPM Submission G Beale 5 Fisher Street

## **G/4.2. ADOPTION OF GLADSTONE REGIONAL COUNCIL PLANNING SCHEME TEMPORARY LOCAL PLANNING INSTRUMENT 01/2024 OPERATIONAL WORK IN BIODIVERSITY OVERLAY**

**Responsible Officer:** General Manager Customer Experience

**Prepared By:** Principal Planning Lead

**Council Meeting Date:** 21 January 2025

**File Ref:** DB2.6

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### **Purpose:**

The purpose of this report is to adopt the Temporary Local Planning Instrument (TLPI) following approval from the Minister, with an effective date of 24 January 2025.

### **Officer's Recommendation:**

That Council:

1. Adopt Temporary Local Planning Instrument 01/2024 Operational Work in Biodiversity Overlay with an effective date of 24 January 2025.
2. Authorise the Chief Executive Officer to complete all required actions in accordance with Section 23 of the *Planning Act 2016* and Chapter 3, Part 2 of the Minister's Guidelines and Rules, including the publishing of a public notice and evidence of the adoption to the Minister.

### **Summary:**

At Councils General Meeting on 30 July 2024, Council resolved to Make Temporary Local Planning Instrument 01/2024 Operational Work in Biodiversity Overlay and submit to the Minister of State Development, Infrastructure and Planning. This action was undertaken on 30 July 2024.

The objective of the temporary local planning instrument is to;

- a) Ensure that Operational Work involving vegetation clearing is more clearly defined in the Biodiversity Overlay Assessment Tables;
- b) Prevent clearing of vegetation within the Biodiversity Overlay without a suitable Development Permit and assessment against the relevant benchmarks; and
- c) Ensure that biodiversity values are able to be considered as part of the appropriate development permit in their current form, minimising the need for rehabilitation works.

The current wording within Table 5.10.1 of the Planning Scheme lacks clarity, Operational Work (OPW) involving filling and excavation triggers a Code Assessable application, however 'vegetation clearing' is not expressly listed, despite those works usually involving filling and excavation. As such the TLPI seeks to be clear on the current OPW application trigger to include vegetation clearing and to introduce the relevant administrative definitions to support this change.

The TLPI includes additional Administrative Definitions to the Scheme for 'Vegetation Clearing' and 'Exempt Vegetation Clearing' to provide further clarity and these are consistent with other Queensland Planning Scheme examples supported across the State. The 100m<sup>3</sup> trigger for filling and excavation has been included to prevent the unintended consequence of minor works triggering an application.



**Link to Corporate Plan:**

Accountable Council - We are providing good stewardship built on a foundation of trust.

**Background:**

As identified through the Planning Scheme Review process, along with direct examples of emerging issues in relation to vegetation clearing within the Biodiversity Overlay, Council Officers have been prompted to facilitate a mechanism to provide certainty and appropriate assessment management of vegetation within the mapped areas of State Interest Biodiversity Overlay as adopted in the current Gladstone Planning Scheme 2015. Specifically to ensure that clearing in this Overlay could be appropriately assessed and managed.

It was determined that a TLPI was the most effective and responsive mechanism to achieve this. This was in comparison to a Planning Scheme amendment which would have had a protracted process (12+ months) which may result in encouraging preemptive clearing under the currency Scheme in order to avoid future applications.

It is noted that the TLPI, will only have effect for 2 years after the effective day (i.e. 24 January 2027) unless repealed earlier. As such, the intent of this TLPI is anticipated to be replaced by a future amendment to the Planning Scheme within that period.

The criteria by which a TLPI is assessed by the Minister is set out in Section 23 (1) of the Planning Act below.

**23 Making or amending TLPIs**

- (1) A local government may make a TLPI if the local government and Minister decide—
  - (a) there is significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area; and
  - (b) the delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk; and
  - (c) the making of the TLPI would not adversely affect State interests.
- (2) A local government may amend a TLPI if the Minister decides the amendment of the TLPI would not adversely affect State interests.
- (3) A TLPI may suspend or otherwise affect the operation of another local planning instrument, but does not amend or repeal the instrument.
- (4) The local government may make or amend a TLPI by following the process in the Minister's rules.
- (5) The Minister's rules must provide for—
  - (a) the Minister to approve a TLPI or amendment before the TLPI or amendment is made; and
  - (b) the local government to publish a public notice about the making of a TLPI or amendment.
- (6) The TLPI, with or without an amendment, has effect for 2 years after the effective day, or a shorter period stated in the TLPI, unless repealed sooner.
- (7) A TLPI—
  - (a) does not create a superseded planning scheme; and
  - (b) is not an adverse planning change.

Figure 1. Section 23 of the Planning Act 2017

**Risk Management Summary:**

In accordance with Council's Risk Management Policy, consideration has been given to the Environmental Risk if Vegetation Clearing occurs in the Biodiversity Overlay without proper assessment against the relevant benchmarks. Furthermore, reputational risk to Council has been identified as custodians of the Planning Scheme. The TLPI is in response to instances where there may be interpretation that lots within the Biodiversity Overlay mapping may be cleared of vegetation without any associated Development Application to warrant such clearing. Council is concerned that within that interpretation, lots within the Biodiversity Overlay mapping may be cleared pre-emptively, in order to nullify the benchmarks of the Overlay Code applying to future development applications.

The table below quantifies the number of properties and area of land where the Biodiversity Overlay (adopted in 2015 Planning Scheme) is applicable and therefore at risk without the provisions of this TLPI:

Zone of the land	Number of properties currently impacted by the Biodiversity Overlay	Area of land – hectares impacted by the Biodiversity Overlay
Urban Expansion Zone	63	<b>1,574</b>
Residential <u>Low</u> Density Zone	399	<b>78</b>
Rural Zone	4208	<b>686,178</b>

Figure 2. Areas and numbers of properties with Biodiversity Overlay values.

**Options and Opportunity Analysis:**

The options available to Council are as follows:

1. Adopt the TLPI as approved by the Minister; or
2. Not progress the TLPI and reassess the risk in the future as part of a Planning Scheme Amendment.

Should Council choose not to progress the TLPI, then the risk of environmental harm via vegetation clearing which has not been assessed in accordance with the benchmarks of the Biodiversity Overlay increases. Furthermore, Council’s reputation regarding custodianship of environmental values may be further impacted, particularly in regard to the retention of biodiversity corridors across multiple properties. It may also encourage pre-emptive clearing should the public consider Council is likely to bring in additional regulation regarding clearing.

**Stakeholder Engagement:**

Stakeholder Engagement has included the GIS team, Council’s Legal team and Officers at the Department of State Development Infrastructure and Planning.

Should the TLPI be adopted, a communications plan has also been prepared to facilitate the public notice requirements under the Ministers Guidelines and Rules, that is to publish a notice on Council’s website, a notice in the newspaper and in the Local Government Gazette. The TLPI document will also be uploaded within the Planning Scheme section of the website.

The adoption of the TLPI also provides the opportunity for a media release around Council's commitment to the consideration of vegetation in the Biodiversity Overlay and information on how to check your site via a link to the overlay information available through our public mapping site.

**Legal and Regulatory Implications:**

Once adopted, the TLPI will apply from the effective date (i.e. 24 January 2025), as a statutory planning instrument which will lawfully regulate development to which it pertains.

**Financial and Resource Implications:**

Only minor administration costs will be incurred for the adoption, public notification requirements and uploading the TLPI to the Planning Scheme material, which will be covered within the Development Services budget.

**Anticipated Resolution Completion Date:**

Should the TLPI be adopted, Council is required to publish a public notice advising of the commencement of the TLPI. Council is then required to advise the Minister of the Council decision. All actions are anticipated to be completed by 31 January 2025.

**Attachments:**

1. Final Temporary Local Planning Instrument 01/2024 Operational Work in Biodiversity Overlay
2. Department TLPI Approval Letter

### **G/4.3. PORT CURTIS CEMETERY REQUESTS FOR BURIAL RESERVATIONS**

**Responsible Officer:** General Manager Customer Experience

**Prepared By:** Governance Business Partner

**Council Meeting Date:** 21 January 2025

**File Ref:** CM28.2

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#### **Purpose:**

The purpose of this report is to present out of policy requests for burial reservations at the Port Curtis Cemetery.

#### **Officer's Recommendation:**

That Council refuse the requests for reservations at Port Curtis Cemetery as they are inconsistent with Council's Cemetery and Crematorium Policy.

#### **Summary:**

Council has received a number of requests for reservations at Port Curtis Cemetery. Council's Cemetery and Crematorium Policy, both the version in place at the time of receiving the applications and the current version, do not allow for reservations at Port Curtis Cemetery.

Generally, requests that are inconsistent with Council Policy are refused, however due to extenuating circumstances, in particular, a long history of engagement with officers and councillors, the requests for reservations are presented for Council's consideration.

#### **Link to Corporate Plan:**

Connecting Communities - We work with you and for you, supporting the success of our communities.

#### **Background:**

Council's first Cemetery and Crematorium Policy was adopted in 2014 and allowed burial plot reservations in the following Council Cemeteries:

1. Bororen Cemetery;
2. Mount Larcom Cemetery;
3. Rosedale Cemetery; and
4. Boyne Tannum Memorial Parklands.

Historically reservations for burials have not been available at Port Curtis Cemetery.

On 17 November 2020, Council made a policy amendment to remove burial plot reservations at Boyne Tannum Memorial Parklands to allow further investigation into crypt burial capacity, which resulted in the following amended cemetery reservation policy provisions.

The Reservation of Plots can be made as indicated below:

Cemetery	Burial Plots	Ashes Plots
Bororen Cemetery	✓	✓
Boyne Tannum Memorial Parklands	x	✓
Calliope Cemetery	x	✓
Mount Larcom Cemetery	✓	x
Port Curtis Cemetery	x	✓
Rosedale Cemetery	✓	x

Council adopted a new Cemetery and Crematorium Policy on the 16 July 2024 which did not allow for burial and ashes plot reservations in Council controlled cemeteries, but honoured any existing reservations made prior to the adoption of the July 2024 revised policy. The primary reason for the change in 2024 being that reservations consume capacity ahead of time, which has a financial impact for the community in bringing forward the development of new facilities.

At the time that the Policy was considered in July 2024, officers were managing seven requests for burial reservations at Port Curtis Cemetery. Refer to Confidential Attachment 1.

Each of these customers had been informed (by officers and councillors) that Council would be reviewing the Policy and may consider a change in policy that would allow reservations. On some occasions, the customers were advised that burial sites had been “set aside” (as opposed to reserved) pending Council’s review of the Policy. At no time were the customers informed by officers that the site had been formally reserved.

The requests for reservations are summarised in the table below with further details provided in Confidential Attachment 1.

Request No.	Relationship to Deceased	Deceased Details	Number of plots requested
1	Mother and Father	8 yo	2
2	Mother and Father	14 yo	2
3	Mother and Father	50 yo	2
4	Mother	22 yo	1
5	Mother	23 yo	1
6	Granddaughter	80 yo	1
7	No current deceased family		2

Following the adoption of the new Cemetery and Crematorium Policy in 2024, the customers were advised that Council would not be permitting reservations. The customers have expressed their dissatisfaction with Council’s policy position and have continued to advocate for reservations at Port Curtis Cemetery.

### **Risk Management Summary:**

Council's Risk Management Policy states that Council takes a cautious approach towards reputational risk and a balanced approach toward service delivery and financial risk.

Neither the approval nor refusal of the seven requests for reservations at Port Curtis Cemetery pose any significant financial or service delivery risks. From the perspective of reputational risk, if Council were to approve the requests for reservations, Council's reputation may be impacted as a result of a failure to act in accordance with policy and dissatisfaction from customers that may have wished to take up the opportunity for reservations but accepted Council's policy position. Conversely if the requests were refused, there is likely to be an expression of dissatisfaction from those customers seeking the reservations.

