

GENERAL MEETING AGENDA

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

On 17 July 2018

Commencing at 9.00am

Roslyn Baker
CHIEF EXECUTIVE OFFICER

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G/1. MAYORAL STATEMENT OF CURRENT ISSUES

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES 3 JULY 2018

Responsible Officer: Chief Executive Officer

Council Meeting Date: 17 July 2018

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 3 July 2018.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 3 July 2018 be confirmed.

Attachments:

1. Minutes of the General Meeting of Council held on 3 July 2018.

Tabled Items:

Nil.

Report Prepared by: Executive Assistant

G/3. OFFICERS' REPORTS

G/3.1. OFFICE OF THE CEO

G/3.1.1. ATTENDANCE AT THE INLAND RAIL CONFERENCE

Responsible Officer: Chief Executive Officer

Council Meeting Date: 17 July 2018

File Ref: CM6.1

Purpose:

Approval is sought for Cr Hansen to attend the Australasian Railway Association and the Australian Logistics Council's Inland Rail Conference on 18 – 19 July 2018 in Parkes, NSW.

Officer's Recommendation:

That Council authorise Cr Hansen's attendance at the Australasian Railway Association and the Australian Logistics Council's Inland Rail Conference on 18 – 19 July 2018.

Background:

The Conference brings together attendees from Governments, Councils, Rail, Freight industries and farming communities and discusses the Inland Rail project. The Inland Rail project, a significant project, (connecting regional Australia to domestic and international markets) will complete the national freight network between Melbourne and Brisbane via regional Queensland, New South Wales and Victoria. This is the largest freight rail infrastructure project in Australia with work operational by 2024.

The two day event covers the importance of the project, how it will transform the movement of freight in Australia and the Federal Government's National Freight and Supply Chain Strategy due for release later this year.

Rail networks are important to the Gladstone Region and critical to its industry, farming and the economy. The Inland Rail Conference will be held in Parkes where both the east-west rail line (Sydney to Perth) and the inland rail line (Melbourne to Brisbane) cross.

Consideration:

Nil.

Communication and Consultation (Internal/External):

Mayor, Cr Hansen and the Chief Executive Officer.

Legal Environmental and Policy Implications:

Approval by resolution for attendance at this Conference is required under section 6.2 of Council's Councillors Expenses Reimbursement and Provision of Facilities Policy.

Financial and Resource Implications:

Registration costs are \$770, flights \$1,279.08 and accommodation is \$450. Total estimated costs at \$2,499.08. Meals and transfer costs have not been included in this estimate.

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Commentary:
Nil.
Summary:
Nil.
Anticipated Completion Date:
18 July 2018.

Attachments:

1. Inland Rail Conference Program

Tabled Items:

Nil.

Report Prepared by: Executive Assistant to the Chief Executive Officer

G/3.2. STRATEGY AND TRANSFORMATION

G/3.2.1. FINAL ASSESSMENT OF THE IMPLEMENTATION OF THE 2017/18 GLADSTONE REGIONAL COUNCIL OPERATIONAL PLAN - QUARTER ENDING 30 JUNE 2018

Responsible Officer: General Manager Finance, Governance and Risk

Council Meeting Date: 17 July 2018

File Ref: CM14.2

Purpose:

Presenting the final quarterly progress towards the implementation of Gladstone Regional Council's 2017/18 Operational Plan for the quarter ending 30 June 2018.

Officer's Recommendation:

That:

- 1. The information contained with the Assessment of the Implementation of the 2017/18 Operational Plan Quarter 4 report be noted; and
- 2. The report be received.

Background:

In accordance with s.122(2) of the Local Government Act 2009, the report for the final quarter ending 30 June 2018 is presented for Council's information.

The attached report provides an assessment of the organisation's progress towards the implementation of the actions, projects, initiatives and key performance indicators as identified in the 2017/18 Operational Plan.

Consideration:

Nil.

Communication and Consultation (Internal/External):

Relevant levels of management have provided input into the attached report.

Legal Environmental and Policy Implications:

Section 122(2) Local Government Act 2009 (Preparation and adoption of annual operation plan).

Financial and Resource Implications:

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Refer to attached report for progress against each operational plan item.

Summary:

Nil.

Anticipated Completion Date:

Not applicable.

Attachments:

1. Assessment of the Implementation of the 2017/18 Operational Plan – Quarter 4

Tabled Items:

Nil.

Report Prepared by: Corporate Performance and Reporting Officer

G/3.3. STRATEGIC ASSET PERFORMANCE

G/3.4. OPERATIONS

G/3.4.1. PSA 05-19 SODIUM HYPOCHLORITE

Responsible Officer: General Manager Operations

Council Meeting Date: 17 July 2018

File Ref: PE8.2

Purpose:

This report seeks Council's approval to enter into a contract for the supply and delivery of sodium hypochlorite under a Preferred Supplier Arrangement (PSA 05-18).

Officer's Recommendation:

That Council:

- 1. Enter into a Preferred Supplier Arrangement with Ionics Australasia for the supply and delivery of sodium hypochlorite in accordance with the tender specifications and their submission for an initial period of twelve (12) months; and
- 2. Authorise the Chief Executive Officer to exercise the option of extending the preferred supplier arrangement for a further period of twelve (12) months subject to continued need and satisfactory performance.

Background:

Council currently has contract in place with Elite Chemicals (Ionics Australasia) for the supply and delivery of sodium hypochlorite, which expires in June 2018.

Based on the continued need for this product, PSA 05-19 Supply and Delivery of Sodium Hypochlorite was prepared, advertised and published in The Observer, on Council's Tenders webpage and uploaded to LG Tender Box on Thursday, 17 May 2018 with a closing date of 2pm, Thursday, 7 June 2018.

Notice to Tenderers #1 was issued on 18 May 2018 providing clarification on the delivery locations as several are no longer required.

Two (2) submissions were received by the closing date and time.

Consideration:

Evaluation of the submissions was conducted by representatives from Water Services and Contracts, against the following weighted criteria:

CRITERIA	WEIGHTED PERCENTAG E
Capability / Resources	30%
Past Performance / Relevant Experience / Track Record	15%
Quality	20%
Price	35%

Taking all evaluation criteria into consideration, the two top ranked suppliers were scored as follows:

TENDERER	SCORE	RANKING
Ionics Australasia	415	1
Ixom Operations	269	2

Ionics Australasia

- This supplier scored highest on all criteria, except quality as they do not have a third party accredited quality management system, although not a requirement under this contract; and
- Offered the best price.

