



**GLADSTONE**  
REGIONAL COUNCIL

## **GENERAL MEETING AGENDA**

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

**On 3 July 2018**

**Commencing at 9.00am**

**Roslyn Baker  
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 19 JUNE 2018**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 3 July 2018

**File Ref:** CM7.2

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#### **Purpose:**

Confirmation of the minutes of the General Meeting held on 19 June 2018.

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

That the minutes of the General Meeting of Council held on 19 June 2018 be confirmed.

#### **Attachments:**

1. Minutes of the General Meeting of Council held on 19 June 2018.

#### **Tabled Items:**

Nil.

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

## **G/2.2. DECISIONS DELEGATED TO THE CHIEF EXECUTIVE OFFICER**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 3 July 2018

**File Ref:** CM7.2

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### **Purpose:**

Confirmation of decision made by the Chief Executive Officer where Council delegated the decision making power (Resolution G/18/ 3427) in accordance with section 175E(6) and 257(1)(b) of the *Local Government Act 2009*.

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

That Council note the following decision made by the Chief Executive Officer from the below Officer's Report at the General Meeting of 19 June 2018:

#### **G/3.5.2. MAJOR EVENTS ADVISORY PANEL (MEAP) OUT OF ROUND 2017/18**

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

That Council approve the following recommendations for applications reviewed and endorsed by the Gladstone Regional Council Major Events Advisory Panel, following the final assessment round for 2017/18 financial year.

<b>ORGANISATION</b>	<b>EVENT</b>	<b>AMOUNT RECOMMENDED Inc GST</b>
<b>RACQ Capricorn Helicopter Rescue Service</b>	Colour Me Capricorn	\$ nil
<b>Australian Skateboarding Community Initiative</b>	Skate Titans Gladstone	\$ nil
<b>Rotary Gladstone Midday Club</b>	Musica!	\$11,800

##### **Chief Executive Officer's Decision**

Approved on 22 June 2018 as per the Officer's Recommendation.

### **Attachments:**

1. Nil.

### **Tabled Items:**

Nil.

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

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

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

#### **G/3.1.1. ATTENDANCE AT INTERNATIONAL ZERO WASTE TOUR 2018**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 3 July 2018

**File Ref:** CM6.1

#### **Purpose:**

Approval is sought for Councillor Hansen to attend the Peak Services – International Zero Waste Study Tour on 24 August to 8 September 2018 in Denmark, Spain, United Kingdom and United States of America.

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

That Council authorise Cr Hansen's attendance at the Peak Services – International Zero Waste Study Tour on 24 August to 8 September 2018.

#### **Background:**

Following the Queensland Government's commitment to zero waste to landfill and waste strategy discussions with the Local Government Association of Queensland (LGAQ), Peak Services (a division of the LGAQ) have organised for Councils to attend established and operational facilities researching waste to energy and energy to waste.

LGAQ recently held a Waste Forum in Brisbane in which Council's Chief Executive Officer attended with Queensland Councils showing support for a zero waste plan by 2028. Councils have committed through the LGAQ to ensure that Queensland is a world leader in waste management. This commitment has been brought about by the recycling crisis facing Australia in the wake of China's crackdown on accepting foreign waste.

The Tour is planned for 16 days and covers topics such as:-

1. Zero Waste
  - a. Success principles
  - b. Procurement and contract strategies
  - c. Partnerships and share agreement examples
  - d. Best practice facilities
  - e. High efficiency facilities
  - f. Feedstock and upstream processing requirements
  - g. Innovations and alternate technologies
  - h. Strengths and weaknesses of countries globally
  - i. Policy and market overview – comparison to Australia
2. Low emissions facilities
3. Technology overview.

#### **Consideration:**

Nil.

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

Mayor, Councillors and Chief Executive Officer.

**Legal Environmental and Policy Implications:**

Approval by resolution for attendance at this conference is required under Section 6.2. of P-2017-27 Councillor Expenses Reimbursement and Provision of Facilities Policy as:

1. The Councillor has attended more than 3 conferences in the current financial year;
2. Registration costs are more than \$1,000; and
3. The conference is to be held outside of Queensland.

**Financial and Resource Implications:**

Registration costs, flights and accommodation are being organised through Peak Services as a package. The *Entire package – economy class* has been selected for the Tour at \$15,600 departing from Brisbane. An extra \$309 has been allocated for the return flights from Gladstone to Brisbane. Total costs including transfers, coach hire, conference room hire, seminars and most meals is estimated at \$15,909.00

**Commentary:**

Nil.

**Summary:**

Nil.

**Anticipated Completion Date:**

24 August 2018.

**Attachments:**

1. International Zero Waste Tour – Program and Itinerary

**Tabled Items:**

Nil.

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

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

### **G/3.2.1. BOYNE BURNETT IN-LAND RAIL TRAIL**

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

**Council Meeting Date:** 3 July 2018

**File Ref:** PRJ-208

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#### **Purpose:**

The purpose of this report is to seek approval to progress with the Request for Quote for the Boyne Burnett Inland Rail Trail feasibility study.

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

That:

1. Council note the public liability and asset management risks identified in this report.
2. Council proceed with the release of the Request for Quote for a Reids Creek (Gayndah) to Taragoola (Calliope) Rail Trail Study, noting that the Request for Quote seeks separate pricing for the provision of feasibility studies per local government area.
3. Following receipt of the quotes, Council submit an application, in partnership with North Burnett Regional Council, for a fully funded feasibility study through the 'Queensland Cycling Action Plan' (QCAP) to explore options and opportunities to utilise the Reids Creek (Gayndah) to Taragoola (Calliope) rail corridor.

#### **Background:**

At the General Meeting on 20 March 2018, Council adopted the following resolution through a Notice of Motion.

G/18/3354

*Moved Cr O'Grady*

*Seconded Cr Churchill*

*That:*

1. *Gladstone Regional Council join with North Burnett Regional Council and apply for a fully funded feasibility study through the 'Queensland Cycling Action Plan' (QCAP) to explore the options and opportunities in utilising the rail corridor from Gayndah to Taragoola (Calliope) and;*
2. *Gladstone Regional Council appoint an officer to represent the Gladstone Regional Council at the monthly Boyne Burnett Inland Rail Trail meetings.*
3. *Gladstone Regional Council supports the ownership of the assets remaining with the Department of Transport and Main Roads.*

In relation to Item 1 of the above resolution, the State Government has invested \$14 million over four years under the Queensland Cycling Action Plan to deliver rail trails in partnership with local governments on state-owned dis-used rail corridors. Although no formal funding guidelines have



been developed, a phone conversation with the Department of Transport and Main Road's Director Cycling has confirmed that Council (in partnership with NBRC) has been invited to apply for funding to undertake a detailed feasibility study and/or trail development plan. The Director has advised that 100% funding is provided for 'reasonable' costs, as determined on a case by case basis and complexity of the project. Studies above \$100,000 may not receive 100% funding.

Council Officers, in conjunction with North Burnett Regional Council, have prepared a Request for Quotation for Consultancy Services to undertake a Reids Creek (Gayndah) to Taragoola (Calliope) Rail Trail Feasibility Study. A copy of the draft document is attached as a confidential attachment.

In relation to Item 2 of the above resolution, the General Manager Strategy and Transformation has been appointed by the CEO to represent Council at the monthly Boyne Burnett Inland Rail Trail (BBIRT) meetings.

### **Consideration:**

#### Ownership/Liability of Rail Trail Assets

It is understood that the intent of the third part of Council's resolution above (G/18/3354) was to ensure that responsibility for the ownership and subsequent liability of the rail trail assets was not transferred to Council if a future feasibility study supported the development of the trail.

Officers from the Department of Transport and Main Roads (DTMR) have advised that if a rail trail was to be developed, Council would be required to enter into a sub-lease. A draft sub-lease has been provided and reviewed by legal advisers, clarifying that ownership of the rail trail asset would remain with DTMR however Council would inherit all maintenance responsibilities, inclusive of ensuring that the property and infrastructure is in good order and in a clean, safe and tidy condition. DTMR has advised that they are unlikely to consider entering into a sublease agreement directly with a community organisation, with a clear preference to establish such an arrangement with Council.

The BBIRT group at their last Committee Meeting on 8 June 2018, resolved to become an incorporated organisation and appointed the subsequent Management Committee. There are no known impediments to Council further subleasing the rail trail to BBIRT and therefore transferring maintenance responsibilities to an incorporated community group. If this scenario was to come to fruition and BBIRT failed to comply with the maintenance obligations or ceased to function, these obligations would remain with Council. Detailed legal advice is provided in the confidential attachment to this report.

As a result of the legal and DTMR advice obtained, unacceptable risk and liability clauses have been identified. Representatives of DTMR have indicated that they are willing to negotiate over the drafting of a sub-lease however the purpose of the indemnity clauses must remain the same, with the State granting a sub-lease on a 'no risk, no cost' basis. Resolution of such an agreement is a critical path issue for the project, should a favourable feasibility study outcome be achieved.

#### Feasibility Study

Gladstone Regional Council (GRC) and North Burnett Regional Council (NBRC), have by resolution, agreed to enter into a partnership to commission a feasibility study on the Reids Creek (Gayndah) to Taragoola (Calliope) railway corridor. Officers from GRC, in conjunction with NBRC, have prepared a draft Request for Quote document.

Recent verbal advice received from North Burnett Regional Council is that while they wish to proceed with the Feasibility Study, they are unable to commit any financial or human resource to the project. DTMR have previously advised that 100% funding of a feasibility study is available, however, should the cost be over \$100,000, then the Councils may have to fund the additional costs themselves. Additional advice received on 18 June 2018 from DTMR, is that the \$100,000

figure is indicative and not a firm limit. As every corridor has a completely different set of circumstances that need to be factored in (eg, length, environment, heritage, structures, current condition, potential for economic benefit to the community, stakeholder support, commercial interests, etc), the cost of conducting a feasibility study differs.

Given the advice from NBRC, the draft Request for Quote document has been prepared to enable separate pricing and separate feasibility studies to be provided for each local government area.

Council has two options at this stage of the project.

Option 1 – Acknowledge the identified risks and continue with the Request for Quote for a feasibility study

Proceed with requesting quotes to undertake a feasibility study for the Reids Creek (Gayndah) to Taragoola (Calliope) Rail Trail, noting that the Request for Quote seeks separate pricing for the provision of feasibility studies per local government area.

Following receipt of the Quotes, proceed with submitting an application for a fully funded feasibility study through the 'Queensland Cycling Action Plan' (QCAP) to explore the options and opportunities in utilising the rail corridor from Reids Creek (Gayndah) to Taragoola (Calliope) as Council is willing to consider entering into a sublease with DTMR, accepting asset management responsibilities and/or further subleasing these responsibilities.

Should the project not receive 100% funding, a further report to Council will be provided to seek further direction.

As a feasibility study is yet to be undertaken, no advice can be provided at this time on the likelihood of the rail trail project progressing. To proceed with this option however, Council would be signaling a willingness to consider taking responsibility for the asset if the project is considered viable. Sub-lease clause negotiations would be undertaken with DTMR under this scenario to achieve an acceptable outcome for both parties.

Option 2 – Not Proceed with the Feasibility Study

Resolve not to proceed with the application for a fully funded feasibility study through the 'Queensland Cycling Action Plan' (QCAP) to explore the options and opportunities in utilizing the rail corridor from Reids Creek (Gayndah) to Taragoola (Calliope) due to the unacceptable risks and liability transferred through a sub-lease agreement.

Although asset ownership would remain with DTMR under a sublease arrangement, the maintenance of all land and property would revert to Council, along with the associated financial liabilities. The draft sublease provides for the State to pay an annual management fee to Council however DTMR have advised that this is a nominal amount to provide basic maintenance. Although the tenure arrangements are consistent with the wording of Council's resolution in relation to asset ownership, if the intent was that no financial or asset liability be transferred to Council, this report provides the opportunity for clarification prior to progressing to feasibility study.

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

- Craig England, Manager (Rail Corridor Management) DTMR
- David Gleadow, Senior Advisor (Rail Corridor Management) DTMR
- King & Company Solicitors
- Erickson Noakes, Sport and Recreation Coordinator (GRC)
- Melinda Jones, Tourism & Economic Development Officer - NBRC

**Legal Environmental and Policy Implications:**

Potential legal responsibilities for management of the BBIRT assets have been identified in this report, based on legal advice from King and Company Solicitors which is included as a confidential attachment.