### **Options:**

#### Option 1 – Officer's Recommendation – Refuse the requests for reservations

It is the Officer's Recommendation that the requests for reservations be refused as since the Policy was adopted in 2014, Council's policy has been to not allow burial reservations at Port Curtis Cemetery.

Burial plots at Port Curtis Cemetery do accommodate multiple interments within one plot whereby a plot can consist of any one of the following:

- (a) One to four Urns (2 in front, 2 behind);
- (b) One to two Coffins (1 above, 1 below);
- (c) One Coffin and three Urns (Coffin below); or
- (d) Two Coffins and two Urns (Coffins below, Urns above).

#### Option 2 – Accept all or some of the requests for reservations

Council has the discretion to make a decision contrary to Policy. This option would provide burial reservations for those individuals who have expressed a strong desire to secure the arrangement.

Capacity at Port Curtis Cemetery which is the region's primary burial cemetery, currently has 2.4 years of existing capacity for burials. The average consumption rate of burial plots in Port Curtis Cemetery is 50 plots per annum. For capacity planning purposes, the cemetery model applies the maximum annual plot consumption over the past three years as a conservative measure, being 56 plots. Allowing 11 burial plot reservations will reduce current burial capacity by 8% or 2.4 months. Current project work is underway to deliver more capacity at Port Curtis Cemetery (256 plots in section V – or 4 years capacity), which is anticipated to be delivered by September 2025.

A decision to accept all or some of the requests for reservations would not have a significant impact on Council and will not change Council's policy position.

The following resolution would give this option effect:

*"That Council approves Requests [1-7] for burial reservations as particularised in Attachment 1 to the Officer's report subject to the customer paying the relevant fee or charge."*

Council will be required to provide reasons for their decision pursuant to the requirements of the Local Government Regulation.

Option 3 – Request a review of the Cemetery and Crematorium Policy

This option could be applied either as a standalone motion or in addition to Option 1 and Option 2. The Cemetery and Crematorium Policy was most recently reviewed in July 2024 and is not due for review until July 2029.

If Council wished to reconsider its policy position, an appropriate motion would be:

*“That a review be undertaken of the Cemetery and Crematorium Policy with the intent of reviewing Council’s position on reservations and a further report be presented to Council by 1 July 2025.”*

There are several factors to consider in relation to burial reservations for Port Curtis Cemetery including:

- Burial capacity;
- Financial implications;
- Asset Management implications;
- Community sentiment;
- Equity/Human rights,

**Stakeholder Engagement:**

Officers have engaged internally with the Teams involved in the planning, operation, maintenance and governance of cemeteries.

**Legal and Regulatory Implications:**

Officers are not currently authorised to exercise discretion to approve requests for burial reservations outside of Council’s adopted Policy position. Therefore, the requests require Council consideration.

Human Rights Considerations

Under the *Human Rights Act 2019 (Qld)*, Council must make decisions in a way that is compatible with human rights and give proper consideration to any human rights relevant to decision making. In this instance, a decision on granting a burial reservation has been assessed as not impacting on the human rights of individuals under the Act.

**Financial and Resource Implications:**

Burial reservations consume capacity ahead of time which requires Council to bring forward the development of new facilities. This could have a financial impact on Council and the region’s ratepayers.

There is a resource impact in administering and monitoring reservations and the associated burial rights.

**Anticipated Resolution Completion Date:**

28 February 2025

**Attachments:**

1. CONFIDENTIAL – Burial Reservation Requests

## **G/4.4. WASTE - REMOVAL OF CURRENT MULCH FEES AND CHARGES**

**Responsible Officer:** General Manager Finance Governance and Risk

**Prepared By:** Manager Waste Program Delivery and Strategic Program Lead - Waste

**Council Meeting Date:** 21 January 2025

**File Ref:** FM7.1

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### **Purpose:**

To seek Council's endorsement of proposed temporary changes to the 2024/2025 Fees and Charges for Council's commercial "Sale of Mulch" and "Council Loading Mulch" fees at Benaraby Landfill and Gladstone Waste Transfer Station.

### **Officer's Recommendation:**

That Council adopt the below changes to Council's 2024/2025 Fees and Charges for the remainder of the 2024/2025 financial year at Benaraby Landfill and the Gladstone Waste Transfer Station:

1. Reduce the commercial rate for the "Sale of Mulch" fee per tonne to "No Charge"
2. Reduce the "Council Loading Mulch" fee to "No Charge"

### **Summary:**

The stockpiling of mulch at Council's Benaraby Landfill and Gladstone Waste Transfer Station sites poses a risk to Council and it is recommended that Council reduce the fees and charges for mulch to mitigate this risk.

### **Link to Corporate Plan:**

Accountable Council - We are providing good stewardship built on a foundation of trust.

### **Background:**

Council processes green waste received at Gladstone Waste Transfer Station and Benaraby Landfill into mulch. From time to time, the supply of green waste exceeds demand for mulch and the amount of mulch stored increases.

As the size of stockpiles increase, the risk of fire increases, in addition to a risk to service delivery through reduced available space for ongoing green waste management. Fires have occurred at Benaraby Landfill in November 2020 and at Gladstone Transfer Station in September 2023. Mulch stockpiles catching fire is a risk to the environment, the health safety and wellbeing of the community and our people, service delivery and Council's reputation. Often when mulch catches fire, it may not be possible to extinguish, and the entire stockpile will be lost.

Mulch is currently sold "free of charge" to domestic customers and \$10.00 per tonne to commercial customers with a loading fee of \$5.00 for both domestic and commercial if Council loads the mulch. Despite the low cost of the mulch, it does not sell in any significant quantities due to the low quality of the mulch. The quality is also prohibitive in Council using the mulch in our horticultural activities for more than minor or limited applications.



An advertising campaign was completed during August 2024 to increase promotion of mulch use within the region, with no significant increase in volumes taken.

Previous campaigns (2020 –2024) wherein the cost of the mulch has been periodically reduced to “free of charge” have been successful and assisted Council to reduce the size of the mulch stockpile and reduce the associated level of risk, without the need for additional management cost.

There is the ability for mulch to be transported for disposal to a third-party within the Region, at additional green waste management costs to Council.

Given the current size of the mulch stockpile, risk of fire and reduced operational space there is the need for additional controls to manage with the initial action to remove fees and charges.

### **Risk Management Summary:**

Council has a minimal appetite for health safety and wellbeing risks, a minimal appetite for environmental risks and moderate appetite for service delivery risks and a minimal appetite for reputational risks.

As the size of the stockpile of mulch increases so does the chance of the stockpile catching fire. Where the existing mulch stockpiles are not reduced, the available space to receive green waste and manage further mulch generation is reduced and may impact service delivery. Both are undesirable outcomes for Council.

This is risk mitigation due to current stockpile volumes. The Officer’s recommendation will lower the current risk of fire and the associated outcomes as one supporting action available.

### **Options and Opportunity Analysis:**

#### Option 1 (Officer’s Recommendation) - reduce associated fees and charges for mulch

It is proposed that the Register of Fees and Charges be amended as follows:

1. For the remainder of the 2024/25 financial year, reduce the commercial rate for the “Sale of Mulch” fee per tonne to “No Charge”; and
2. For the remainder of the 2024/2025 financial year, reduce the “Council Loading Mulch” fee to “No Charge”.

This option will mitigate risk by reducing the level of mulch through increasing the demand for the product due to the reduction in price. The reduced fees and charges will be promoted via Council’s social media channels and directly at waste facilities. This option will result in a minor loss of revenue for Council due to the reduction to the loading fee and the commercial rate. Where any offsite transport and disposal of mulch is required, this option will assist in reducing associated volume and cost.

#### Option 2 – Do not make any changes to the fees and charges but undertake a promotional campaign promoting the mulch

If Council’s preference was not to amend the fees and charges, officers could undertake additional promotion and awareness to encourage a greater level of uptake by community and commercial customers. It is likely that the rate of reduction of the stockpile to manageable levels will be less than if the Officer’s Recommendation was adopted.

Additional to the two options listed above, there are further actions being progressed for longer term management options and for the beneficial use and management of green waste and mulch, that includes:

- (a) Consideration for future contracts as viable grind and take arrangements, that diverts or removes mulch from waste facilities and/or
- (b) Improve the quality of the mulch to increase internal and community usage and demand.

## **GLADSTONE REGIONAL COUNCIL GENERAL MEETING AGENDA - 21 JANUARY 2025**

An expression of interest was released to the market in April 2024, that included green waste management options in the scope. The submissions received included management options for green waste such as grind and take options, however these would come at an additional cost to Council. The submissions remain under consideration. Where a suitable alternative option can be implemented, contractual arrangements would likely be in place by the end of 2024/25 financial year for commencement in 2025/26. Further fees and charges for mulch could be considered as part of the 2025/2026 operation budget.

In addition to the expression of interest, activities both internally and through the Implementation Plan for CQ Regional Waste Management Plan, are underway to understand options for Council to improve the quality of mulch that would result in greater use and value to Council and the community. This work supports options for management of mulch in the short term but is also a factor in consideration for the management of green waste for any future kerbside green waste services.

### **Stakeholder Engagement:**

Internally the Operations, Revenue Services and Waste Strategic Lead teams have been consulted.

### **Legal and Regulatory Implications:**

Should Council have a fire, Council may be exposed to non-compliance investigations under the Environmental Protection Act 1994 and Work Health and Safety Act 2011, specifically the requirements of Guideline – Prevention of fires in stockpiles.

### **Financial and Resource Implications:**

There will be a small financial impact on the budget, as this will be a loss of income for a maximum of 6 months and currently the domestic market already receives the mulch free of charge. Council will be exposed to the loss of commercial and mulch loading income at Benaraby and Gladstone which is acceptable to manage associated risk of fire etc. For the financial year to date (to 2 December 2024) commercial sales of mulch were \$3,782.80 and income from assisted loading was \$6,680.00. Possible loss of income due to the campaign may be in the range of \$11,000.

### **Anticipated Resolution Completion Date:**

30 June 2025

### **Attachments:**

Nil

## G/4.5. MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 DECEMBER 2024

**Responsible Officer:** General Manager Finance Governance and Risk

**Prepared By:** Management Accountant

**Council Meeting Date:** 21 January 2025

**File Ref:** FM15.1

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### **Purpose:**

This report seeks Council adoption of the Monthly Financial Statements for the year 2024-25 to date, for the period ended 31 December 2024.

### **Officer's Recommendation:**

That Council adopt the Monthly Financial Statements attached to the officer's report for the year 2024-25 to date, for the period ended 31 December 2024 as required under Section 204 Local Government Regulation 2012.

### **Summary:**

N/A

### **Link to Corporate Plan:**

Accountable Council - We are providing good stewardship built on a foundation of trust.

### **Background:**

The 2024-25 budget was adopted on 16 July 2024. Council officers have undertaken a forecasting process, resulting in a forecast operating surplus of \$1.1m compared to the budgeted operating surplus of \$3.0m.

To allow for greater transparency and scrutiny of Councils operating position throughout the year, annual rating revenue and service charges have been applied across the year rather than in the period of the rates generation.

The percentage of year passed (pro-rata rate) as at 31 December 2024 is 50.41%

Major movements and variances from forecast are as follows:

### **Statement of Income and Expenditure**

#### **Income**

#### Recurrent Revenue

<b>Total recurrent revenue</b>	2024-25	Actual as %
Actual	<b>\$111.5m</b>	
Budget	<b>\$246.1m</b>	<b>45.30%</b>
Forecast	<b>\$249.0m</b>	<b>44.78%</b>

**GLADSTONE REGIONAL COUNCIL GENERAL MEETING AGENDA - 21 JANUARY 2025**

Of note:

<b>Net rates and utility charges</b>	2024-25	Actual as %
Actual	<b>\$78.1m</b>	
Budget	<b>\$194.5m</b>	<b>40.13%</b>
Forecast	<b>\$194.6m</b>	<b>40.11%</b>

Council's primary source of recurrent revenue is the generation of annual rates, along with access charges for water, sewerage and waste. This generation was completed in July, with notices issued to ratepayers in August. These charges have been split across the course of the year, to align with the delivery of these services.

