



**GLADSTONE**  
REGIONAL COUNCIL

## **GENERAL MEETING AGENDA**

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

**On 21 May 2019**

**Commencing at 9.00am**

**Leisa Dowling  
CHIEF EXECUTIVE OFFICER**

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**G/1. MAYORAL STATEMENT OF CURRENT ISSUES**

Nil.

## **G/2. CONFIRMATION OF MINUTES**

### **G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 7 MAY 2019**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 21 May 2019

**File Ref:** CM7.2

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**Purpose:**

Confirmation of the minutes of the General Meeting held on 7 May 2019.

**Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 7 May 2019 be confirmed.

**Attachments:**

1. Minutes of the General Meeting of Council held on 7 May 2019.

**Tabled Items:**

Nil.

**Report Prepared by:** Executive Secretary

## **G/3. OFFICERS' REPORTS**

### **G/3.1. OFFICE OF THE CEO**

#### **G/3.1.1. ATTENDANCE FOR SAIKI DELEGATION**

**Responsible Officer: Chief Executive Officer**

**Council Meeting Date: 21 May 2019**

**File Ref: CM6.1**

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#### **Purpose:**

Approval is sought for Mayor Burnett and the Chief Executive Officer to attend the Saiki Delegation in Saiki, Japan in July (as below) as part of Council's Declaration of Friendship between the cities.

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

That Council:

1. Authorise Mayor Burnett to attend the Saiki Delegation on 1 – 7 July 2019.
2. Authorise the Chief Executive Officer, Leisa Dowling to attend the Saiki Delegation on 1 – 7 July 2019

#### **Background:**

In September 1996 a Declaration of Friendship was signed between the then Gladstone City Council and Saiki City Council. The declaration was established between the two cities to promote and engage in exchanges between the two cities through cultures, education and traditions. A new Declaration was signed in September 2011 between Gladstone Regional Council and Saiki City Council.

Within the Declaration of Friendship, it has been customary for the Mayor and a Council officer to visit Saiki, Japan and in turn the Mayor of Saiki to visit Gladstone as part of promoting closer bonds and relations between the cities. Gladstone Regional Council is now due to send a delegation to Saiki. Prior to the Saiki Delegation the Mayor and Chief Executive Officer will attend meetings as part of a trade and investment delegation that will continue with the promotion of the Gladstone Region.

Council has had a long association with Saiki, Japan and has promoted the exchange through a range of activities and functions. The Student exchange program, the annual photographic competition and exhibition, Intercity Images and Saiki Children's Day.

A number of Councils in Australia have sister city relationships that encourage international understanding between different nationalities and cultures. The Sister City movement is a worldwide concept, which originated in the United States of America shortly after World War II - a period in history, like now, where people wanted to focus on community values and exchanges to encourage international understanding and ultimately world peace.

**Consideration:**

The delegations will provide opportunities in the trade and investment area and also engagement with Saiki City Council and draw on the experiences and similarities between the two cities.

It is noted that Cr O'Grady will attend with the Saiki delegation along with officer, Maureen Mason. Both will be visiting Japan and will pay for their own flights to attend.

**Communication and Consultation (Internal/External):**

Mayor, Chief Executive Officer and Manager Governance.

**Legal Environmental and Policy Implications:**

Councillor Overseas Travel

Councillor Expenses Reimbursement and Provision of Facilities Policy (P-2018-31) provides for travel outside of the Gladstone Regional Council area in 6.3.1 and 6.3.3 however requires a resolution of Council to endorse the attendance of, and subsequent travel to any such conference when overseas.

Officer Overseas Travel

Corporate Standard CS-20-2016 Learning and Development provides for Officer attendance at Non-Mandatory Training via 6.2.2. 6.5.2 - Travel, accommodation and meals states that any overseas travel must be approved by resolution of Council.

While it is recognised that the Policy and Corporate Standard referenced above don't specifically contemplate sister city delegations, they do provide the mechanism for authorising overseas travel.

**Financial and Resource Implications:**

Flights are estimated at \$4,998.94 (both the Mayor and the CEO) and accommodation for 2 nights in Tokyo is \$880.00 (both the Mayor and CEO). Total costs for both representatives are \$5,878.94. Please note that Saiki City will pay for accommodation and hospitality during the Saiki delegation visit for attendees.

**Commentary:**

Nil.

**Summary:**

Nil.

**Anticipated Completion Date:**

7 July 2019.

**Attachments:**

Nil.

**Tabled Items:**

Nil.

**Report Prepared by:** Executive Assistant to the Chief Executive Officer and  
Chief Executive Officer

### **G/3.1.2. LEAVE OF ABSENCE FOR MAY 2019**

**Responsible Officer: Chief Executive Officer**

**Council Meeting Date: 2 April 2019**

**File Ref: CM7.2**

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#### **Purpose:**

Reporting on Councillors' leave of absences proposed as at May 2019 as required under section 6.1.1 of the Council Meetings Procedures Policy (P-2018-27).

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

That Council grant the following leave of absences:-

1. Cr O'Grady from 2 – 9 July 2019 (inclusive)
2. Cr Sobhanian from 2 – 16 July 2019 (inclusive)
3. Cr Churchill from 15 – 20 June 2019 (inclusive)

#### **Background:**

In accordance with Council's Meetings Procedures Policy (P-2018-27) a Councillor must seek a leave of absence from a General or Committee meeting where a Councillor cannot attend for a private reason. This applies to Council's General Meetings and Committee meetings such as the Business Improvement Committee meeting.

Leave from a meeting is granted to a Councillor at the discretion of Council via a resolution and can be applied for prior to the meeting or at the meeting itself. A leave of absence does not need to be requested by a Councillor in person.

The Policy notes that a leave of absence is automatically granted to a Councillor where the Council passes a formal resolution for a Councillor to attend a conference or represent Council at an event.

This report is the leave of absences proposed as at 9 May 2019 that have been previously requested by Councillors.

#### **Consideration:**

The following requests for a leave of absences were submitted as follows:-

- Cr O'Grady via email on 24 April 2019 to attend the Saiki Delegation.
- Cr Churchill via email on 28 April 2019 for a personal matter.
- Cr Sobhanian via email on 21 April 2019 and updated on 22 April 2019 for a personal matter.



**Communication and Consultation (Internal/External):**

Mayor and Chief Executive Officer.

**Legal Environmental and Policy Implications:**

The Council Meetings Procedures Policy requires Councillors to seek a leave of absence from General or Committee meetings where the Councillor cannot attend for a private reason under section 6.1.1. An application for leave does not need to be made in person but must be granted by Council.

The *Local Government Act 2009 (section 162)* states that if a Councillor is absent, without the local government's leave, from two or more consecutive General meetings of the local government over at least 2 months, the Councillor's office becomes vacant.

**Financial and Resource Implications:**

Nil.

**Commentary:**

Based on current known absences and noting attendance at approved conferences there is likely to be four (4) councillors absent for the General Meeting to be held on 2nd July 2019 and three (3) Councillors on 16 July 2019.

**Summary:**

Nil.

**Anticipated Resolution Completion Date:**

4 June 2019.

**Attachments:**

Nil.

**Tabled Items:**

Nil.

**Report Prepared by:** Executive Assistant to the Chief Executive Officer

## **G/3.2. STRATEGY AND TRANSFORMATION**

### **G/3.2.1. REQUEST FOR ADDITIONAL FUNDS FOR WORKS FOR QUEENSLAND 2017-19 PROJECT CALLIOPE AND DISTRICT MULTI PURPOSE FACILITY**

**Responsible Officer: General Manager Strategy and Transformation**

**Council Meeting Date: 21 May 2019**

**File Ref: GS3.2**

#### **Purpose:**

The purpose of this item is to allow Council to consider the attached request from Calliope Junior Rugby League Club for additional time and funds to complete Calliope District Multipurpose Facility project.

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

That Council:

1. Endorse the project to proceed fully funded to the amount of \$1,417,254, providing approval is received from the Department of Infrastructure, Local Government and Planning on an extension of the project completion date to 13 September 2019.
2. Make all efforts to recover funds where possible by applying to the Department of Infrastructure, Local Government and Planning to re-assign any unspent funds allocated to Gladstone Regional Council in the 2017-19 Works for Queensland Program, to the Calliope Multipurpose Facility project.
3. Allocate the required shortfall up to a maximum of \$617,254 additional funds in the 2019/2020 Operating Budget for the Calliope Multipurpose Facility project.

#### **Background:**

On 19 June 2017, correspondence was received from the Department of Infrastructure, Local Government and Planning that \$5,990,000 had been made available to Gladstone Regional Council under the 2017-19 Works for Queensland Program. One of the conditions of this funding was that all projects were to be completed by 30 June 2019.

Council determined to fund several projects as part of this program, as below:

Harbour City BMX Track Upgrade	Practically completed
Marley Brown Oval Multipurpose Facility	Completed
Western Suburbs Swimming Club Upgrades	Practically completed
Bray Park Pump Track and Skate Park	Completed
Gladstone Kart Club Canteen	Completed
Laydown Slab for Recycle Glass for pipe bedding at Benaraby Landfill	Completed
Bunting Park Dog Agility Area	On Track for completion
Footpath and Pavement Renewals at various locations	On Track for completion
Calliope Multipurpose Facility	Requires urgent action

In the above table, practically completed indicates the project is physically completed and lodgments to finalise the approvals and funding agreements are underway. There are no expected delays, overspends or challenges from the above highlighted blue or green projects.

The exception is the Calliope Multipurpose Facility which is yet to commence construction with less than 2 months until the completion date (30 June 2019). This project was allocated \$800,000 (GST exclusive) of the Works for Queensland funding and has to date claimed \$360,000 from Council as their initial payment. These funds were paid in advance in accordance with the funding arrangements in place. The Club provided evidence indicating the funds would be used for:

- Consultants fees to prepare the required plans and submit the required Development Applications; and
- Initial deposits for various elements of the facility (ie. Shed fabrication)

On 12 April 2019, the Calliope Junior Rugby League Club submitted the attached request for additional time (until 13 September 2019) to complete the project.

On 17 April 2019, the Calliope Junior Rugby League Club submitted the attached request for an additional \$659,524 of funds (total project cost \$1,459,524) to complete the project. The correspondence also detailed the reasons behind the original estimates and consequences of the subsequent Development Application conditions.

On 8 May 2019, Officers met with Club representatives to discuss options to proceed. During this meeting it was agreed that the Club would revisit their estimates provided on 17 April in light of the following factors:

- The development permit conditions issued by Council have been reviewed and are the minimal requirements that can be imposed on this type of development.
- The funding agreement between GRC and the Department requires the provision of a Multi-purpose function facility.

Following this meeting, a subsequent letter was received from the Club on 10 May 2019, confirming the amount of additional funding being requested to complete the project as \$1,417,254.

To provide further background officers have attached a timeline detailing the various interactions, and the general content, between the Club and Council since July 2017 when it was first determined to allocate funds from the 2017-19 Works for Queensland Program to Calliope Junior Rugby League.

### **Consideration:**

To further this project to successful completion there are three (3) main challenges to overcome:

- Operational Works Approval
  - Council received the response from the Club on 9 May and is working towards a decision. Multiple discussions with the club indicate this challenge will be overcome by around end of May.
- Time
  - Additional time is required to complete the project with the original completion date being 30 June 2019, and the Club now requiring until 13 September 2019 to complete. Further detail below.
- Budget
  - The Club has highlighted that it is not possible to complete the project to the required standards of the Department within the original \$800,000 allocated. Options to descope have been reviewed and it is the consensus of Officers and of the Club that there are minimal savings to be gained from descopeing, that would still enable the project to meet the required standards. Further detail below.

### Additional Time Request

Should the project not be completed by the current deadline of 30 June 2019, Council will be unable to claim the remainder of the funding available for this project (i.e. \$440,000 remains unclaimed to date). This would then present several potential consequences with the Calliope Roosters Junior Football Club having to find alternative funds for the remainder of the project. It is noted that the Club has already entered into construction contracts with the builder, civil contractor and shed supplier, with the shed already fabricated and ready for delivery.

In accordance with the project managers submitted schedule of works, from commencement of earthworks to completion of the project will take 20 weeks. Works had to commence by 1 April 2019 in order to meet the 30 June 2019 deadline. The Operational Works application was lodged on 7 March 2019, with an Information Request issued on 18 March 2019. Council received the response on 9 May and is currently reviewing the material. Works cannot lawfully commence until this approval is in place.

Officers sought approval on 17 April 2019, from the Department to request a variation to the completion date to 13 September 2019.

It is noted that works must commence by 27 May 2019 in order to meet the proposed new completion date of 13 September 2019.

### Additional Funds Request

The additional funds requested above the current \$800,000 allocation is \$617,254, taking the total project cost to \$1,417,254. It is noted that the Department will not allocate any additional funds to Council for the project.

Council had allocated a \$230,000 contingency in the 18/19 budget for the community led projects being funded under this program. This contingency was not required for any other Works for Queensland project and therefore that budget has not been spent to date. The funds were allocated in Operational Expenditure and as such cannot be carried over to 19/20 budget.

It is also noted that there are surplus funds within the other Works for Queensland 17/19 projects that have run under budget. These surplus funds may be reallocated within this funding arrangement, subject to an approved request to the Department. At the time of writing, the sum of underspend that may be allocated to this project is approximately \$276,000.

The original project figure of \$800,000 was indicated by the Club in the initial stages of the determination of the allocation of funding. The Club states that this was based on assumptions that there would be no Material Change of Use or Operational Works applications required.

The Club's letter on 11 April 2019 indicated that the Club was always expecting a funding shortfall of around \$95,000 for which separate funding was going to be sought. To date, this additional funding from a third party has not been secured.

Since the funding approval by Council and the Department, it was determined that the proposed use would trigger a Material Change of Use application under the current Gladstone Planning Scheme. Further to this, an Operational Works Permit, Building Works Permit and Plumbing Permit would also be required. It is noted that those permits are necessary regardless of whether an MCU was triggered given the nature of the development (earthworks in a flood area, Building and Plumbing Works).

As evidenced in the attached interactions timeline, Council has been working with the Club regularly to advise them of the expectations regarding both the requirement for Development Applications and the conditions that may be applied.

As per the documentation submitted by the Club, these permits have resulted in additional consultants' costs (planning and engineering) which were not initially factored in. The Club estimates these costs at around \$60,000.

The Club has had all associated Development Application fees reimbursed as per the Donations to Community Organisations Policy.

Further unexpected costs relating to compliance with the Development Conditions indicated by the Club include:

- External Façade treatments - \$35,000
- Lighting to Carparking - \$40,000
- Civil Works as per Operational Works approval - \$273,770

Whilst it is noted that there are façade treatments required for a structure of this nature in accordance with the Planning Scheme requirements, there is no condition for lighting to the carpark so this may provide an area for savings or cost reduction. This was communicated to the Club on 8 May.