**Financial and Resource Implications:**

Potential long term asset management implications have been raised in relation to the proposed rail trail. Early identification of potential exposure is provided to ensure Councillors are aware of the potential impact of currently unbudgeted capital and operational expenditure.

The application will be to seek 100% funding of the study. Should this not be successful, a further report will be provided to Council seeking direction.

**Commentary:**

Nil

**Summary:**

As additional information in relation to the ownership and ongoing maintenance of the rail trail asset and the current position of North Burnett Regional Council has been received, Council's direction is required to ensure alignment with the intent of the original motion to proceed to Feasibility Study.

**Anticipated Completion Date:**

30 November 2018

**Attachments:**

1. Draft Request for Consultancy Services – Feasibility Study - CONFIDENTIAL
2. Boyne Valley Rail Trail Sublease Legal Advice - CONFIDENTIAL

**Tabled Items:**

Nil.

**Report Prepared by:** GM Strategy and Transformation

### **G/3.2.2. CORPORATE PLAN 2018 - 2023**

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

**Council Meeting Date: 3 July 2018**

**File Ref: CM14.1**

#### **Purpose:**

Presenting the 2018-2023 Gladstone Regional Council Corporate Plan for adoption.

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

That Council:

1. Rescind resolution G/17/2975 of 7 February 2017 adopting item FCGC/17/0126 Committee Recommendation *'That the 2017-2021 Gladstone Regional Council Corporate Plan be adopted'*; and
2. Adopt Gladstone Regional Council Corporate Plan 2018-2023 per attached.

#### **Background:**

A corporate plan is Council's primary strategic planning document that sets the strategic direction for the organisation for the duration of the plan.

Incorporated into the 2018-2023 corporate plan is an organisational charter. The charter defines who we are, what we do, and guides how we work, through the delineation of Council's vision ("Connect. Innovate. Diversify."), mission ("We are Gladstone Regional Council, working together to balance our Region's lifestyle and opportunity") and values ("safe, ethical, responsive, visionary, community and efficient").

Council's strategic outcomes are grouped under three themes, based around the vision, "Connect.", "Innovate." and "Diversify.". Nine strategic goals have been identified as follows:

#### **Connect**

1. Engaged, involved and proud communities.
2. Healthy environment, healthy community.
3. Our people, our values.
4. Ethical and responsible government.

#### **Innovate**

5. Outstanding customer service.
6. Smart asset management.
7. Operational excellence.

#### **Diversify**

8. Grow the region.
9. Smart investment.

The attendant commitment statements against each strategic goal, together with strategic outcomes detail Council's targeted future state at the conclusion of the relevant corporate planning cycle, 2023.

Key activities have been identified to deliver on Council's corporate plan commitments and listed therein.

Indicators have been incorporated to measure both the organisation's progress in delivering the corporate plan commitments and to determine critical achievement by way of key performance indicators.

**Consideration:**

The organisational restructure lends itself to the development of a new corporate plan that aligns with the operating model and new corporate structure.

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

The executive leadership team and elected members worked alongside consultants, Shape Consulting to develop the content for the plan. Content stemmed from one on one interviews with aforementioned stakeholders, a strategy workshop and small group conversations to further refine content in addition to one on one sessions between the Chief Executive Officer and Shape Consulting.

**Legal Environmental and Policy Implications:**

Prepared in line with s165-166 of *Local Government Regulation 2012* and s104(5a) of the *Local Government Act 2009*.

**Financial and Resource Implications:**

The corporate plan is to be adopted to allow the 2018/19 budget and annual operational plan to be consistent with its contents.

**Commentary:**

Nil.

**Summary:**

Nil.

**Anticipated Completion Date:**

3 July 2018

**Attachments:**

1. Gladstone Regional Council Corporate Plan 2018-2023

**Tabled Items:**

Nil.

**Report Prepared by:** Corporate Performance and Reporting Officer / General Manager Strategy and Transformation

**G/3.3. STRATEGIC ASSET PERFORMANCE**

Nil.

## **G/3.4. OPERATIONS**

### **G/3.4.1. PSA 167-18 CRUSHING AND SCREENING OF GRAVEL AND CONCRETE WASTE**

**Responsible Officer: General Manager Operations**

**Council Meeting Date: 3 July 2018**

**File Ref: PE8.2**

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#### **Purpose:**

This report seeks approval to enter into a contract for the provision of Crushing and Screening of Gravel and Concrete Waste under a Preferred Supplier Arrangement (PSA 167-18).

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

That Council enter into a Preferred Supplier Arrangement (PSA) with:

1. Blomfield Excavations for the provision of Crushing and Screening of Gravel and Concrete Waste in accordance with tender specifications and their tender submission, at an estimated cost of \$815,200, for an initial period of twelve (12) months, and
2. Authorise the Chief Executive Officer, or delegate, to exercise the option of extending the contract for a further period of twelve (12) months, as required.

#### **Background:**

This contract is for the crushing of gravel at various sites throughout the region and the crushing of concrete (both reinforced and non-reinforced) from the waste stream to be recycled at the Benaraby Landfill and the crushing of concrete at Agnes Water/Seventeen Seventy Transfer Station, as and when required.

Council's previous agreement expired in February 2018 and given the ongoing need for these services a new tender was called.

PSA 167-18 Crushing and Screening Gravel and Concrete Waste was advertised and published in The Observer, on Council's Tender webpage and uploaded to LG Tender Box on Thursday 4 January 2018 with a closing date of Thursday 25 January 2018. In addition, notification was sent to the relevant suppliers that registered on VendorPanel Marketplace.

Four (4) Notices to Tenderers (NTT) were issued:

NTT #1 issued 10 January 2018 provided clarifications  
NTT #2 issued 11 January 2018 provided the list of quarry pits and their locations  
NTT #3 issued 16 January 2018 provided clarifications  
NTT #4 issued 24 January 2018 provided clarifications

Five (5) submissions were received by closing date and time.



**Consideration:**

Evaluation of the submissions was conducted by representatives from Council's Waste Services & Safety and Procurement groups, utilising Council's weighting matrix for PSAs against the following criteria:

<b>Criteria</b>	<b>Weighted Percentage</b>
Capability / Resources	<b>30%</b>
Past Performance / Relative Experience / Track Record	<b>15%</b>
Quality	<b>20%</b>
Whole of Contract Pricing	<b>35%</b>

Following an initial review, Council determined that there would be the need to include the role of a Site Senior Executive (SSE) in the arrangement, which is a requirement under the Mining Act. The successful contractor would assume SSE responsibilities whilst on site, i.e. the gravel pits, which would revert back to Council upon leaving site.

In view of this request, an Addendum (#1) was released to the five (5) Tenderers on 21 May 2018 allowing them the opportunity to review their prices to include the SSE responsibilities. We took the liberty of requesting the Tenderers to complete and submit the revised WH&S questionnaire so that their safety compliance could be determined.

Of the five (5) original Tenderers, one Tenderer withdrew their submission, another did not respond and the remaining three submitted the revised documentation. Only one of the three Tenderers increased their prices.

**Capability / Resources**

Two (2) Tenderers scored higher in view of the larger amount of plant items they have listed in their submission, however, the third Tenderer was still deemed to meet t of the minimum requirements.

**Past Performance / Relative Experience**

One (1) Tenderer scored higher due to their vast crushing experience with no safety concerns or incidents over the past two (2) years whilst undertaking this work for Council. Another Tenderer scored almost as equally high due to their crushing experience and reference checks for gravel and concrete crushing, whilst the third Tenderer was deemed to meet the minimum requirements.

**Quality**

Whilst third party accreditation was not a requirement under the arrangement, the Tenderers were scored based on the quality systems they had in place.

**Whole of Contract Pricing,**

To protect commercial in confidence information, only the estimated annual total amounts are provided below:

<b>TENDERER</b>	<b>ESTIMATED ANNUAL VALUE</b>
Stiller's Pty Ltd	<b>\$ 771,200</b>
Blomfield Excavations	<b>\$ 815,200</b>
RABCO Plant Hire Pty Ltd	<b>\$ 926,320</b>

Taking all the evaluation criteria into consideration, below is the final ranking of all submissions:

<b>Tenderer</b>	<b>Score</b>	<b>Ranking</b>
Blomfield Excavations	408	<b>1</b>
Stiller's Pty Ltd	372.5	<b>2</b>
RABCO Plant Hire Pty Ltd	331	<b>3</b>

As the top ranked Tenderer, Blomfield's safety documentation was provided to the Safety Coordinator and deemed compliant.

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

Waste Services reviewed the specification and provided any comments on any amendments that were required. The tender documents were prepared in consultation with Procurement and Contract

**Legal Environmental and Policy Implications:**

In accordance with the Local Government Act, Finance Standards and Council's Procurement Policy, Council must invite Tenders before entering into a Preferred Supplier Arrangement.

**Financial and Resource Implications:**

Funds have been allocated in the FY18/19 Waste Services and Road Services budgets to cover these activities. Purchase orders will be raised as required, i.e. one (1) purchase order to be raised per pit per crush.

**Commentary:**

Nil.

**Summary:**

Nil.

**Anticipated Completion Date:**

Twelve (12) months from date of award and further twelve (12) months, if approved to 2020.

**Attachments:**

1. PSA 167-18 – Crushing and Screening of Gravel and Concrete Waste – Evaluation Matrix

**Tabled Items:**

Nil.

**Report Prepared by:** Contracts Coordinator

**G/3.5. COMMUNITY DEVELOPMENT AND EVENTS****G/3.5.1. GLADSTONE REGION REGIONAL ARTS DEVELOPMENT FUND (RADF)  
ROUND 2, 2017/2018****Responsible Officer: General Manager Community Development and Events****Council Meeting Date: 3 July 2018****File Ref: CC7.16**

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**Purpose:**

Regional Arts Development Fund (RADF) Committee reporting on recommendations following assessment of Round Two 2017-2018.

**Officer's Recommendation:**

1. Council accept the recommendations of the Regional Arts Development Fund (RADF) Committee and approve funding the following applications for the Round Two 2017-2018:

<b>Applicant</b>	<b>Project Title</b>	<b>Project description</b>	<b>Artform</b>	<b>Total project cost</b>	<b>Amount Requested</b>	<b>RADF investment recommended</b>
<b>Creative Gladstone Region Inc.</b>	<i>Landscape s: Mixed Media Masterclasses</i>	Two-day visual art workshop by award-winning Australian artist, Catherine Hamilton	Visual Arts	\$5,007.00	\$2,755.00	\$2,595.00
<b>Crow Street Creative Inc.</b>	<i>Strategic Planning and Committee Training</i>	Strategic planning, business plan development and governance training	Multi-arts	\$6,340.00	\$5,500.00	\$5,500.00
<b>William Debois</b>	<i>Signs of Life / Leaving Home</i>	Photographic project exploring the interaction between the dweller and the dwelling	Visual Arts	\$9,497.00	\$5,200.00	\$5,200.00
<b>Community Advisory Service</b>	<i>2018 Seniors Week</i>	Engage local artists to deliver FREE art workshops for seniors during Seniors Week	Visual Arts	\$17,372.12	\$6,372.12	\$6,372.12
<b>Gary Brighton</b>	<i>2020 Vision</i>	Engage QMusic to host skill development workshops for local musicians	Music	\$7,100.00	\$5,500.00	\$5,500.00
<b>TOTAL</b>				\$45,316.12	\$25,327.12	\$25,167.12

2. Council note the acceptance of Outcome Reports for the following RADF projects:

- a. Gladstone Festival & Events – Carols 2017,
- b. Heather Jensen - QCWA State School 2017,
- c. Community Advisory Service – Seniors Week 2017,
- d. Plural Theatre – When I'm 18
- e. Rainbow Valley – Creative Children Creating Change
- f. 4MBS – 60 Minute Shakespeare
- g. Capricorn Film Festival – Engage, Inspire and Create
- h. Mikayla Birthisel – Academy of Country Music
- i. William Debois – The Sea I Swim In
- j. Jennifer Ryan – Footsteps and Footprints
- k. Gladstone Horse Performance Club – Public art with Bob Gammage
- l. Luke Graham – The Long Road
- m. Roseberry Community Services Ltd, *Our Place* with Katrina Elliott

**Background:**

Regional Arts Development Fund (RADF) is a financial partnership between the Queensland Government and Gladstone Regional Council designed to support development of local arts and culture. Each year, a public invitation is advertised for people to become involved in the administration of RADF through appointment to its committee.