To date, discounts of \$15.5m have been granted in 2024-25 for payments received by the due date, 97.83% of forecast. Rate discounts are applied in the period received and not split across the year.

Water consumption revenue is raised upon completion of the bi-annual water meter reading cycles during the year (July-December 2024 and January-June 2025).

<b>Total interest revenue</b>	2024-25	Actual as %
Actual	<b>\$5.0m</b>	
Budget	<b>\$6.8m</b>	<b>73.47%</b>
Forecast	<b>\$7.1m</b>	<b>70.51%</b>

Interest revenue at a rate of 5.26% has been received from Queensland Treasury Corporation for the month of July and current term deposit rates are yielding up to a 4.93% return to Council. Rates are expected to drop from approximately February 2025, resulting in more modest results forecast for the final quarter of the year.

<b>Sales revenue</b>	2024-25	Actual as %
Actual	<b>\$2.5m</b>	
Budget	<b>\$3.8m</b>	<b>65.79%</b>
Forecast	<b>\$4.1m</b>	<b>60.98%</b>

To date \$1.7m has been claimed for Road Maintenance Performance Contract (RMPC) recoverable works compared to the forecasted amount of \$2.9m. Additional revenue for fencing at Lions Park is included. Revenue will be offset by the associated operating expenditure relating to recoverable work activities.

<b>Dividends</b>	2024-25	Actual as %
Actual	<b>\$0.4m</b>	
Budget	<b>\$0.5m</b>	<b>89.43%</b>
Forecast	<b>\$0.5m</b>	<b>89.43%</b>

The Gladstone Airport Corporation (GAC) dividend for FY2024 has been received, with the return being slightly lower than forecasted. This will be adjusted in the quarter 3 forecast.

**GLADSTONE REGIONAL COUNCIL GENERAL MEETING AGENDA - 21 JANUARY 2025**

<b>Income tax equivalents</b>	2024-25	Actual as %
Actual	<b>\$0.1m</b>	
Budget	<b>\$4.6m</b>	<b>1.26%</b>
Forecast	<b>\$4.6m</b>	<b>1.26%</b>

The income tax equivalents forecast for 2024-25 includes \$4.0m from the Gladstone Area Water Board (GAWB), this income is generally confirmed and paid in the final quarter of the year.

The remaining forecast relates to income tax equivalents from the Gladstone Airport Corporation (GAC), which are received and recognised after the end of each quarter.

<b>Other operating income</b>	2024-25	Actual as %
Actual	<b>\$3.4m</b>	
Budget	<b>\$4.9m</b>	<b>68.02%</b>
Forecast	<b>\$5.3m</b>	<b>63.21%</b>

The new lease agreement for the 1770 Campground has been executed, and the forecast updated. Further additional rental income has been received with increased rental for land and commercial leases.

Additionally, 100% of the fire levy commission was received in October 2024.

<b>General purpose grant</b>	2024-25	Actual as %
Actual	<b>\$9.1m</b>	
Budget	<b>\$10.3m</b>	<b>88.28%</b>
Forecast	<b>\$9.8m</b>	<b>92.32%</b>

Council received a payment of \$8.3 million from the Department of State Development on 2 July 2024 for the 2024-25 Financial Assistance Grant. This amount represents circa 85% of the 2024-25 allocation.

The budget for 2024-25 was based on the assumption that the above prepayment for the 2024-25 allocation would be received in June 24. With the balance expected in the 24-25 FY along with a prepayment of 25-26 financial assistance grant allocation. Adjustments have been reflected in the Q1 forecast.

<b>Grants subsidies contributions and donations</b>	2024-25	Actual as %
Actual	<b>\$1.5m</b>	
Budget	<b>\$2.1m</b>	<b>74.84%</b>
Forecast	<b>\$2.3m</b>	<b>66.20%</b>

Operational grant revenue recognised for fire events \$141K, enhance resilience officer \$110K and Reconstruction of Essential Public Assets (REPA) operational activities \$446K were not originally budgeted. This will be further revised in the Q3 forecast now that they are confirmed.

Capital Revenue

Capital revenue	2024-25	Actual as %
Actual	<b>\$23.4m</b>	
Budget	<b>\$50.10m</b>	<b>46.71%</b>
Forecast	<b>\$41.1m</b>	<b>57.03%</b>

Capital grants revenue is recognised as project milestones are met. Therefore, the revenue recognised on the Statement of Income and Expenditure does not necessarily reflect the funding received during the year. Where milestones are still to be achieved, revenue is recognised as a contract liability on the Statement of Financial Position.

Capital grants revenue budgeted, forecast and recognised for significant projects is detailed below along with the corresponding expenses for these funded projects.

Project	Revenue YTD Actual	Expense YTD Actual
<b>State Government Grants &amp; Subsidies</b>		
TBG - Bonsai House Utility Services	\$1.6m	\$1.6m
Captain Cook Drive, Agnes Water - Relocate sewer main	\$0.2m	\$0.5m
Stage 2 - GWWTP Inlet Distribution Structure Replacement	\$0.5m	\$0.5m
REPA Projects (see REPA breakdown) Joint Federal/ State funded	\$11.8m	\$13.9m
Round Hill 2 Reservoir	\$0.0m	\$0.0m
Other State Government Funding	\$1.0m	\$1.8m
<b>TOTAL State Government Funding</b>	<b>\$15.1m</b>	<b>\$18.3m</b>

Project	Revenue YTD Actual	Expense YTD Actual
<b>Federal Government Grants &amp; Subsidies</b>		
Glenlyon/Tank - traffic calming scheme	\$0.0m	\$0.0m
Lowmead Road Safety and Sealing Upgrade	\$6.7m	\$8.4m
Agnes Water Skate Park	\$0.0m	\$0.0m
Turtleway - Pedestrian bridge replacements	\$0.0m	\$0.0m
Other Federal Government Funding	\$0.2m	\$0.3m
<b>TOTAL Federal Government Funding</b>	<b>\$6.9m</b>	<b>\$8.7m</b>
<b>TOTAL State and Federal Funding</b>	<b>\$22.0m</b>	<b>\$27.0m</b>

**Expenditure**Recurrent expenditure

<b>Total recurrent expenditure</b>	2024-25	Actual as %
Actual	<b>\$118.2m</b>	
Budget	<b>\$243.1m</b>	<b>48.62%</b>
Forecast	<b>\$247.8m</b>	<b>47.69%</b>

Of note:

<b>Employee benefits</b>	2024-25	Actual as %
Actual	<b>\$37.8m</b>	
Budget	<b>\$75.0m</b>	<b>50.34%</b>
Forecast	<b>\$76.5m</b>	<b>49.38%</b>

Employee benefits are the largest component of Councils recurrent expenditure. A vacancy rate of 7.5% has been factored into the 2024-25 budget. The average vacancy rate YTD for the 24-25 FY is 7.2%.

<b>Overtime</b>	2024-25	Actual as %
Actual	<b>\$1.0m</b>	
Budget	<b>\$1.4m</b>	<b>73.93%</b>
Forecast	<b>\$1.6m</b>	<b>63.17%</b>

Activities with significant overtime forecasts not relating to capital projects include:

- Road services – forecast \$256k, spend \$177k
- RMPC – forecast \$7k, spend \$34k. This will be offset by recoverable income.
- Park Services – forecast \$131k, Spend \$29k
- Water and Sewerage services – forecast \$427k, spend \$288k
- Workshops – forecast \$124k, spend \$108k
- Waste services – forecast \$192k, spend \$125k
- Health services – forecast \$68k, spend \$41k
- Libraries – forecast \$43k, spend \$40K
- Events and Entertainment – forecast \$64k, spend \$15k

<b>Consultants</b>	2024-25	Actual as %
Actual	<b>\$1.7m</b>	
Budget	<b>\$6.2m</b>	<b>27.57%</b>
Forecast	<b>\$6.8m</b>	<b>25.38%</b>

## GLADSTONE REGIONAL COUNCIL GENERAL MEETING AGENDA - 21 JANUARY 2025

Significant consultant forecast and spend include:

- Asset management – Forecast \$1.7m, spend \$0.4m
- Strategic Information and Technology – Forecast \$0.6m, spend \$0.01m
- Transformation – Forecast \$1.8m, spend \$0.5m
- Environment – Forecast \$0.4m, spend \$0.1m
- Finance – Forecast \$0.4m, spend \$0.1m
- Governance and Risk – Forecast \$0.2m, spend \$0.03m
- Water and Sewerage – Forecast \$0.2m, spend \$0.1m
- Waste – Forecast \$0.1m, spend \$0.1m

Contractors	2024-25	Actual as %
Actual	<b>\$13.4m</b>	
Budget	<b>\$26.6m</b>	<b>50.22%</b>
Forecast	<b>\$27.4m</b>	<b>48.67%</b>

Activities with significant contractor forecasts include:

- Water & Sewerage – Forecast \$8.0m, spend \$4.1m
- Waste – Forecast \$6.8m, spend \$2.6m
- Parks & Cemeteries – Forecast \$2.9m, spend \$1.6m
- Roads, Bridges, Stormwater – Forecast \$2.2m, spend \$1.1m
- Recoverable Works – Forecast \$1.3m, spend \$0.9m.
- REPA (operational activities) – Forecast \$0.2m, spend \$0.4m.
- Entertainment and Events – Forecast \$1.6m, spend \$0.5m
- Corporate and Community Buildings maintenance – Forecast \$0.9m, spend \$0.9m.
- Aquatic Centres – Forecast \$0.6m, spend \$0.5m

### Statement of Financial Position

	Current Value	Budget	Variance (Actual to Budget)	Forecast	Variance (Actual to Forecast)
Year-to-date Assets	<b>\$3.0b</b>	<b>\$2.9b</b>	<b>2.82%</b>	<b>\$3.0b</b>	<b>-1.40%</b>
Year-to-date Liabilities	<b>\$277.4m</b>	<b>\$179.7m</b>	<b>54.42%</b>	<b>\$193.8m</b>	<b>43.14%</b>
Year-to-date Liabilities (excl. unearned rates revenue)	<b>\$183.3m</b>	<b>\$179.7m</b>	<b>2.03%</b>	<b>\$193.8m</b>	<b>-5.42%</b>

*Liabilities have been presented both including and excluding unearned rates revenue. The two will converge and be the same by June 2025, as all rates revenue is recognised on the profit and loss.*

The budget for assets and liabilities reflects the expected positions at 30 June 2025.



## GLADSTONE REGIONAL COUNCIL GENERAL MEETING AGENDA - 21 JANUARY 2025

Significant balance sheet movement is still expected to occur throughout the year:

- Cash to decrease as expenses are incurred and loan repayments are made.
- Receivables to increase as water rates are generated and decrease as rates are paid.
- Property, plant and equipment balances to move based on in year capital additions and disposals.
- Unearned rates revenue to decrease as recognised on the profit and loss each month.
- Borrowings to decrease as loan repayments are made.