As detailed in Attachment 2, if the Club were to de-scope to provide a facility at the \$800,000 allocation, the structure provided would likely not meet the terms of the funding in that the result would not be a 'Multipurpose Function Facility'. Officers believe that the Department would not consider that the project has been delivered in line with the original intent '*Construction of a multi-purpose facility at Bunting Park Calliope to accommodate expanded facilities for the local (junior and senior) rugby league club, the local boxing club and general community assembly*'. This would also result in the provision of a structure that did not meet the requirements of the current Development Permit, and therefore could not lawfully commence any use.

In considering the most efficient allocation of resources for this project, it is essential to ensure that the facility is still able to meet the various expectations it must fulfill. This is the conditions of the current MCU Development Permit, the Department funding requirements and the community usage. Officers and the Club have extensively discussed the potential descoping or staging of the development in order to reduce costs. However it is evident that the current design and costing are at the essentials only that are necessary in order to provide a facility that meets both the Development Permit conditions as well as the Funding requirements.

Officers consider that there are several potential options available in determining this request however only Option 1 is all to fulfill the above 3 expectations. The options below have been listed in order of the highest additional contribution from Council, to the lowest.

#### Option 1 – Council fully fund the project to a total of an additional \$617,254

Council may wish to fully endorse and fund the project to completion based on the Club's current estimate of costs being \$1,417,254 total project costs.

In considering this option, an additional \$617,254 would need to be allocated above the \$800,000 initial funding from the Department.

There is potential for the Department to approve the re-assignment of approximately \$276,00 of unspent funding from the other Works for Queensland 17/19 projects. This would require a formal request to the Department.

If approved, it would reduce the amount of Council subsidy to approximately \$341,254

There are reputational risks for both the Council and the Club if this project is not completed successfully.

After much discussion with the Club, and with Council's Planning team, Option 1 appears to be the only option that will fulfill the original requirements of this project and ultimately both of Council's Development Permit Conditions and the Department's funding requirements.

This option is dependent on approval of the date extension from the Department.

Option 2 – Council provide an additional \$341,254, subject to the Department re-assignment of \$276,000

Council may wish to only fully endorse and fund the project to completion providing it receives approval to re-assign the estimated \$276,000 of unspent funding from other Works for Queensland 17/19 projects.

This would limit Council's subsidy of this project to \$341,254.

This option would be dependent on approval of both the date extension and funding re-assignment, from the Department.

The Club have indicated that they have given much consideration to de-scoping this project but cannot see a way to provide an outcome that will fulfill the original requirements of this project, being both of Council's Development Permit Conditions and the Department's funding requirements without the full allocation of funding that has been requested.

Therefore, this option carries the risk of the project not being completed if both approvals are not attained.

If this option is preferred, an alternative recommendation could be:

*That Council:*

- 1. Endorse the project to proceed fully funded to the amount of \$1,417,254, providing approval is received from the Department of Infrastructure, Local Government and Planning on an extension of the project completion date to 13 September 2019 and re-assignment of any unspent funds allocated to Gladstone Regional Council in the 2017-19 Works for Queensland Program, to the Calliope Multipurpose Facility project.*
- 2. Allocate \$341,254 additional funds in the 2019/2020 Operating Budget for the Calliope Multipurpose Facility project.*

Option 3 – Council provide no additional funding - total Project Funding of \$800,000

The Club have indicated that they have given much consideration to de-scoping this project but cannot see a way to provide an outcome that will fulfill the original requirements of this project, being both of Council's Development Permit Conditions and the Department's funding requirements with this allocation of funding.

Due to the timing available to commence construction (less than 1 month) it is not seen as feasible for the Club to secure additional alternative funding to the value of \$617,254 in time to meet the funding requirements for this project. Therefore, it is almost certain that if this is the preferred option, the project will cease.

If the project were to cease Council would be forfeiting the full \$800,000 funding opportunity and would also be required to pay back the \$360,000 already claimed on the project.

It is also anticipated that the Club would make a claim to Council of approximately \$397,870 to restore their current out of pocket costs as detailed in Attachment 5.

It is a possibility this option will lead to a total cost to Council of \$397,870, with no community asset to show for the investment, as well as negative publicity and high reputational risk for both the Club and Council.

If this option is preferred, an alternative recommendation could be:

- 1. That Council advise the Calliope Junior Rugby League Club that no additional funds, beyond the \$800,000 currently within the current funding arrangement, will be allocated to the project.*

### **Communication and Consultation (Internal/External):**

The Strategic Grants Specialist has liaised with several parties to progress the project to this point, both internal to Council as well as the CJRL Club and their appointed Project Manager. Council's Community Development Specialist and Accountant have been vital in assisting in establishing the history of the project as well as the current status and available funds. The Community Development Specialist has also assisted in understanding the Clubs limitations and expectations regarding the funding.

Discussions have also occurred with the Departments representatives to ascertain the process and likelihood of support of the extension component of the project.

Attached to this report is also a list of the external dealings between Council and the Club to date.

Every attempt has been made to ensure value for money is prioritised in the consideration of the spending of the Departments funds, and any additional Council funds. The Club has been requested to submit further documentation demonstrating value for money and justifying the quotes provided. Any response provided will be tabled at the Meeting.

### **Legal Environmental and Policy Implications:**

#### Additional Time Request

Should the requested extension of time be granted there would be minimal Legal Environmental and Policy implications. It is noted there would be no appetite for any additional extensions from the Department beyond this.

Should the Department not approve the request for additional time, the project will not be able to be completed by the 30 June 2019 deadline. Council will be unable to claim the remainder of the funding available (i.e. \$440,000 remains unclaimed to date). This would then present several potential consequences such as Council and/or the Calliope Roosters Junior Football Club having to fund the remainder of the project. The Club has already entered into construction contracts with the builder, civil contractor and shed supplier. The potential implications here are a loss of reputation with both the community and the funder (Department of Local Government, Racing and Multicultural Affairs).

#### Additional Funds Request

The additional funds requested is an additional \$617,254 (total project cost of \$1,417,254) to complete the project. Whilst there are no legal obligations for Council to provide additional funds, there is a community expectation that Council responsibly issues their Grant Funding to organisations and projects that are sufficiently progressed to maximise the chance of successful delivery of the project.

## **Financial and Resource Implications:**

### Additional Time Request

Should the requested extension of time be granted there would be minimal financial implications in that regard. Should the Department not approve the request for additional time, the project will not be completed by 30 June 2019 and Council will be unable to claim the remainder of the funding available (i.e. \$440,000 remains unclaimed to date). Council may also be required to pay back the already claimed amount of \$360,000.

### Additional Funds Request

The additional funds requested are an additional \$617,254 (total project cost of \$1,417,254) to complete the project. It has been identified that there are surplus funds within the other Works for Queensland 17/19 projects that have run under budget. These surplus funds may be reallocated within this funding arrangement, subject to an approved request to the Department. At the time of writing, the sum of underspend that could be allocated to this project is approximately \$276,000. If approved to use these funds it would reduce the funding shortfall to \$341,254.

## **Commentary:**

If the requested variation is approved by the Department, officers intend to set a robust construction schedule with the Club with regular check ins. A clear understanding will be established as part of this that should these milestones not be met, the funding may not continue.

As a whole, the Works for Queensland 17/19 funding program, inclusive of all projects, will be reviewed and evaluated subsequent to all projects being completed.

## **Summary:**

The Calliope Multipurpose Facility, as funded by the Works for Queensland 2017-2019 Funding round is yet to commence construction with less than 2 months until the required completion date (30 June 2019). Officers have progressed an application to the Department to attempt to secure additional time to complete the project. Should this variation not be supported, Council will have to further consider the options in having to fund the uncompleted portion of the project.

The facility is also expected to run significantly over the initial \$800,000 funding budget with additional funds for the project being requested from Council by the Club.

## **Anticipated Resolution Completion Date:**

13 September 2019.



**Attachments:**

1. Calliope Junior Rugby League request for additional time to complete Calliope District Multipurpose Facility project.
2. Calliope Junior Rugby League request for additional funds to complete Calliope District Multipurpose Facility project.
3. Calliope JRL and Gladstone Regional Council interactions since June 2017.
4. Development Approval DA/29/2018 - Negotiated Decision Notice and Approved Plans
5. Further Detail from Calliope Jr Rugby League 10 May 2019

**Tabled Items:**

Nil.

**Report Prepared by:** Strategic Grants Specialist

### **G/3.3. STRATEGIC ASSET PERFORMANCE**

#### **G/3.3.1. GATES AND GRIDS**

**Responsible Officer: General Manager Strategic Asset Performance**

**Council Meeting Date: 21 May 2019**

**File Ref: CM28.2**

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#### **Purpose:**

To obtain direction from Council on the future management of gates and grids in the Gladstone Region to allow the Gates and Grids policy review to be finalised.

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

That Council:

1. Adopt Option 1a as the position to be reflected in a revised drafting of Local Law and policy, whereby the ownership of all gate and grid structures to be transferred to Council, with cost recovery to occur through the general rate.
2. In recognition of the time it will take to amend the policy and local law, authorise the Chief Executive Officer to administer an amnesty period for the current fees and charges under the existing policy P-2015-27 Gates and Grids.

#### **Background:**

Policy P-2015-27 was amended and adopted in 2015 to assist with the administration of *Subordinate Local Law No. 1.16 (Gates and Grids) 2011*. A review of Council's Policy P-2015-27 on Gates and Grids was triggered in November 2018.

Since the implementation of the policy in 2015, impacted landowners have raised a number of concerns including:

1. Difficulty and expense in obtaining the required level of public liability insurance (currently set at \$20M).
2. Being responsible for undertaking maintenance on the road approaches to grids.
3. Resolution of grid ownership when the grid is located on the boundary of two properties.
4. Unfair impost on landowners to maintain gates and grids located in the road corridor.

Based on the concerns raised, feedback was sought from impacted landowners on the following three possible options to manage gates and grids in the future:

1. Option 1 - Council takes over ownership of all existing gates and grids and becomes responsible for all future asset management activities.
2. Option 2 – Council takes over ownership of all existing gates and grids and becomes responsible for all future asset management activities with the exception of grid renewal which remain the responsibility of the landowner.
3. Option 3 – Maintain current policy position (private grid ownership and all associated costs funded by the grid owner) with minor amendment to address dual ownership.

Options 1 and 2 would have cost implications to Council, and as such feedback was also sought from impacted landowners on how to recover the additional costs.

Details on the:

- History behind the current local law and policy are provided in Attachment 1 – Timeline of Local Law and Policy changes.
- Existing grid network are provided in Attachment 2 – Condition Assessment of existing grids.
- Responsibilities under the current local law and policy are provided in Attachment 3 – Current Policy Responsibilities, Statistics and Condition Assessment Summary.
- Proposed options are provided in Attachment 4 – Proposed Options.

### Consideration:

Council undertook a focused community engagement process targeting existing grid owners and stakeholder groups between 12 February 2019 and 8 March 2019. Approximately 51 landowners attended the consultation meetings. Feedback received from impacted landowners on their preferred approach to managing gates and grids in the future is summarised below:

#### Landowner Preferences for Managing Gates and Grids

Option <sup>1</sup>	Number of Responses Received	% of Respondents
<b>1(a)</b>	40	54.8%
<b>1(b)</b>	-	-
<b>2(a)</b>	13	17.8%
<b>2(b)</b>	1	1.4%
<b>3</b>	11	15.1%
<b>4</b>	6	8.2%
<b>Nil – no option chosen</b>	2	2.7%
<b>Totals</b>	<b>73</b>	<b>100%</b>

Note:

1. Under option (a) the additional costs to Council would be recovered from the wider rating base. Under option (b) the additional costs to Council would be recovered from the impacted landowner only.

In addition to the three (3) options presented by Council, landowners attending the Mt Larcom community consultation session presented their own policy position (refer Attachment 5 – Option 4: Policy Position submitted by Landowners). This position came about as a result of ten landowners (which represent a total of 77 grids, or 23%, on Council's roads) meeting separately to discuss their concerns and present their own option for Council's consideration. For the purposes of this report, this position will be referred to as Option 4 and is summarised below:

- Landowners responsible for:
  - Identifying and registering grids with Council at no additional cost to the landowner.
  - Installing and maintaining grids to an agreed standard.
  - Sharing responsibility for grids on property boundaries with the exception of land owned by government infrastructure entities.
  - Ensuring vehicles can access through gates adjacent to new grids.
- Council responsible for:
  - Owning and insuring the grids.
  - Maintaining the roads up to the grid.
  - Ensuring vehicles can access through gates adjacent to existing grids.
  - Ensuring the grid is usable following road maintenance activities.
  - Undertaking an inspection regime in consultation with the landowners.
  - Providing a vacuum truck to landowners to assist landowners with cleaning out their grids.

- Industries that contribute to increased traffic volumes responsible for:
  - Upgrading grids to meet higher standards.

Taking into consideration outcomes of various investigations and community feedback a SWOT analysis has been undertaken on the four options.

**OPTION 1 - Ownership of all gate and grid structures transferred to Council**

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>• All grids within the road network will be managed to a consistent standard.</li> <li>• Maintenance activities will be carried out by suitably trained personnel with appropriate traffic control in place.</li> <li>• Maintenance and renewal will occur when required.</li> <li>• Insurance coverage will be consistent across the network.</li> <li>• Cost to install new grids will be recoverable from landowners.</li> <li>• New and renewed grids will meet standards at time of installation.</li> <li>• Depending on cost recovery method, dual ownership issues are addressed.</li> </ul>	<ul style="list-style-type: none"> <li>• The cost to maintain, repair and replace grid structures including the maintenance of approaches has been estimated at \$520,000 per annum.</li> <li>• Assumed condition of existing known grids will require approximately \$1.3M in capital expenditure over the next five years.</li> <li>• Local law will need to be amended at a cost of around \$7,500.</li> <li>• Risks to motorist from grazing cattle remains.</li> <li>• Depending on the cost recovery method, dual ownership issues remain.</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>• Condition of grids may be better than assumed based on sample assessed.</li> <li>• Reduction in the number of grids by assessing need for grid prior to renewal.</li> </ul>	<ul style="list-style-type: none"> <li>• Additional grids may be identified in the network which will add to costs.</li> <li>• Condition of grids may be worse than assumed based on sample assessed.</li> <li>• The length of road network to be maintained by Council may increase as a result of grids not on currently maintained roads /road sections. This will increase overall road maintenance costs.</li> <li>• Number of new grid applications may increase as a result of Council being responsible for ongoing maintenance and renewal.</li> <li>• Depending on the cost recovery model adopted there may be negative feedback.</li> </ul>

Summary of Feedback on Option 1 from Community Consultation:

Option 1 was the preferred position of almost 55% of respondents. Cost recovery through the wider rating base was the unanimous position of those respondents. Commentary provided as part of the feedback process indicates that this position is based on a perception that many Council incurred costs are shared by the wider rating base irrespective of whether they derive a benefit or not.