Council appointed Cr Cindi Bush as chair of RADF on 19 April 2016 and provides a secretariat service to the committee through Gladstone Regional Art Gallery & Museum.

**Consideration:**

Nil

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

2017-18 RADF Committee members present: Norma Tanna, Wesley Walker, Belynda (Bindi) Waugh, Jennie Ryan, Michael Lunan, Adrienne Ward, Tina Skyring-Quirk

Officers present: Jo Duke Curator / Manager, Elena Korotkaia Administration Assistant, Di Paddick RADF Liaison Officer, Cultural Projects Supervisor

**Legal Environmental and Policy Implications:**

RADF is a financial partnership between the Queensland Government (Arts Queensland) and Gladstone Regional Council.

RADF is informed by Council's Arts and Culture Policy

<http://www.gladstone.qld.gov.au/documents/1570002/2220233/P-2015%2010%20-%20Arts%20and%20Cultural%20Policy.pdf> developed in conjunction with the Advisory Committee and is currently under review until August 2018.

**Financial and Resource Implications:**

Council has budgeted \$132,295 (gross) for the RADF program in 2017-18 which includes \$55,000 from the Queensland Government.

**Commentary:**

Provision has been made for the RADF Special Round July 2018, for projects that commence after 3 October 2018. Council initiated Strategic Projects include: *Pop Up Digital Public Art – Gladstone Region Art on Fleet and the Arts & Cultural Policy Review* led by ArtReach Queensland.

**Summary:**

RADF and the funding partnership offered by Arts Queensland is an important component of arts and culture development in Gladstone Region.

**Anticipated Completion Date:**

July 2018

**Attachments:**

1. Minutes of Meeting RADF Round 2, 2017-2018, 13 June 2018

**Tabled Items:**

Nil.

**Report Prepared by:** Cultural Projects Specialist

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

### **G/3.6.1. COMMERCIAL ACTIVITY ON COUNCIL LAND - STATIONARY VENDING - OH ... COFFEE!**

**Responsible Officer:** General Manager Customer Experience

**Council Meeting Date:** 19 June 2018

**File Ref:** LE2.25

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#### **Purpose:**

The purpose of this report is to allow the Council to consider an application for the commercial use of a Council controlled area and make a decision on the application.

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

That:

1. Council approve the application with standard conditions, stationary vending conditions and a non-standard condition (as attached) for Oh...Coffee! to conduct stationary roadside vending under Council's *Local law no.1 (Administration) 2011* as a prescribed activity at the following locations:
  - a. The Esplanade, Turkey Beach
  - b. Two (2) locations on Hancock Street, Turkey Beach
2. Council authorise the Manager Regulatory Services (delegate) to issue the approval in accordance with the recommended conditions.

#### **Background:**

An application for a commercial activity for stationary roadside vending has been received for Oh...Coffee! to sell food, drinks and coffee on the Council controlled area of the Turkey Beach Esplanade. It is a mobile food premises and currently has an active food licence with Gladstone Regional Council (FOOD-747).

The proposal initially submitted to Council listed four (4) locations for consideration. Upon review of the locations provided and liaising with the business proprietor and Department of Transport and Main Roads (DTMR) it was determined that one (1) of the locations was State controlled land and three (3) of the locations were local government controlled areas / roads. The locations to operate under Council jurisdiction are:

- The Esplanade, Turkey Beach;
- Two (2) locations on Hancock Street, Turkey Beach.

An approval is required under *Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011* for a person to operate a business for a prescribed activity on Council controlled areas and roads.

A full assessment of the application has been undertaken and is attached to this report (refer to Attachment 1).

## **Consideration:**

The following decision options were identified for consideration by Council:

- Option 1 – Approve the application in full
- Option 2 – Approve the application in part
- Option 3 – Refuse the application

### Option 1 – Approve the application in full with conditions

Permit the operation of Oh...Coffee! at the following locations with standard conditions:

- The Esplanade, Turkey Beach; and
- Two (2) locations on Hancock Street, Turkey Beach

Refer to Attachment 1 for specific details about locations and Attachment 2 for standard conditions. This option will result in the approval of the business to operate in all three (3) locations proposed with standard conditions.

### Option 2 – Approve the application in part (recommended)

This option will result in approval of parts of the application and can be limited to particular sites only (i.e. approval could be granted for some but not all of the sites requested) or amend conditions to specify menu options i.e. what items can be sold from Council approved sites. The items proposed to be sold are outlined in the attached conditions, but can be amended as required by Council. Grounds for the site/s refused would need to be established.

### Option 3 – Refuse the application

Refuse the operation of Oh...Coffee! at the locations requested. This option will result in the refusal of the application. Ground for refusal would need to be established.

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

Communication has occurred with the applicant and relevant internal and external stakeholders including the Parks Division for The Esplanade and two (2) locations on Hancock Street, Turkey Beach for the proposed sites. A response was received from Parks Operations stating there was no issue with the request.

An Environmental Health Officer contacted the owner of the one licensed fix premises seeking verification on their position for a food van applying for commercial operating activities license within Turkey Beach. The owner stated that they had objections to food vans being approved to operate within Turkey Beach and the reasoning has been attached in the Officers Assessment Report (see attachment 1).

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

Councils local laws require an approval to be granted for stationary roadside vending as this is considered a prescribed activity, being the commercial use of a local government controlled area and road. The Commercial Activities on Council Land Policy (P-2017/01) outlines the guiding principles for consideration when deciding an application.

The mobile food van has a valid vehicle registration to the 11/04/2019 (450UGE) and an approved food business license (FOOD-747) with Gladstone Regional Council with one entry and exit point at the rear of the truck.

*Subordinate Local Law no. 1.4 (Installation of Advertising Devices) 2011, Schedule 1 s(4)(1)(ii)* states that advertisement signage must not result in property damage or loss of amenity. This would be listed as a standard condition of approval that the sandwich board and flags for signage is not to be used.

**Financial and Resource Implications:**

Councils Schedule of Fees and Charges details the application and annual fee associated with this application. The relevant application fee has been paid. It should be noted that if the application is refused, the application fee will not be refunded. If the application is approved, the annual fee will be invoiced and is required to be paid prior to the approval being issued.

**Commentary:**

Nil.

**Summary:**

A commercial activity permit is required for the food van Oh...Coffee! (FOOD-747) to sell food, drinks and coffee on the Council controlled area of the Esplanade, Turkey Beach and two (2) locations on Hancock Street, Turkey Beach. The activity is proposed to operate one (1) to five (5) days a week from 7am to 5pm. It is recommended that Option 2 – Approve the application in part with a non-standard condition be approved.

**Anticipated Completion Date:**

Within ten (10) business days of a decision being made by Council.

**Attachments:**

1. Officers Report COA-83 Oh Coffee!
2. Conditions for COA-83 Oh Coffee!

**Tabled Items:**

Nil.

**Report Prepared by:** Environmental Health Officer and Health and Environment Coordinator (Acting)



**G/3.6.2. DEVELOPMENT APPLICATION 13/2017 FOR A MATERIAL CHANGE OF USE OF PREMISES FOR A CAR WASH AT 1 OLSEN AVENUE, NEW AUCKLAND QLD 4680**

**Responsible Officer: Manager Development Services**

**Council Meeting Date: 3 July 2018**

**File Ref: DA.13.2017; DB1.7**

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**Development Application:**

**Application Number:** 13/2017  
**Applicant:** CQ Wolves Football Club Inc C/- Zone Planning Group  
**Owner:** Mr I A Brown  
**Date Of Receipt:** 27 February 2017  
**Location:** 1 Olsen Avenue, New Auckland QLD 4680  
**RPD:** Lot 11 SP 112850  
**Area:** 1.99 hectares  
**Current Use Of Land:** Vacant  
**Zoning:** Limited Development (Constrained Land) in the Flood Affected Lands Precinct  
**Proposal:** Car Wash  
**Public Notification Period:** 9 April 2018 to 1 May 2018  
**Number Of Submissions:** Four (4) Not Properly Made Submission; Fifty-Five (55) Properly Made Submissions

**Purpose:**

The purpose of this report is to assess Development Application 13/2017 for a Material Change of Use of Premises for a Car Wash at 1 Olsen Avenue, New Auckland against the *State Planning Policy July 2017* and the *Our Place Our Plan Gladstone Regional Council Planning Scheme Version 1* under the *Sustainable Planning Act 2009*.

**Executive Summary:**

A Development Application for a Material Change of Use of Premises for a Car Wash located at 1 Olsen Avenue, New Auckland was lodged with Council on 27 February 2017.

The Development Application 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 1* (Planning Scheme) under the *Sustainable Planning Act 2009* (the Act). The application required referral to Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) as a Concurrence Agency, as per the *Sustainable Planning Regulation 2009* (superseded Regulation).

The proposal forms the second application for a Car Wash over the subject site as a former Development Application 749/2012 was refused by Council at its General Meeting on 1 April 2014. The refusal was on the grounds of a Concurrence Agency refusal and noncompliance with the Airport Overlay, Suburban Locality, Rural Zone and Environment and Infrastructure Codes of the superseded *Gladstone Plan 2006*.

With respect to the current application, whilst referral to DSDMIP was triggered relating to State Controlled Roads, matters relating to the Gladstone Airport are no longer regulated by the DSDMIP and therefore, the application was approved by DSDMIP via conditions on 3 May 2017 (Ref: SDA-

0317-037666). Conditions relating to compliance with the Conceptual Stormwater Management Plan were recommended as part of this Concurrence Agency Approval.

By virtue of the level of assessment, Public Notification was required for fifteen (15) business days. The Public Notification Period occurred between 9 April 2018 and 1 May 2018 where fifty-five (55) Properly Made and four (4) Not Properly Made submissions were received. Matters raised by the submitters included concerns regarding traffic, noise and pollution. The matters raised have been justified against the Planning Scheme and in the form of conditions to satisfy the relevant concerns.

As such, it is recommended that Development Application 13/2017 for a Material Change of Use of Premises for a Car Wash at 1 Olsen Avenue, New Auckland be approved subject to reasonable and relevant conditions.

### **Subject Site:**

The subject site is located at 1 Olsen Avenue, New Auckland and more formally known as Lot 11 on SP 112850. The site has a total area of 1.99 hectares with a road frontage of 212 metres to Dawson Highway and 33 metres to Olsen Avenue. The site is serviced by reticulated water and sewer infrastructure and burdened by several easements to the north east of the site.

The site is currently vacant with surrounding land uses such as the Gladstone Golf Course, Kin Kora Village Caravan Park and Storage Choice Gladstone. Figure one provides an illustration of the subject site and its surrounds.



**Figure**

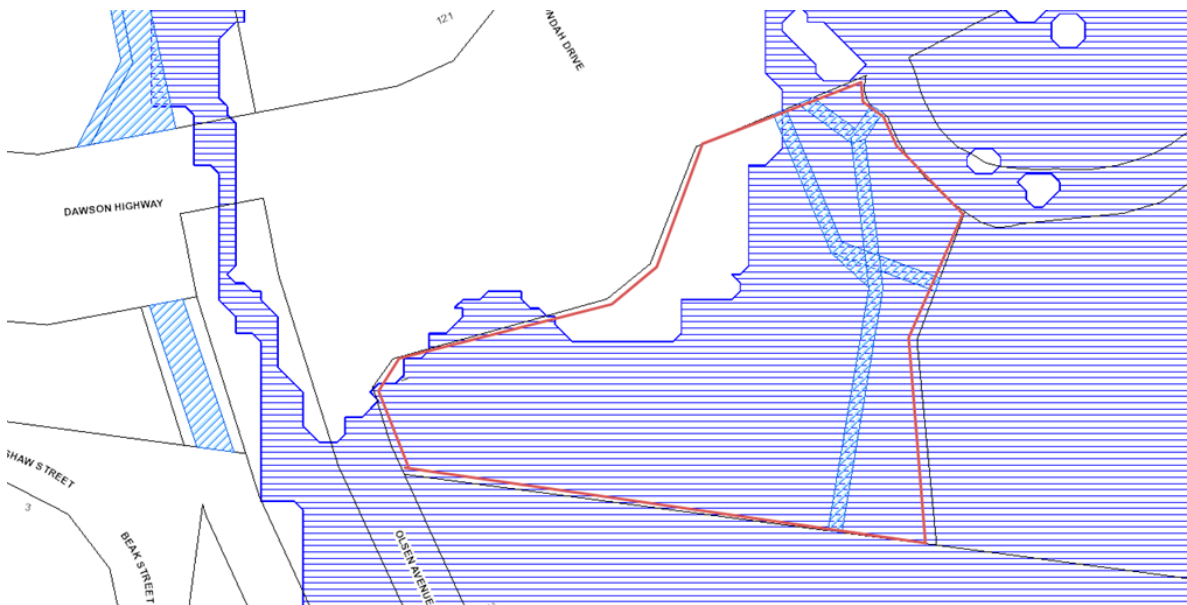
**One: Aerial View of the Subject Site and Surrounding Area**

Under the Planning Scheme, the subject site is within the Limited Development Zone (Constrained Land) and the Flood Affected Lands Precinct, as per Figure Two.