### Capital Expenditure

Regular forecasting is undertaken by the Capital Program team. The estimate for capital expenditure for the 2024-25 year is \$116.5m

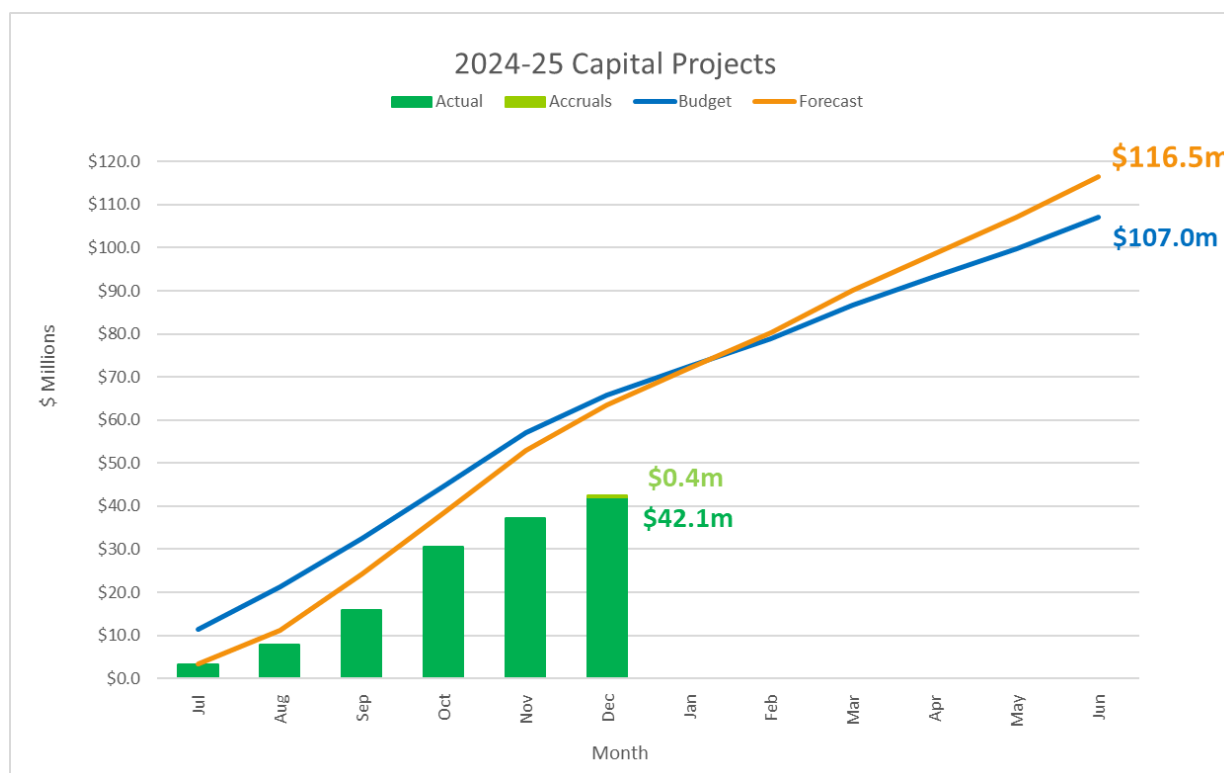
Capital YTD expenditure, budget and forecast is provided throughout the tables and graphs below.

	Actual	Budget	Actual as % of Budget	Forecast	Actual as % of Forecast
Year to date capital expenditure	\$42.5m	\$107.0m	39.73%	\$116.5m	36.51%

Capital expenditure against groups with significant capital expenditure budgets are shown in the table below:

Group	YTD Actual	Budget	Actual as % of Budget	Forecast	Actual as % of Forecast
Roads	\$25.0m	\$51.7m	48.46%	\$56.9m	44.01%
Sewerage	\$4.9m	\$25.9m	18.80%	\$21.9m	22.28%
Delivery Support and Performance	\$1.9m	\$6.1m	30.97%	\$6.3m	29.96%
Property Assets	\$1.6m	\$1.3m	122.64%	\$1.7m	97.90%
Asset Governance	\$0.0m	\$3.3m	0.00%	\$3.3m	-
Waste	\$0.9m	\$3.8m	23.80%	\$6.0m	15.04%
Parks	\$0.5m	\$3.3m	15.59%	\$1.7m	30.12%
Community & Lifestyle	\$0.2m	\$0.8m	25.29%	\$0.3m	59.00%
Water	\$1.0m	\$7.5m	13.75%	\$8.7m	11.80%
Strategic Projects	\$0.2m	\$2.1m	10.52%	\$2.1m	10.72%
Other	\$6.3m	\$1.3m	488.20%	\$7.7m	81.42%
<b>Total</b>	<b>\$42.5m</b>	<b>\$107.0m</b>	<b>39.73%</b>	<b>\$116.5m</b>	<b>36.51%</b>

Accrual estimates of \$0.4m have been included in the actuals, to account for major claims relating to December work.



**Reconstruction of Essential Public Assets (REPA)**

REPA projects in progress are detailed below (capital and operating):

Submission	Life of Project Funding	24-25 Funding Carryover	24-25 Expense Forecast	24-25 YTD Exp	24-25 YTD Claims Received	YTD work yet to be claimed	Per cent complete
South	\$14.3m	\$2.9m	\$6.2m	\$4.5m	\$3.1m	\$1.4m	72.94%
Central	\$1.5m	\$0.2m	\$0.2m	\$0.1m	\$0.1m	-	46.54%
Western	\$12.1m	\$6.2m	\$8.9m	\$7.3m	\$6.6m	\$0.7m	82.06%
Sealed Roads	\$1.6m	\$1.0m	\$1.5m	\$0.9m	\$0.9m	-	58.16%
Granite Creek (Lowmead Rd)	\$6.7m	\$6.4m	\$4.9m	\$1.6m	\$1.6m	-	31.77%
<b>TOTAL</b>	<b>\$36.3m</b>	<b>\$16.7m</b>	<b>\$21.7m</b>	<b>\$14.4m</b>	<b>\$12.3m</b>	<b>\$2.1m</b>	<b>66.15%</b>

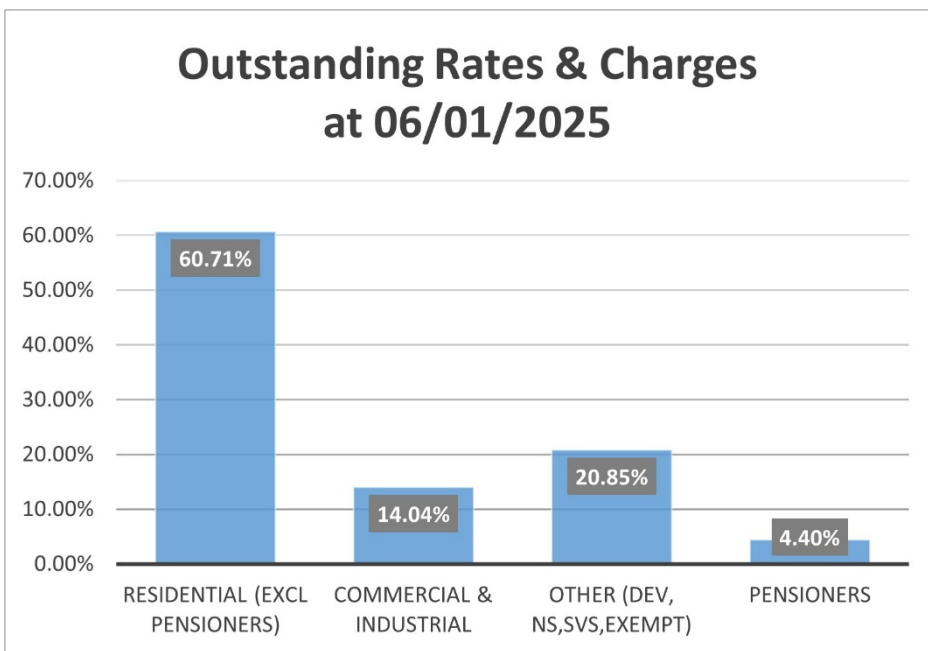
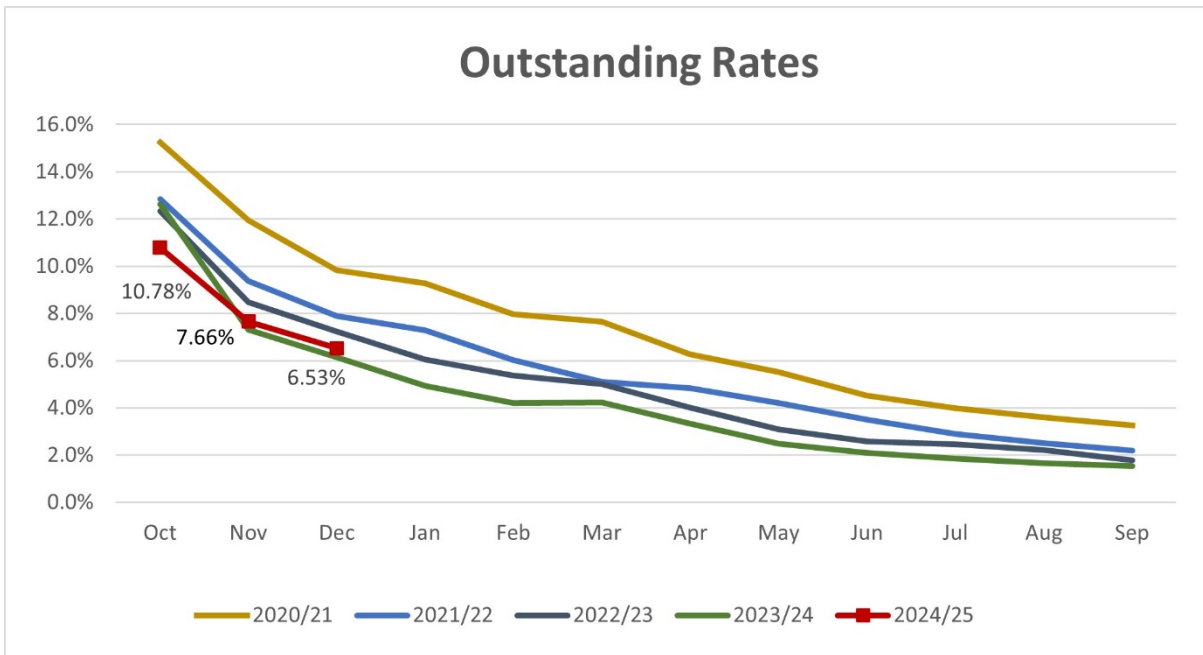
**Outstanding Rates**

Outstanding rates, as a percentage of gross rates levied 2024-25, and collectible, is at 6.53% at the end of December 2024, compared to 6.14% for the same period last year 2023-24. The QTC Rate Equivalency Scheme payment has not yet been received (normally received in November), if this is taken into consideration rates collected would sit at 5.33% compared to the prior year of 6.14%