Many respondents also noted that grids often replaced gates to make traversing roads easier for road users.

Concerns however were held with some respondents that by transferring ownership to Council under Option 1, they would lose control of their grids, resulting in grids being removed to the detriment of the landowner.

Concerns were also raised around the cost estimates to maintain the grids. It has been recommended that Council consider more than one class of grid rating costs, with lower costs

associated with grids on lower order roads. This recommendation would need to be further explored if Option 1b was selected.

**OPTION 2 - Ownership of grids transfer to Council – landowner responsible for renewal of grids**

<b>Strengths</b>	<b>Weaknesses</b>
<ul style="list-style-type: none"> <li>• Lower cost to Council as depreciation is met by the landowner as they are responsible for the cost of purchasing and installing a new replacement grid.</li> <li>• Maintenance activities will be carried out by suitably trained personnel with appropriate traffic control in place.</li> <li>• Maintenance will occur when required.</li> <li>• Insurance coverage will be in place for maintenance activities undertaken on grids.</li> </ul>	<ul style="list-style-type: none"> <li>• A register of landowners who gain benefit from grids will be required to cover renewal of grids.</li> <li>• Landowners may not agree with Council's condition assessments and end of life of an existing grid.</li> <li>• Renewal activities may not occur in a timely manner or to the standard required.</li> <li>• 3<sup>rd</sup> party insurance will still be required for renewal activities.</li> <li>• Landowners may not be equipped to safely carry out renewal works on the roads.</li> <li>• Local law will need to be amended at a cost of around \$7,500.</li> <li>• Risks to motorist from grazing cattle remains.</li> <li>• Dual ownership issues remain irrespective of cost recovery method.</li> <li>• As Council owns the grids, Council will not be able to compel the landowner to pay for the replacement of grids that have reached the end of their life.</li> </ul>
<b>Opportunities</b>	<b>Threats</b>
<ul style="list-style-type: none"> <li>• Condition of grids may be better than assumed based on sample assessed.</li> </ul>	<ul style="list-style-type: none"> <li>• Additional grids may be identified in the network which will add to costs.</li> <li>• Condition of grids may be worse than assumed based on sample assessed increasing maintenance costs.</li> <li>• The length of road network to be maintained by Council may increase as a result of grids not on currently maintained roads /road sections. This will increase overall road maintenance costs.</li> <li>• Number of new grid applications may increase as a result of Council being responsible for ongoing maintenance.</li> <li>• Depending on the cost recovery model adopted there may be negative feedback.</li> </ul>

Summary of feedback on Option 2 from Community Consultation:

Approximately 19% of respondents preferred Option 2, with the majority preferring for costs to be recovered from the general rating base. Respondents provided similar feedback on reasoning for shared cost recovery to Option 1 respondents.

**OPTION 3 – Maintain current policy position**

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>No changes required to Local Law or Council activities.</li> <li>Landowners who adopt appropriate asset management principles can keep whole of life costs down.</li> <li>Council has the ability to remove unclaimed grids.</li> </ul>	<ul style="list-style-type: none"> <li>Landowners may not agree with Council's condition assessments.</li> <li>Renewals and maintenance activities may not occur in a timely manner or to required standard by the landowner.</li> <li>Risks to motorist from grazing cattle remains.</li> <li>Costs associated with enforcing licensing regime</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>Feedback received has highlighted opportunities for improvements to current operations.</li> <li>Review the number of grids within the network and develop a strategy to remove excess grids in a cost effective manner.</li> </ul>	<ul style="list-style-type: none"> <li>Unclaimed grids remain a liability to Council.</li> <li>Landowners concerns remain.</li> </ul>

Summary of feedback on Option 3 from Community Consultation:

Of the 73 responses received, 15.1% of landowners opted to maintain the current policy position.

Feedback received has identified a number of opportunities that Council could improve:

- Greater care and attention from Council road maintenance crews to avoid damage to grids or pushing dirt into grid void.
- Dual ownership can be addressed through policy modification.
- Further work is required by Council to address roads that are located outside of the gazette road boundary.

**OPTION 4 – Hybrid option presented by participants**

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>Reduces cost and liability of landowners.</li> </ul>	<ul style="list-style-type: none"> <li>The cost to administer the required processes would be recovered from the wider rating base.</li> <li>Landowners may not agree with Council's condition assessments.</li> <li>Renewals and maintenance activities may not occur in a timely manner or to required standard by the landowner.</li> <li>Landowners will still require 3<sup>rd</sup> party insurance and appropriate safety processes to undertake works on the road network.</li> <li>Council would also lose its legal ability to compel landowners to undertake maintenance and repair work if ownership shifts to Council.</li> <li>Does not adequately address the issue of dual ownership.</li> <li>Council's insurance does not permit dry hire of vacuum trucks, Council would therefore need to cover cost of vacuum trucks to clean out grids.</li> <li>Does not address difficulties in owners accepting responsibility for some structures.</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>As the asset owner, Council would have the</li> </ul>	<ul style="list-style-type: none"> <li>The length of road network to be maintained</li> </ul>

<p>opportunity to consolidate grid numbers due to failure to claim or during the renewal process.</p> <ul style="list-style-type: none"> <li>• Feedback received has highlighted opportunities for improvements to current operations similar to Option 3.</li> <li>• Greater engagement around standards, inspection regimes and renewals.</li> </ul>	<p>by Council may increase as a result of grids not on currently maintained roads /road sections. This will increase overall road maintenance costs.</p> <ul style="list-style-type: none"> <li>• True cost to administer grids would be difficult to capture, analyse and report on.</li> <li>• Council's insurance may be voided if it cannot demonstrate that maintenance has been carried out at the appropriate intervals to the appropriate standard.</li> <li>• Uninsured damage will need to be paid for out of Council's budget.</li> </ul>
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Summary of feedback on Option 4 from Community Consultation:

Of the total number of responses received, 6 landowners submitted this option to Council, as their preferred option, which represents 8.2% of the total number of responses received.

Feedback and comments provided by landowners under this option also deem the costs per grid for Options 1b & 2b per annum as exorbitant and it would be strongly opposed.

**Communication and Consultation (Internal/External):**

***Internal***

In developing this report, consultation was carried out with the following teams:

- Operations regarding status of existing grid network and costs to install, renew and maintain grids in the context of Road Service delivery.
- Finance Governance and Risk regarding policy, legal, insurance and risks associated with each option and feedback from the community.
- Community Development and Events regarding development of stakeholder engagement processes.
- Strategic Asset Performance regarding ongoing asset management implications.

***External – Community***

Council undertook a focused community engagement process targeting existing grid owners and stakeholder groups between 12 February and 8 March 2019. The details of this process are outlined in Attachment 6 (Community Consultation process & timeline) to this report.

Approximately 51 landowners attended the consultation meetings, representing 23% of the identified impacted landowners. For those landowners that could not attend the community consultation sessions, relevant information was provided on Council's website – refer Attachment 7 – Supporting information.

Feedback received from the community consultation process has been captured in Attachment 8 – Feedback from Community Consultation process.

It is also noted that one respondent recommended that Council adopt a permit to occupy process with landowners responsible for either side of the grid. Under Council's current Local Law, Council has made no provision to issue permits to occupy for grazing road reserves, therefore it can't legally issue property owners with a permit to graze the road reserve at this stage. However, the Department of Natural Resources currently have the power to issue permits to occupy for grazing of road reserves and can exercise this power if desired.

**External – Other Local Governments**

Surrounding Councils, including Bundaberg and Central Highlands, all have a gates and grids legislative framework that condition the landholder to:

- Comply with safety requirements, standard plans and specifications
- Maintain the road for the full width of the grid and a distance of 5 metres on each side of the structure to ensure it is in good repair
- Take out and maintain public liability insurance as specified by Council and produce documentary evidence of the insurance prior to the installation of the gate and/or grid
- Maintain the structure to a standard specified by Council and
- Install and maintain specified warning signage.

The responsibilities of landowners/grid owners residing in other Council areas has been captured in the table below:

**Landowner Responsibilities**

COUNCIL	INSTALLATION OF GRID	MAINTENANCE OF GRID	ROAD MAINTENANCE (Grid Approaches)	PUBLIC LIABILITY INSURANCE
Banana Shire	✓	✓	✓ 5 metres	✓ \$10M
Central Highlands	✓	✓	✓ 5 metres	✓ as specified by Council
Bundaberg	✓	✓	✓ 5 metres	✓ \$20M
Fraser Coast	✓	✓	✓ 5 metres	✓ \$20M or greater, if set by Council
Rockhampton Policy currently under review	✓	✓	✓ 5 metres	✓ \$20M
Charters Towers	✓	✓	✓ 5 metres	✓ \$10M

Additionally, some permit conditions require letters of non-objection from adjacent property owners and completed indemnity forms.

Rockhampton Regional Council are currently reviewing their Gates and Grids Subordinate Local Law and completed Community Consultation on 30 November 2018. Rockhampton Regional Council currently have the same Subordinate Local Law as Gladstone Regional Council.

**Legal Environmental and Policy Implications:**

Details of the legal framework for the current policy position are provided in Attachment 9. Legal and policy implications for the proposed four options are summarised below:

Option	Legal Implications	Policy Implications
1	Local law will need to be changed at a cost of approximately \$7,500.	<p>Policy will need to focus on:</p> <ul style="list-style-type: none"> <li>• Position regarding addition of new grids to network</li> <li>• Application process for new grids if appropriate</li> <li>• Collection of fees for new grids.</li> <li>• Process for liaising with landowners regarding renewal and removal of grids.</li> </ul> <p>Responsibility for ensuring cattle and other livestock do not represent risks to road users is covered under <i>Local Law No.2 (Animal Management) 2011</i>.</p>
2	Local law will need to be	Policy will need to focus on:



	<p>changed at a cost of approximately \$7,500.</p> <p>Process for cost recovery in the event grids are not renewed and maintained in a timely manner.</p>	<ul style="list-style-type: none"> <li>• Position regarding addition of new grids to network.</li> <li>• Application process for new grids and replacing existing grids.</li> <li>• Process for liaising with landowners regarding renewal and removal of grids.</li> <li>• Process for determining responsibilities for boundary grids.</li> </ul>
3	No changes required to the Local Law	<p>Policy will need to be amended to clarify:</p> <ul style="list-style-type: none"> <li>• Process for determining contested dual ownership issues.</li> </ul>
4	<p>Local law will need to be changed at a cost of approximately \$7,500.</p> <p>Process for cost recovery in the event grids are not renewed and maintained in a timely manner.</p> <p>Process for ensuring liability insurance coverage is in place when work is undertaken by the landowner.</p> <p>Process for shifting responsibility from landowners to Government Entities for shared boundary grids.</p>	<p>Policy will need to be amended to clarify:</p> <ul style="list-style-type: none"> <li>• Insurance requirements.</li> <li>• Road maintenance requirements.</li> <li>• Process for liaising with landowners regarding renewal and removal of grids.</li> <li>• Process for determining responsibilities for boundary grids.</li> </ul>

To overcome the legal implications of Option 2, where Council would not have the authority to recover costs of grid renewals, an alternate policy position may be:

- Council to take over ownership of existing gates and grids in the network.
- When a gate or grid is determined to be at the end of its life, Council's default position would be to remove the grid with appropriate notification to impacted landowners.
- Landowners may apply to Council to have the gate or grid replaced with a new compliant structure.
- For successful applications, the landowner would pay a fee to have the structure replaced.
- The fee would enable Council to recover the cost of removing and disposing of the existing grid, purchasing and installing the new grid.
- Council would undertake the renewal works.

### Financial and Resource Implications:

The financial and resource implications of each option are summarised in the following table. In determining the costs, a number of assumptions have been made including:

- The condition of inspected grids is reflective of the condition of grids in the overall road network.
- Estimates provided by the Road Services Delivery team based on experience and expectations around likely works.
- The level of maintenance required and life of asset is the same irrespective of the road hierarchy.
- The life of a grid has been assumed at 30 years.

Option	Additional Annual Cost to Council		% Increase to General Rates	Additional <sup>2</sup> Resource Required
	Total <sup>1</sup>	Per Grid		
1	\$610,000	\$1,865	0.77%	1 FTE
2	\$410,000	\$1,260	0.52%	1 FTE
3	-	-		-
4	Has not been costed			1 FTE

Note:

1. It should be noted that the costs above are slightly higher than previously presented to the community as further review of costs has indicated that an additional technical officer will be required to undertake the additional asset management activities.
2. It should be noted that the additional resource requirements have been included in the total additional cost to Council.

With the average general rate sitting at approximately \$1,557 per year the average rate increase for each option is:

- Option 1 - \$12.
- Option 2 - \$8.

### Commentary:

After considering the community feedback and strengths, weaknesses, opportunities and threats, Option 1 provides the best outcome to the community and Council. This option addresses:

- Concerns raised by current grid owners.
- Allows Council to control the quality of grids and grid maintenance across the network through inspection regimes and setting levels of service.
- Ensures all grids have the appropriate insurance coverage.
- Allows Council greater control over the number of grids in the network and strategically remove grids that are no longer required.
- Council can control costs through economy of scale and programming maintenance with other road maintenance activities.

It is also recommended that the increased costs are recovered through the general rating base as Option 1 will provide for a safer road network and an improved road experience for all road users.

Option 4 is not recommended for further consideration due to its inherent risks and inability of existing insurance conditions and legal frameworks to support the option.

### Summary:

A number of options for regulating and managing gates and grids have been identified and evaluated by Council officers. Community feedback has been sought on three Council identified positions and a position developed by a group of grid owners.

After considering the strengths, weaknesses, opportunities and threats, Option 1 is considered to provide the greatest benefits to the community and Council.

### Implementation of this Option:

To implement this option Council will need to:

1. Amend *Subordinate Local Law No. 1.16 (Gates and Grids) 2011*;
2. Repeal existing P-2015/27 Gates and Grids Policy and adopt a new policy;
3. Investigate potential legal issues regarding the transfer of ownership of gate and grid infrastructure to Council;
4. Add gate and grid infrastructure to Council's insurance policy;

5. Amend administrative processes including application forms, information sheets, website, etc.
6. Develop internal gate and grid inspection processes, checklists and associated recordkeeping procedures.
7. Implement grid maintenance and repair level of service practices and inform / train staff on requirements.

If Council wishes to adopt the alternative options, it may elect to pass one of the following alternative resolutions:

Alternative Resolution (Option 2):

1. Adopt an amended version of Option 2 as the position to be reflected in revised drafting of Local Law and Policy, whereby ownership of gates and grids transfers to Council and at the end of a gate or grid's useful life the structure is removed unless the impacted landowner successfully applies for and pays for the grid to be renewed by Council.
2. In recognition of the time it will take to amend the policy and local law, authorise the Chief Executive Officer to administer an amnesty period for current fees and charges liable under the existing policy P-2015-27 Gates and Grids

Alternative Resolution (Option 3):

1. Adopt Option 3 as the position to be reflected in revised drafting of Policy, whereby gates and grids remain the responsibility of the identified landowner and unclaimed grids are removed from the road network.