This supplier has a local terminal located at Fisherman's Landing, Yarwun.

The recommended Tenderer has been deemed WH&S compliant.

Communication and Consultation (Internal/External):

The specification was prepared by Water Services in consultation with Contracts and based on supply over the period of the current arrangement.

Legal Environmental and Policy Implications:

In accordance with the *Local Government Act*, Finance Standards and Council's Procurement Policy and Corporate Standard, Council must invite persons to tender before entering into a preferred supplier arrangement.

Financial and Resource Implications:

The anticipated spend is approximately \$140,000 per annum and Water Services have allocated funding for this product in the 2018/19 budget.

<u>^</u>	mentary:	

Nil.

Summary:

Nil.

Anticipated Completion Date:

The initial completion date is expected to be 30 June 2019 with a possible extension through to 30 June 2020.

Attachments:

1. PSA 05-19 Sodium Hypochlorite – Evaluation Matrix

Tabled Items:

Nil.

Report Prepared by: Contracts Coordinator

G/3.4.2. PSA 03-19 GREEN WASTE GRINDING

Responsible Officer: General Manager Operations

Council Meeting Date: 17 July 2018

File Ref: PE8.2

Purpose:

This report seeks Council's approval to enter into a contract for the provision of green waste grinding services under a Preferred Supplier Arrangement (PSA 03-19).

Officer's Recommendation:

That Council:

- 1. Enter into a contract with Tropical Mulch Pty Ltd for the provision of green waste grinding services, in accordance with the tender specifications and their submission for an initial period of twelve (12) months, and;
- 2. Authorise the Chief Executive Officer to approve an extension of a further period of twelve (12) months, subject to satisfactory performance of the contractor and an on-going need for the services.

Background:

Council requires the services of a contractor to grind green waste at Agnes Water, Benaraby Landfill and Gladstone Transfer Station, three times a year.

In November 2017, Council resolved to award the contract for these services to We Just Grind It Vegetation Management however in February 2018, this contract was cancelled, and Tenderers informed that a new tender would be released.

Tender PSA 03-19 Green Waste Grinding Services was prepared, advertised and published in The Observer, on Council's Tenders webpage and uploaded to the LG Tender Box on Thursday, 3 May 2018 with a closing date of 2pm, 24 May 2018.

Nine (9) submissions were received.

Consideration:

Evaluation of the submissions were conducted by a representative from Waste Services, Procurement and Contracts, against the following weighted criteria:

CRITERIA	WEIGHTED PERCENTAGE
Capability / Resources	30%
Past Performance / Relevant Experience	15%
Quality	20%
Price	35%

The submissions from the following Tenderers were not evaluated further in view of their non-competitive rates:

- 1. Polley's Earthmoving
- 2. Eric Child and Sons
- 3. NuGrow Rockhampton; and
- 4. Brisbane Enterprises

Taking all evaluation criteria into consideration, the top ranked submissions were evaluated and ranked as follows:

TENDERER	SCORE	RANKING	VALUE
Tropical Mulch	378	1	\$ 104,000
Ironjack Recycling	346.5	2	\$ 104,620

Tropical Mulch

- Have previously provided Council with excellent work
- Have previous experience with other neighbouring Councils.
- Offered competitive rates
- Can demonstrate substantial implementation of a quality management system
- Tenderer met the mandatory safety requirements and Safety have reviewed the submitted documentation and deemed them Compliant.

Upon award, the successful contractor will be required to attend site specific safety inductions and provide the Superintendent the following safety documentation, prior to commencement of the work:

- 1. Risk Assessments
- 2. Safe Work Method Statements
- 3. Job Safety Analysis

Communication and Consultation (Internal/External):

The specification was prepared by Waste Services based on the current requirements and the tender document was prepared and released by the Contracts office.

Legal Environmental and Policy Implications:

In accordance with the *Local Government Act*, Finance Standards and Council's Procurement Policy and Corporate Standard, Council must invite persons to tender for a preferred supplier arrangement.

Financial and Resource Implications:

Waste Services have budgeted funds in the 2018/19 budget to carry out these works.

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Nil.

Summary:

Anticipated Completion Date:

The initial completion date of the contract is approximately 30 June 2019, with a possible one (1) year extension to 30 June 2020.

Attachments:

1. PSA 03-19 – Green Waste Grinding Services – Evaluation Matrix

Tabled Items:

Nil.

Report Prepared by: Contracts Coordinator

G/3.4.3. PSA 07-19 UNDERGROUND LOCATION SERVICES

Responsible Officer: General Manager Operations

Council Meeting Date: 17 July 2018

File Ref: PE8.2

Purpose:

This report seeks Council's approval to enter into two contracts for the provision of underground location services under a Preferred Supplier Arrangement (PSA 07-19).

Officer's Recommendation:

That Council:

- 1. Enter into a contract with Vac Group, as the Primary Contractor, for the provision of underground location services, in accordance with the tender specifications and their submission for an initial period of twelve (12) months,
- 2. Enter into a contract with Saunders Cable Locators, as the Secondary Contractor, for the provision of underground location services, in accordance with the tender specifications and their submission for an initial period of twelve (12) months, and
- 3. Authorise the Chief Executive Officer to approve a further twelve (12) month extension of both contracts subject to continued need and performance.

Background:

Council requests quotations for the various works required, however, given the on-going nature of the requirement and to facilitate the procurement process and to ensure compliance with the Procurement Corporate Standard.

PSA 07-19 Provision of Underground Location Services was prepared, advertised and published in The Observer, on Council's Tenders webpage and uploaded to LG Tender Box on Thursday, 24 May 2018 with a closing date of 2pm, Thursday, 14 June 2018.

Six (6) submissions were received by the closing date and time.

Consideration:

Evaluation of the submissions was conducted by representatives from Procurement and Contracts teams, against the following weighted criteria:

CRITERIA	WEIGHTED PERCENTAGE
Capability / Resources	30%
Past Performance / Relevant Experience / Track Record	15%
Quality	20%
Price	35%

Taking all evaluation criteria into consideration, the three top ranked Tenderers were:

TENDERER	SCORE	RANKING
VAC Group	400	1
Lambert Locations	370	2
Saunders Cable Locators	340	3

Both VAC Group and Saunders Cable Locators are local companies whilst Lambert Locations is a Gold Coast based company. The panel was of the opinion that given the quick turnaround required for these services, that the Gold Coast based company did not add any value to Council but that it would be beneficial to have a secondary contractor available to carry out works when the primary contractor was not available.