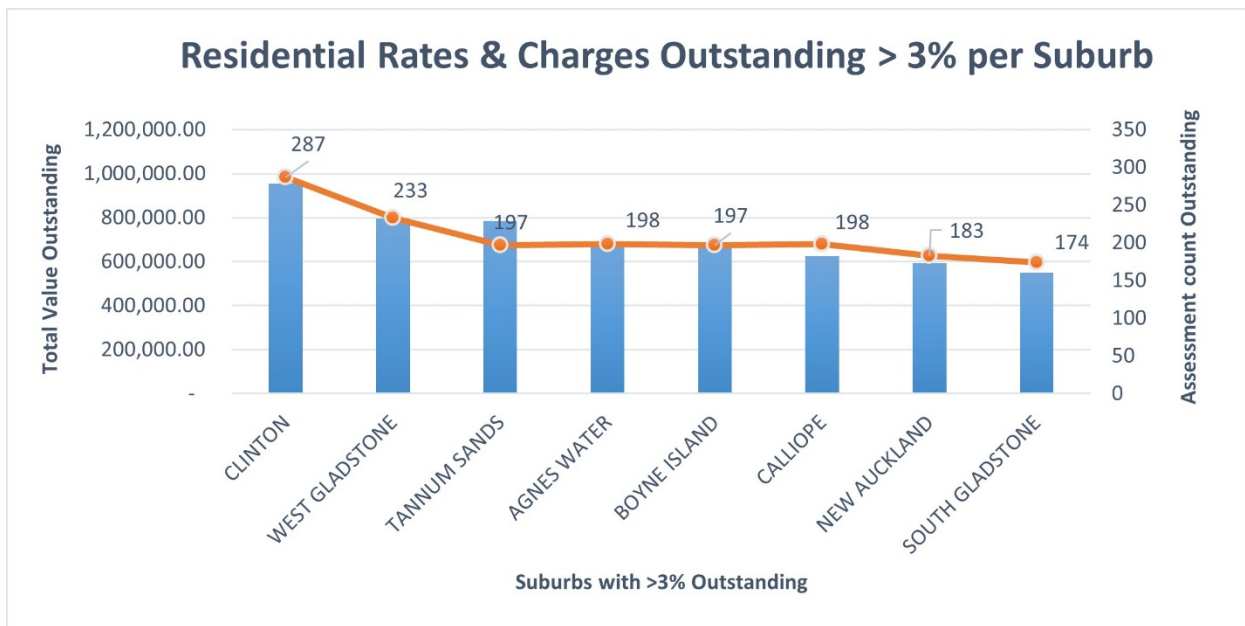
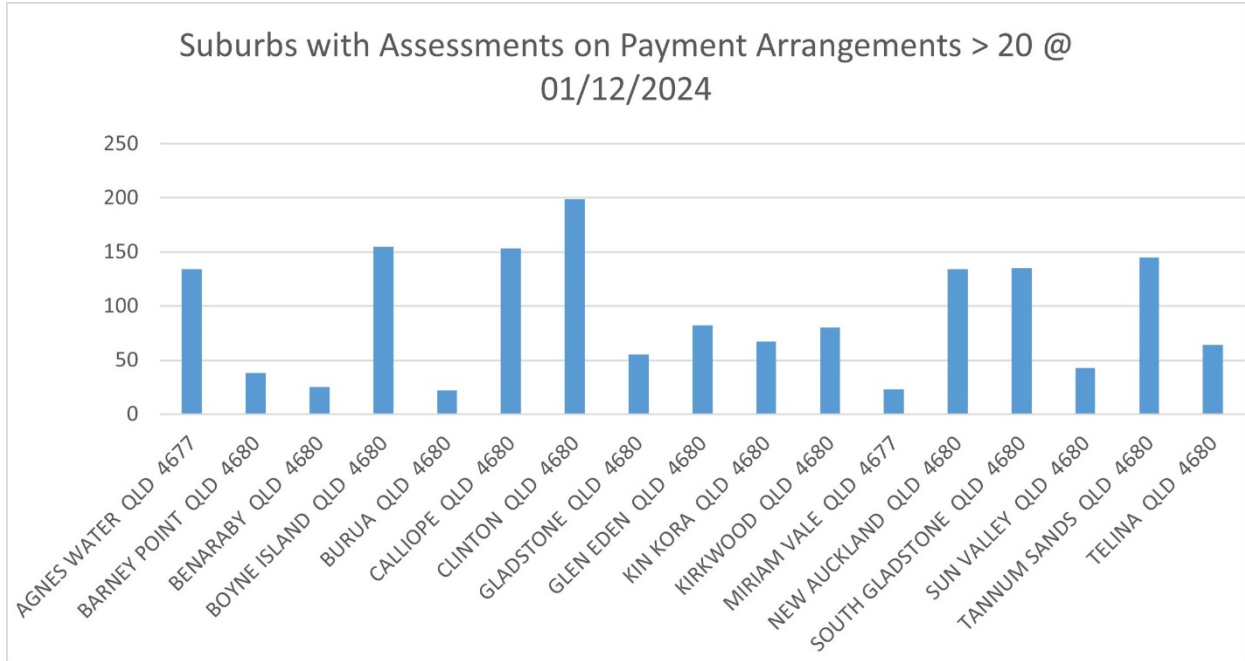
Of the \$14.02m of outstanding rates 14.04% relates to commercial/ industrial assessments and 85.96% represents residential assessments.

These figures include \$6.02m of rates that are currently being repaid under an authorised payment plan, of which there were 44 commercial/industrial assessments and 2030 residential assessments. A total of 2074 assessments, which is an increase from 1965 assessments in November 2024 (this movement is a result of new arrangements entered into since notices were issued).

There were 5436 ratepayers who had paid their rates in advance, totalling \$8.8m.



Suburb's Residential >3% Outstanding	Amt Outstanding	% Outstanding	Count o/s balance >\$50	Payment Arrangements
Clinton	\$1.0m	6.81%	287	199
West Gladstone	\$0.8m	5.67%	233	172
Tannum Sands	\$0.8m	5.59%	197	145
Agnes Water	\$0.7m	4.84%	198	134
Boyne Island	\$0.7m	4.76%	197	155
Calliope	\$0.6m	4.46%	198	153
New Auckland	\$0.6m	4.23%	183	134
South Gladstone	\$0.5m	3.92%	174	135



**Sustainability Ratios**

Financial ratios provide a useful snapshot of Council’s financial status and emerging trends. Individual ratios do not provide enough information to form a comprehensive opinion of Council's financial position and performance, but when the right mix of ratios are considered together, they become a valuable tool in analysing Council's overall financial performance.

In recognition of the diversity of local governments throughout Queensland a new Financial Management (Sustainability) Guideline 2024 has been released.

Eight of the nine ratio measures will be reported in 2024-25, with the ninth measure to be introduced in the 2025-26 annual statutory financial reporting period.

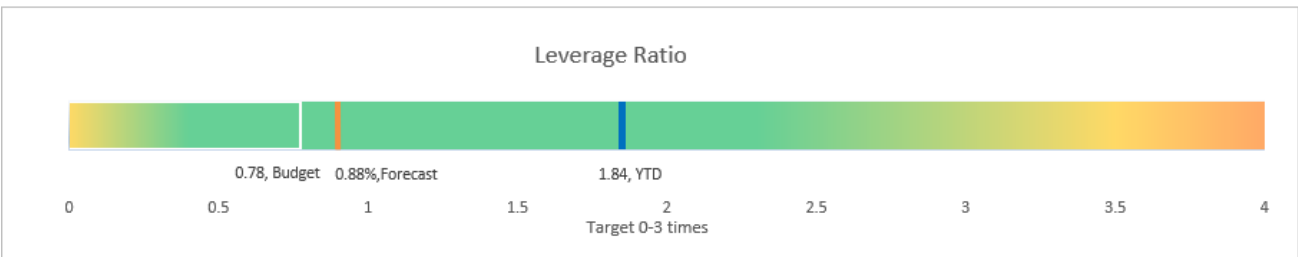
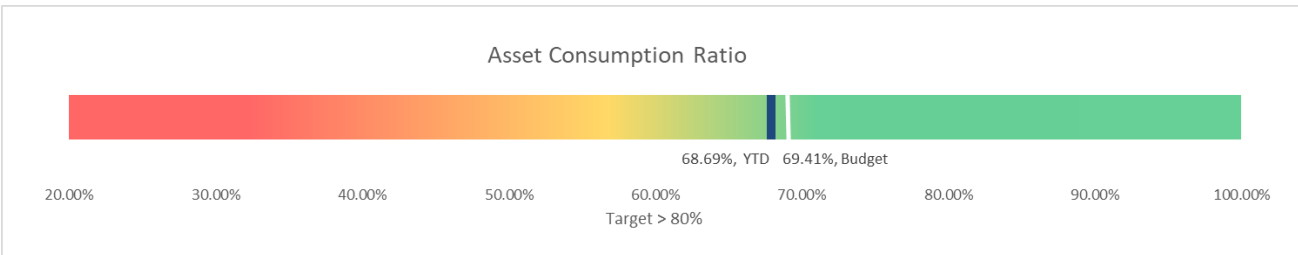
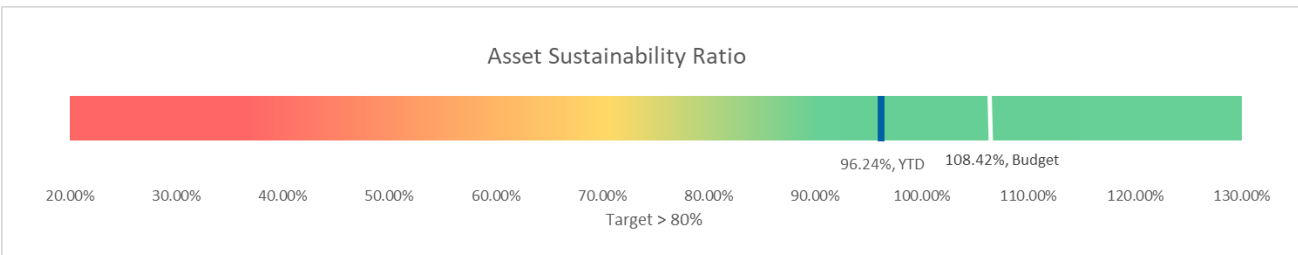
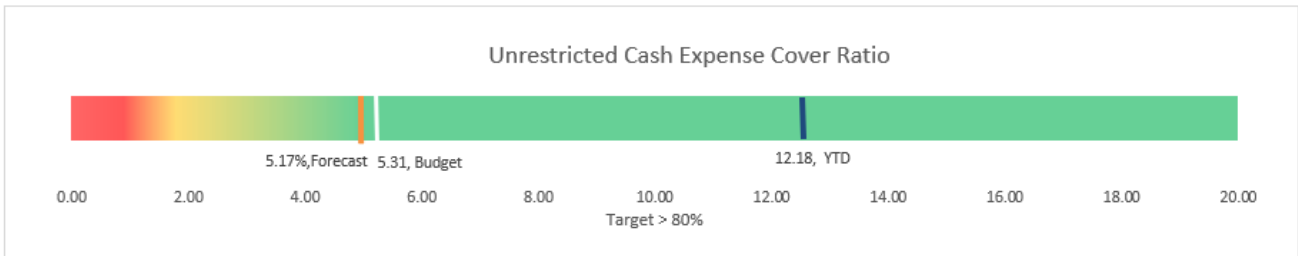
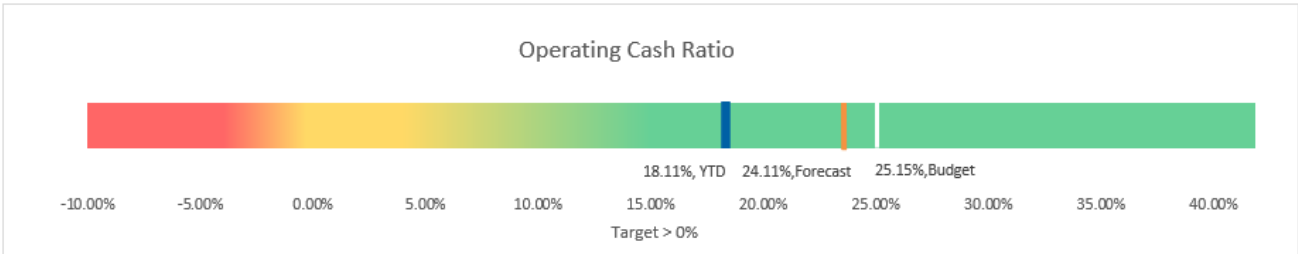
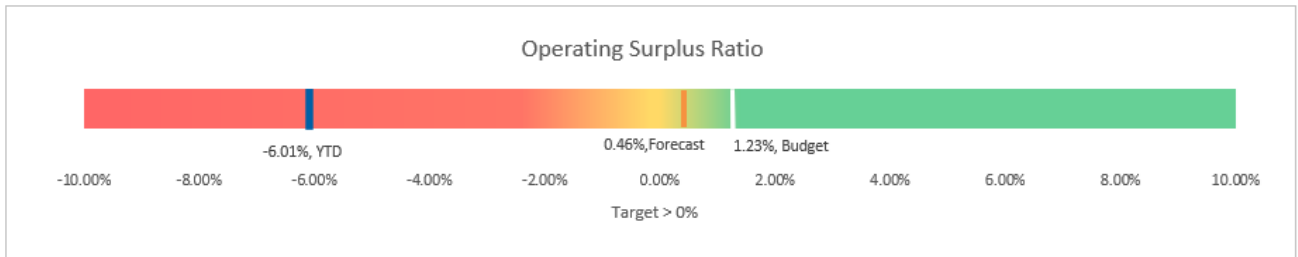
**GLADSTONE REGIONAL COUNCIL GENERAL MEETING AGENDA - 21 JANUARY 2025**