**Anticipated Resolution Completion Date:**

If Option 1 is selected, it is anticipated that implementation of a new Local Law and Policy will not occur prior to 1 July 2020.

**Attachments:**

1. Timeline of Local Law and Policy changes
2. Condition assessment of existing grids
3. Current Policy Responsibilities and Grid Owner Statistics
4. Proposed Options
5. Option 4 – Policy Position submitted by Landowners
6. Community Consultation process and timeline
7. Supporting information from Community Consultation – powerpoint, factsheet and Questions & Answers
8. Feedback from Community Consultation Process
9. Details of the legal framework for the current policy position

**Tabled Items:**

Nil.

**Report Prepared by:** Technical Officer Strategic Asset Performance / Manager Governance / Governance Advisor / General Manager Strategic Asset Performance

**G/3.4. OPERATIONS**

Nil.

**G/3.5. COMMUNITY DEVELOPMENT AND EVENTS**

Nil.

## **G/3.6. CUSTOMER EXPERIENCE**

### **G/3.6.1. DEVELOPMENT APPLICATION 46/2018 MATERIAL CHANGE OF USE OF PREMISES FOR A SERVICE STATION AT 749 KIRKWOOD ROAD, KIRKWOOD QLD 4680**

**Responsible Officer: Acting General Manager Customer Experience**

**Council Meeting Date: 21 May 2019**

**File Ref: DB1.1, DA/46/2018**

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#### **Development Application:**

<b>Application Number:</b>	DA/46/2018
<b>Applicant:</b>	Capita Management No.8 Pty Ltd
<b>Owner:</b>	Capita Management No.8 Pty Ltd
<b>Date of Receipt:</b>	8 January 2019
<b>Location:</b>	749 KIRKWOOD ROAD, KIRKWOOD
<b>RPD:</b>	1SP294287
<b>Area:</b>	13.48 hectares
<b>Current Use of Land:</b>	Vacant
<b>Zoning:</b>	Neighbourhood Centre Precinct (Summit Estate Planning Code) and Emerging Community Zone ( <i>Our Place Our Plan Gladstone Regional Council Planning Scheme (2015) Version 2</i> )
<b>Proposal:</b>	Service Station
<b>Submissions Close Date:</b>	12 April 2019
<b>Number of Submissions:</b>	One Properly Made

#### **Purpose:**

The purpose of this report is to assess Development Application 46/2018 for a Material Change of Use of Premises for a Service Station at 749 Kirkwood Road, Kirkwood against the *State Planning Policy – July 2017*, *Summit Estate Planning Code* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2 (Planning Scheme)*.

#### **Executive Summary:**

Council is in receipt of a request for a Material Change of Use for a Service Station on land at 749 Kirkwood Road, Kirkwood. The subject site is currently under the jurisdiction of an existing Preliminary Approval under s242 of the *Sustainable Planning Act 2009*, which was granted by Council on 27 April 2007. The Preliminary Approval endorsed the Summit Estate Master Plan and Summit Estate Planning Code against which this application has been assessed.

The application required referral to Ergon Energy as an Advice Agency, as per the *Planning Regulation 2016* (the Regulation). The proposed Service Station required Impact Assessment under the Summit Estate Planning Code.

By virtue of the level of assessment, Public Notification was required. The Public Notification period occurred between 19 March 2019 to 12 April 2019 with one (1) properly made submission received.

After assessment of the application against the relevant provisions within the Planning Scheme, the Summit Estate Planning Code and SPP, the proposal is identified to be generally consistent with the relevant benchmarks. The development is considered appropriate as it promotes the continuation of the existing Preliminary Approval without unduly impacting the amenity of the surrounding properties. Therefore, the application for a Material Change of Use of premises for a Service Station is recommended for approval, subject to reasonable and relevant conditions.

**Subject Site:**

The subject site is located at 749 Kirkwood Road, Kirkwood, more formally described as Lot 1 on SP294287. The subject site is located in 'The Summit' Master Plan area, which is a large vacant landholding approximately 5 kilometres south-west of Gladstone CBD. The subject site forms part of Lot 1 on SP294287 which is the northernmost allotment in this master plan area as illustrated in Figure 1. More specifically, the development area (described as future Lot 101) comprises an area of 2.531 hectares and has a frontage to Kirkwood Road of 125 metres. From a broader locality perspective, the general Kirkwood area is characterised by a mix of newer residential estates with some limited commercial development. The Gladstone Airport is located within close proximity to the site, with the Gladstone CBD approximately six (6) km to the north east.

As per the current Planning Scheme, the site is located within the Emerging Community Zone as outlined below in Figure 2. However, with reference to Development Application 5850/2005 Preliminary Approval Master Plan, the subject site is located within the Neighbourhood Centre Precinct of the Summit Estate Planning Code, as illustrated in Figure 3.



**Figure 1: Aerial Image of Subject Site**



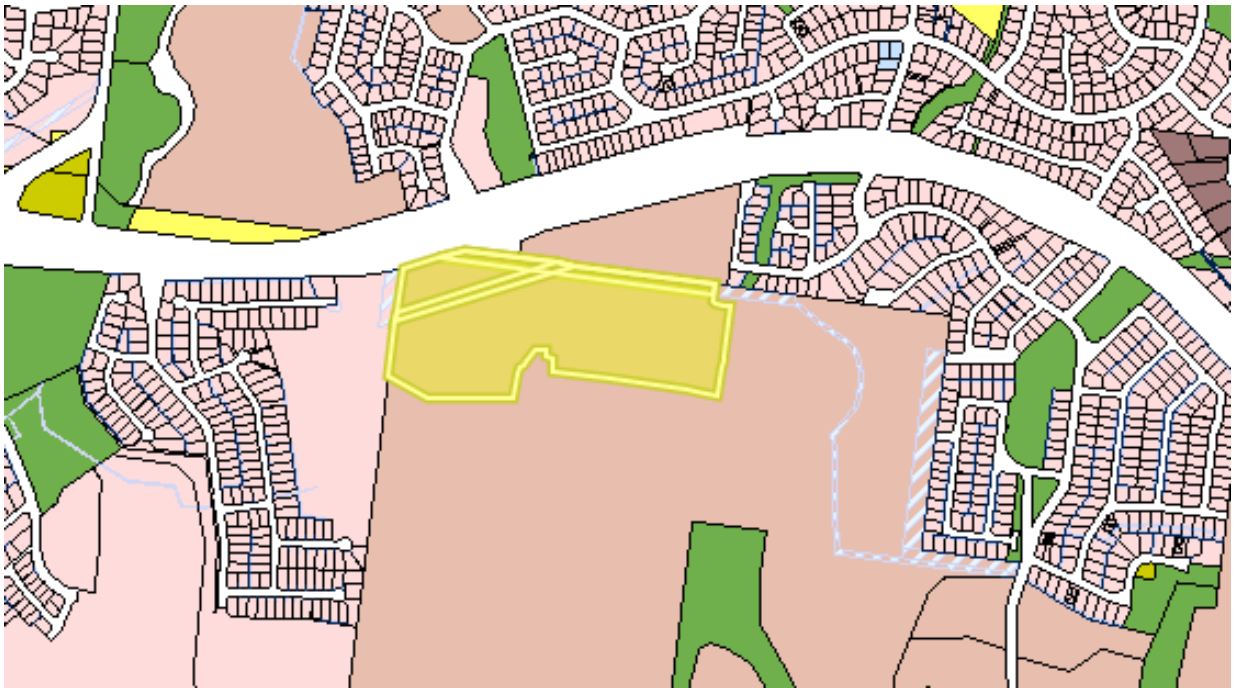


Figure 2: Subject Site Zoning (Emerging Community Zone)



Figure 3: Approved Summit Estate Master Plan



## **Background:**

The subject site is currently under the jurisdiction of an existing Preliminary Approval under s242 of the *Sustainable Planning Act 2009* which varies the effect of the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*. This Approval was granted by Gladstone Regional Council on 27 April 2007 (reference no. DA/5850/2005, amended on 23 August 2016) which authorised the current Summit Estate Master Plan and Summit Estate Planning Code.

A Material Change of Use approval was issued for a Neighbourhood Centre on 3 July 2018. That application was approved under the Summit Estate Preliminary Approval and comprised a range of land uses, including a Food and Drink Outlet, Health Care Services, Office, Shop, Carwash and Indoor Sport and Recreation. The proposed development is located in the north-western corner of the site ('Neighbourhood Centre') as shown in blue in Figure 4.

A Reconfiguring a Lot approval was issued by Gladstone Regional Council on 3 May 2018 (Changed Decision Notice) over the site (DA/62/2009). That approval combined all the land within the Summit Master Plan area into 2 distinct management lots as part of Stage 1 and the remaining 220 residential lots for the delivery of the residential estate.

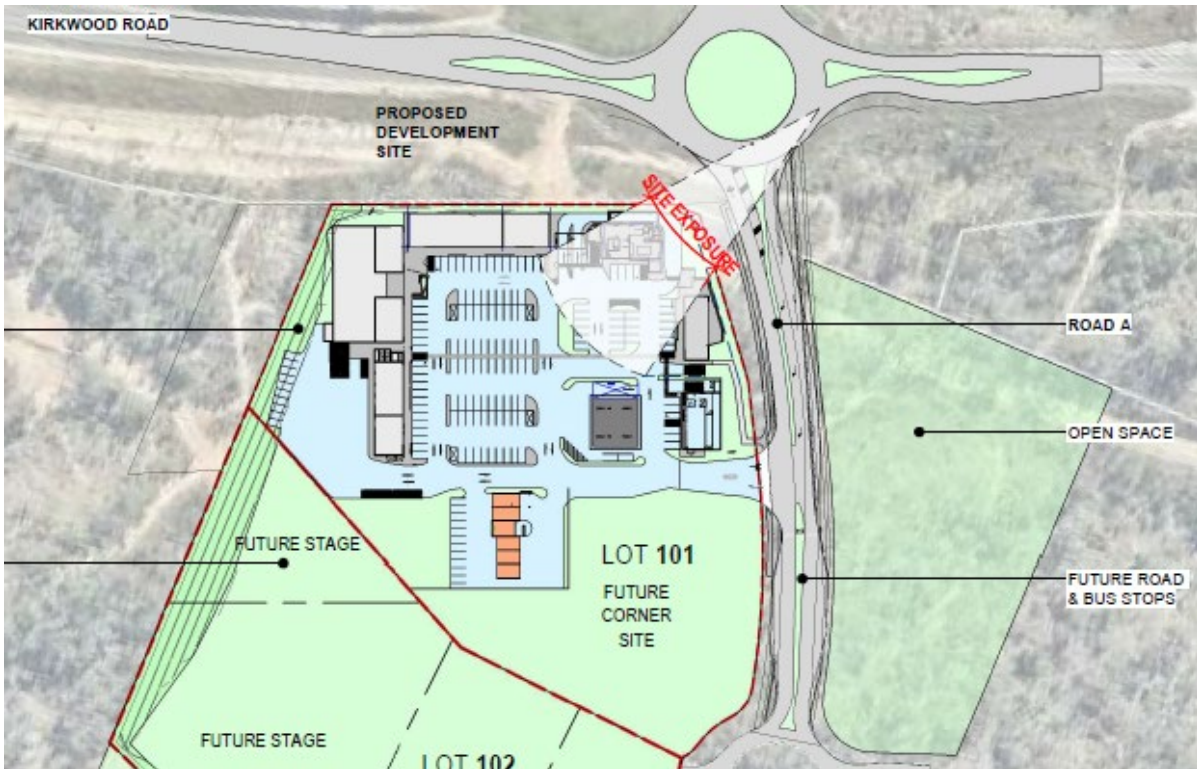
The subject Development Application 46/2018 was lodged with Council on 14 December 2018 and considered Properly Made on 20 December 2018. On 21 January 2019, Council issued an Information Request which requested details regarding stormwater, services, proposed driveway and manoeuvring areas. On 1 March 2019, the Applicant responded to the Information Request and commenced Public Notification requirements.

## **Proposal:**

The proposal seeks to develop a new Service Station on land at Kirkwood Road, Kirkwood. The Planning Scheme defines a Service Station as the following:

*Premises used for the sale of fuel including petrol, liquid petroleum gas, automotive distillate and alternative fuels. The use may include, where ancillary, a shop, food and drink outlet, maintenance, repair servicing and washing of vehicles, the hire of trailers, and supply of compressed air.*

The proposed Service Station will form part of the approved Neighbourhood Centre development in the north-west of the site which acts as the major activity hub for the master plan area as shown in Figure 3.

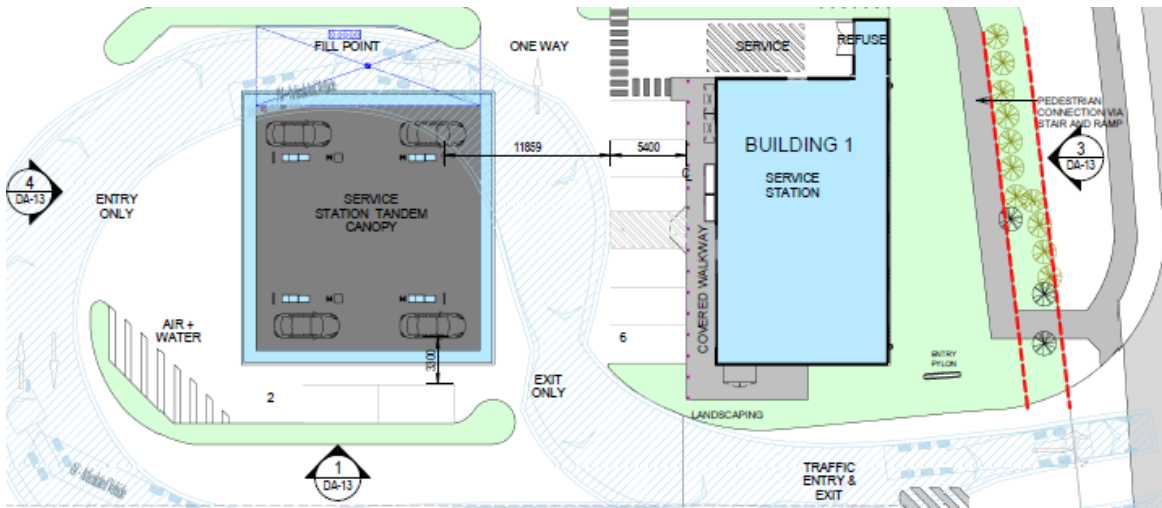


**Figure 4: Approved Neighbourhood Centre Plan**

The proposed development will comprise a standalone Service Station building and central canopy area with 4 fuel bowsers underneath. Table 1 below provides an overview of the development specifics.