**Figure Two: Zoning of Site and Surrounding Areas (Limited Development Zone)**

As per the Auckland Creek Flood Study used to determine the extent of the Flood Hazard Overlay, the subject site is significantly constrained by flood hazard with the development levels ranging between 7 metres to 9.38 metres AHD. The natural contours of the subject site range between 4 metres to 8 metres AHD. Figure Three provides an illustration of the flood hazard mapped over the subject site.



**Figure Three: Flood Hazard Overlay applicable to the subject site**

## **Background:**

### Previous Approvals

A former Development Application for a Car Wash (DA/749/2012) over the subject site was lodged with Council for assessment on 19 November 2012 under the superseded Gladstone Plan. However, the application was refused by Council at its General Meeting on 1 April 2014. The refusal was based upon the Department of Transport and Main Roads refusal of the Development Application, and the

inconsistencies with the superseded Planning Scheme's Rural Zone Code, Suburban Locality Code, Kin Kora Precinct Code and the Airport Overlay Code.

Current Application

Development Application 13/2017 was lodged with Council on 27 February 2017 and Acknowledged on 7 March 2017. Upon review of the application material, Council issued an Information Request on 15 March 2017 which raised issues regarding:

- Proposal plans and the planning report;
- Noncompliance with the Strategic Framework, Flood Hazard Overlay Code, Airport Environs Overlay Code, Limited Development Zone Code, Development Design Code and Landscaping Code;
- Flood and hydraulic impacts;
- Stormwater impacts;
- Vacuum bays; and
- Traffic, waste, sewerage impacts.

The Applicant provided a full response with supporting material to the Information Request on 19 March 2018.

**Proposal:**

The Applicant seeks a Development Permit for a Material Change of Use of Premises for a Car Wash, which is defined under the Planning Scheme as *premises primarily used for commercially cleaning motor vehicles by an automatic or partly automatic process*. The proposal will include the following components within the site which has been illustrated in Figures Four to Eight and the below table.

<b>Proposed Car Wash Components</b>	<b>Proposed Gross Floor Area (GFA)</b>
Office and Plant Room	51.9m <sup>2</sup>
Wash Bays	230.8m <sup>2</sup>
Vacuum Bays	196.8m <sup>2</sup>
Dog Wash and Vacuum Bay	139.9m <sup>2</sup>
Detailed Shed	140.7m <sup>2</sup>
Bin Storage	26.5m <sup>2</sup>
<b>Total GFA</b>	<b>786.6m<sup>2</sup></b>



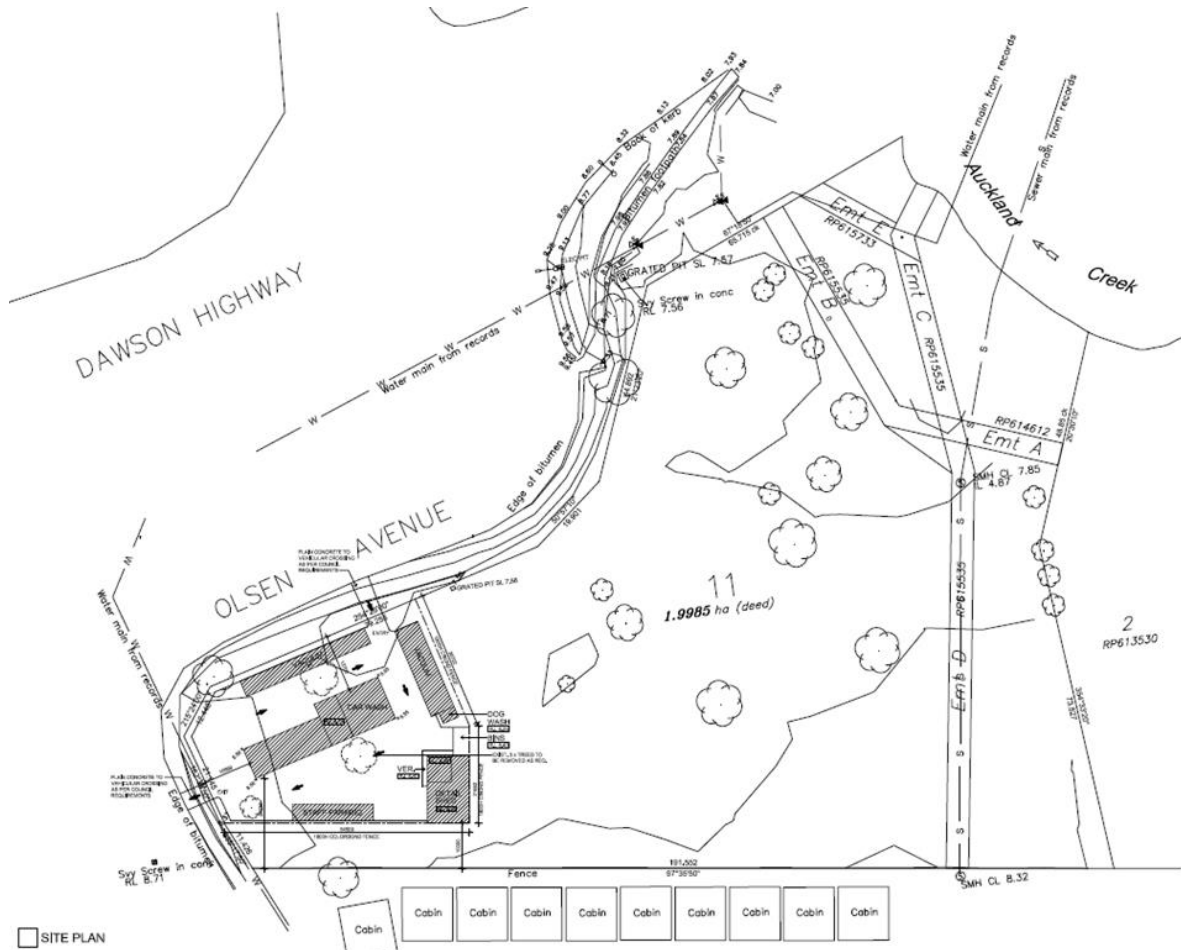


Figure Four: Proposed Site Plan

With reference to the site plan, the Applicant has located the development 10 metres from the adjoining property boundary with a proposed colour bond fence providing additional separation.

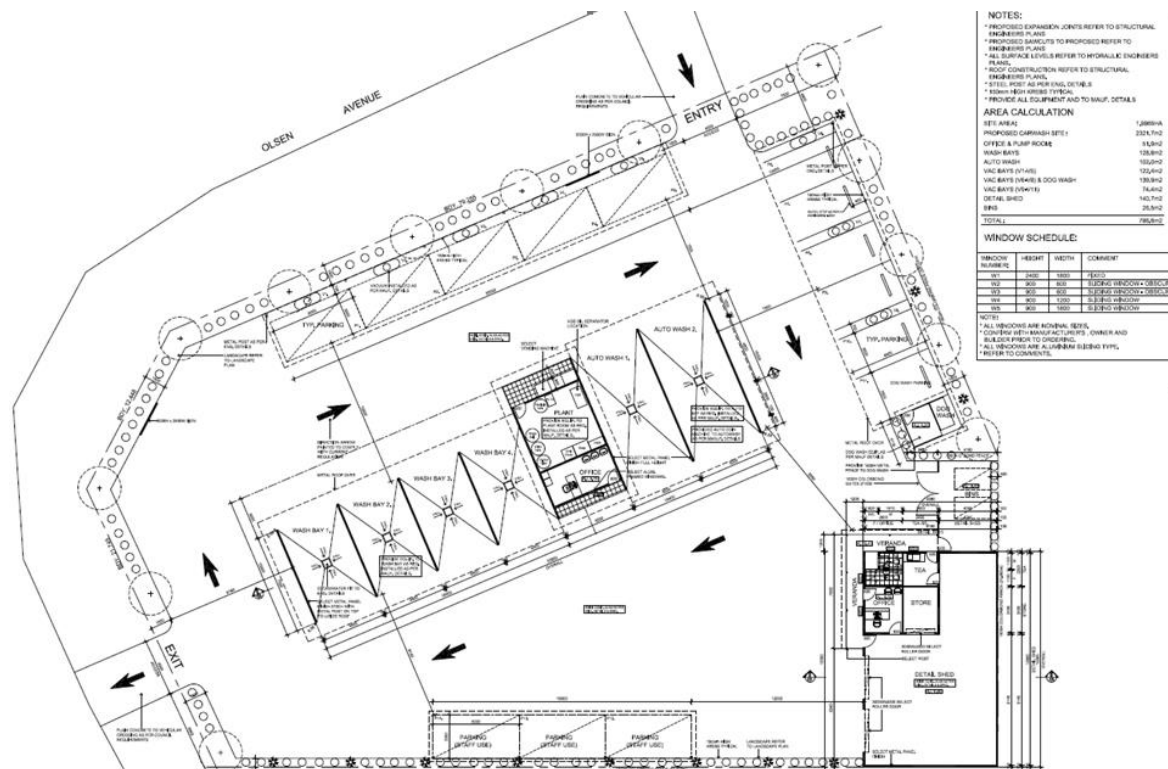


Figure Five: Proposed Floor Plan

As per the proposed plans, the Car Wash will include separate access points for entry and exit with one-way vehicular movement within the subject site.