Ratio Explanation	Target	2024 -25 Budget	2023-24 Forecast	Current YTD		5 Year Average		Commentary
<b>Financial Capacity</b>								
<p><b>Council Controlled Revenue Ratio:</b> Council controlled revenue is an indicator of councils financial flexibility, ability to influence its operating income, and capacity to respond to unexpected financial shocks.</p> <p>A higher council-controlled ratio indicates a stronger ability to generate revenue without relying on external sources. Councils with a high ratio generally have a healthy rate base and are better able to respond to unexpected financial obligations such as natural disaster recovery. A lower council-controlled revenue ratio indicates that a council has limited capacity to influence its operating revenue and that it is more reliant on external (and usually less reliable) sources of income such as grant funding, sales and recoverable works contracts and rental income.</p> <p><b>This ratio is contextual only therefore has no target measure</b></p>		86.62%	86.46%	80.29%		82.50%		Although there is no target for this ratio, the high 5 year average and current YTD indicates Council's strong position to generate revenue without heavy reliance on other external sources.
<p><b>Population Growth Ratio:</b> Population growth is an annual measure and is a key driver of councils operating income, service needs and infrastructure requirements into the future.</p> <p>A growing council indicates a greater capacity to source its own revenue through rates and statutory charges. Population growth also puts additional pressure on councils to invest in new community infrastructure to support service needs</p> <p><b>This ratio is contextual only therefore has no target measure</b> <b>Ratio is measured annually</b></p>		2.35%		2.35%		1.17%		<p>The population growth ratio for Gladstone will significantly impact Council's financial sustainability, especially as the region faces periods of both rapid growth and stagnation. During growth phases, increased demand for infrastructure and services will provide opportunities for revenue growth and possibly also strain Council's financial resources, requiring careful management to avoid overextension. Conversely, in periods of slower growth or population decline, maintaining existing infrastructure and service levels can become a financial burden without corresponding increases in revenue.</p> <p>Emphasis on the population growth ratio is on a rolling 5-year average thus will help Council smooth out the financial impacts of any fluctuations, providing a clearer picture of long-term sustainability.</p> <p>Overall, for Gladstone, maintaining financial sustainability amidst its unique population growth patterns will require a balanced approach, integrating both proactive infrastructure investment and cautious financial management.</p>
<b>Operating Performance</b>								
<p><b>Operating Surplus Ratio:</b> The operating surplus ratio is an indicator of the extent to which operating revenues generated cover operational expenses. Any operating surplus would be available for capital funding or other purposes.</p> <p>An operating surplus ratio below 0% is an indication that a councils operating expenses exceed its revenue. An operation deficit in any one year is not a cause for concern if, over the long term, a council achieves a balanced operating result or small surplus.</p> <p><b>Target measured over a five-year average</b></p>	> 0%	1.23%	0.46%	-6.01%	●	-5.48%	●	<p>The negative 5-year average is primarily due to the QTC loan restructure and recognition of a deferred liability for bulk water purchases in 2020-21. These were both one-off events.</p> <p>The YTD ratio result shows a negative operating surplus primarily due to rate discounts. Rates are applied across the year, however, rate discounts are applied in the period received. The ratio will trend closer to the forecasted positive operating surplus as the year progresses and rates revenue is applied.</p>
<p><b>Operating Cash Ratio:</b> The operating cash ratio is a measure of a councils ability to cover its core operational expenses and generate a cash surplus excluding depreciation, amortisation and finance costs.</p> <p>A positive operating surplus indicates that a council is generating surplus cash from its core operations, which suggests that council has the ability to self-fund expenditure requirements. A negative operating cash ratio is a significant indicator of financial sustainability challenges and potential future liquidity issues as , all other things being equal, a negative result means that a councils cash position is declining and revenue are not offsetting the cost of core operational requirements</p> <p><b>Target measured over a five-year average</b></p>	> 0%	25.15%	24.11%	18.11%	●	19.81%	●	Both the YTD and 5 year average result of this ratio reflects the continuing strong cash position of Council proportional to operating costs.

**GLADSTONE REGIONAL COUNCIL GENERAL MEETING AGENDA - 21 JANUARY 2025**

Liquidity								
<p><b>Unrestricted Cash Expense Cover Ratio:</b> The unrestricted cash expense cover ratio is an indicator of the unconstrained liquidity available to a council to meet ongoing and emergent financial demands, which is a key component to solvency. It represents the number of months a council can continue operating based on current monthly expenses</p> <p>A higher unrestricted cash expense cover ratio indicates that a council has sufficient free cash available to contribute to the cost of future planned and unplanned expenditure such as infrastructure investment or disaster recovery. An excessively high ratio may be indicative of hoarding, poor cash management or large upcoming capital investment requirements.</p> <p>A low ratio suggests limited unconstrained liquidity available to council to use for capital investment or in an emergency. For councils with efficient cash management practices or strong borrowing capacity this is not a concern. Where council also has a negative operating cash ratio a very low or negative unrestricted cash expense cover ratio is an indicator of potential solvency concerns.</p> <p>Target measured over a single-year</p>	> 3 mths	5.31	5.17	12.18	●	NA	NA	<p>The high budget and YTD result of this ratio shows Council is in a strong cash position to cover planned and unplanned expenditure into the future.</p> <p>The payment of the Financial Assistant Grant in July 2024 has resulted in the higher YTD ratio. The results are expected to trend closer to the budget as the year progresses, and expenses are realised.</p>
Asset Management								
<p><b>Asset Sustainability Ratio:</b> The asset sustainability ratio approximates the extent to which the infrastructure assets managed by council are being replaced as they reach the end of their useful lives</p> <p>An asset sustainability ratio close to 100% suggests that a council is spending enough on the renewal of its assets to compensate for the deterioration in its asset base as loosely proxied by its reported depreciation, with outcomes too far below this level being potentially indicative of underspending against capital replacement requirements</p> <p>Target measured over a five-year average</p>	> 80%	108.42%	108.42%	96.24%	●	90.05%	●	<p>Infrastructure renewals have accounted for 48.44% of capital expenditure YTD with the balance on new and upgrade projects.</p> <p>It is typical for capital spending to be lower in the first quarter of the year. As capital spending progresses the ratio is expected to trend closer to budget.</p> <p>Councils capital program has increased in 2024-25, as indicated by the budgeted ratio result.</p>
<p><b>Asset Consumption Ratio:</b> The asset consumption ratio approximates the extent to which councils infrastructure assets have been consumed compared to what it would cost to build a new asset with the same benefit to the community.</p> <p>The minimum target of 60% indicates that a councils assets are being broadly consumed in line with their estimated useful lives.</p> <p>Councils with lower than target ratio will need to invest more in those assets (in terms of replacement or maintenance) to ensure they are maintained at a standard that will meet the needs of the community. On the other hand if the ratio is much higher than the target ratio, councils may need to revisit their asset management plans to assess their current service levels or whether their estimates of the assets' useful lives are appropriate</p> <p>Target measured over a five-year average</p>	> 60%	69.41%	69.41%	68.69%	●	70.82%	●	<p>Both the YTD and budgeted ratio results indicates that Councils assets are being broadly consumed in line with their estimated useful lives.</p>
Debt Servicing Capacity								
<p><b>Leverage Ratio:</b> The leverage ratio is an indicator of a councils ability to repay its existing debt. It measures the relative size of the councils debt to its operating performance.</p> <p>A higher leverage ratio indicates an increasingly limited capacity to support additional borrowings due to already high debt levels and/or decreasing operational performance, while a lower ratio indicates the opposite.</p> <p>Target measured over a five-year average</p>	0-3 times	0.78	0.88	1.84	●	0.23	●	<p>Both the YTD and 5 year average result of this ratio reflect Councils ongoing ability to manage its debt.</p> <p>This position is reinforced with each year that no new borrowings are undertaken.</p>

**GLADSTONE REGIONAL COUNCIL GENERAL MEETING AGENDA - 21 JANUARY 2025**



**Stakeholder Engagement:**

This report seeks specialist input from relevant internal sources.

**Legal and Regulatory Implications:**

Council is required to receive an update at least monthly relative to its financial position, Section 204 Local Government Regulation 2012.

**Anticipated Resolution Completion Date:**

N/A

**Attachments:**

1. Monthly Financial Statements for the period ending 31 December 2024
2. Operating Statements for the period ending 31 December 2024



## **G/4.6. AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING SUMMARY 4 DECEMBER 2024**

**Responsible Officer:** General Manager Finance Governance and Risk

**Prepared By:** Principal Internal Auditor

**Council Meeting Date:** 21 January 2025

**File Ref:** CM26.2

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### **Purpose:**

To provide a written report of the Audit Risk and Improvement Committee Meeting held 4 December 2024, pursuant to section 211(1)(c) of the Local Government Regulation 2012.

### **Officer's Recommendation:**

That Council receive the summary of the Audit Risk and Improvement Committee Meeting that was held on 4 December 2024.

### **Summary:**

The Audit Risk and Improvement Committee (the Committee), met on 4 December 2024. The detailed meeting minutes and papers presented at the meeting are available for Councillors in Docs On Tap.

### **Link to Corporate Plan:**

Accountable Council - We are providing good stewardship built on a foundation of trust.

### **Risk Management Summary:**

In accordance with Councils' Audit Risk and Improvement Committee Policy (P-2020-15), the Committee has the following risk management responsibilities:

- Review the effectiveness of the risk management framework and assist with the development of a risk aware culture through the facilitation of risk management.
- Monitor that Councils risk management activities are not limited to insurance coverage but includes active risk minimisation.

### **Options and Opportunity Analysis:**

Below is a summary of the Committee meeting held 18 September 2024:

1. No matters to report from the Committee in Camera and the Confidential Session.
2. Apologies were noted and there were no Conflicts of Interest to be declared.
3. The new incoming chair and new incoming external member attended the meeting.
4. Minutes of the Audit Risk and Improvement Committee Meeting held on the 18 September 2024 were approved.

5. External Audit

- The 2024 Gladstone Regional Council Closing Report had been previously circulated at the close of the audit and was presented to the Committee for formal noting.
- An overview of the 2023/24 Financial Statements Final Management Report was provided. The Entertainment and Hospitality Policy was highlighted, and the related recommendations within the report.
- An overview of the Queensland Audit Office (QAO) Briefing paper was provided, highlighting the new Engagement Leader and Team Leader from QAO, the external audit plan will be presented to the Committee early next year and the interactive dashboard on the QAO website to review the report and recommendations.
- There was no closed session required with the Audit Representatives.

6. Internal Audit / Ethics Integrity and Audit

- An overview of the Ethics, Integrity and Audit progress report was provided. The Committee endorse the reassessed priority for the Contractor Management audit. The Committee expressed concern on the upwards trend of due dates being extended and requested a focus on achieving the due dates as shown.
- The following Internal Audit reports were discussed:
  - Payroll Review and guidance from the committee on what reporting is preferred and that the continuous monitoring could be included in the standing reports
  - Development Applications and Approvals audit - Agnes Water and Seventeen Seventy.
- The introduction of Audit Risk and Improvement Committee Terms of Reference and Charter were discussed.

7. Financial Reports

- The Committee noted the 2024 Gladstone Regional Council Financial Statements.
- The Committee noted the 2023/24 Financial Statements Adjusted and Unadjusted Audit Differences Schedule
- The prior period financial statements were presented and the rate of capital expenditure, projects associated with grant funding and the recent change in State Government were discussed.

8. The following Officer's Reports were presented to the Committee:

a. Quarterly Risk Management Report

Discussions were held regarding:

- The benefits of the workshop for Councillors in exploring risks and risk appetite
- Planned workshops for setting Council's risk appetite.

b. Environmental Performance Report 1 April to 30 September 2024

Discussions were held regarding:

- The increase in landfill fires
- The Yarwun wastewater treatment plant and the ground water trigger values

A request was made for the Committee to provide any feedback of experience with other councils and how they are re-calibrating their risk appetite in relation to the general environmental duty.

c. People, Culture and Safety Quarterly Report

A discussion was held regarding the number of vehicle incidents, LTI and MTI number increasing and the improvement in the reduced excess leave balance.

d. Asset Management

The Committee mentioned the high level of detail and requested a summary report.