<b>Table 1 Development Specifics</b>	
Gross Floor Area	250m <sup>2</sup> (Service Station building)
Building Height	1 storey and 6 metres above natural ground level
Setbacks	12 metres to street frontage (Road A)
Car Parking	10 spaces
Fuel Bowsers	4 bowsers (tandem arrangement)

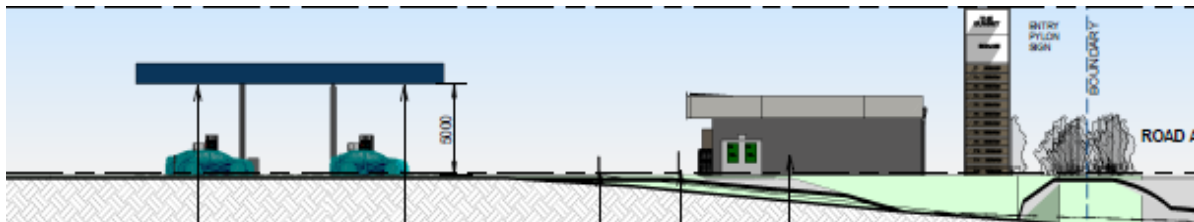
The development will deal predominantly in the sales of fuel for motor vehicles with a small ancillary convenience shopping component. Figure 5 illustrates the proposed site plan.



**Figure 5: Proposed Site Plan**

Access to the Service Station will be gained via the new road linking the Kirkwood Road roundabout to the Summit Estate area. The proposed Service Station will be serviced by an Articulated Vehicle (AV) fuel tanker, with the fill point located in the northernmost point of the site. Refuse bins, including a 1.1m<sup>3</sup> general waste bin and a 1.3m<sup>3</sup> recycling bin, will be stored in a screened area adjoining the service bay and will be collected weekly by a front-loading refuse vehicle as outlined in the lodged Waste Management Plan.

In terms of built form, the proposed Service Station building will have a maximum height of 1 storey and 4.3 metres above ground level and a total Gross Floor Area (GFA) of approximately 250m<sup>2</sup>. The canopy area is located approximately 13 metres to the west of the building as illustrated in Figures 5 and 6. The canopy will have a maximum height of 6 metres.



**Figure 6: Southern Elevation**

**Adopted Infrastructure Charges Notice:**

The Applicant has outlined that the site will be developed into a Service Station. As per the Gladstone Regional Council Adopted Infrastructure Charges Resolution (no.10 – 2015 Version 2), the following breakdown is provided.

Existing Lawful Use		Proposed Use		
Planning Scheme Definition	GFA	Planning Scheme Definition	GFA	Stage
Vacant	-	Service Station	250m <sup>2</sup>	N/A

As part of any Decision Notice, an Adopted Infrastructure Charge Notice will be issued in accordance with the Act. As per the AIC, the proposed development will attract a charge of \$35,387.50.

**Referral:**

In accordance with Schedule 10 of the *Planning Regulation (2017)*, the proposed development was referred to Ergon Energy as an Advice Agency. On the 23 January 2019 (Ref No. HBD 6441738) Ergon Energy issued an Advice Agency response with a condition requesting that the Applicant relocate the electricity line traversing the subject land prior to the commencement of use.

**Public Notification and Submissions:**

Public Notification was triggered as the application is categorised as Impact Assessment as prescribed by the Planning Scheme and the *Planning Act 2016*. The Public Notification period occurred between 19 March 2019 and 12 April 2019. During the Public Notification period, a total of one (1) Properly Made submission was received by Council from an adjoining property owner. The submission and Officer’s response have been summarised below.

Submission	Officer's Response
<b>Adjoining Residential Development</b>	
<p>The western portion of Lot 1 on SP211059 is proposed for residential lots and is located at the bottom of a gully downstream from the proposed service station site. However, there is no acoustic or odour reports to demonstrate how the proposed use satisfies Performance Outcomes 23 and 27 of the Summit Estate Planning Code.</p>	<p>To ensure that the proposal operates within reasonable trading hours so to reduce impacts on future residential land uses, a condition has been recommended that operating hours are to be restricted to between 5am and 10pm. Conditions pertaining to the screening of plant and air conditioning as well as the location of lighting away from residential land uses have been recommended as part of any future Development Permit. Whilst Noise Impact Assessment was not provided as part of the common material, it is considered that the proposal for a Service Station is a suitable land use in accordance with the Summit Estate Planning Scheme and potential issues pertaining to noise are managed by the <i>Environmental Protection (Noise) Policy 2008</i>.</p>

**Assessment against State Planning Policy 2017:**

As per the SPP, a Local Government must consider all State interests under Part E: State interest policies and assessment benchmarks where not reflected within the relevant Planning Scheme. The SPP has effect throughout Queensland and sites above regional plans and Planning Schemes in the hierarchy of planning instruments. An assessment against Part E: Assessment Benchmarks will be required.

*Natural Hazards, Risk and Resilience*

The subject site is affected by the Bushfire Hazard Overlay Mapping – Medium-High Potential Bushfire Intensity over the entire site. As per the SPP Benchmarks, it requires that *development supports and does not hinder disaster management response and recovery; and avoids an increase in the severity of the natural hazard and the potential from damage on the site or other properties*. The proposed development will require vegetation clearing and earthworks, resulting in a reduced bushfire intensity risk to the site and surrounding properties. A proposed internal road network will ensure a safe and convenient evacuation route in case of an emergency. In addition, requiring the Applicant to provide a water service connection to the subject site, which would allow for firefighting purposes. However, to ensure the proposal complies with the SPP, a condition has been recommended.

### *Strategic Airports and Aviation Facilities*

Assessment Benchmark 2 requires *development and associated activities do not include light sources or reflective surfaces*. The proposed development is a Service Station that is required to operate within prescribed hours of operation and meet Australian Standard for outdoor lighting. Therefore, a condition has been recommended for the proposal to comply with the Assessment Benchmark 2.

#### **Assessment:**

Assessment of the proposed development will be undertaken against the requirements of the Summit Estate Planning Code and the relevant sections of the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and the lawful assessment requirements as governed by the Act. Under the Summit Estate Planning Scheme the proposed Service Station is Impact Assessable.

Subsequently the proposal will be assessed under the following benchmarks:

- Summit Estate Planning Code – Neighbourhood Centre Precinct;
- Strategic Framework;
- Airport Environs Overlay Code;
- Bushfire Hazard Overlay Code;
- Development Design Code; and
- Landscaping Code;

In accordance with s5.3.3(4)(c)(ii) of the Planning Scheme, assessment of the proposal has been undertaken in a "bottom up" approach whereby if the proposal complies with the relevant Acceptable/Performance Outcomes, then the proposal is considered to comply with the Purpose of the relevant code. Notwithstanding this, the discussion of the assessment of the proposed development against the relevant Acceptable and Performance Outcomes is limited to those that do not achieve compliance via the recommended solution.

The assessment will focus on areas where the proposal fails to comply with the relevant Acceptable or Performance Outcome as well as recommending reasonable and relevant conditions.

#### *Summit Estate Planning Code - Neighbourhood Centre Precinct Code*

Performance Outcome 4 requires that *hours of operation are limited to minimise nuisance to any surrounding residential uses*. To ensure that the proposal operates within reasonable trading hours so as not to adversely impact on future sensitive land uses, a condition has been recommended that operating hours are to be restricted to between 5am and 10pm. Conditions pertaining to the screening of plant and air conditioning as well as the location of lighting away from current and future residential land uses have been recommended as part of any future Development Permit.

Performance Outcome 10 requires *buildings are designed to: a) overlook the external street network by having buildings built up to or close to street; b) alignments and providing active building frontages to public streets and spaces; c) Respect and complement the existing character of the area; d) Maintain an appropriate human scale; e) Minimise the use of highly reflective materials; and f) respond to climatic conditions*.

The building maintains an appropriate human scale by limiting the maximum height to 1 storey and approximately 4.3 metres above ground level and incorporating awnings and other elements which break up the appearance of the building form.

The proposed Service Station building is located approximately 6 metres from the street frontage. Due to the nature of the use and Neighbourhood Centre configuration, the building is orientated westward (internally) and does not present an active frontage to the street. Notwithstanding, the proposed development still promotes a safe and attractive pedestrian environment along Road A given the pedestrian pathway and associated landscaping.

The proposed Statement of Landscape Intent incorporates landscape plantings along the eastern elevation of the Service Station building to soften the appearance of the building form and complement the existing streetscape plantings within the verge area. Low-lying shrubs will be used adjoining signage and pedestrian entry areas to promote legibility and clear sight lines. Ground covers will also be utilised where the garden beds interact with the pavement to further soften the appearance of the hardstand. A condition is recommended to ensure a more detailed landscaping plan is provided. The frontage will be well-lit at all times and include clear wayfinding cues for pedestrians and vehicles. As such, it is considered that the proposed development promotes an attractive and walkable streetscape environment and complies with Performance Outcome 10.

### *Strategic Framework*

Gateway to the World - A Gateway for Local Business states that development integrates with the surrounding areas. In response the proposal is for a Service Station which introduces a new land use within a future neighbourhood centre, creating a mix of commercial land uses which provides for the convenience level needs for the local neighbourhood residents. The proposal is part of an approved Neighbourhood Precinct and it is considered that the proposal generally complies with the relevant requirements of the Strategic Framework.

### *Airport Environs Overlay Code*

The proposed development is located within 3km of the airport's runway, as per the Overlay Mapping under the Planning Scheme. As a result, Acceptable Outcome 4.1 requires that *development located within 3km of the airport's runway as identified on Airport environs overlay map does not involve uses listed in column 1 of Table 8.2.2.3.2 which are associated with increases in wildlife strikes*. To mitigate the potential increase in wildlife to the area, a Waste Management Plan has been requested to ensure all generated waste from the proposal is stored and disposed correctly. As such, the proposal will generally comply with Acceptable Outcome 4.1.

### *Biodiversity Overlay Code*

The subject site is mapped with MSES (matters of State Environmental Significance) – intersecting a waterway as per the Planning Scheme and Development Assessment Mapping System. However, the development footprint is not within this mapped area. Acceptable Outcome 1 (AO1) *requires development locates outside of an area supporting MSES*. Thus, the proposal complies with AO1. To ensure civil works do not encroach into this area, a condition has been recommended to demonstrate that the proposal will remain entirely outside of the MSES area.

### *Bushfire Hazard Overlay Code*

Acceptable Outcome 3 (AO3) requires that *the water supply network has a minimum sustained pressure and flow of at least 10L per second at 200kPa* while Acceptable Outcome 4.2 requires that *the location of water supplies is readily identifiable from the street frontage with clear signage directing firefighters to its access point*. To satisfy the Acceptable Outcomes, a condition has been recommended for the development to connect to reticulated water while the Queensland Development Design Code requires all buildings to satisfy fire safety standards. Therefore, the development complies with Acceptable Outcomes 3 and 4.2.

Performance Outcome (PO5) requires that *roads and fire access trails are designed and constructed to a) enable efficient access to buildings and structures for fire-fighting purposes for emergency services; and b) swift evacuation in emergency situations*. The proposed plans have

identified a new road to be constructed from the existing roundabout on Kirkwood Road to access the Service Station. This proposed road will be constructed as part of this application to facilitate a connection to the Service Station. With reference to the proposed road, the development will have a safe evacuation route to exit the site if a bushfire occurred. Thus, the proposal complies with Performance Outcome 5.

#### *Regional Infrastructure Overlay Code*

The subject site has an Ergon 132kV line intersecting the property as per the Planning Scheme Overlay Mapping. As per Ergon Energy's advice (Ref No. HBD 6441738), they have requested that the Applicant relocate the electricity line prior to commencement of use. Within the submitted application material, the Applicant has indicated that they will relocate the electricity line to allow for the proposed development to be situated on the subject site. As a result, the proposal will comply with the Regional Infrastructure Overlay Code.

#### *Development Design Code*

The proposed development will require connection to Council's water and sewer networks in accordance with Acceptable Outcome 1.1 and 2.1. Given that there is no existing servicing on the development site from Council's water and sewer networks, conditions have been recommended to extend from Council's existing networks and provide connections to the development from the site.

Performance Outcome 19 (PO19) requires *that outdoor lighting does not cause undue disturbance to any person, activity or fauna because of emissions, either directly or by reflection*. A condition has been recommended to ensure all lighting is facing downwards ensuring lighting does not adversely affect nearby residential uses.

Acceptable Outcome 23 requires *that stormwater management systems are designed and constructed in accordance with the Engineering Design Planning Scheme Policy*. As part of the Applicants response to Information Request, dated 21 January 2109, a revised Stormwater Management Plan was provided that demonstrated how stormwater is to be discharged to a legal point of discharge and identified the location of proposed detention basins. Therefore, the proposal complies with Acceptable Outcome 23.

#### *Landscaping Code*

The Landscaping Code requires that *(a) landscaping enhances the amenity of the area; (b) landscaping treatments complement the scale and appearance of the development; (c) landscaping provides attractive streetscapes that are functional and enhance the local character for the area; (d) provides attractive buffers between differing land uses; and (e) provides for community safety and does not impact on essential services*.

A Statement of Landscape Intent has been included with the application material. However, a recommendation is made that a requirement for a more detailed Landscaping Plan, in accordance with the current Landscaping Code, be submitted for approval to Council, as part of any future Development Application for Operational Works.

After assessment of the proposal against the Summit Estate Planning Code, the Planning Scheme and consideration of the concerns raised by the submitter, it is considered that the Development Application for a Material Change of Use of Premises for a Service Station on land at 749 Kirkwood Road, Kirkwood be recommended for approval.

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

That Development Application (DA/46/2018) for a Material Change of Use of Premises for a Service Station on land at 749 Kirkwood Road, Kirkwood be approved. The approval is supported by a Notice of Reasons and subject to reasonable and relevant conditions.

**Notice of Reasons:**

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

**Description of the development:**

The approved development is for a Material Change of Use of premises for a Service Station.

**Assessment benchmarks:**

Benchmarks applying to the development	Benchmark reference
<i>State Planning Policy July 2017</i>	<ul style="list-style-type: none"> <li>State Interest – Natural Hazards, Risk &amp; Resilience; and</li> <li>State Interest – Strategic Airports and Aviation Facilities.</li> </ul>
<i>Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2</i>	<ul style="list-style-type: none"> <li>Strategic Framework;</li> <li>Bushfire Overlay Code;</li> <li>Regional Infrastructure Overlay Code;</li> <li>Development Design Code; and</li> <li>Landscaping Code.</li> </ul>
<i>Summit Estate Planning Code</i>	<ul style="list-style-type: none"> <li>Neighborhood Centre Precinct Code</li> </ul>

**Reasons for the assessment managers decision:**

1. The Application was properly made in accordance with the *Planning Act 2016* and the Development Assessment Rules; and
2. The Application is deemed compliant with the relevant benchmarks of the *State Planning Policy July 2017* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*.
3. The Summit Estate Planning Code

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

Benchmarks reference:	Reasons for the approval despite non-compliance with benchmark.
Biodiversity Overlay Code – Table 8.2.3.3.1 - Assessment Benchmarks	Compliance with Biodiversity Overlay Code - Table 8.2.4.3.1 via a condition
Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 4.1 and 4.2.	Compliance with Bushfire Hazard Overlay Code – Table 8.2.4.3.1 – Acceptable Outcome 4.1 and 4.2 via a condition.
Landscaping Code – 9.3.5.3.1 – Assessment benchmarks	Compliance with the Landscaping Code – Table 9.3.5.3.1 – via a condition
Summit Estate Master Plan Code – Table 6.9.1 – Performance Outcome 10	Compliance with Summit Estate Master Plan Code – Table 6.9.1 – Performance Outcome 10.