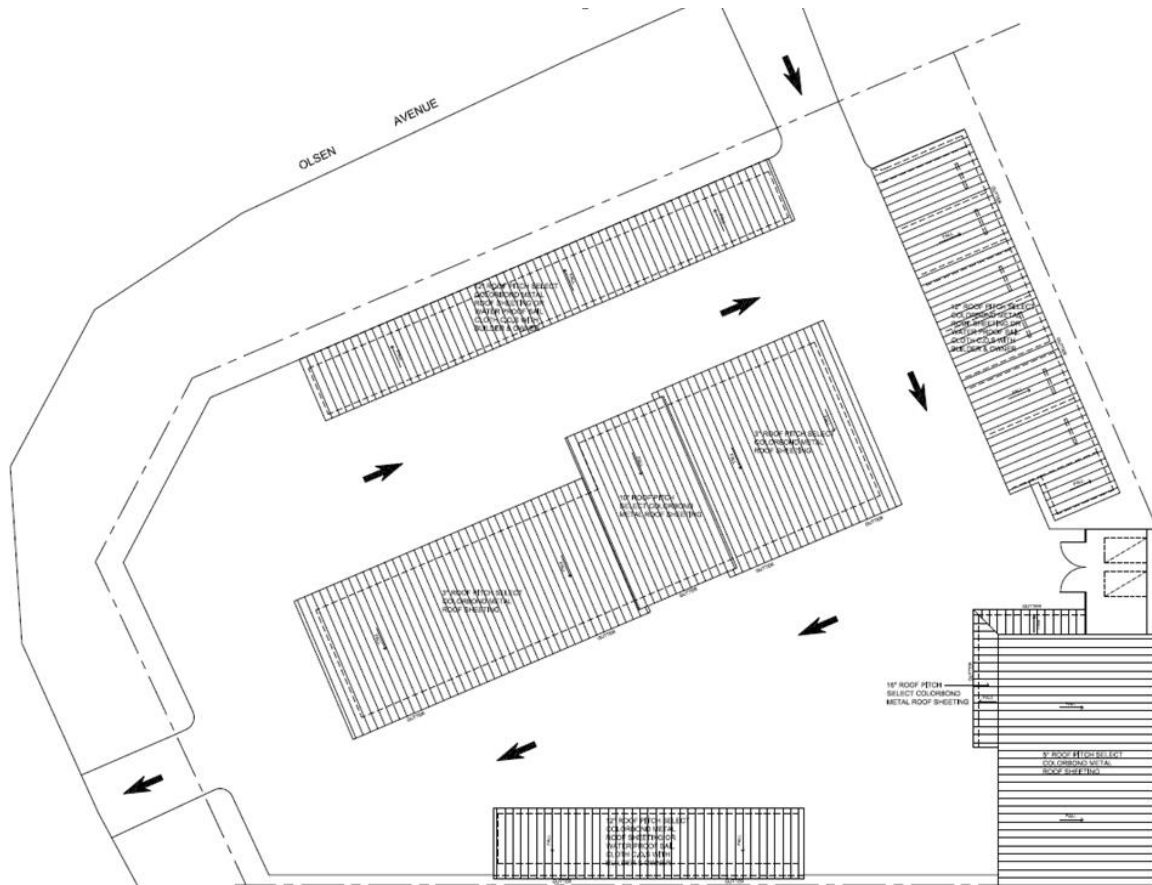


Figure Six: Proposed Roof Plan

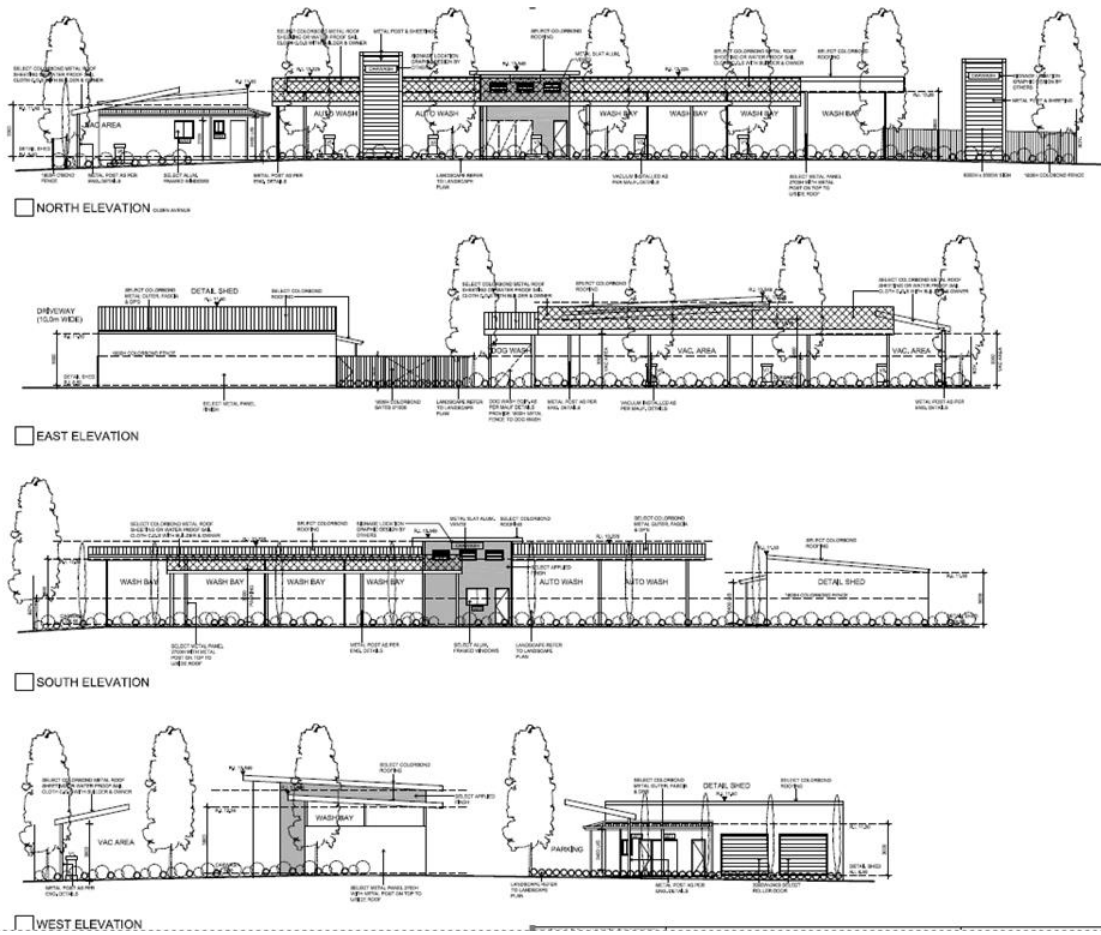


Figure Seven: Proposed Elevations

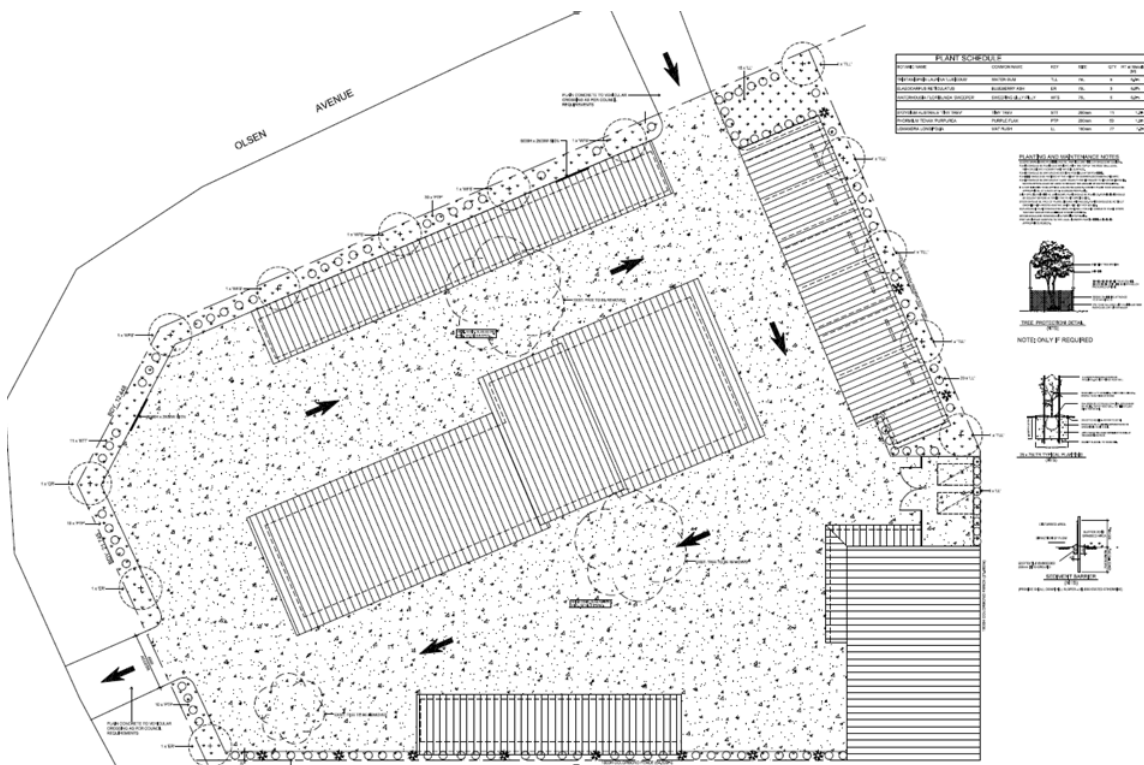


Figure Eight: Proposed Landscape Plan

Adopted Infrastructure Charges Notice:

The application was lodged prior to 8 March 2017; therefore, the proposal is subject to calculation against the *Gladstone Regional Council Adopted Infrastructure Charges Resolution (No. 1) – 2015* (AIC). The table below provides a summary of the development:

Existing Lawful Use		Proposed Use		
Planning Scheme Definition	GFA	Planning Scheme Definition	GFA	Stage
Vacant	N/A	Car Wash (Office and Detail Shed)	154.4m <sup>2</sup>	N/A

Although the proposed Car Wash has a total of 786.6m<sup>2</sup> of roofed area, the AIC only calculates the defined Gross Floor Area (GFA). The Planning Scheme defines GFA as *the total floor area of all storeys of a building (measured from the outside of the external walls or the centre of a common wall), other than areas used for building services, plant and equipment, access between levels, ground floor public lobby, a mall, the parking, loading and manoeuvring of motor vehicles, and unenclosed private balconies whether roofed or not*. As such, the development will include 154.4m<sup>2</sup> GFA (Office and Detail Shed) which will attract an AIC of \$21,855.32 minus the applicable Vacant Land credit. Therefore, as part of the Development Permit, an Adopted Infrastructure Charges Notice will be issued in accordance with the Act stating a Nil Charge.

### Referral:

In accordance with Schedule 7 of the Regulation, the proposed development was required to be referred to the State Assessment and Referral Agency (SARA) as a Concurrence Agency for matters relating to State Controlled Roads whereby a Decision Notice was issued on 3 May 2017 (Ref: SDA-0317-037666). The Decision Notice referenced matters relating to compliance with the Conceptual Stormwater Management Plan.

In addition, the Applicant attached advice from Gladstone Airport Corporation regarding the Building Restricted Area, Australian Noise Exposure Forecast and Public Safety Area with reference to the proposed height and location of the Car Wash Facility. As per the supporting material, the proposed development does not protrude into the OLS, and therefore, is compliant with the Airport Environs Overlay.

### 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 9 April 2018 and 1 May 2018 with fifty-five (55) Properly Made and four (4) Not Properly Made submissions received for the proposed development. The received submissions have been summarised in the table below.

Matters raised in Submissions	Officer's Response
<b>Noise and Lighting</b>	
The noise created by Car Wash vacuum cleaners, water jets and general car noise, together with high voltage lighting makes for certainty of diminished lifestyle. Owners of Dwellings in the complex were purchased in this location for the serenity and need of a quiet life.	An Environmental Noise Level Impact Assessment has been completed for the proposed Car Wash facility and has shown that the proposed development can operate within safe noise levels without adversely impacting on the adjoining caravan park. To do so the development must include an acoustic fence along the southern development boundary which has been recommended as a condition. It is further noted that the proposed Car Wash does not involve 24 hour operations. The use of the
Noise from such a 24 hour business in a residential environment is just not acceptable when most tenants are retired	



<p>people who simply want to live in peace. This is not an industrial area.</p>	<p>car wash will be restricted to 7am to 10pm daily in order to ensure amenity for the surrounding area.</p> <p>It is further noted that the subject site is located within close proximity to a railway line and the airport. The noise associated with this infrastructure is expected to result in greater noise impacts than that generated by the Car Wash.</p>
<p><b>Traffic</b></p>	
<p>The proposed driveway location on the bend of the road will increase the potential for causing traffic dangers. Entry and exit from the car wash should be deemed unsafe due to close proximity to the exit of the existing roundabout on the corner in Olsen Avenue. Noise, lighting and traffic will significantly compromise road safety.</p>	<p>The proposed Car Wash will be required to demonstrate that sufficient sight distance has been provided at the exit to the car wash. As a result, the development is considered to comply with traffic safety requirements. Furthermore, it is expected that noise and lighting will be appropriately dealt with as part of the constructed development, however standard conditions regarding the treatment of noise and lighting have been included to provide certainty of ongoing compliance with these matters.</p>
<p>The proposed Car Wash only takes up a small portion of the subject site. The remaining 10m easement directly along the fence boundary of the caravan park could be utilized as a main service thoroughfare to the larger remaining portion of the property for future development.</p>	<p>This portion of the site is located outside of the development area. As a result, any future use of this land will be subject to a separate development application and cannot be considered in this assessment.</p>
<p><b>Decreased Value</b></p>	
<p>The proposed Car Wash will result in a decrease in property value for adjoining properties. Living with a Car Wash facility on a boundary fence would not be a desired place of residential living. The development will diminish the value of dwellings and impact on the lifestyle tranquility for seniors living in the Kin Kora Manufactured Home and Caravan Park.</p>	<p>The subject site's location in proximity to a rail line and airport already results in a significant noise impact in this location. As a result, it is considered that existing noise generators exist nearby. The noise attenuation practices proposed by the Car Wash will ensure that the development does not increase noise impacts on the area. The considerations of loss of land value do not hold weight in planning assessment. It is considered that this suitability has been sufficiently justified in this instance.</p>
<p><b>Previous Application</b></p>	
<p>This application has been previously rejected by Council and nothing has changed in the area since the date of the first application in 2014.</p>	<p>The previous application for a Car Wash on the subject site was refused by Council as a directive by the State Government. Since then, changes to the legislation and Local Government Planning Scheme have been made, and the State Government have now given their approval for the development. As such, previous refusal points no longer apply to the development and it may be supported by Council.</p>
<p><b>Flooding</b></p>	