All relevant safety documentation and information provided by both the VAC Group and Saunders Cable Locators have been reviewed and deemed compliant.

Communication and Consultation (Internal/External):

The specification was prepared in consultation with Procurement and other stakeholders using ongoing requirements as the basis for the tender.

Legal Environmental and Policy Implications:

In accordance with the *Local Government Act*, Finance Standards and Council's Procurement Policy and Corporate Standard, Council must invite persons to tender before entering into a preferred supplier arrangement.

Financial and Resource Implications:

The expenditure for these services was approximately \$120,000 last financial year – funds have been allocated in the various user budgets and purchase orders will be issued for each job as required.

Commentary:

Nil.

Summary:

Nil.

Anticipated Completion Date:

The initial completion date of the contract is 31 July 2019 (or 31 July 2020 subject to approval).

Attachments:

1. PSA 07-19 Underground Location Services – Evaluation Matrix

Tabled Items:

Nil.

Report Prepared by: Contracts Coordinator

G/3.5. COMMUNITY DEVELOPMENT AND EVENTS

G/3.6. CUSTOMER EXPERIENCE

G/3.6.1. DEVELOPMENT APPLICATION 13.2018 FOR RECONFIGURING A LOT (1 INTO 2) AT 7 MARGARET STREET, TANNUM SANDS QLD 4680

Responsible Officer: Manager Development Services

Council Meeting Date: 17 July 2018

File Ref: DA13.2018

Development Application:

Application Number: DA/13/2018

Applicant: Endlis Pty Ltd ATF Sandlee Unit Trust C/- Zone Planning

Group

Owner: Endlis Pty Ltd ATF Sandlee Unit Trust

Confirmation Notice: 12 April 2018

Location: 7 Margaret Street, Tannum Sands

RPD: Lot 10 RP 608261

Area: 984m2

Current Use Of Land: Dwelling House

Zoning: Low Density Residential Zone Proposal: Reconfiguring a Lot (1 into 2 lots) **Public Notification Period:** 1 May 2018 – 23 May 2018

Number Of Submissions: Three (3) Properly Made Submissions and One Petition

containing Twenty-four (24) signatures

Purpose:

The purpose of this report is to assess Development Application 13/2018 for a Reconfiguring a Lot (1 into 2) at 7 Margaret Street, Tannum Sands against the *State Planning Policy July 2017* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* under the *Planning Act 2016*.

Executive Summary:

A Development Application for Reconfiguring a Lot (1 into 2 lots) located at 7 Margaret Street, Tannum Sands was lodged with Council on 10 April 2018.

The proposal required Impact Assessment against the relevant provisions of the *State Planning Policy July 2017* (the SPP) and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2* (the Planning Scheme) under the *Planning Act 2016* (the Act). As per the *Planning Regulation 2017* (the Regulation), the Development Application did not require any referrals.

By virtue of the level of assessment which was triggered as the lots are below the prescribed 600m2 provision, Public Notification was required for fifteen (15) business days. The Public Notification Period occurred between 1 May 2018 and 23 May 2018 where three (3) Properly Made submissions and one petition containing twenty-four (24) signatures were received. Matters raised by the submitters included concerns regarding minimum lot size and dimensions, high density development and traffic hazards. The matters raised have been justified against the Planning Scheme further in this report.

After assessment of the proposal against the Planning Scheme, issues pertaining to the subdivision meeting the minimum lot size within the Low Density Residential Code were considered the largest concern. Notwithstanding this, the Applicant has demonstrated through the common material that Proposed Lots 101 and 102 would be able to accommodate a future Dwelling House in order to justify that the proposed lot sizes would be suitable. It is therefore recommended that Development Application 13/2018 for Reconfiguring a Lot (1 into 2 lots) at 7 Margaret Street, Tannum Sands be approved subject to reasonable and relevant conditions.

Subject Site:

The subject site is located at 7 Margaret Street, Tannum Sands and more formally known as Lot 10 RP 608261. The site has a total area of 984m2 with an approximate frontage of 25 metres to Margaret Street and 26 metres to Alfred Street. The site has an existing Dwelling House and is serviced by reticulated water and sewer infrastructure. Figure One provides an illustration of the subject site and its surrounds.



Figure One: Aerial View of the Subject Site

Under the Planning Scheme, the subject site is within the Low Density Residential Zone.

Background:

The Dwelling House received a Building Works approval on 14 December 1966 (Ref: BP/131/1966). As per this current application, the Dwelling House will be removed through a Demolition Permit.

Development Application 13/2018 was lodged with Council on 10 April 2018, considered Properly Made and Confirmed on 12 April 2018. Upon assessment of the supporting material, Council issued a No Information Request on 19 April 2018.

Proposal:

The Applicant seeks to reconfigure the subject site from 1 lot into 2 lots. As part of the Applicant's Response to Submissions Report, it was noted that an amended Proposed Plan would be submitted to satisfy matters raised in a submission, if the submitter was to withdraw their submission. On 27 June 2018, the Properly Made submitter withdrew their submission. On 28 June 2018, the Applicant formally lodged a revised Reconfiguration Plan, with Council acknowledging the plan on 2 July 2018. The original and amended plan has been illustrated below in Figures Two to Four. However, it should be noted that proposed change was to amend the building envelope; the lot dimensions remain the same.

Proposed Lot	Lot Area	Lot Frontage
Lot 101	484m2	16 metres
Lot 102	500m2	9 metres