**Relevant matters for impact assessable development:**

N/A

**Matters raised in submissions for impact assessable development:**

<b>Matter raised in submission:</b>	<b>How matter was dealt with</b>
The western portion of Lot 1 on SP211059 is proposed for residential lots and is located at the bottom of a gully downstream from the proposed service station site. However, there is no acoustic or odour reports to demonstrate how the proposed use satisfies Performance Outcomes 23 and 27 of the Summit Estate Planning Code.	To ensure that the proposal operates within reasonable trading hours so to reduce impacts on future residential land uses, a condition has been recommended that operating hours are to be restricted to between 5am and 10pm. Conditions pertaining to the screening of plant and air conditioning as well as the location of lighting away from residential land uses have been recommended as part of any future Development Permit. Whilst Noise Impact Assessment was not provided as part of the common material, it is considered that the proposal for a Service Station is a suitable land use in accordance with the Summit Estate Planning Scheme and potential issues pertaining to noise are managed by the <i>Environmental Protection (Noise) Policy 2008</i> .

**Matters prescribed by a regulation:**

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

**Conditions of Approval:**

The following provides the conditions of approval under Section 63(5) of the *Planning Act 2016*.

**Approved Documentation**

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

<b>Drawing Number</b>	<b>Revision</b>	<b>Description</b>	<b>Author</b>	<b>Date</b>
DA -10	B	Site Elevations	TRG	05/11/2018
DA -12	B	Building 1 - Plan	TRG	05/11/2018
DA -13	B	Building 1 - Elevations	TRG	05/11/2018

And supporting documents

<b>Document number</b>	<b>Revision</b>	<b>Description</b>	<b>Author</b>	<b>Date</b>
L18002	B	Statement of Landscape Intent	Zone	12/2018
R2014004	3	Stormwater Management Plan	Cardno	25/02/2018
Z16082	-	Waste Management Report	Zone	11/2018

-	-	Traffic Impact Assessment	HTC	07/12/2018
R2014004 - CI	-	Commercial Site Waste Master Planning Kirkwood Road, Gladstone Sketch	Cardno	14/11/2017

### Special Conditions

2. Operating hours are limited to between 5am and 10pm, 7 days per week.
3. Upon commencement of the use, noise levels are to be maintained within the maximum limits prescribed by the *Environmental Protection (Noise Policy) 2008* under the *Environmental Protection Act 1994*.
4. Prior to the lodgement of a Development Application for Operational Works, the Applicant is to demonstrate that the development footprint and associated civil works remain outside of the mapped Matters of State Environmental Significance (MSES) areas.

### Operational Works

5. A Development Permit for Operational Works must be obtained from Council prior to the commencement of construction. The Development Application for Operational Works is to include the following:
  - a. Earthworks (including retaining walls);
  - b. Road works (including signage, driveways and footpaths);
  - c. Water Infrastructure
  - d. Stormwater Management (quantity, quality and drainage control);
  - e. Sewer infrastructure;
  - f. Street lighting, electrical and telecommunications; and
  - g. Landscaping, environmental protection and associated works.
6. Development Applications for Operational Works shall be designed and constructed in accordance with Australian Standards and the Engineering Design Planning Scheme Policy under the Gladstone Regional Planning Scheme.

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

### Building and Plumbing Works

7. The Applicant is required to obtain a Development Permit for Building Works in accordance with the *Planning Act 2016*. Construction is to comply with the *Building Act 1975*, the National Construction Code and the requirements of other relevant authorities.
8. The Applicant is required to obtain a Development Permit for Plumbing Works in accordance with the *Planning Act 2016*. Construction is to comply with the *Plumbing and Drainage Act 2002* and the requirements of other relevant authorities.
9. Prior to the commencement of the use, all plant and equipment (including air conditioners, exhaust fans and the like) are to be housed, screened and located so that these do not cause environmental nuisance or harm to residential uses in the surrounding area.
10. The development is to incorporate a variety of at least two different textures, colours and designs within the external façade of the building. Details of the proposed colour scheme,

materials and finishes for all external areas of the building are to be submitted to Council for approval prior to the issue of a Development Permit for Building Works.

11. Prior to the commencement of the use, all lighting at ground level and associated with illuminating ground level areas must be focused downwards and be provided with hoods, shades or other permanent devices to direct illumination downwards and not allow upward lighting to adversely affect the residential uses on this site and future adjoining uses of the site.

### **Earthworks and Retaining Walls**

12. As part of any Development Application for Operational Works the Applicant must submit to and obtain approval from Council, for any works relation to retaining walls that are visible from the road reserve. The documents submitted to Council must illustrate the following.
  - a. Proposed new wall height and any proposed step backs from existing retaining walls;
  - b. The material proposed and/or surface treatments to be applied to the retaining walls;
  - c. Complementary design incorporating any driveways, pathways, and existing retaining walls (where retained);
  - d. Any proposed soft scape finishes proposed to complement the retaining walls; and
  - e. Demonstrate that the retaining walls do not visually dominate the street.

### **Water Infrastructure**

13. Prior to the lodgment of a Development Application for Operational Works, the Applicant must submit documentation that the water demand for the proposed Service Station is in accordance with the water master plan for the Summit Estate and specify a water main size and connection location to the existing water network based on this demand. The calculated demand, water main size and connection must be approved by Council.
14. As part of the first Operational Works application, the Applicant must construct a water main from Council's existing water infrastructure to the connection point for the Service Station in accordance with Condition 13 of this approval.
15. Prior to the commencement of the use, a water service connection is to be provided from Council's water supply infrastructure to the front property boundary. The location and size of the water service (and any associated fire service) is to be determined in consultation with Council.
16. Prior to the commencement of the use, connections to Council's live water reticulation network must be carried out by Council. The cost of these works is to be borne by the Applicant.
17. At all times, private water infrastructure to provide sufficient fire fighting flow on the site must comply with Council's Direct Connection of Booster Pumps to Council's Reticulated Water Network Policy or as amended.

### **Sewerage Infrastructure**

18. Prior to the lodgment of a Development Application for Operational Works, the Applicant must submit documentation demonstrating that the sewerage demand for the proposed Service Station is in accordance with the sewerage master plan for the Summit Estate and specify a sewer main size and connection location to the existing sewerage network based on this demand. The calculated demand, sewer main size and connection location must be approved by Council.

19. As part of the first Operational Works application, the Applicant must construct a sewer main from Council's existing sewerage infrastructure to the connection point for the Service Station in accordance with Condition 18 of this approval.
20. Prior to the commencement of the use, all sanitary drainage is to drain into a new 1050mm diameter privately owned maintenance hole within the development site, before connection to Council's sewerage infrastructure. The location and size of the sewer service is to be determined in consultation with Council.
21. Prior to the commencement of the use, connections to Council's live sewerage network must be carried out under the supervision of Council. The cost of these works is to be borne by the Applicant.

### **Stormwater Infrastructure**

22. As part of the first Operational Works application, the detailed design for stormwater is to be generally in accordance with the approved Site Based Stormwater Management Plan (SWMP) prepared by Cardno, dated 3 December 2018. Where changes are required to the SWMP as a result of detailed stormwater design for operational works, the Applicant is to submit (for approval) a revised SWMP as part of the Operational Works application. The plan must address quantity aspects of stormwater management in accordance with the Queensland Urban Drainage Manual 2013, the State Planning Policy - July 2014 and CMDG and be certified by a RPEQ experienced in this type of work. The Site Based SWMP is to demonstrate that a Lawful Point of Discharge is achieved and that the proposal achieves no worsening. For the SWMP and stormwater design the responsible RPEQ shall certify that:

*'I am aware that the Gladstone Regional Council may rely upon the content and findings of this report including the recommendations, conclusions, results, calculations, plans, graphs, tables, attachments etc., for the purposes of development assessment. In my opinion, the Council can rely upon the information contained within the report and there are no reservations or qualifications in respect to the information provided other than as set out below and previously agreed to in writing with Council's Director Engineering Services. I confirm that the development site is above the controlling 1% AEP flood level, that there will be no worsening of stormwater runoff from the site as a result of the proposed development of the site and that a "lawful point of discharge" as defined in the Queensland Urban Drainage Manual, has been achieved for all areas of the site.'*

### **Transportation Services**

23. As part of the first Operational Works application, proposed "Road A" must be constructed from Kirkwood Road to the proposed roundabout located approximately 180m from the intersection of proposed "Road A" and Kirkwood Road at a 2 lane Distributor Road standard in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2*. Details of the design of the works must be submitted as part of the Operational Works application.
24. As part of the first Operational Works application, the proposed roundabout located on proposed "Road A" approximately 180m from the intersection of proposed "Road A" and Kirkwood Road must be constructed at the termination point of proposed "road A" in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and the Austroads Guide to Road Design. Detail of the design of the works must be submitted as part of the Operational Works application.

25. As part of the first Operational Works application, the access to the proposed development must be constructed from proposed "Road A". Vehicles are permitted to perform all movements at the access to the proposed shopping Centre (i.e. left-in, left-out, right-in and right-out) provided that:
- a. The queue length of vehicles in the right turn lane to enter the proposed development does not exceed the length of the lane and extend into the through lane on proposed "Road A" (as determined in the detailed design of the intersection in the Development Application for Operational Works) due to the safety and traffic flow impacts of this occurring.

Should the all turns intersection be deemed to fail by a RPEQ Certified Traffic Engineer, the Applicant/Owner must, at their expense, install a concrete median on proposed "Road A" to prevent the right turn movement into and out of the site on proposed "Road A".

26. As part of the first Operational Works application, the Applicant must demonstrate that sufficient sight distance in accordance with the Austroads Guide to Road Design is available at the intersection of the access to the proposed shopping centre and proposed "Road A". This must be demonstrated with consideration to all works as part of this development approval and the associated Operational Works application, including the impact of a bus being stopped at the bus stop on the western side of proposed "Road A" and proposed landscaping. The location and design of the access to the proposed shopping centre must comply with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and AS2890.1. Details of the works must be submitted as part of the Development Application for Operational Works.

Advisory note: The above requirements do not preclude Council from undertaking separate investigations and works (if required) in conjunction with the Applicant/Owner following traffic congestion concerns in relation to this access/egress location.

27. As part of the first Operational Works application, a concrete median strip must be constructed for the length of proposed "Road A" from the intersection with Kirkwood Road to the access to the proposed development and from the access to the proposed development to the proposed roundabout located approximately from the intersection of proposed "Road A" and Kirkwood Road.
28. Prior to the commencement of the use, the Applicant must dedicate the proposed "Road A" road reserve to Council, which is to be a minimum of 25m wide, and is to include the footprint of the proposed roundabout required to be constructed approximately 180m from the intersection of proposed "Road A" and Kirkwood Road at no cost to Council. The exact size of the required road reserve will be dictated by the design of the road infrastructure as part of the Operational Works application.

29. As part of the first Operational Works application, a Commercial Driveway is to be constructed in accordance with Council's Standard Drawing for an Urban Commercial/Industrial Driveway.

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

30. As part of the first Operational Works application, a 2.5 metre wide minimum concrete footpath must be constructed for the full extent of the proposed "Road A" frontage of the site in accordance with Council's Standard Drawing Concrete Pathway/Bikeway Details.

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

31. Prior to the commencement of the use, a total of eight (8) car parking spaces are to be constructed on site generally in accordance with the approved plans, including designated disabled car parking spaces. These spaces and all vehicle movement areas are to be constructed, sealed, line marked and maintained in accordance with the Engineering Design Planning Scheme Policy under the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and AS2890.1.
32. Prior to the commencement of the use, a total of six (6) bicycle parking spaces are to be constructed on site. All bicycle spaces are to be constructed in accordance with AS2890, as amended.
33. Prior to the commencement of the use, any damage to the driveway crossing and kerb and channel shall be repaired at the owner's expense and to Council's specification (Council's Standard Drawing CMDG-R-043 Commercial Driveway Slab Type B - Two Lane Access).

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

34. Prior to the commencement of the use, all grassed footpath areas disturbed by the development are to be top dressed and turfed following completion of construction activity.
35. Prior to the commencement of the use, any manholes located on the proposed driveway are to be covered with Class D Covers to AS 3996, and are to be maintained at finished surface levels and remain accessible at all times.

## Landscaping

36. As part of the first Operational Works application, a full Landscaping Plan is to be provided in accordance with Table 9.3.4.3.2 - Plant Species List of the Landscaping Code of the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification and must ensure that the proposed landscaping will not negatively impact vehicle sight distance. The full Landscaping Plan is to be certified by a Landscape Architect.

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

37. As part of the Development Application for Operational Works, all landscaping areas are to be constructed with an appropriate irrigation system. Details of the irrigation system are to be provided as part of the full Landscaping Plan.
38. As part of the first Operational Works application, street trees are to be constructed along the proposed Road A frontage, at a rate of 1 tree per 10 metres in accordance with Table 9.3.4.3.2 - Plant Species List of the Landscaping Code of the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification.

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

## **Waste Management**

39. Prior to the commencement of the use, refuse bins are to be provided at a minimum rate and with a minimum capacity as detailed within the approved Waste Management Plan.
40. Prior to the commencement of the use, the waste storage area/s are to be sufficient in size to house all waste collection containers including recycling waste containers. The waste storage area/s must be suitably enclosed and imperviously paved, with a hose cock and hose fitted in close proximity to the enclosure to ensure the area can be easily and effectively cleaned.
41. Prior to the commencement of the use, open storage areas shall be adequately screened so as not to detract from the visual amenity of the area. One way of achieving compliance with this condition is as follows:
  - a. Outdoor storage areas are situated in locations not visible from the street; and
  - b. A 1.8m solid screen fence is located around storage areas.
42. Prior to the commencement of the use, the Applicant is required to obtain a Trade Waste Permit to discharge trade waste to the Sewer in accordance with Councils Trade Waste Approval Process prior to Plumbing Final being issued.