<p>Ground levels would have to be higher to cater for flood zones which puts it above the ground level of the neighbouring property. Stormwater would obviously cause a problem.</p>	<p>A detailed Flood Study has been undertaken as part of the RFI response, which has identified that the proposed development footprint is not subject to flooding. A further Stormwater Management Plan has been completed in conjunction with the Flood Study to ensure that stormwater is dealt with appropriately by constructing a bioretention basin to capture all runoff. The proposed stormwater management will be constructed as part of the Operational Works Application with an updated Stormwater Management Plan which is a condition of this Development Permit. The revised Stormwater Management Plan and associated Operational Works material will assess and mitigate any impacts on the adjoining properties.</p>
<p>Air pollution from high-pressure water blasters is not uncommon in this industry.</p>	<p>Conditions for compliance with environmental legislation with regard to pollutants have been included.</p>

**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:**

State Planning Policy

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
<p>Natural Hazards, Risk and Resilience: Flood Hazard Area (local Government Flood Mapping Area)</p>	<p>Complies – the proposal has conducted a Flood Hazard Assessment to determine the impacts of flood within the development footprint. The report concluded that the proposal is located within a low risk level of potential flood waters. As such, the development has been designed to meet the acceptable levels to ensure people and property are safe.</p>
<p>Natural Hazards, Risk and Resilience: Erosion Prone Area</p>	<p>Complies – The proposed development footprint is located outside of the erosion prone area. As a result, the proposal complies with the Erosion Prone Area benchmarks.</p>
<p>Natural Hazards, Risk and Resilience: Storm Tide Inundation</p>	<p>Complies – The proposed development footprint is located outside of the storm tide inundation area. As a result, the proposal</p>

	complies with the Storm tide inundation benchmarks.
Strategic Airports and Aviation Facilities: Strategic Airport Area	<p>Complies – The proposed development will not create an intrusion into the airport’s operational airspace or function of the airport as the proposed height remains below the accepted level. Nor will it increase the risk to public safety within the public safety area due to operations of the proposed Car Wash; the proposed Car Wash is a non-residential Use that is limited in Commercial Activity. In addition, a condition has been recommended to provide a Construction Management Plan to ensure all works do not interfere with the operation of the Gladstone Airport.</p> <p>The Applicant has also obtained advice from the Gladstone Airport Corporation to outline potential concerns or impacts that the proposal may cause on the airport. As per the response, the Gladstone Airport Corporation were satisfied that the proposed Car Wash would not intrude in the current or future function of the airport. Therefore, the proposal has complied with the applicable benchmarks.</p>

**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;
- Airport Environs Overlay Code;
- Flood Hazard Overlay Code;
- Limited Development Zone Code;
- Development Design Code; and
- Landscaping Code.

Strategic Framework – Connecting Our Places

Strategic Outcome 3.5.1.8 states that *the Gladstone airport and major road transport corridors such as the Bruce and Dawson highways and other State controlled roads and arterial routes are protected from inappropriate development that undermines their efficient and safe operation.* The proposed development gains access from Dawson Highway via a round-a-bout onto Olsen Avenue. The existing round-a-bout is dual lane which facilitates convenient and safe access off Dawson Highway into Olsen Avenue. Although the proposed Use may increase traffic volumes along Olsen Avenue which was constructed as an Urban Residential/Commercial Collector, the Car Wash would not create inappropriate operations of the state-controlled and local road network. As a result, the proposal is considered to be compliant with Strategic Outcome 3.5.1.8.

Acid Sulfate Soils Overlay Code

The proposed development is located within the potential Acid Sulfate Soils mapped between 5-20 metres AHD. As per Acceptable Outcome 1.1 which states that *disturbance of acid sulfate soils is*

*avoided by not excavating or otherwise removing soil or sediment identified as containing acid sulfate soils, not permanently or temporarily extracting groundwater that results in the oxygenation of previously saturated acid sulfate soils, not undertaking filling that results in either actual acid sulfate soils being moved below the water table or previously saturated acid sulfate soils being aerated.* To ensure the development does not disturb Acid Sulfate Soils, it is recommended to include a condition requiring the Applicant to conduct an Acid Sulfate Soil Investigation and Management Report. As such, the proposal will comply with Acceptable Outcome 1.1.

#### Airport Environs Overlay Code

Acceptable Outcomes 1.1 and 1.2 state that *buildings, structures (both free standing and attached to buildings, including signs, masts or antennae), vegetation at its mature height and construction equipment activities do not penetrate the Obstacle Limitation Surface (OLS) as identified on Airport Environs Overlay Map.* As identified in the Overlay Mapping, all development must remain below AMSL 18 level. With reference to the Applicant's supporting material; the proposal will have a total height of 13.549 which is below the AMSL level. However, the proposed signage has not yet been confirmed. Therefore, a condition has been included to ensure that all associated structures on the site remain below the required AMSL level. As a result, the proposal will comply with Acceptable Outcomes 1.1 and 1.2.

As per the Planning Scheme mapping, the site is located within the Public Safety Area. Therefore, Acceptable Outcome 7 is applicable to the development which states that *development within the public safety areas does not involve any new building or increase in GFA for any existing business, industrial, community, sport and recreation uses or other non-residential use.* The proposal includes a new use over the vacant land that is for non-residential purposes. As a result, the development will require assessment against Performance Outcome 7.

In response, Performance Outcome 7 states that *development within the public safety areas located at the end of the airport runway avoids a significant increase in the number of people living, working or congregating in those areas, and the use or storage of hazardous materials.* Although the proposed development is not located directly at the end of the airport runway, the Car Wash will result in an increase to the number of people congregating within the area. In addition, the proposal will add additional vehicle movements along Olsen Avenue to the existing commercial Use (Kin Kora Caravan Park). Thus, the proposal is generally inconsistent with Performance Outcome 7, and will require assessment against Overall Outcome B.

Overall Outcome B states that *development does not increase the risk to public safety near airport runways.* The proposed Car Wash will increase vehicular movement along Olsen Avenue, however the increase would be minimal as the proposal is not a high commercial attractor (i.e. Shop or Food and Drink Outlet). Additionally, the Use would not generate additional pedestrian movement along Olsen Avenue (located within the Public Safety Area) as the proposal does not incorporate or envisage habitable or associated commercial Uses on the subject site. Therefore, the proposal complies with Overall Outcome B.

The Airport Overlay Map identifies the subject site to be located within the Australian Noise Exposure Forecast 25-30 contour area. As a result, the development will require assessment against Acceptable Outcome 8.3. This Acceptable Outcome states that *development within the Australian Noise Exposure Forecast (ANEF) 25-30 contour area is a minimum of 500m from the airport's runway and must achieve compliance with the indoor design level requirements of Table 8.2.2.3.3.* As per Figure Nine, the subject site is approximately 330 metres away from the outer edge of the airport's runway. Due to the close proximity to the airport's runway, the development is inconsistent with Acceptable Outcome 8.3 and will require assessment against Performance Outcome 8.



**Figure Nine: Subject Site's proximity to Gladstone's Airport Runway**

Performance Outcome 8 states that *development is appropriately located and designed to prevent adverse impacts from aircraft noise, and is compatible with the forecast levels of the aircraft noise identified in Table 8.2.2.3.3. Unless there is an overriding need in the public interest, there is not a reasonable alternative site available for the use, and there are noise attenuation measures such as double glazing, mechanical ventilation and concrete masonry external walls.* In many instances, a commercial development would not be suitable in this location, however a Car Wash Use is a reasonable Use type for these applicable constraints. Due to the Car Wash being designed to reflect small scale development with limited structures onsite that all require self service operations, the proposal would not be affected by noise generated from the airport. Therefore, the proposed Use would be generally supported in this location due to the scale and operation of the Car Wash with consideration that the constrained site can only support limited development. As such, the development generally complies with Performance Outcome 8 of the Airport Overlay Code.

Flood Hazard Overlay Code

With reference to Figure Three, the subject site is constrained by Flood Hazard Overlay mapping. As such, Acceptable Outcome 1 states that *a site specific flood hazard assessment demonstrates that risks associated with the development can be mitigated to an acceptable or tolerable level.* The Applicant provided a Flood Hazard Assessment within the Response to Council's Information Request. Within the supporting material, the assessment outlined that the proposed development footprint would not be affected by Q100 flood waters from Police Creek and would operate within an acceptable risk level. In addition, the proposal will maintain safe evacuation routes in the event of a flood. Therefore, the application complies with Acceptable Outcome 1. However, Council officers did identify that a parameter in the document appeared to be low) i.e. the fraction impervious for the residential uses), though due to the height difference between the flood identified in the document and the development level, it is considered to be low risk.

In accordance with the Applicant's Flood Hazard Assessment, the proposed development generally complies with the Flood Hazard Overlay Code Acceptable Outcomes and will not require further assessment.

Limited Development Zone Code

Performance Outcome 4 stipulates that *development maintains a high level of amenity within the site and minimises impacts on surrounding areas, having regard to noise, traffic and parking, visual impact, signage, odour and emissions, and access to sunlight and privacy.* The proposed Car Wash has included landscaping along both frontages to maintain a high level of amenity and attractive



street presence. To ensure that the development minimises impacts on the surrounding area, the Applicant has positioned the Use 10 metres away from the adjoining property boundary, with the inclusion of a solid colour bond fence. This will not only reduce the visual impact but reduce the noise pollution generated from the Use. Notwithstanding this, the submitted Noise Impact Report provides further details pertaining to the development complying with the Noise Policy. As a result, the proposal generally complies with Performance Outcome 4.

In addition to the assessment of impacts on the surrounding area, Performance Outcome 5 states that *development does not unduly impact on the existing amenity and character of the locality having regard to the scale, siting and design of buildings and structures; visibility from roads and other public view points; screening vegetation and landscaping, and the natural landform and avoidance of visual scarring*. From Dawson Highway the Kin Kora Caravan Park and Choice Storage Sheds can be viewed from various viewpoints. With reference to the proposed Landscaping Plan, the landscaping incorporated within the development footprint will create a visual buffer between the proposed Use and the viewpoints from Dawson Highway to reduce the building scale and bulk. As a result, the addition of a Car Wash would remain consistent with the scale and amenity of the area. Therefore, the proposal is generally consistent with Performance Outcome 5.

To ensure that the development complies with Acceptable Outcome 7.1 which stipulates that *light emanating from any source complies with Australian Standard AS4282 Control of the Obtrusive Effects of Outdoor Lighting as amended*, a condition has been recommended for the proposed Car Wash to operate within the legislative parameters.

#### Development Design Code

As per Acceptable Outcomes 1.1, 2.1 and 3.1 of the Development Design Code, these benchmarks require development to have water, sewer, electricity, and telecommunication connections. With reference to Figure One, the development can connect to Council's reticulated water and sewerage infrastructure. To ensure that the development complies with Council's requirements, several conditions have been included.

Acceptable Outcome 5.1 states that *development does not result in an increase in flood level flow velocity or flood duration on upstream, downstream or adjacent properties*. Based on the submitted supporting material, the proposal would not result in an increase to the flood level, velocity or duration.

With reference to the proposed plans, the Car Wash does not provide the minimum car parking and bicycle spaces as outlined in the Parking Rates Policy of the Planning Scheme. As a result, the proposal will require assessment against Performance Outcome 9 which states *development includes the provision of adequate and convenient car and bicycle parking onsite to satisfy the anticipated requirements of the activity*. Given that the subject site is constrained by the Airport Overlay it would be inappropriate to provide infrastructure for pedestrian/cycle movement. Additionally, the Use has been designed to reflect small scale development with limited structures onsite that are self service operated to maintain a compatible Use for the subject site. As such, the proposed vehicle spaces will provide adequate and convenient car parking and is therefore considered to comply with Performance Outcome 9.