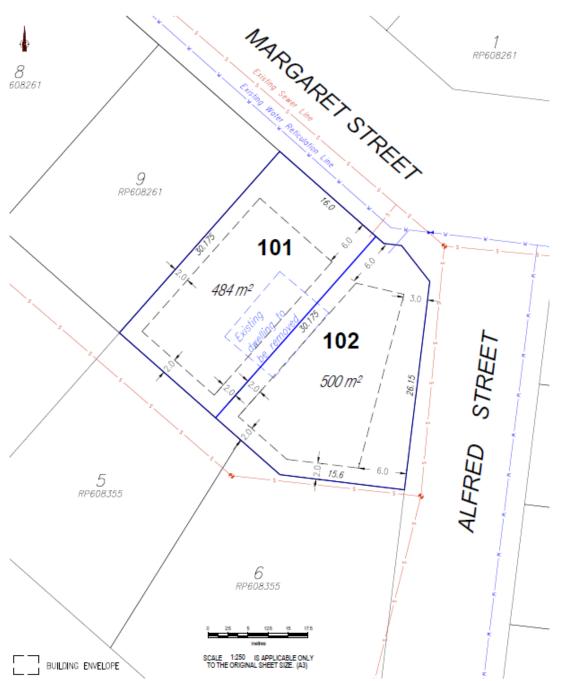


Figure Two: Original Reconfiguration Plan

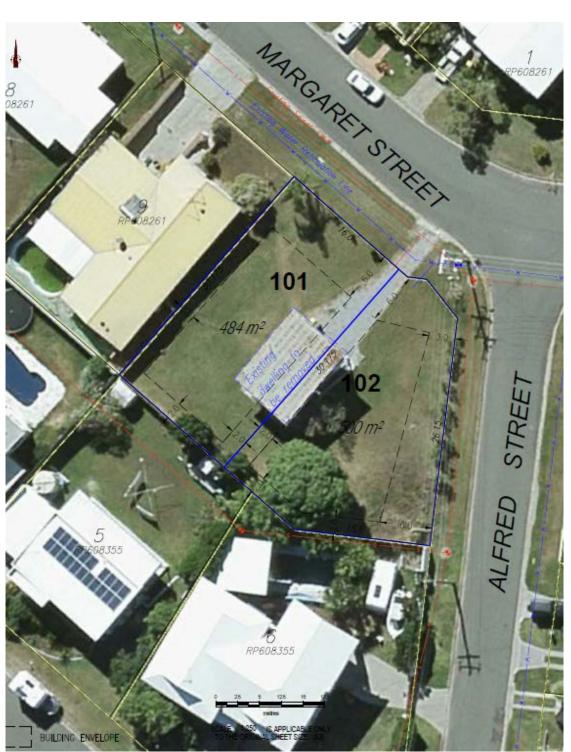


Figure Three: Original Reconfiguration Plan

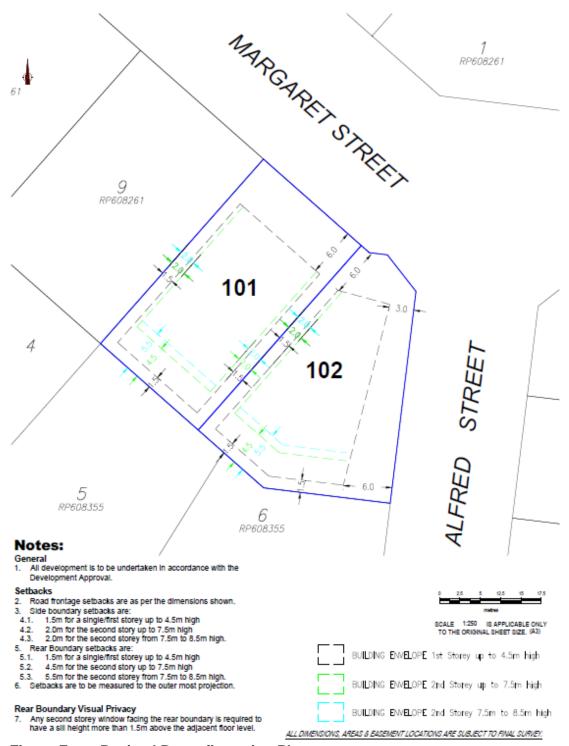


Figure Four: Revised Reconfiguration Plan

Each proposed lot can obtain access to Council's reticulated water and sewer networks. In addition, the Reconfiguration Plan also highlights the proposed building envelope on each lot. This proposed building envelope demonstrates that a future Dwelling House could be adequately constructed onsite while complying with the Queensland Development Code setback provisions. However, it should be noted that the future Dwelling House may require a subsequent Development Application for a Material Change of Use dependant on compliance with the Acceptable Outcomes within the Low density Residential Zone Code.

Adopted Infrastructure Charges Notice:

The application is subject to calculation against the *Gladstone Regional Council Adopted Infrastructure Charges Resolution (No. 1)* - 2015 - Amendment No. 2 (AIC). The table below provides a summary of the development:

Existing Site Proposed Sites				
Zone	Lot	Zoning	Lot/s	Stages
Low Density Residential	1	Low Density Residential	2	N/A

As part of any Decision Notice, an Adopted Infrastructure Charges Notice will be issued in accordance with the Act. As per the AIC, the additional lot created will be charged at \$28,311.20.

Referral:

The proposed development was not required to be referred to any Concurrence or Advice Agencies, as per Schedule 10 of the Regulation.

Public Notification and Submissions:

As the Development Application triggered Impact Assessment under the Planning Scheme, Public Notification was required, as per the Act. The Applicant advised that Public Notification requirements were undertaken between 1 May 2018 and 23 May 2018 with four (4) Properly Made Submissions and twenty-four (24) Petition signatures received for the proposed development. As part of the Applicant's Response to Submissions Report, it was noted that an amended Proposed Plan would be submitted to satisfy matters raised in a submission, if the submitter was to withdraw their submission. On 27 June 2018, the Properly Made submitter withdrew their submission. As a result of this, there is now three (3) Properly Made Submissions. On 28 June 2018, the Applicant formally lodged a revised Reconfiguration Plan, with Council acknowledging the plan on 2 July 2018. The submissions have been summarised in the table below:

Matters raised in the Submission(s)	Officer's Response		
The proposed lot sizes are below the minimum requirement of 600m2 with a road frontage of 17m. In addition, the subdivision will create an irregular shaped lot (triangular shaped) that will create visibility concerns at the corner of Margaret Street and Alfred Street.	Acceptable Outcome 1 of the Reconfiguration of Lot Code (AO1). Although the application does not meet the minimum requirements within AO1, the		
	Visibility concerns for vehicles entering and exiting the proposed lot on the corner will be addressed by the requirements for this lot's driveway to be located on Alfred Street at a safe distance from the intersection in compliance with the Australian Standard.		
The proposed building envelopes will reduce the available open space for each lot.	The proposed setbacks are consistent with the Queensland Development Code requirements for a Dwelling House which could be developed as of right within the Low		

Density Residential Zone Code. Additionally, the existing character of the area demonstrates similar setbacks.

The proposed Building Envelope does not constitute an approval for a future Dwelling House to be the entire area. Provisions regarding site cover require residential development to be below 50%. Therefore, Proposed Lot 101 could develop 242m2 of structures onsite, while Proposed Lot 102 could develop 250m2 of structures onsite. The remaining area of the subject sites would provide open space.