*Advisory Note: Applications for Trade Waste Discharge can be found at <http://www.gladstone.qld.gov.au/trade-waste-approval-process>.*
43. Prior to the commencement of the use, sealed and raised bunding is to be provided around all holding tanks and forecourt areas on which a vehicle can stand while being fuelled or transferring petroleum products.
44. Prior to the commencement of the use, drainage from paved forecourt areas and areas on which a vehicle can stand while being fuelled or transferring petroleum products, shall be directed by appropriate surface grading into grated sumps, where it is treated in an approved manner or held and removed by an approved contractor.
45. The sump is to be of an appropriate capacity to capture runoff from the forecourt area around dispensing pumps. The forecourt area around the dispensing pumps must be paved and graded such that runoff discharges into the blind sump. The design must ensure stormwater does not ingress this area and all spillages and wash down waters are collected from the general forecourt refuelling area.
46. The capacity of the sump should be determined at Building Works and may be designed such that it is sufficient to hold both the volume of waste waters draining from the area as well as a potential major spill.
47. Collected waste water in the sump could be disposed in the following manner:
  - a. Collection and disposal by a licensed contractor to a liquid waste treatment facility; or
  - b. On site treatment of the waste water with a treatment device/system which separates oil, water and silt to a standard as required by this approval. The treated water may be used for irrigation purposes or discharged to the stormwater drainage system in accordance with water quality standards specified in this approval.

## **Miscellaneous**

48. Prior to the commencement of the use, a Compliance Inspection is to be undertaken by the relevant Council Officer, with all conditions to be appropriately addressed. The premises

may be subject to a future compliance inspection as part of Council's routine compliance inspection process.

**END OF CONDITIONS**

**Advice to Applicant:**

An Adopted Infrastructure Charge Notice in relation to the infrastructure charges applicable to this development has been provided separately.

Any take-away or similar food business in a fixed location that prepares or handles unpackaged food for retail sale will require a Food Licence.

**Attachments:**

1. One (1) 'Properly Made' submission;
2. Proposed Plans.

**Tabled Items:**

Nil

**Report Prepared by:** Planning Officer



**G/3.7. PEOPLE CULTURE AND SAFETY**

Nil.

## **G/3.8. FINANCE GOVERNANCE AND RISK**

### **G/3.8.1. PEOPLE AND CULTURE POLICY**

**Responsible Officer: General Manager Finance, Governance & Risk**

**Council Meeting Date: 21 May 2019**

**File Ref: CM28.2**

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#### **Purpose:**

To present the People and Culture Policy for Council's consideration.

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

That Council:

1. Repeal P-2013-21 Salary Packaging Policy; and
2. Repeal P-2014/43 Non-Smoking Policy; and
3. Adopt P-2019-05 People and Culture Policy.

#### **Background:**

A comprehensive review of People and Culture policies is occurring in line with Council's Corporate Plan Strategic Goal 3: Our people, Our Values and Strategic Goal 4: Ethical and Responsible Government. As part of this review, a new People and Culture Policy has been drafted to support the strategic implementation of the People Services strategy, and the alignment with Council's vision, mission and SERVICE values.

In addition, the initial review identified the Salary Packaging Policy and Non-Smoking Policy as not being required and as they are due for review are included for consideration in this report.

#### **Consideration:**

##### **P-2013-21 Salary Packaging Policy**

It is recommended to repeal the Salary Packaging Policy as:

- i. There is no legislative reason for this policy;
- ii. Consultation with Payroll and Finance has determined there is no payroll or financial reason for this policy;
- iii. An external provider is engaged to carry out this service with the service managed via tender and procurement processes;
- iv. The name of the provider may change through tender processes and as such, it is a duplication of processes to include in a policy; and
- v. It is not considered appropriate for Council to be providing financial advice to employees through a policy position.

Information is supplied to employees through relevant factsheets and communication provided by the external provider as a requirement of the contract.

If Council wanted to elect to continue with a Salary Packaging Policy, direction would be sought on the intent and principles for inclusion in a revised policy. An alternative resolution could be:

1. *Revise P-2013-21 Salary Packaging Policy to include: \_\_\_\_\_;*

### **P-2014/43 Non-Smoking Policy**

It is recommended to repeal the Non-Smoking Policy as:

- i. There is no legislative reason for this policy;
- ii. Current legislation *Tobacco and Other Smoking Products Act 1998* and *Tobacco and Other Smoking Products Regulation 2010* outlines the regulations in terms of where people can and cannot smoke (e.g. no smoking within 10 metres from the entrance to a building);
- iii. The current policy is based on outdated legislation, which provides inconsistent information for our employees as to which rule is applicable;
- iv. Information on smoking rules and legislation are provided in Council employment letters, corporate and site inductions, contractor contracts, etc;
- v. No-smoking stickers are placed in all Council vehicles and equipment;
- vi. Designated smoking areas are provided at Council worksites;
- vii. People, Culture and Safety proactively advertise quit line to employees through various communication mediums (cloud, staff newsletter, etc);
- viii. People, Culture and Safety proactively seek opportunities for free quit smoking programs and promote to employees.

If Council wanted to elect to continue with a Non-Smoking Policy, direction would be sought on the intent and principles for inclusion in a revised policy. An alternative resolution could be:

2. *Revise P-2014/43 Non-Smoking Policy to include: \_\_\_\_\_;*

### **Draft P-2019-05 People and Culture Policy**

Attached to this report is the proposed People and Culture Policy for Council's consideration, and if accepted, for formal adoption. It is recommended to adopt as the policy supports the strategic implementation of the People Services strategy, and the alignment with Council's vision, mission and SERVICE values. The format of a one-page policy statement is in line with other People, Culture and Safety Business Unit policies like the Work Health & Safety Policy and the Rehabilitation and Return to Work Policy.

Should Council elect to adopt with amendments the proposed People and Culture Policy, alternative considerations and the associated resolutions may include:

#### **Alternative Option – Adopt People and Culture Policy with amendments**

Amend the draft policy with any changes Council may wish to make. The resolution associated with this option is suggested to be framed as follows:

*That Council:*

3. *Adopt P-2019-05 People and Culture Policy, subject to the following changes:*
  - i. *insert change/amendment;*
  - ii. *insert change/amendment.*

If Council did not wish to adopt the proposed new People and Culture Policy, it could choose not to adopt point 3 of the recommendation.

### **Communication and Consultation (Internal/External):**

The consultation process undertaken for the attached documents was:

1. Development and acceptance of People and Culture policy and corporate standard framework in March 2019;
2. Development of policy by Governance in consultation with subject matter experts in People, Culture and Safety;
3. First draft of People and Culture Policy presented to Executive Governance and Risk Meeting 11 February 2019 for consultation and feedback;

4. Presentation to Joint Consultative Committee on 7 March 2019 for consultation and feedback;
5. Emailed to Leaders for review on 22 March 2019 for consultation and feedback;
6. Workshop held with Leaders on 1 April 2019 for consultation and feedback;
7. Final copy presented to Executive Governance and Risk virtual meeting 8 April 2019 and approved for presentation at Council for adoption.

Feedback provided has been incorporated where possible within the proposed new policy.

### **Legal Environmental and Policy Implications:**

If the recommendation of the report is adopted, it would result in the Salary Packaging and Non-Smoking Policies being repealed. However, as the information and intent of these policies are covered via other mechanisms (i.e. legislation, tender processes, internal factsheets, etc), the principles of these policies are still applicable and available to employees.

Adoption of the new People and Culture Policy sets a clear direction for the strategy and commitment of Council to developing an engaged, high performing team.

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

None of the options presented to Council will incur any additional costs for implementation.

### **Commentary:**

None.

### **Summary:**

This is the first stage of implementing the People and Culture policy and corporate standard framework that aligns Council's vision, mission and SERVICE values to the People Services strategy. These documents also reflect the legislative changes that have happened over the last few years in the Industrial Relations space, including the certification of Council's Certified Agreement. This is a positive step for People and Culture in **CONNECTING** our people with Council's mission, **INNOVATING** in the policy format, and **DIVERSIFYING** from the traditional local government culture of having a policy for everything to just having those that outline our strategic intent.

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

Implemented within one month of resolution.

### **Attachments:**

1. P-2013-21 Salary Packaging Policy
2. P-2014/43 Non-Smoking Policy
3. Draft P-2019-05 People and Culture Policy

### **Tabled Items:**

Nil.

**Report Prepared by:** Policy Officer / Manager Governance

### G/3.8.2. MONTHLY FINANCIAL REPORTS FOR PERIOD ENDING 30 APRIL 2019

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

**Council Meeting Date:** 21 May 2019

**File Ref:** FM15.1

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#### **Purpose:**

This report seeks Council adoption of the Monthly Financial Statements for the 2018-19 year to date, for the period ended 30 April 2019, as required under Section 204 *Local Government Regulation 2012*.

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

That Council adopt the Monthly Financial Statements attached to this report for the 2018-19 year to date, for the period ended 30 April 2019 as required under Section 204 *Local Government Regulation 2012*.

#### **Background:**

Nil.

#### **Consideration:**

#### **Budget Variations**

Since the adoption of the 2018-19 budget on 24 July 2018, a number of variations to budget have been processed in line with emergent needs. Revisions are visible through the Program Budgets and Aggregated Financial Statements with both Adopted and Revised Budget columns displayed.

Furthermore, Council departments are currently reviewing their anticipated positions for the 2018-19 year and revisions will be processed to align with new expectations. As this process is currently being undertaken, no further revisions have been processed in April.

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

The pro-rata rate as at 30 April 2019 is 83.56%

#### Recurrent Revenue

Recurrent revenue is reporting within expectations at \$165.6m or 85.62% of the revised budget of \$193.4m. Notable variations from expectations include:

Sales Contract and Recoverable Works	Percentage of Revised Budget
	56.75%

Currently at \$2.4m of the revised budget of \$4.2m. Recoverable work undertaken for the year has been less than originally anticipated, resulting in both income and expenditure of this nature reporting below budgets. The original budget for this revenue type had been reduced from \$5.3m to \$4.2m.

Grants, Subsidies, Contributions and Donations	Percentage of Revised Budget
	53.26%

Currently at \$10.9m of the revised budget of \$20.5m. The largest instalment of the Financial Assistance Grant is received in June in advance for next year. This year Council is expecting approximately \$3.8m for this payment. The rest of the variance can be explained by a significant difference in the amount budgeted versus the amount received of NDRRA funding. Additional claims for NDRRA funding are expected to be lodged and paid in the coming months.

Interest Received	Percentage of Revised Budget
	71.59%

The total interest earned for the year is \$2.2m which is in line with pro-rata. However, the sources of the interest received show variances from the budgeted amounts. Interest received from investments is currently \$1.5m compared to a revised budget of \$2.6m which equates to 58.74%. Council has several investments that are expected to reach maturity between now and the end of the year.

Conversely, interest from overdue rates and utility charges is sitting at \$0.6m compared to a revised budget of \$0.4m equaling 149%. It appears that the amount for interest received from ratepayers will be closer aligned to the 17/18 amount of \$0.8m than it will to the revised budget.

Other Recurrent Income	Percentage of Revised Budget
	39.51%

This category includes a budgeted amount of \$5.3m for dividends to be paid to Council from the Gladstone Area Water Board. Once this is taken into consideration, the percentage of revised budget is 90% which is in line with pro-rata.

#### Capital Revenue

Capital revenue is reporting at 60% of the revised budget, totaling \$8.6m of an expected \$14.3m for the year. Included in this category are:

Grants, Subsidies, Contributions and Donations	Percentage of Revised Budget
	65.36%

Currently at \$8.02m of the revised budget of \$12.3m. Funding of \$1.5m is expected to be received in this financial year for capital sewerage projects as well as \$1.2m for the Red Rover Road reconstruction project. The rest of the variance can be explained by a significant difference in the amount budgeted versus the amount received of NDRRA funding. Additional claims for NDRRA funding are expected to be lodged and paid in the coming months.

Developer Contributions	Percentage of Revised Budget
	28.08%

Currently at \$0.6m of a revised budget of \$2.0m. Although this figure is quite low compared to the budget, it is double the amount of contributions when compared to this time last year. Developer Contributions received as at 30 April 2018 was at \$0.3m.

Recurrent Expenses

Year to date expenditure is tracking in line with expectations, currently sitting at 74.36% of the revised budget of \$194.4m. Included in this category are:

Employee Benefits	Percentage of Revised Budget
	71.52%.

The final staff pay run for April was not processed at the time of this report, however, employee expenses are reporting within budgetary expectations at this time.

Materials and Services	Percentage of Revised Budget
	71.53%.

Currently sitting at \$50.3m of a revised budget of \$70.3m. Materials and services expenditure was at 74.43% of the revised budget for the same period last year.

The net operating result for the year to date is \$19m compared to \$18.5m for the same period last year.

**Statement of Financial Position**

Year to Date Assets	Current Value	Revised Budget	Percentage of Revised Budget
	\$2.284b	\$2.578b	88.60%
Year to Date Liabilities	Current Value	Revised Budget	Percentage of Revised Budget
	\$143.1m	\$144.9m	98.79%

Assets and liabilities are within expectations for this time of year.

**Capital Expenditure**

Year to Date Capital Expenditure	Year to Date	Revised Budget	Percentage of Revised Budget
	\$35.4m	\$77m	45.97%
Including Commitments	\$53.6m		69.61%

Capital works expenditure up to 30 April was 47% of the revised budget. However, when outstanding purchase orders (commitments) are included, the total capital spend is increased to 70% of budget.

Significant actual capital expenditure (not including commitments) is presented by group in the table below:

Group	Adopted Budget	Revised Budget	YTD Actual	Actuals as % of Revised Budget
Road Assets	\$36.937m	\$29.512m	\$18.005m	61%
Water Assets	\$14.263m	\$7.534m	\$3.335m	44%
Sewerage Assets	\$29.535m	\$21.500m	\$6.850m	32%
Waste Assets	\$1.645m	\$2.654m	\$0.327m	12%

Parks & Environment Assets	\$2.875m	\$2.838m	\$1.206m	42%
Asset Planning	\$2.276m	\$0.000m	\$0.000m	0%
Delivery Support & Performance	\$6.815m	\$8.259m	\$4.744m	57%
Property Assets	\$0.000m	\$1.522m	\$0.457m	30%
Strategy & Transformation	\$6.752m	\$2.456m	\$0.507m	21%

## Outstanding Rates

Outstanding rates as a percentage of gross rates levied, and collectible, is at 2.79% at the end of April, compared to 5.33% for the same period last year. Due to the recent rates generation, there is a total of \$11.8m of the \$24.8m outstanding with respect to the second half utility notices that do not become outstanding until 24 May 2019, in total outstanding rates are at \$16.4m, or 9.88%.

Of the \$4.6m of outstanding rates, 15.8% relates to commercial / industrial assessments and 84.2% represents residential assessments.

These figures include \$1.9m of rates that are currently being repaid under an authorised payment plan, for which there were 58 commercial/industrial assessments and 1,602 residential assessments. A total of 1,660 assessments, which is a decrease from 1,717 assessments in March.