Acceptable Outcome 13 states that *footpaths are provided to the full road frontage and designed in accordance with the Engineering Design Planning Scheme Policy; connected to the existing footpath network; and certified by a Registered Professional Engineer of Queensland*. Olsen Avenue is a no-through road with a small number of residential lots. The road does include a formal pedestrian link from the existing footpath located along Dawson Highway. In addition, the site is located within the Airport Overlay which stipulates building and public safety limitations. With regards to the existing pedestrian/cycle network and Olsen Avenue being a no-through road, the inclusion of a footpath to the proposed development would be inappropriate. As such, the proposal will achieve compliance against Overall Outcome H.

The proposal adjoins sensitive land uses that have highlighted concerns regarding the noise generated from the Use through the submissions received for the application. The Applicant has provided a Noise Level Impact Assessment which details that the proposed Car Wash will operate within the acceptable noise levels. However, to ensure the development complies with Acceptable Outcome 16 which specifies that *development achieves the noise generation levels set out in the Environmental Protection (Noise) Policy 2008, as amended*; a condition has been recommended.

#### Landscaping Code

As per the Applicant's proposed Landscaping Plan, all proposed planting has been located within the development footprint. Subsequently, Acceptable Outcome 3.1 states that *street trees are provided at the rate whichever is the lesser of one street tree per lot frontage or one tree per 10 linear metres of road frontage*. Incorporating street trees along the front boundaries for the corner block would reduce the sight distances for vehicles entering or exiting the development. As a result, a recommended condition will be included to provide an amended Landscaping Plan to include one tree per frontage along Olsen Avenue, full landscaping concept designs and additional details to ensure compliance with not only the Landscaping Code, but the Airport Overlay Code. This condition will be required at Operational Works stage to ensure that the necessary sight distances and heights are maintained while meeting Acceptable Outcome 3.1 and 3.2 requirements.

#### Summary

Whilst the first application for the Car Wash over the subject site (DA/749/2012) was refused by Council at its General Meeting on 1 April 2014. The refusal was on the grounds of a Concurrence Agency refusal and noncompliance with some elements in the superseded *Gladstone Plan 2006*. The previous noncompliance matters have been further considered under the current Act, Planning Scheme and Regulation to justify compliance against the relevant Codes. Furthermore, whilst the subject site is heavily constrained, it is difficult for Council to warrant full sterilisation of development opportunity. Additionally, consideration was given to Uses that could be supported on the subject site and the Use of a Car Wash is considered to meet an acceptable level of development for this subject site.

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

N/A

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

That Development Application 13/2017 for a Material Change of Use of Premises for a Car Wash at 1 Olsen Avenue, New Auckland be recommended for approval subject to the following reasonable and relevant conditions:

#### **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:

Drawing Number	Revision	Description	Author	Date
1237 Page 1 of 9	3	Site Plan	Car Wash Builders	24/09/2015
1237 Page 2 of 9	3	Ground Floor Plan	-	24/09/2015
1237 Page 3 of 9	3	Roof Plan	-	24/09/2015
1237 Page 4 of 9	3	Elevations	-	24/09/2015
1237 Page 5 of 9	3	Sections	-	24/09/2015
1237 Page 8 of 9	3	Shadow Diagram	-	24/09/2015
DWG-300	A	Operational Control Plan	Biome Water and Environmental Consulting	6/03/2018
DWG-310	A	Basin Layout and Cross Section	Biome Water and Environmental Consulting	6/03/2018

And supporting documents

Document Number	Revision	Description	Author	Date
R18011/D3132	0	Environmental Noise Level Impact Assessment for Proposed Carwash Facility	David Moore & Associates Pty Ltd	19/03/2018
BC-17147	1	Hydraulic Impact Assessment	Biome Consulting Pty Ltd	January 2018
BC-17147	1	Conceptual Stormwater Management Plan	Biome Consulting Pty Ltd	March 2018
082-17-18	A	Traffic Response	McMurtrie Consulting Engineers	1/03/2018
-	-	Gladstone Car Wash	Gladstone Airport Corporation	13/02/2018

### Special Conditions

2. Upon commencement of the use, the development is restricted to operation between the hours of 7am and 10pm.
3. Upon commencement of the use, the Car Wash Use does not permit ancillary uses (i.e. Shop) within the subject site.
4. 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.
5. As part of Building Works, sealed and raised bunding is to be constructed around all forecourt areas on which a vehicle can stand while being cleaned and/or washed.



6. As part of Building Works, drainage from paved forecourt areas and areas on which a vehicle can stand while being cleaned and/or washed, 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.
7. As part of Building Works, the Applicant must construct an acoustic fence 2.7 metres in height and should be located a minimum distance of 2 metres from the development footprint boundary, in accordance with the approved Noise Level Impact Assessment for the Proposed Car Wash Facility. The acoustic fence is to be located along the entire eastern and southern development footprint boundary and must receive a surface treatment to maintain visual amenity of the streetscape and compliment the proposed colour pallet of the Car Wash facility. Details of the proposed surface treatment are to be submitted to Council for approval prior to the issue of a Development Permit for Building Works.

### **Operational Works**

8. 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 driveways, signage and footpaths);
  - c. Stormwater Management (quantity, quality, flood and drainage control); and
  - d. Landscaping, environmental protection and associated works.
9. Development Applications for Operational Works shall be designed and constructed in accordance with Australian Standards, the Engineering Design Planning Scheme Policy under the Gladstone Regional Planning Scheme and any other applicable standards at the time of lodgement. Prior to the commencement of the use, all Operational Works conditioned by this approval must be accepted "on maintenance" by Council or have an approved uncompleted works arrangement with Council.

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

### **Building, Plumbing and Drainage Works**

10. The Applicant is required to obtain a Development Permit and Building Final 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.
11. The Applicant is required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final 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.
12. 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.
13. Prior to the commencement of the use, 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.

14. As part of Building Works, all outdoor lighting is to comply with Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.
15. 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 the adjoining sites.

### **Water Infrastructure**

16. 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.
17. 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.

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

### **Sewerage Infrastructure**

18. 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.
19. Prior to the commencement of the use, 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.qld.gov.au/forms>.*

### **Stormwater Infrastructure**

20. The Applicant is to submit for approval by Council a revised Site Based Stormwater Management Plan as part of the first Development Application for Operational Works for the development. The plan must address both quantity and quality aspects of stormwater management, be in accordance with the Engineering Design Planning Scheme Policy under the Gladstone Regional Planning Scheme and be certified by a RPEQ experienced in this type of work. Prior to the commencement of the use, all stormwater infrastructure is to be constructed on the site generally in accordance with the Site Based Stormwater Management Plan.
21. The bioretention basin constructed as part of this development is to be inspected and maintained in accordance with the Water by Design's Maintaining Vegetated Stormwater Asset guideline.

## Transportation Services

22. As part of any development application for Operational Works, the Applicant shall provide an amended Traffic Response (Ref: 082-17-18) or other documentation that addresses the following:
- a. Submit evidence that the minimum Stopping Sight Distance (SSD) in accordance with AS2890.1 of 65m is provided at the exit to the development site;
  - b. Demonstrate that the following has been taken into account when addressing the issues of sight lines and sight distances:
    - i. proposed landscaping within the site, including fencing and planting;
    - ii. existing and proposed vegetation within the road reserve, including street trees; and
    - iii. signage internal and external to the site;
  - c. Provide signage on the road that warns drivers of vehicles proceeding south on Olsen Avenue that vehicles may be entering around the bend. The Applicant shall obtain Council approval of the design and wording of the sign(s) and the sign location(s).
23. Prior to the commencement of the use, the Applicant is to construct the car parking spaces 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, provided with wheel stops and maintained in accordance with the Engineering Design Planning Scheme Policy under the Our Place Our Plan Gladstone Regional Council Planning Scheme and AS2890.1.

*Advisory Note: The Site Plan (Ref: 1237 page 1 of 9, Rev. 3, dated 24 September 2015) shows 14 car parking spaces.*

24. Prior to the lodgement of a Development Application for Operational Works, the Applicant must demonstrate how internal conflicts will be managed to prevent vehicles travelling the wrong way in the carpark when exiting the site from the self-service wash bays (i.e. Wash Bays 1 to 4).
25. Prior to the commencement of the use, two (2) Commercial Driveways (one entry only and one exit only) are to be constructed in accordance with Council's Standard Drawing for an Urban Commercial/Industrial Driveway. The dimensions of the driveways are to accommodate the turning paths of the design vehicle(s).

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

26. 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.
27. Prior to the commencement of the use, a 2 metre wide concrete footpath is to be constructed from the existing footpath on Dawson Highway to the entry driveway to the site in accordance with Council's Standard Drawing for Concrete Pathway/Bikeway Details.

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

## Retaining Walls

28. As part of Operational Works, any new retaining walls which are visible from the road reserve must receive a surface treatment such as rendering or cladding to maintain the visual amenity of the streetscape. The treatments must complement with the existing/proposed colour pallet of the proposed building.

## Landscaping

29. As part of the first Development Application for Operational Works, 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 and the Capricorn Municipal Development Guidelines - Landscaping C273 Construction Specification. The full Landscaping Plan should include the proposed landscaping within the development footprint and street trees. The proposed street trees will be provided along Olsen Avenue, at a rate of 1 tree per lot frontage. The full Landscaping Plan is to be certified by a Landscape Architect and must specify plant density, location and heights.

*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. Prior to commencement of the use, 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.

## Waste Management

31. As part of any Development Application for Building Works, a Waste Management Plan is to be submitted and approved by Council. The Waste Management Plan is to be in accordance with the Waste Management Planning Scheme Policy of the Our Place Our Plan Gladstone Regional Council Planning Scheme.
32. Prior to the commencement of the use, refuse bins are to be provided in accordance with Table SC6.7.3.2 of Schedule 6.7 Waste Management at a minimum rate and minimum capacity as specified in the approved Waste Management Plan.
33. 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.
34. 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.
35. 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>.*

### **Acid Sulfate Soils**

36. As part of any Development Application for Operational Works, the Applicant must submit an Acid Sulfate Soil Investigation and Management Report to Council for approval. The Management Report is to:
- a. Be prepared by a suitably qualified person experienced in the area of Acid Sulfate Soils
  - b. Determine whether the proposed works will expose/disturb Acid Sulfate Soils;
  - c. Detail the measures to be undertaken to reduce the risk of Acid Sulfate Soils during construction and operation; and
  - d. Be in accordance with the Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland 1998 as per the Queensland Acid Sulfate Soil Technical Manual.

### **Airport Enviro**

37. As part of any Development Application for Operational Works, the Applicant must submit a Construction Management Plan to the Gladstone Airport Corporation for approval. The Construction Management plan is to detail all measures proposed to limit impacts to aircraft operations, intrusions into the Obstacle Limitation Surface and Airport Operational Airspace. Upon receipt of approval, a copy of the Construction Management Plan is to be provided at no cost to Council.

### **Environmental Health**

38. Upon commencement of the use, service deliveries should not occur outside the timeframes of 7am-10pm.

### **Lawful Commencement**

39. Prior to the commencement of the use, the Applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
40. Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the Applicant is to notify Council within 20 business days that this approved use has lawfully commenced.

***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.

**Attachments:**

1. Department of State Development, Manufacturing, Infrastructure and Planning Referral Agency Response dated 3 May 2017 (Ref: SDA-3017-037666);
2. Gladstone Airport Corporation Advice Response dated 13 February 2018; and
3. Submissions received during Public Notification Period.

**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. PSA 02-19 READY-MIXED BAGGED CONCRETE**

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

**Council Meeting Date: 3 July 2018**

**File Ref: PE8.2**

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#### **Purpose:**

This report seeks Council's approval to enter into a contract for the supply and delivery of ready-mixed concrete under a Preferred Supplier Arrangement (PSA).