The proposed irregular corner lot and associated building envelope will create visibility issues for traffic as it will only be setback 3m from the corner. The related proposed driveway for Lot 102 will present a traffic hazard for everyone turning left from Gwen Street into Alfred Street.

The building envelope sets the future building back 6m from Margaret Street which will provide adequate site distance for vehicles turning right into Margret Street from Alfred Street. There is approximately 26 metres between proposed Lot 102 and the intersection with Gwen Street. Therefore, there is adequate sight distance to reduce any potential traffic conflict.

If council were to relax its stated acceptable outcomes for this zone for one developer, it would set a precedent for other developers to apply for relaxation on other lots they currently hold in the very near proximity.

The Development Application has been assessed against Performance Outcome 1 of the Reconfiguring a Lot Code as the proposed lot sizes are below the Minimum Lot Size as identified in Acceptable Outcome 1. The line of sight assessment does not constitute a relaxation. The approval of this application would not create a precedent. Council is required to consider each application on its own merits.

The proposal will result in double the density along the street.

The planning scheme acknowledges low density development of 1 dwelling per 400m2 or more of site area as being low density development consistent with the zoning.

In Part 3.4 Community Living of Our Place, Our Plan, the point is made that there should be an economic and community need for residential development. Given the depressed state of the housing market at present, as well as the high vacancy rate for rentals, it is difficult to see why there is a need for sub-division in Low Density Residential Zones.

In section 3.4 of the strategic framework where reference is made to applications needing to illustrate overwhelming community and economic need this is in reference to the release of new residential land within the Emerging Communities Zone for residential development. This point is reinforced by this provision being carried forward into the Emerging Communities Zone code PO6 and AO6.1. No other requirement exists in any of the other zones including the Low Density Residential Zone.

It is important to note that this application will not result in the release of any new land for additional dwellings to be erected on but rather just allow for the erection of two dwellings consistent with the existing

development	entitlements	under	the	Low
Density Resid	ential Zone.			

Assessment:

Assessment of the proposed development will be undertaken against the requirements of the State Planning Policy July 2017 (SPP) and the Planning Scheme. 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 to remedy any perceived non-compliance.

Statutory Planning:

The SPP articulates the State Interests that have been identified as critical to protecting and enhancing Queensland and delivering developments. The SPP has effect throughout Queensland and sits above regional plans and Planning Schemes in the hierarchy of planning instruments. An assessment against Part E: Assessment Benchmarks will be required as the Planning Scheme has not been integrated with the current SPP state interest policies. An assessment has been carried out against each applicable State Interest.

State Interest	Trigger	Assessment
Natural	Flood Hazard Area	Complies – The proposal will not intensify the
Hazards, Risk		natural hazard, nor will it increase risk to people
and Resilience	Flood Mapping Area)	or property. In addition, the Local Government
		(GRC Mapping) does not identify a flood risk
		within the property.

Planning Scheme Requirements:

In accordance with the Planning Scheme Table of Assessment, the proposal triggers Impact Assessment against the whole of the Planning Scheme including the following Planning Scheme provisions:

- Strategic Framework;
- Acid Sulfate Soils Overlay Code;
- Biodiversity Overlay Code
- Low Density Residential Zone Code;
- Reconfiguring a Lot Code;
- Development Design Code; and
- Landscaping Code.

Strategic Framework – Building it better: Our Urban Areas

Strategic Framework 3.6.1.6 requires that existing suburban areas remain as low density suburban neighbourhoods dominated by dwelling houses. Residential development must maintain the prevailing low density suburban character of these areas. In response, the subject site will remain as Low Density Residential zoning which supports low scale residential development. This has been illustrated through the proposed Reconfiguration Plan's building envelopes which would comply with the setbacks provisions within the Queensland Development Code and allow for future Dwelling House development onsite. As a result, the proposal will remain within the existing suburban characteristic of the area.

Strategic Framework - Our Rural and Coastal Townships

Strategic Framework 3.8.1.3 states that the existing footprints of rural and coastal townships support the intended limited residential growth in these areas within the life of this planning scheme. No further expansion to these footprints or increase in density is supported. The subject site is within an existing urban footprint and is not increasing the permitted density under the current Planning Scheme. This is demonstrated through the Low Density Residential Zone Code Table of Assessment

which supports a Dwelling House or Dual Occupancy. Therefore, the current site (one lot) could lawfully develop a Dual Occupancy (two dwellings) on site without further Planning approval, while the subdivision will result in a similar built form outcome. As such, the proposal remains generally consistent with Strategic Framework – Our Rural and Coastal Townships.

Acid Sulfate Soils Overlay Code

Acceptable Outcome 1.1 of the Acid Sulfate Soils Overlay Code stipulates that the disturbance of acid sulfate soils is avoided by not excavating or otherwise removing soil or sediment identified as containing acid sulfate soils, and not permanently or temporarily extracting groundwater that results in the oxygenation of previously saturated acid sulfate soils. As per the common material, the Applicant is not proposing any earthworks below 5-20m AHD as part of the subdivision development. Given the proposal will not create any risk to the impacts of Acid Sulfate Soils, it is considered that the provisions of the Overlay Code are satisfied in this instance.

Biodiversity Overlay Code

Whilst the subject site is located within a turtle buffer area (Figure Five), the proposed development is not expected to impact on the turtle nesting beach as the site is located in an existing urban area and is located more than 200m from the beach. Future dwellings constructed on each proposed lot will need to ensure lighting is not directed towards the beach. The current proposal will comply with Acceptable Outcome 3.1 and 3.2 relating to this turtle buffer area. In addition, the future Dwelling House will be required to address Acceptable Outcome 3.1 and 3.2. As such, the proposed development complies with the Biodiversity Overlay Code.

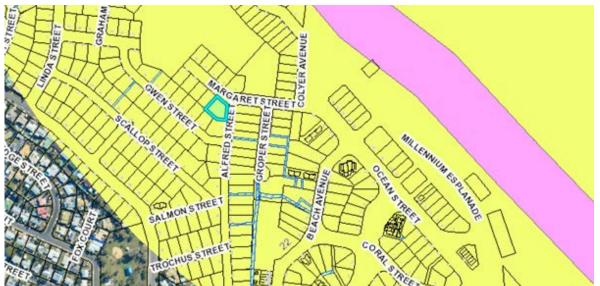


Figure Five: Biodiversity Overlay - Turtle Buffer Area applicable to the subject site

Low Density Residential Zone Code

The Purpose of the Low Density Residential Zone Code is to provide for predominantly detached dwelling houses within existing suburban areas supported by some community uses and small—scale services and facilities that cater for local residents. Development is low rise, consistent with the low density character of the region's existing suburban areas. The proposed subdivision will clearly result in the built form outcome envisaged by the Low Density Residential Zone. The proposal is on an existing lot of 984m2 in an area where the Planning Scheme supports Dual Occupancy development in either attached or detached form on the subject site. The development outcome will promote a range of housing being predominantly detached dwelling houses on appropriate lot sizes. Building envelopes have been included on the proposed plans which clearly demonstrate adequate area on each lot to site a Dwelling House; demonstrating the proposed lot sizes are appropriate to accommodate future detached dwelling houses of a low-density nature consistent with the existing character of the area.