9. The Committee members discussed their self-development.

10. There were no Council referrals.

11. General business

- The outgoing members thanked the Councillors that have attended the Committee, Leisa Dowling, Chief Executive Officer, for all her support and the Executive Leadership Team for answering questions.
- Stephen welcomed incoming Chair, Mary Goodwin, and incoming Committee Member, John Halliday.
- Leisa Dowling thanked the outgoing members on behalf of Council for their insights, their expertise and their generosity of sharing their knowledge with Council.

**Stakeholder Engagement:**

The minutes of the Committee are reviewed by the ARIC members, the Principal Internal Auditor, General Manager Finance Governance and Risk and the Chief Executive Officer.

**Legal and Regulatory Implications:**

The Local Government Act 2009 requires that the audit Committee of Council – the Audit Risk and Improvement Committee – oversee audit, annual financial reporting and other relevant governance functions to provide Council with an additional level of assurance that systems and controls are in place to minimise risk exposure.

The Committee also operates in accordance with Councils' Audit Risk and Improvement Committee Policy (P-2020-15).

**Financial and Resource Implications:**

Nil

**Anticipated Resolution Completion Date:**

N/A – information only report.

**Attachments:**

Nil

## **G/4.7. ADOPTION OF AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) TERMS OF REFERENCE AND REPEAL OF ARIC POLICY**

**Responsible Officer:** General Manager Finance Governance and Risk

**Prepared By:** Governance Business Partner

**Council Meeting Date:** 21 January 2025

**File Ref:** CM26.2, CM28.2

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### **Purpose:**

This report proposes the adoption of a Terms of Reference for the Audit Risk and Improvement Committee (ARIC) in conjunction with the repeal of the existing Audit Risk and Improvement Committee Policy (P-2020-15).

### **Officer's Recommendation:**

That Council:

1. Adopt the Terms of Reference for the Audit Risk and Improvement Committee in Attachment 1 to the Officer's report.
2. Repeal existing P-2020-15 Audit Risk and Improvement Committee Policy in Attachment 2 to the Officer's report.

### **Summary:**

A review has been undertaken of the governing documents of Council's Audit Risk and Improvement Committee (ARIC) and it is proposed that a Terms of Reference replace the existing Audit Risk and Improvement Committee Policy. The Terms of Reference would be supported by an Audit Risk and Improvement Committee Charter developed by ARIC members in conjunction with Council's Chief Executive Officer.

### **Link to Corporate Plan:**

Accountable Council - We are providing good stewardship built on a foundation of trust.

### **Background:**

Council is undertaking a comprehensive review of Council's policies and corporate standards with an aim of reducing polices by 15%. As part of the review, the Audit Risk and Improvement Committee Policy ("the Policy") has been identified for repeal. Generally, Council's Committees are governed by a Terms of Reference rather than a Policy and accordingly it is proposed that the Policy be replaced with a Terms of Reference (adopted by Council) to be supported by an ARIC Charter to guide the Committee's work plan and key deliverables. The ARIC Charter will address how ARIC achieves the Terms of Reference and will be developed by ARIC members for approval by the Chief Executive Officer.

The change proposed in this report will not affect how Council currently directs, reviews and monitors the work of ARIC as this is accounted for in the Terms of Reference. Council will continue to receive reports and updates through Councillor representation on the Committee, deputations and briefings from ARIC members and the regular Committee, Officer and External Audit reports to Council.

### **Risk Management Summary:**

Council takes a balanced approach to potential regulatory and legal risks. All options presented in this report are consistent with Council's appetite.

### **Options and Opportunity Analysis:**

#### Option 1 – Officer's Recommendation – Adopt the Recommendation

This option will assist Council to achieve its objective of reducing the number of policies and a Terms of Reference will bring this Committee into alignment with the governance structure of other Council Committees. There is no legislative requirement for Council to have a policy and the operational detail contained in the Policy can be included in the ARIC Charter where relevant.

#### Option 2 – Adopt the Recommendation with Amendments to the Terms of Reference

This option provides the same opportunities as Option 1 but will accommodate any changes Council would like to make to the Terms of Reference in Attachment 1. The resolution to give this option effect would be:

*"That Council:*

1. *Adopt the Terms of Reference for the Audit Risk and Improvement Committee in Attachment 1 to this report subject to the following amendments:*
  - a. *Insert amendment*
  - b. *Insert amendment...*
2. *Repeal existing P-2020-15 Audit Risk and Improvement Committee Policy tabled as Attachment 2 to this report."*

#### Option 3 – Retain an Audit Risk and Improvement Committee Policy

This option will maintain Council's current position and the Policy will govern the Audit Risk and Improvement Committee. The Policy was last reviewed in 2020 and a redraft is required. Once the policy has been redrafted, a further report will be presented to Council for consideration.

### **Stakeholder Engagement:**

The draft Terms of Reference and accompanying draft Audit Risk and Improvement Charter were considered by ARIC at its meeting on 4 December 2024. The Committee supported the proposed approach of a Terms of Reference and a Charter. The Committee also recommended that a watching brief be maintained for the Queensland Audit Office (QAO) report on Audit, Risk and Improvement Committees (Insights on audit committees in Local Government) anticipated to be released in February 2025, which may contain further guidance to enhance the policy replacement documents.

### **Legal and Regulatory Implications:**

Under Section 105 of the *Local Government Act 2009* and Sections 208-211 of the *Local Government Regulation 2012*, Council is required to have an Audit Committee. The proposed Terms of Reference support the legislative provisions in relation to the Committee's purpose, membership and frequency of meetings.

### **Financial and Resource Implications:**

There are no financial or resource implications associated with the Officer's Recommendation. The facilitation of ARIC and associated actions are accommodated in Council's Operational Budget.

**Anticipated Resolution Completion Date:**

28 February 2025

**Attachments:**

1. Draft Audit Risk and Improvement Committee Terms of Reference.
2. Existing P-2020-15 Audit Risk and Improvement Committee Policy

## **G/4.8. FIRST NATIONS ACTIVITY REPORT**

**Responsible Officer:** General Manager Community and Lifestyle

**Prepared By:** First Nations Liaison Officer

**Council Meeting Date:** 21 January 2025

**File Ref:** CR3.3

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### **Purpose:**

To seek approval to appoint two new community members to the Reconciliation Action Plan Reference Group.

### **Officer's Recommendation:**

That Council appoint Dulcie Pensio and Shar Elijah to Council's Reconciliation Action Plan Reference Group.

### **Summary:**

An Expression of Interest was called in March 2024 to fill several vacant positions on Council's RAP Reference Group. Following this process, it is proposed to appoint two new members to the Advisory Group.

### **Link to Corporate Plan:**

Connecting Communities - We work with you and for you, supporting the success of our communities.

### **Background:**

Council called for Expressions of Interest for representatives to join Council's RAP Reference Group in March 2024. Five community members applied at this time, and discussions with interested applicants were held to ensure their suitability. Dulcie Pensio and Shar Elijah both demonstrated a strong passion for reconciliation and community involvement and are recommended for appointment to the RAP Reference Group.

The purpose of the RAP Reference Group is to inform and guide the RAP actions and the work that Council undertakes in the First Nations space. The RAP Reference Group also provides Council with strategic advice on the views, needs and interests of First Nations people in the Gladstone region.

There have also been two long standing members of the RAP Reference Group who have recently resigned. Council would like to thank Co-chair Annette Rutherford, for her dedication and commitment to Council's RAP journey. In 2018 Annette was one of the inaugural members of the RAP Reference Group and was instrumental in the development of the current and previous Innovate RAPs and will be sorely missed. Tia Horan became a member in 2019, and her input and support of Council's RAP journey has been outstanding and will certainly be missed.

Other community members who are no longer able to commit to their participation in the RAP Reference Group include Djuran Johnson, Paul Olsen and Skye Alberts, and Council thanks them for their valued contributions.

**Risk Management Summary:**

The council's Risk Management Policy establishes a minimal appetite for residual risk in Health, Safety and Wellbeing, and Reputation. The risk category of Health Safety and Wellbeing encompasses our employees, contractors, volunteers, consultants, and the broader community. The RAP Reference Group supports reconciliation, creates opportunities and is within Council's risk appetite.

**Options and Opportunity Analysis:**

Option 1 – Officer's Recommendation – Appoint two new members to the RAP Reference Group

This option would support the delivery of Council's 2023-2025 Innovate RAP and will continue to develop and strengthen relationships between First Nations people, the broader community, stakeholders, and Council employees. Council also recognises, respects, and embraces the diverse skills and experiences of its employees from various backgrounds.

Our connection with our First Nations people, the broader community and stakeholders will continue to create vital opportunities for Council and the wider community.

Option 2 – Council does not appoint new members to the RAP Reference Group

Should new members not be appointed to the RAP Reference Group the group will not have sufficient membership to satisfy the purpose for which the group was formed. Council would be required to seek alternate means to engage with our community's First Nations people.

**Stakeholder Engagement:**

- RAP Reference Group
- General Manager Community and Lifestyle
- Manager Community Partnerships

**Legal and Regulatory Implications:**

Nil

**Financial and Resource Implications:**

The appointment of two members to the RAP Reference Group to fill current vacancies will not have any impact on the Operational Budget.

**Anticipated Resolution Completion Date:**

19 February 2025

**Attachments:**

Nil



## G/4.9. COMMUNITY INVESTMENT PROGRAM - ELEVATOR FUND APPLICATIONS

**Responsible Officer:** General Manager Community and Lifestyle

**Prepared By:** Community Leasing Officer

**Council Meeting Date:** 21 January 2025

**File Ref:** GS3.1

### Purpose:

To consider the recommendation of the Community Investment Panel on an application received under the Elevator fund.

### Officer's Recommendation:

That Council:

1. Adopt the Community Investment Panel recommendation of funding for the application received under the categories of funding tabled below:

Application ID	Applicant	Project	Recommended Amount
ELVTR001-R2-24/25	Rotary Club of Gladstone – Port Curtis Inc	Installation of Vinyl Dome to protect existing storage area.	\$25,312
<b>Total Funding Recommended</b>			\$25,312

and

2. Authorise the Chief Executive Officer or delegate to finalise and execute funding agreements with the successful applicants detailing relevant entitlements and conditions.

### Summary:

Council has received applications for funding through its Community Investment Program – Elevator Fund that have been assessed by a Panel of Council Officers in line with the Council’s Community Investment Policy, with a recommendation presented for Council’s consideration. The current balance of funds in the Elevator Funding stream is \$123,900.

### Link to Corporate Plan:

Accountable Council - We are providing good stewardship built on a foundation of trust.  
 Connecting Communities - We work with you and for you, supporting the success of our communities.  
 Delivering Value - We work efficiently to deliver value for your rates.  
 Resilient Economy - We play our part in supporting the success of our region.

**Background:**

The **ELEVATOR FUND** is intended for higher-cost proposals of over \$10,000, which involve a more detailed application and acquittal process than the Grassroots Fund. Applicants need to demonstrate a high level of competency, capacity, and planning capability to deliver the stated outcomes for Elevator proposals. An applicant’s proposal must align with one or more of the five Elevator Fund Objectives – Capacity, Place, Connect, Wellbeing and/or Planning.

These funding objectives align to Councils [Community Development Strategy](#) which aim to strengthen and enhance the health and wellbeing of the region.