## Sustainability Ratios

Councils Sustainability Ratios for the period are generally in line with expectations at this stage of the reporting year. Throughout the year the ratios are distorted as revenue is raised in stages and not evenly across the year. Capital and operating expenditure is incurred on an incremental basis throughout the year.

Financial ratios provide a useful snapshot of Council's financial status and emerging trends. Individual ratios do not provide sufficient 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 an important tool in analysing Council's overall financial performance.

### Asset Sustainability Ratio

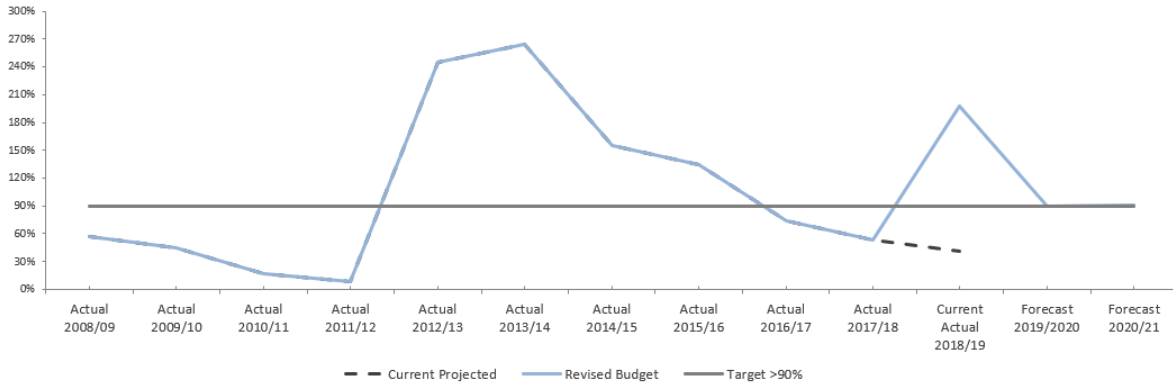
This ratio compares Councils expenditure on capital renewal or replacement assets with the rate at which our assets are depreciating. A slower rate of capital spending has produced a lower result compared to the same period in the previous year. Council has not achieved the target range since the 2015/16 financial year.

<b>Asset Sustainability Ratio</b>			
Current Year to Date	Prior Year to Date	Budget	Target
<b>41.28%</b>	<b>53.92%</b>	<b>197.72%</b>	<b>&gt;90%</b>



### Asset Sustainability Ratio

(indicates rate of replacement/renewal vs consumption of assets)



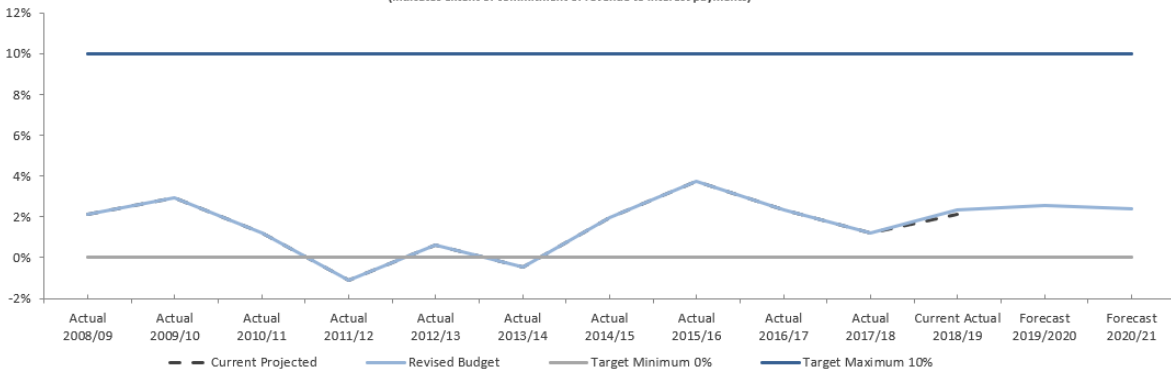
### Interest Coverage Ratio

The interest coverage ratio for the year to date is within the target range. The gap between budgeted income and income received is the cause of the variance between the budgeted and actual result of this ratio. As the revenue received is less than expected at this stage, a higher percentage of that revenue is needed to cover Councils interest commitments.

Interest Coverage Ratio			
Current Year to Date	Prior Year to Date	Budget	Target
<b>2.13%</b>	<b>1.32%</b>	<b>2.36%</b>	<b>0% - 10%</b>

### Interest Coverage Ratio

(indicates extent of commitment of revenue to interest payments)



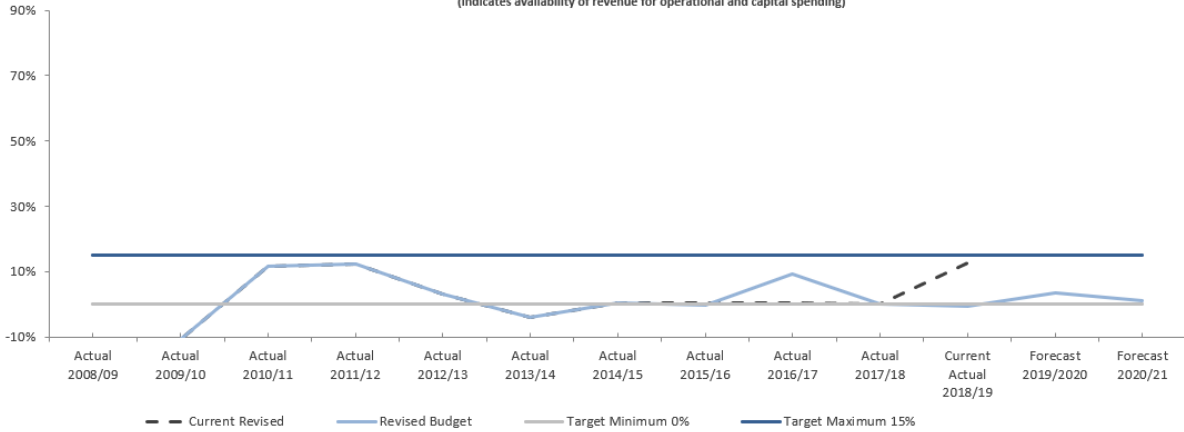
### Operating Surplus Ratio

The current results of this ratio are sitting within the target range and are comparable to this time last year. The budget revisions processed according to anticipated position have caused the budgeted ratio to fall below the target range.

Operating Surplus Ratio			
Current Year to Date	Prior Year to Date	Budget	Target
<b>11.48%</b>	<b>11.98%</b>	<b>-0.53%</b>	<b>0%-15%</b>

### Operating Surplus Ratio

(indicates availability of revenue for operational and capital spending)



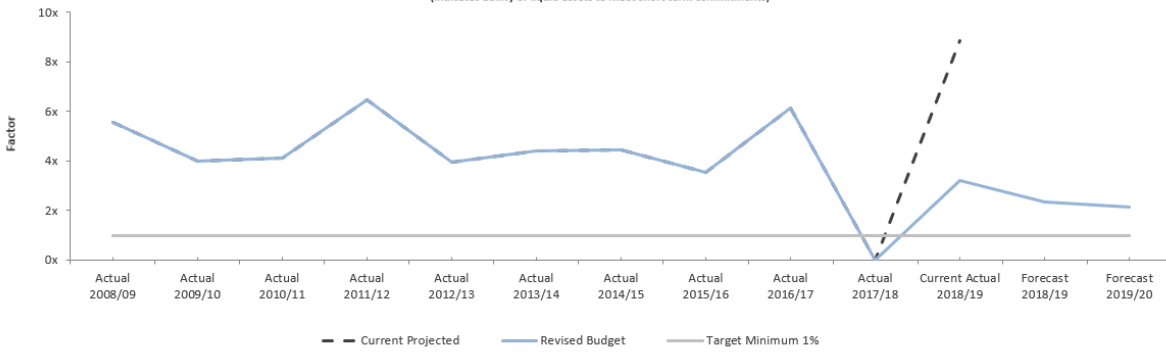
### Working Capital Ratio

As the annual rates have been generated, Council has a large balance of current assets including cash and receivables that increase the results of this ratio. Although slightly lower than this time last year, the ratio remains in excess of the target minimum, reflecting a healthy position for Council.

Working Capital Ratio			
Current Year to Date	Prior Year to Date	Budget	Target
<b>8.85x</b>	<b>9.99x</b>	<b>3.22x</b>	<b>&gt; 1:1</b>

### Working Capital Ratio

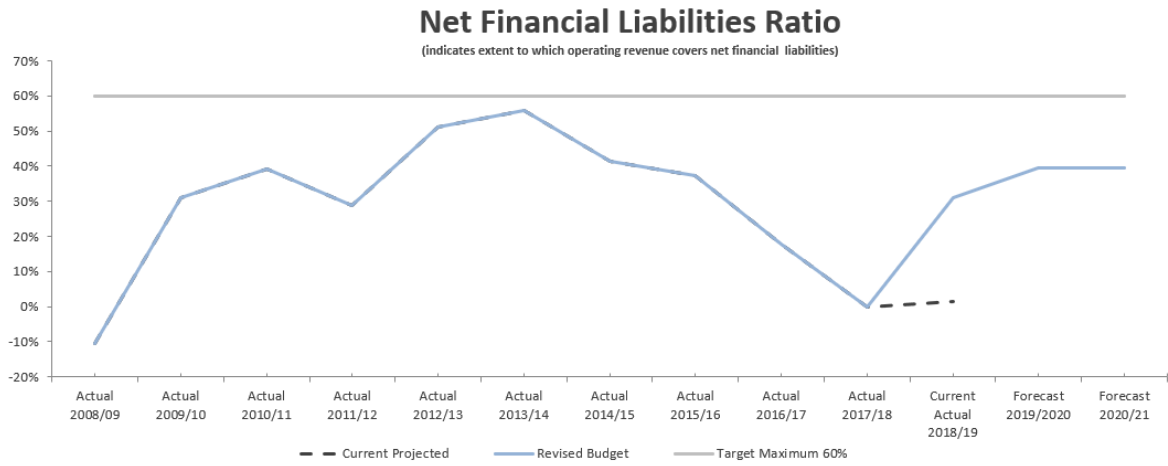
(indicates ability of liquid assets to meet short term commitments)



### Net Financial Liabilities Ratio

This ratio is also affected by a strong current asset value. It is anticipated to align to budget as expenditure targets are met. The results are lower than the same period last year.

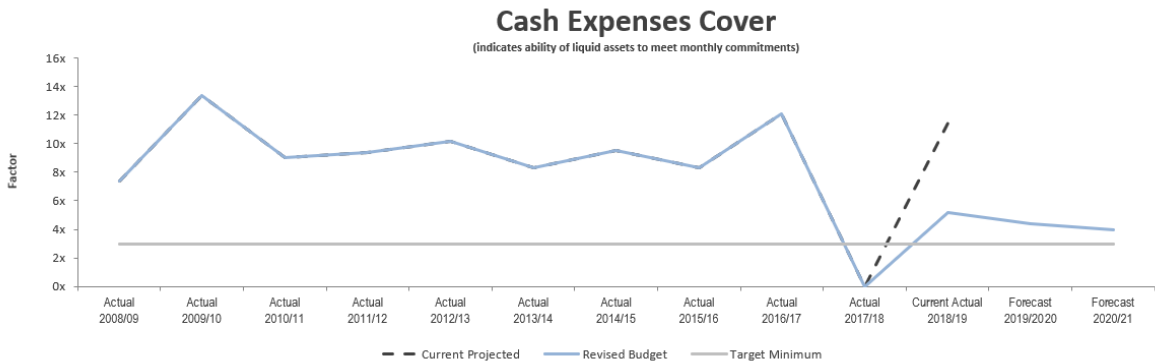
Net Financial Liabilities Ratio			
Current Year to Date	Prior Year to Date	Budget	Target
<b>1.36%</b>	<b>7.46%</b>	<b>30.97%</b>	<b>&lt; 60%</b>



**Cash Expenses Cover Ratio**

The current result reflects a continuing strong cash position proportional to operating costs. This result is well above the target ratio.

Cash Expenses Cover Ratio			
Current Year to Date	Prior Year to Date	Budget	Target
<b>11.21x</b>	<b>12.39x</b>	<b>5.19x</b>	<b>&gt;3x</b>



**Communication and Consultation (Internal/External):**

Input regarding budget variations sought from Systems Modelling and Metrics Specialist.  
 Input regarding unpaid and prepaid rates sought from Manager Revenue Services.

**Legal Environmental and Policy Implications:**

Nil.

**Financial and Resource Implications:**

Nil.

**Commentary:**

Nil.

**Summary:**

Nil.

**Anticipated Resolution Completion Date:**

Nil.

**Attachments:**

1. Operating Statement for Month End April 2019
2. Monthly Financial Statements period ending 30 April 2019

**Tabled Items:**

Nil.

**Report Prepared by:** Accountant

**G/4. DEPUTATIONS**

Nil.

**G/5. COUNCILLORS REPORT**

Nil.

**G/6. URGENT BUSINESS**

Nil.

**G/7. NOTICE OF MOTION**

Nil.



## **G/8. CONFIDENTIAL ITEMS**

### **G/8.1. POSSIBLE PURCHASE OF 1 SP289749 - ROUND HILL ROAD, AGNES WATER**

**Responsible Officer: General Manager Strategic Asset Performance**

**Council Meeting Date: 21 May 2019**

**File Ref: CP2.1**

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#### **Reason for Confidentiality:**

This report is **CONFIDENTIAL** in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

- (e) contracts proposed to be made by it.

**G/8.2. BIG BELLY LITTERFENCE SOLE SUPPLIER**

**Responsible Officer: General Manager Operations**

**Council Meeting Date: 21 May 2019**

**File Ref: PE1.1**

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**Reason for Confidentiality:**

This report is **CONFIDENTIAL** in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

- (e) contracts proposed to be made by it.

**G/8.3. KRIARIS RECYCLABLE PROCESSING SOLE SUPPLIER**

**Responsible Officer: General Manager Operations**

**Council Meeting Date: 21 May 2019**

**File Ref: PE1.1**

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**Reason for Confidentiality:**

This report is **CONFIDENTIAL** in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

- (e) contracts proposed to be made by it.

**G/8.4. TENDER 194-19 AGNES WATER WASTE TRANSFER STATION  
UPGRADE**

**Responsible Officer: General Manager Operations**

**Council Meeting Date: 21 May 2019**

**File Ref: WS9.1, PE1.1**

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**Reason for Confidentiality:**

This report is **CONFIDENTIAL** in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

- (e) contracts proposed to be made by it.

**G/8.5. TENDER 181-19 ASPHALT OVERLAYS 2018-19**

**Responsible Officer: General Manager Operations**

**Council Meeting Date: 21 May 2019**

**File Ref: WS9.1, PE1.1**

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**Reason for Confidentiality:**

This report is **CONFIDENTIAL** in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

- (e) contracts proposed to be made by it.

**ATTACHMENTS**