In addition, Acceptable Outcome 5 requires that *vehicle access is provided through a single driveway* for a dwelling house or one paired driveway for dual occupancy (where not on a corner lot). With reference to the Reconfiguration Plan, Proposed Lot 102 will result in a corner block (abutting Margaret Street and Alfred Street). To ensure that the driveway location for the future Use on Proposed Lot 102 will comply with AS2890.1 in accordance with Acceptable Outcome 5, a condition has been recommended to restrict the driveway for this lot to a compliant location. As a result, the proposal will comply with Acceptable Outcome 5 once a Dwelling House is constructed on the future lots.

Development Design Code

The subject site is currently connected to water, sewer, electricity and telecommunication networks. However, a condition has been included to provide separate connections for proposed Lots 101 and 102 to ensure they are adequately serviced with the appropriate infrastructure. This recommended condition will satisfy the requirements for Acceptable Outcome 1.1, 2.1 and 3.1 of the Development Design Code.

As per Acceptable Outcome 13, Performance Outcome 13 and Overall Outcome L, development is required to provide a pedestrian footpath to the full length of the property boundary. Margaret Street is located outside of Council's Principal Cycle Network and does not adjoin existing constructed pedestrian footpaths which has been illustrated below in Figure Six.



Figure Six: Surrounding constructed footpaths

Within the proximity of the subject site, Hampton Drive, Booth Avenue, Pacific Avenue, Ocean Street and the Millennium Esplanade have all been identified within the Principal Cycle Network. Margaret Street and Alfred Street are classified as Urban Residential Access Streets which require a 1.5 footpath on one side of the street in Council's Road Hierarchy. However, the lack of other footpath infrastructure in the area, and Margaret Street being a no through road where the footpath would be installed, it would be inappropriate to require the installation of a footpath as part of this development. As a result, the proposal will be assessed against Purpose A of the Development Design Code. Purpose A states that all development is provided with appropriate infrastructure, services and parking provisions. The proposal will comply with Purpose A by providing connections to water, sewer, electricity and telecommunication networks. These requirements would not trigger an assessable Operational Works application as the services exist in the Road Reserve and require an application to connect only.

Reconfiguring a Lot Code

Acceptable Outcome 1 states that *lots comply with the minimum lot size and dimensions specified* for its zone in Table 9.3.7.3.2 - Minimum lot size and dimensions. As per the table, the minimum lot size within the Low Density Residential Zone Code states that lots should reflect 600m2 in size and 17m of road frontage. With reference to the Reconfiguration Plan, the subdivision has proposed two lots that are below the minimum lot size and dimensions. As such, the development will be assessed against Performance Outcome 1 which states that the reconfiguration creates lots that are of a sufficient size, shape and dimension:

- a. that are consistent with the character of the zone
- b. to accommodate development commensurate with the required building footprint, setbacks, private open space, vehicle access and parking and servicing areas for the zone
- c. that does not compromise the future development potential of land in the emerging community zone for urban purposes, and
- d. are sufficient to protect areas with significant ecological values.

In response, the subdivision will remain consistent with the existing character of the Tannum Sands area while accommodating for supported residential development. The proposal will also reflect sufficient size while not comprising future development onsite. Therefore, the development is able to comply with Performance Outcome 1 despite noncompliance with Acceptable Outcome 1.

Acceptable Outcome 20.2 requires that *lots created include stormwater infrastructure in accordance* with the design requirements of the Engineering Design Planning Scheme Policy. Both proposed lots drain directly to road reserve (either Margaret Street or Alfred Street) and as a result, no stormwater infrastructure is required to be provided as part of this reconfiguration application. Future Development Applications for Building Works on the proposed lots will be required to direct all roof water from any structure to the respective road reserve to achieve compliance. Therefore, it is considered that the proposal will comply with Acceptable outcome 20.2.

Landscaping Code

With reference to the common material, the Town Planning Report stated that the Applicant would accept reasonable conditions regarding street trees in accordance with the Landscaping Code. However, it was noted that a Landscaping Plan would not be provided. As such, to ensure the development complies with Acceptable Outcome 3.1 and 3.2, a condition has been recommended to incorporate street trees along the frontage of Proposed Lots 101 and 102. This condition will satisfy the requirements of the Landscaping Code.

Anticipated Completion Date:

N/A

Officer's Recommendation:

That Development Application 13/2018 for Reconfiguring a Lot (1 into 2) at 7 Margaret Street, Tannum Sands 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 Reconfiguring a Lot (1 into 2 lots).

Assessment Benchmarks:

Benchmarks applying for the development	Benchmark Reference
State Planning Policy July 2017	 Flood Hazard Area (Local Government Flood Mapping Area)
Our Place Our Plan Gladstone Regional Council Planning Scheme Version 2	 Strategic Framework; Acid Sulfate Soils Overlay Code; Biodiversity Overlay Code Low Density Residential Zone Code; Reconfiguring a Lot Code; Development Design Code; and Landscaping Code.

Reasons for the Assessment Manager's Decision:

- 1. The Application was properly made in accordance with the *Planning Act 2016* and the Development Assessment Rules; and
- 2. The 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.

Reasons for Approval despite any Non-compliance with certain benchmarks:

Benchmarks applying for the development	Benchmark Reference
Low Density Residential Zone Code Table 6.2.1.3.1 – Acceptable Outcome 5.	Compliance with Low Density Residential Zone Code Table 6.2.1.3.1 – Overall Outcome D.
Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 1.1.	Compliance with Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 1.1 via a Condition.
Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 2.1.	Compliance with Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 2.1 via a Condition.
Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 3.1.	Compliance with Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 3.1 via a Condition.
Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 11.1.	Compliance with Development Design Code Table 9.3.2.3.1 – Overall Outcome K.
Development Design Code Table 9.3.2.3.1 – Acceptable Outcome 13.	Compliance with Development Design Code Table 9.3.2.3.1 – Purpose A.
Reconfiguring a Lot Code Table 9.3.7.3.1 – Acceptable Outcome 1.	Compliance with Reconfiguring a Lot Code Table 9.3.7.3.1 – Performance Outcome 1.
Landscaping Code Table 9.3.5.3.1 – Acceptable Outcome 3.1 and 3.2.	Compliance with Landscaping Design Code Table 9.3.5.3.1 – Acceptable Outcome 3.1 and 3.2 via a Condition.