The following Elevator Fund application has been received for consideration:

Application ID	Applicant	Project	Recommended Amount
ELVTR001-R2-24/25	Rotary Club of Gladstone – Port Curtis Inc	Installation of Vinyl Dome to protect existing storage area.	\$25,312
<b>Total Funding Recommended</b>			\$25,312

**Risk Management Summary:**

The eligible application has been assessed by the Panel and reviewed against a Key Selection Criteria (KSC) in accordance with the Community Investment Policy (P-2021-09) and Community Investment Corporate Standard (CS-2021-07). Following individual panel assessments, a moderation process is followed. The officer’s recommendation is consistent with Council’s minimal appetite for reputational risk and moderate appetite for legal and regulatory risk.

The overall score (ranking) is used to inform the recommendation. The table below defines the KSC, weighting and definition of score applied in the assessment matrix:

<b>ELEVATOR FUND KEY SELECTION CRITERIA (KSC)</b>	Elevator Weighting
<b>KSC 1:</b> Demonstratable need	20
<b>KSC 2:</b> Meets fund objectives and aims	60
<b>KSC 3:</b> Provides opportunity for collaboration	15
<b>KSC 4:</b> Capacity to deliver	5

<b>RATING MATRIX</b>
<p><b>GREEN = Score 75% and above Full Funding</b>                      The application has <u>met or exceeded</u> all assessment criteria                      Applicants are offered 100% of funding requested</p>
<p><b>ORANGE = Score 65%-74% Partial Funding</b>                      The application has <u>met most</u> assessment criteria                      Applicants are offered 85% of funding requested</p>
<p><b>YELLOW = Score 56%-64% Partial Funding</b>                      The application <u>meets some</u> of all assessment criteria                      Applicants are offered 75% of funding requested</p>
<p><b>RED = Score 55% and below No Funding</b>                      The application <u>does not meet</u> any assessment criteria                      No funding offered</p>

**Options and Opportunity Analysis:**

As per the Community Investment Policy, an assessment was undertaken by a panel to consider the applications. Individual panel member scores are captured within the Smarty Grants portal and collated in an assessment matrix.

The Community Investment Panel recommendation is summarised within this table:

Applicant	Project	Project Location	Applicant Request	Panel Score	Recommendation
					Cash / Inkind
Rotary Club of Gladstone – Port Curtis Inc	Installation of Vinyl Dome	Gladstone	\$29,779	65%	\$25,312 cash
<b>Total Funding</b>			<b>\$29,779</b>		<b>\$25,312 cash</b>

Panel commentary supporting the recommendation is contained within the assessment report.

A brief overview of the application is provided below:

<b>INSTALLATION OF COMPOUND DOME</b>	
<b>Project Dates</b>	01/01/2025 to 31/12/2025
<b>Organisation Name</b>	Rotary Club of Gladstone – Port Curtis Inc
<b>Objective Alignment</b>	Planning
<b>Brief Project Description</b>	The applicant is seeking funding to assist in the purchase and installation of a Category 3 Cyclone rated vinyl dome structure over two 40-foot containers at the Rotary Club of Gladstone - Port Curtis compound.
<b>Target Audience / Project Beneficiaries</b>	<p>The following stakeholders will benefit from the delivery of the project:</p> <ul style="list-style-type: none"> <li>• Gladstone State High School Interact Clubs (approx. 35 members)</li> <li>• Gladstone West State School Rotakids Club (approx. 30 members)</li> <li>• Community members who benefit from Rotary services</li> <li>• Other local non-profit charities and clubs who utilised equipment such as Surf Lifesavers, other Gladstone Rotary Clubs, Ride4Lives and UGL.</li> <li>• The Rotary Club of Gladstone will have a central facility for its operations and safe storage of their equipment.</li> </ul>
<b>Total Amount Requested</b>	\$29,779
<b>Total Project Cost</b>	\$42,779
<b>Previous Funding Received</b>	None
<b>Panel Score</b>	2.6 = 65%
<b>Moderated Panel Commentary</b>	The organisation has anecdotally highlighted several ways that their work benefits the local community and beyond, and how the construction of the dome structure will enable them to continue doing this work long-term and protect their assets. The application could have been strengthened through the use of data and evidence supporting the need, rather than relying on anecdotal

	<p>explanations. The applicant has outlined all the various proponents that will be involved in the delivery of the project. The score could be strengthened through providing collaboration opportunities after completion of the project.</p>
<p><b>Panel Recommendation</b></p>	<p>Based on the application and scoring matrix, the panel would recommend partial funding of 85% of cash requested amount, amounting to \$25,312. The applicant has confirmed that this amount would be acceptable and will allow the delivery of the proposed project.</p>

**Stakeholder Engagement:**

As detailed within the Community Investment Corporate Standard, the delegated assessment panel were consulted.

**Legal and Regulatory Implications:**

The application has been assessed against Council’s Community Investment Program policy (P-2022-09), Community Investment Corporate Standard (CS-2022-15) and published event guidelines. On favorable adoption of the Panel’s recommendations detailed in this report, authorised officers will proceed to enter into a grant and or funding agreement (detailing entitlements and conditions) with the successful applicant.

**Financial and Resource Implications:**

In 2024/25, Council budgeted \$210,000 for applications received through the Elevator Fund.

The recommendation for the application outlined within this report is for \$25,312.

Upon endorsement of the officer’s recommendation within this report, the Elevator fund will have a balance of \$98,588 remaining that can be reallocated across the Community Investment Program.

**Anticipated Resolution Completion Date:**

31 January 2025

**Attachments:**

1. CONFIDENTIAL – Elevator Fund Score Matrix
2. CONFIDENTIAL – Elevator Fund Scoring Report – Rotary Club of Gladstone – Port Curtis Inc

## G/4.10. YOUTH COUNCIL 2025

**Responsible Officer:** General Manager Community and Lifestyle

**Prepared By:** Community Development Officer

**Council Meeting Date:** 21 January 2025

**File Ref:** CC9.10

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### **Purpose:**

This report presents proposed changes to the Gladstone Region Youth Council Terms of Reference, seeks the appointment of two Councillors to the Gladstone Region Youth Council for the current local government election term and recommends appointments to the Gladstone Region Youth Council for 2025.

### **Officer's Recommendation:**

That Council:

1. Adopt the amended Gladstone Region Youth Council Terms of Reference as Attachment 1 to this report which includes the appointment of two Gladstone Regional Council Councillors to the Committee to provide advice and mentoring to Youth Council members
2. That Councillors \_\_\_\_\_ and \_\_\_\_\_ be appointed to the Committee for the duration of the current local government term.
3. Appoint the following 16 Gladstone Region Youth Council members for 2025 as below:
  - Logan Althaus (returning member)
  - Rosharne Cakau (returning member)
  - Lochlain Cathcart (returning member)
  - Ava Hetherington (returning member)
  - Holly Morton (returning member)
  - Naomi-Jon Redshaw (returning member)
  - Bailey Dawson
  - Niel Godwin Quides Torres
  - Douglas Hoffman
  - Mily Jalass
  - Alanah Mayo
  - Oneli Peiris
  - Zachary Pulido
  - Jayavarsheini Sivananthan
  - Samantha Steemson
  - Tairui Zang

### **Summary:**

The Gladstone Region Youth Council provides Council with strategic advice on issues that are pertinent to youth, youth engagement, and enhancing the participation of young people in the Gladstone Region.

**Link to Corporate Plan:**

Connecting Communities - We work with you and for you, supporting the success of our communities.

**Background:**

In 2024 the Terms of Reference were amended to allow for an increase in the number of ordinary members, now stating 'a minimum of five members.' Under the Terms of Reference, membership of the Youth Council is reviewed annually with appointments made for the upcoming calendar year. Membership is open to young people aged between 15 and 25 years including those who are turning 15 within the first six months of the Youth Council term and reside in the Gladstone Region. Appointed members are able to seek re-appointment for subsequent terms.

Council received 23 applications for the 2025 committee, including six return members. One applicant did not attend the interview and was withdrawn from the process. The 16 new applicants were interviewed by a panel of two Council Officers from the Community Partnerships Team. Officers believe all return members have proven invaluable to the committee and will be great mentors to the incoming committee and each person interviewed would be an asset and bring unique perspectives and experiences to the Youth Council. Applicants range in age from 16 to 24, and range from five different high schools, university, full time work and community volunteering. Several have a keen interest in politics, the environment, creative arts, and technology. All applicants demonstrated a passion in youth advocacy and a desire to achieve better outcomes for youth across the Gladstone Region in several identified fields including mental wellbeing, recent increases in youth vaping, youth isolation, dangers of social media, climate change, cost of living and increased usage of artificial intelligence.

In response to recent feedback from the 2024 Youth Council, the Community Development Team has reviewed the current model to explore how the program can deliver the best outcomes to members. While the program is delivering positive outcomes, feedback has highlighted that the Youth Council experience could be improved with regular interactions from Councillors. Community Development Officers are recommending that having two assigned Councillors to the Youth Council would provide the support the Youth Council is seeking. Appointed Councillors can provide guidance and mentorship on a regular basis and build rapport with the group throughout the year. The appointed Councillors will have insight into the issues, trends and ideas that the Youth Council is sharing and can better advocate for their voices to be heard. The Youth Council meetings would retain an open-door policy for all Councillors to attend any meetings they wish as guests.

In addition to the Youth Council, Council will also be engaging with youth to deliver youth-focused events within their local communities.

**Risk Management Summary:**

Council has adopted a minimum risk appetite for reputational risks and a moderate risk appetite for service delivery risks. The Youth Council assists Council to manage reputational and service delivery risks by providing strategic advice to Council.

**Options and Opportunity Analysis:**

Option 1 – Adopt the recommendation to appoint 16 members to the 2025 Youth Council

The opportunity associated with this option is that Council can facilitate growth of the committee through appointing 16 nominations for the 2025 Gladstone Region Youth Council. This will benefit Council by having access to a greater demographic of youth who will share their voices, build the capacity of the Youth Council, expand connections, and draw in varied experiences that will broaden the perspectives shared with Council. Council’s Philip Street Advisory Committee currently has 16 members and previously the Saiki Sister City has also had 16 members, which has proven to be effectively facilitated.

Throughout the interview process, no applicants were deemed unsuitable. The recommended group brings diversity in ages (16 – 24 years old), cultural backgrounds, education, volunteering experience, work experience, passions, lived experiences and includes applicants from five different high schools. The six returning members will have the opportunity to mentor new members through a buddy system, building their leadership skills and giving them the responsibility of being a youth contact point within the Youth Council. This helps to achieve a desired outcome of the Youth Council which is ‘young people are supported by young people’.

Historically, attendance and retention rates of the Youth Council fluctuate due to unknown rosters and schedules (school and work) and a natural decrease in membership over the span of the year could be expected. Having a larger group of youth allows for greater attendance at meetings, knowing that there are weeks where competing priorities may take precedence for some, particularly those completing year 12 or who work shift-work rosters. When engaging with community organisations and local businesses, a larger group is beneficial for engagement and feedback.

Option 2 – No other feasible options have been identified.

**Stakeholder Engagement:**

Expressions of Interest for Youth Council membership for 2025 were sought in several ways including social media, Council’s website, local school newsletters, email distribution through local networks and community groups, and flyer distribution. Several applicants stated they applied for membership as it was recommended by past Youth Council members. As advised in 2022 by Council’s Governance Advisor, an interview process is unnecessary for returning members who have already demonstrated their commitment. New members attended an interview with representatives of Council’s Community Partnerships team.

**Legal and Regulatory Implications:**

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

**Financial and Resource Implications:**

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

**Anticipated Resolution Completion Date:**

31 January 2025

**Attachments:**

1. Youth Council Terms of Reference with proposed changes



**G/5. COUNCILLORS REPORT**

**G/6. URGENT BUSINESS**

**G/7. NOTICE OF MOTION**

**G/8. CONFIDENTIAL ITEMS**

**G/8.1. APPOINTMENT OF STATE EMERGENCY SERVICES (SES) LOCAL CONTROLLER**

**Responsible Officer:** General Manager Finance Governance and Risk

**Prepared By:** General Manager Finance Governance and Risk

**Council Meeting Date:** 21 January 2025

**File Ref:** ES1.4

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**Reason for Confidentiality:**

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

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