Relevant Matters under Section 45(5)(b) of the Act that the Development was Assessed Against:

N/A

Matters Raised in Submissions and Council's Response in Dealing with these Matters:

Matters raised in the Submission(s) Officer's Response The proposed lot sizes are below the The minimum requirement referenced is minimum requirement of 600m2 with a road Acceptable Outcome of 1 frontage of 17m. In addition, the subdivision Reconfiguration Code (AO1). of Lot will create an irregular shaped lot (triangular Although the application does not meet the shaped) that will create visibility concerns at minimum requirements within AO1, the the corner of Margaret Street and Alfred proposal has demonstrated compliance with Street. the Performance Outcome (PO1). Additionally, the proposal will create an irregular lot shape, however the dimensions and size will allow adequate space for future residential development which is supported within the Low Density Residential Zone Code. Visibility concerns for vehicles entering and exiting the proposed lot on the corner will be addressed by the requirements for this lot's driveway to be located on Alfred Street at a safe distance from the intersection in compliance with the Australian Standard. The proposed building envelopes will reduce The proposed setbacks are consistent with the available open space for each lot. Queensland Development requirements for a Dwelling House which could be developed as of right within the Low Density Residential Zone Code. Additionally, the existing character of the area demonstrates similar setbacks. The proposed Building Envelope does not constitute an approval for a future Dwelling House to be the entire area. Provisions regarding site cover require residential development to be below 50%. Therefore, Proposed Lot 101 could develop 242m2 of structures onsite, while Proposed Lot 102 could develop 250m2 of structures onsite. The remaining area of the subject sites would provide open space. The proposed irregular corner lot and The building envelope sets the future building back 6m from Margaret Street which associated building envelope will create visibility issues for traffic as it will only be will provide adequate site distance for setback 3m from the corner. The related vehicles turning right into Margret Street proposed driveway for Lot 102 will present a from Alfred Street. There is approximately 26

metres between proposed Lot 102 and the

intersection with Gwen Street. Therefore,

traffic hazard for everyone turning left from

Gwen Street into Alfred Street.

there is adequate sight distance to reduce any potential traffic conflict. The Development Application has been If council were to relax its stated acceptable outcomes for this zone for one developer, it assessed against Performance Outcome 1 would set a precedent for other developers of the Reconfiguring a Lot Code as the proposed lot sizes are below the Minimum to apply for relaxation on other lots they currently hold in the very near proximity. Lot Size as identified in Acceptable Outcome 1. The line of sight assessment does not constitute a relaxation. The approval of this application would not create a precedent. Council is required to consider each application on its own merits. The proposal will result in double the density The planning scheme acknowledges low along the street. density development of 1 dwelling per 400m2 or more of site area as being low density development consistent with the zoning. As a result, the premise that the subdivision will result in high density development cannot be sustained. In Part 3.4 Community Living of Our Place, In section 3.4 of the strategic framework Our Plan, the point is made that there should where reference is made to applications be an economic and community need for needing to illustrate overwhelming residential development. Given community and economic need this is in depressed state of the housing market at reference to the release of new residential present, as well as the high vacancy rate for land within the Emerging Communities Zone rentals, it is difficult to see why there is a for residential development. This point is need for sub-division in Low Density reinforced by this provision being carried Residential Zones. forward into the Emerging Communities Zone code PO6 and AO6.1. No other requirement exists in any of the other zones including the Low Density Residential Zone. It is important to note that this application will not result in the release of any new land for additional dwellings to be erected on but rather just allow for the erection of two dwellings consistent with the existing entitlements under the Low Density

Matters Prescribed by a Regulation:

N/A

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:

Residential Zone.

Drawing	Revision	Description	Author	Date
Number				

1222 02	Α	Plan of Development for	Inglis Survey and	7/06/2018
		Proposed Lots 101 and 102	Mapping Pty Ltd	

Building, Plumbing and Drainage Works

2. The Applicant is required to obtain a Development Permit and Building Final for Building Works in accordance with the *Planning Act 2016* for the removal of the existing Dwelling House. The removal of the structure is to occur prior to the lodgement of a request for Survey Plan Endorsement.

Water Infrastructure

- 3. Prior to the lodgement of a request for Survey Plan Endorsement, a water service connection is to be provided from Council's water supply infrastructure to the front property boundary of each lot. The location and size of the water service (and any associated fire service) is to be determined in consultation with Council.
- 4. Prior to the lodgement of a request for Survey Plan Endorsement, connections to Council's live water reticulation network must be carried out by Council. The cost of these works is to be borne by the Applicant.

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

Sewerage Infrastructure

- 5. Prior to the lodgement of a request for Survey Plan Endorsement, sewer connection is to be provided from Council's reticulated sewer infrastructure to the front property boundary of each lot. The location and size of the sewer service is to be determined in consultation with Council.
- 6. Prior to the lodgement of a request for Survey Plan Endorsement, connections to Council's live sewerage network must be carried out by Council. The cost of these works is to be borne by the Applicant.

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

Transportation Services

7. At all times, the driveway into Proposed Lot 102 shall gain access directly onto Alfred Street at a location that complies with the AS2890.1.

Electrical, Telecommunication and Gas services

- 8. Prior to the lodgement of a request for Survey Plan Endorsement, a Certificate of Supply shall be provided to demonstrate connection of electricity supply to each proposed lot.
 - Advisory Note: The Ergon Energy Rockhampton Office are available on (07) 4931 1012.
- 9. Prior to the lodgement of a request for Survey Plan Endorsement, a Certificate of Supply shall be provided to demonstrate connection of telecommunication supply to each proposed lot

Advisory Note: The Telstra Smart Communities Team are available on 1800 226 543.

Landscaping

10. Prior to the lodgement of a request for Survey Plan Endorsement, street trees are to be constructed along the frontage of Margaret Street and Alfred Street, at a rate of 1 tree per lot frontage in accordance with Table 9.3.5.3.2 - Plant Species List of the Landscaping Code of the Our Place Our Plan Gladstone Regional Council Planning Scheme and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification.

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

Survey Plan Endorsement

- 11. Lodgement of Survey Plan Endorsement must include the following:
- a. Completion of Council's Request Assessment and Endorsement of a Survey Plan Form;
- b. All survey marks in their correct position in accordance with the Survey Plan;
- c. A Compliance Report demonstrating compliance with all associated Development Permit(s):
- d. One copy of the Survey Plan each fully executed for the lodgement with the Titles Office;
- e. Payment of any outstanding rates and charges in accordance with Schedule 18, Item 2(1)(c) of the *Planning Regulation 2017*; and
- f. Payment of any outstanding Adopted Infrastructure Charges.

Advisory Note: Council's Request - Assessment and Endorsement of a Survey Plan Form is found at http://www.gladstone.qld.gov.au/forms.

END OF CONDITIONS

Advice to Applicant:

Council provides a comprehensive certification service for Residential Building Certification requirements.

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

Attachments:

- 1. Submissions received during Public Notification Period:
- 2. Withdrawn Properly Made Submission Letter: and
- 3. Acknowledgment of Revised Plan of Development.

Tabled Items:

Nil

Report Prepared by: Planning Officer

G/3.7. PEOPLE CULTURE AND SAFETY

G/3.8. FINANCE GOVERNANCE AND RISK

G/3.8.1. ADOPTION OF REVISED PROCUREMENT POLICY

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 17 July 2018

File Ref: CM28.2 & CM29.2

Purpose:

To recommend adoption of a new Procurement Policy that includes local preference principles.

Officer's Recommendation:

That Council:

1. Repeal P-2017-15 Procurement Policy;

- 2. Repeal P-2017-26 Local Preference Policy;
- 3. Adopt P-2018-12 Procurement Policy;
- 4. Delegate financial responsibility for the administration and application of Council's adopted budget to the Chief Executive Officer to formally approve up to \$500,000 for operating and capital expenditure within budget;
- 5. Delegate financial responsibility for the administration and application of Council's budget to the Chief Executive Officer to formally approve any budget for mitigating risks associated with a natural disaster and/or extraordinary emergent event that has been declared in the local government area;
- 6. Delegate financial responsibility to the Chief Executive Officer to authorise variations for project contingency within the adopted project budget;
- 7. Authorise the Chief Executive Officer to hold a corporate credit card with a transaction limit of \$5,000 and a monthly card limit of \$20,000; and
- 8. Allocate the below limits for Corporate Credit Cards to Councillors subject to expenses approved for reimbursement in accordance with the Councillor Expenses Reimbursement and Provision of Facilities Policy:

Position	Transaction Limit	Monthly Card Limit
Mayor	\$1,000	\$2,500
Councillors	\$500	\$1,500

Background:

The review of the Procurement Policy occurs annually as part of the budget process. The review of the policy this year commenced in October 2017 with a working group established to gain insight and feedback from all levels of the organisation with respect to Councils procurement practices.

In addition, the review was to include a safety 'gate' to ensure only tenders that meet safety requirements proceed to the next step and also include a clear definition of local preference weighting.

Consideration:

The proposed new policy presented incorporates the strategic principles of the existing Local Preference Policy and accordingly if adopted, will result in repealing the existing Local Preference Policy. Included in the principles for Local Preference (section 7.1 (a)), it is proposed to establish a local preference weighting of 10% that is assessed in two parts equally; 5% on basis of supplier's head office and 5% determined on spend concentration / sub-contracting within the Gladstone region. External advice received indicates that any greater than 10% may create an inefficiency in the local industry and discourage competitiveness. If an alternative value is desired, point 3 of the recommendation should be altered to:

3. Adopt P-2018-12 Procurement Policy with an amendment to section 7.1 (a) to reflect a local preference weighting of _____% with an equal assessment split for sub-section i) and ii).

In addition, it is proposed to implement a Financial Delegations Register to record all levels of financial delegations instead of listing within the policy itself. Accordingly, the recommendation includes adopting a level of financial delegation for the Chief Executive Officer and credit card limits for Councillors. Credit card limits for Councillors are recommended based on current limits.

The level of financial delegation for the Chief Executive Officer can be set as desired by the Council. The current financial limit for the CEO is \$200,000 which is well below current practice in Local Government with most Council's providing an unlimited amount as long as approval is within an adopted budget. To expedite procurement and tendering processes, it is recommended to adopt a financial limit of \$500,000 for the CEO. A review of the number of tenders awarded in the previous 12 months is outlined below:

Up to \$500,000	46%
\$501,000 - \$1,000,000	14%
Over \$1,000,000	40%

If Council wish to reduce or increase the recommended delegation limit, Council can nominate to alter the value identified in point 4 of the recommendation.

It is also recommended to allow an unlimited financial limit to the CEO for mitigating risks associated with a natural disaster and/or extraordinary event that has been declared in the local government area.

Communication and Consultation (Internal/External):

Internally with Procurement Working Group consisting of officers from Engineering, Procurement, Parks & Environment, Contracts, Internal Audit, Governance and Finance. Internally with the Executive Team at the monthly Executive Team meetings. Externally with Sourced Solutions.

Legal Environmental and Policy Implications:

Section 198 of the *Local Government Regulation 2012* requires a local government to prepare and adopt a policy about procurement. In addition, the procurement policy must be reviewed annually. In practice, this policy is brought for Council adoption just prior to adoption of the annual budget.

Financial and Resource Implications:

All procurement is required to be carried out within budget constraints and financial delegations.

Commentary:

The revised Policy is intended to streamline procurement processes and ensure consistency of applicable procurement principles. In addition, the proposed changes to delegation limits are intended to 'speed up' the procurement process where consistent with Council's strategic direction as adopted in the Policy.

Summary:

Nil

Anticipated Completion Date:

Within two weeks of resolution.

Attachments:

- 1. Existing P-2017-25 Procurement Policy
- 2. Existing P-2017-26 Local Preference Policy
- 3. Proposed P-2018-12 Procurement Policy

Tabled Items:

Nil.

Report Prepared by: Manager Governance

G/4. COUNCILLORS REPORT

G/5. URGENT BUSINESS

G/6. NOTICE OF MOTION

G/7. CONFIDENTIAL ITEMS

G/7.1. ELIZABETH RESERVOIR ROOF REPLACEMENT

Responsible Officer: General Manager Operations

Council Meeting Date: 17 July 2018

File Ref: WS5.1 & PE8.3

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