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

That the Council enter into a PSA with:

1. Boral Resources (QLD) Pty Ltd, as the Primary Contractor for the supply and delivery of ready-mixed concrete to all areas except the Miriam Vale area in accordance with the tender specifications and their submission for an initial period of twelve (12) months;
2. Hanson Construction, as the Secondary Contractor for the supply and delivery of ready-mixed concrete to all areas except the Miriam Vale area in accordance with the tender specifications and their submission for an initial period of twelve (12) months;
3. Miriam Vale Concrete Pty Ltd for the supply and delivery of ready-mixed concrete to the Miriam Vale area in accordance with the tender specifications and their submission for an initial period of twelve (12) months; and
4. Authorise the Chief Executive Officer, or delegate, to exercise the option of extending the contracts for a further period of twelve (12) months subject to continued need and satisfactory performance.

#### **Background:**

Council currently has contracts in place with four (4) contractors, be they primary or secondary suppliers for the supply and delivery of ready-mixed contract which are due to expire in August 2018.

Based on the continued need for this product, PSA 02-19 Supply and Delivery of Ready-mixed Concrete was prepared, advertised and published in The Observer, on Council's Tenders webpage and uploaded to LG Tender Box on Thursday, 3 May 2018 with a closing date of 2pm, Thursday, 24 May 2018.

Notice to Tenderers #1 was issued on 22 May 2018 providing a one week extension of the closing date to 2pm, Thursday, 31 May 2018.

Four (4) submissions were received by the closing date and time.

One (1) submission was received after the closing time and via email and therefore was not evaluated.



**Consideration:**

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

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

The tender allowed Tenderers to submit supply and delivery rates to all or some locations called for in the tender, i.e.:

<b>LOCATION</b>	<b>TENDERER</b>
Agnes Water / Seventeen Seventy	Boral Resources only
Miriam Vale	Boral, Hanson Construction and Miriam Vale Concrete
Boyne Island, Tannum Sands, Calliope and Gladstone	Boral, Gladstone Premix and Hanson

1. Boral Resources
  - This supplier scored high on capability in view of the fact that they have three batching plants within the Gladstone region, i.e. Gladstone, Agnes Water and Calliope.
  - They have a third party accredited quality management system; and
  - Offered the second best (marginally) price across all areas except Miriam Vale
2. Miriam Vale Concrete
  - This supplier met all the minimum requirements with respect to capability, past performance and quality; and
  - Offered the best price in the Miriam Vale area
3. Gladstone Premix
  - Were scored low on past performance in view of the inconsistency of their product and condition of their vehicles;
  - They have a third party accredited quality management system; and
  - Offered the best price across all areas except Miriam Vale
4. Hanson Construction
  - This supplier scored high on capability in view of the fact that they have two batching plants within the Gladstone region, i.e. Gladstone and Calliope.
  - They can demonstrate substantial implementation of a quality management system; and
  - Cartage costs substantially increase the price of the product

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

<b>TENDERER</b>	<b>SCORE</b>	<b>RANKING</b>
Boral Resources	428	<b>1</b>
Miriam Vale Concrete	370	<b>2</b>
Gladstone Premix	370	<b>3</b>
Hanson Construction	367.5	<b>4</b>

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

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

**Legal Environmental and Policy Implications:**

In accordance with the *Local Government Act 2009*, Finance Standards and Council's Procurement Policy and Corporate Standard, Council must invite persons to tender for any work with an anticipated annual value of more than \$200,000.

**Financial and Resource Implications:**

Council spent approximately \$400,000 last financial year on this arrangement. Road Services have allocated funding for these products in the 2018/19 budget and purchase orders will be issued according to need and approved projects.

**Commentary:**

Nil

**Summary:**

Nil

**Anticipated Completion Date:**

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

**Attachments:**

1. PSA 02-19 Ready-mixed concrete products – Evaluation Matrix

**Tabled Items:**

Nil.

**Report Prepared by:** Contracts Coordinator

## **G/3.8.2. ANNUAL REVIEW OF DELEGATIONS - COUNCIL TO THE CHIEF EXECUTIVE OFFICER**

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

**Council Meeting Date:** 3 July 2018

**File Ref:** CM9.6

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### **Purpose:**

This report outlines a review undertaken of the delegation of powers to the Chief Executive Officer under State legislation and Council's Local Laws and recommends a revised set of delegations be adopted.

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

That in accordance with section 257 of the *Local Government Act 2009*, Council delegate to the Chief Executive Officer, the exercise of powers contained in the attached *Delegations Register – Exercise of Statutory Powers – Council to Chief Executive Officer* with the limitations contained as outlined.

### **Background:**

Council is governed by many pieces of legislation that place an obligation on the Council to administer, comply with or enforce, in whole or in part. In many instances, the law will outline the power to make decisions under legislation is to the 'Local Government' or 'Council' or 'the entity' or 'the authority' or similar. Where a power is given in this way, it is expected that the power is exercised by the elected body of Council (i.e. via a Council resolution). However, Council can 'share' in the exercise of its powers through delegation to the Chief Executive Officer (CEO) who may further sub-delegate to other positions within the organisation (unless the legislation specifically prohibits delegation). Examples of powers that cannot be delegated by Council include the power to make local laws, set the budget or where the legislation specifically requires a decision by Council resolution.

It is important to note that where Council delegates powers to the CEO, it is not 'giving away' powers as the Council can still exercise any or all powers. The process of Council sharing its legislative powers through delegation (and the CEO through further sub-delegation) is to allow officers to administer responsibilities and make decisions efficiently without the need of a formal Council resolution for each decision / action. It would be counter productive and resource intensive to require Council or the CEO to exercise all legislative powers and accordingly delegation and sub-delegation ensures officers exercising powers on behalf of Council are exercising these powers lawfully.

When delegating powers, there is ability to place limitations on the power for certain circumstances if desired. For example, powers in relation to Procurement are limited to be exercised in accordance with the Procurement Policy.

### **Consideration:**

A full review of the applicable powers able to be delegated has been undertaken utilising the LGAQ Delegation Service. This service is free of charge for all Council's with the register of delegations provided by King and Company who regularly review delegable powers under applicable state legislation (currently 95 separate pieces of legislation). Applicable powers from Council's Local Laws and Subordinate Local Laws have also been incorporated based on current delegations.

Option 1 – Adopt proposed Delegation Register (recommended)

This option would result in adopting the delegation of powers as attached in Attachment 1. This option recommends delegation of powers currently delegated to the CEO with the addition of similar powers under various pieces of legislation that Council does not currently have delegations in place for. Powers that are not proposed to be delegated include strategic powers that have not previously been delegated. For example:

- Decisions about resuming land
- Decisions relating to compensation
- Permanent closure of roads
- Powers to appeal a decision of a court
- Powers to appoint persons to a disaster group
- Appointment of members to the Audit Committee.
- Adopting or amending a planning scheme.

Option 2 – Delegate all powers to the Chief Executive Officer

This option would result in all delegable powers being made to the CEO and would ensure that the CEO can effect decisions on behalf of Council in all matters able to be delegated.

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

Internally with senior officers as required.  
Externally through LGAQ.

**Legal Environmental and Policy Implications:**

Section 257(4) of the *Local Government Act 2009* requires Council to review annually a delegation to the Chief Executive Officer. This review will meet the annual requirement and is anticipated to occur each July.

**Financial and Resource Implications:**

Nil.

**Commentary:**

Elected Members may wish to reference the Acts, Regulations, Local Laws and Subordinate Local Laws to obtain a greater understanding on what each delegable power means in the context of the applicable legislation, as the instruments of delegation don't always provide sufficient context. Reviewing the power in the context of the Section of the Act can provide greater understanding of the delegable power.

State Government legislation can be accessed from the following website  
<https://www.legislation.qld.gov.au/browse/inforce> .

Council's Local Laws and Subordinate Local Laws can be accessed from Council's website  
<http://www.gladstone.qld.gov.au/local-laws1>.

**Summary:**

Nil.

**Anticipated Completion Date:**

Immediately upon resolution.

**Attachments:**

1. Delegations Register - Exercise of Statutory Powers - Council to CEO - 3 July 2018

**Tabled Items:**

Nil.

**Report Prepared by:** Manager Governance & Risk (acting)

### G/3.8.3. WASTE COLLECTION AREA

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

**Council Meeting Date: 3 July 2018**

**File Ref: WM8.2**

#### **Purpose:**

The purpose of this report is to designate areas within the Gladstone Regional Council local government area where Council will undertake a general waste collection service in accordance with *Local Law no. 8 (Waste Management) 2018*.

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

That, in accordance with section 5 of *Local Law No. 8 (Waste Management) 2018*, Council:

1. Resolve to designate the general waste collection area for the Gladstone Regional Council area as represented in Attachment 1 - 25 of this report, and
2. Decide the frequency for domestic general waste collection to be undertaken on a weekly basis and recycling general waste collection to be undertaken on a fortnightly basis.

#### **Background:**

At its Ordinary Meeting held on 19<sup>th</sup> June 2018, Council resolved to adopt *Local Law no. 8 (Waste Management) 2018*. The local law came into effect on 29 June 2018 following the publication of a public notice in the Queensland Government Gazette.

Local Law no. 8 replaces the waste management provisions legislated in the *Waste Reduction and Recycling Regulation 2011* (Part 2A Section 7) and the *Environmental Protection Regulation 2008* (Chapter 5A) that was legislated to expire on 1 July 2018.

Section 7 of the *Waste Reduction and Recycling Regulation 2011* (WRRR) provided local government with a head of power to designate a general waste or green waste collection area. Section 5 of *Local Law No. 8 (Waste Management) 2018* replaces section 7 of the WRRR, providing Council with the ability to designate an area within its local government area where the local government may continue to conduct a general waste or green waste collection service. As the local law has replaced the WRRR provisions, it is appropriate for Council to 're-adopt' its designated area for its general waste collection service.

#### **Consideration:**

This report recommends that Council resolve to continue to conduct general waste collection in the same area as previously resolved under section 7 of the *Waste Reduction and Recycling Regulation 2011*. The maps attached to the report outline the current serviced areas for general waste collection. It is noted that all residential properties within the region are required to have a general waste collection service and that rural properties may apply to have a waste collection service.

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

Consultation with State Government, impacted stakeholders and the community was undertaken during the making of the local law.

Internal consultation has occurred with Waste Services to source relevant information on current waste collection areas.

**Legal Environmental and Policy Implications:**

With the changes to the legislation and adoption of *Local Law no. 8 (Waste Management) 2018*, Council is required to 're-adopt' a designated area in which it will conduct general or green waste collection; in accordance with section 5 of *Local Law no. 8 (Waste Management) 2018*.

**Financial and Resource Implications:**

There are no changes to existing financial and resource implications as a result of this report. The report recommends continuing to conduct general waste collection that is already occurring within the region.

**Commentary:**

Nil

**Summary:**

The expiration of waste management provisions legislated within the *Waste Reduction and Recycling Regulation 2011* had the potential to impact Council's ability to manage waste services in a way that protected public health, safety and amenity. To mitigate this risk Council resolved to make *Local Law No. 8 (Waste Management) 2018*. This report enacts provisions of Local Law No. 8 that will allow Council to continue to conduct a general waste collection service in designated areas of the Gladstone Region.

**Anticipated Completion Date:**

Immediately upon resolution.

**Attachments:**

1. Map 1 – Waste Collection Areas Overview
2. Map 2 – Barney Point
3. Map 3 – Beecher – Burua – Kirkwood
4. Map 4 – Benaraby
5. Map 5 – Bororen – Rodds Bay – Foreshores – Iveragh
6. Map 6 – Boyne Island
7. Map 7 – Boyne Valley
8. Map 8 – Byellee – Clinton – New Auckland
9. Map 9 – Callemondah
10. Map 10 – Captain Creek
11. Map 11 – Colosseum – Mount Tom – Miriam Vale
12. Map 12 – Gindoran – Lowmead – Rosedale – Mount Maria – Berajondo – Euleilah
13. Map 13 – Gladstone Central
14. Map 14 – Glen Eden – South Trees
15. Map 15 – Raglan – Ambrose – Machine Creek – East End – Darts Creek – Mount Larcom – West Stowe
16. Map 16 – Round Hill – Agnes Water
17. Map 17 – Seventeen Seventy
18. Map 18 – South Gladstone
19. Map 19 – Sun Valley – Telina – Toolooa – Kin Kora
20. Map 20 – Tannum Sands

21. Map 21 – Taunton – Oyster Creek – Deepwater – Euleilah – Baffle Creek – Rules Beach
22. Map 22 – Turkey Beach
23. Map 23 – West Gladstone
24. Map 24 – Wooderson - Calliope – Diglum – River Ranch
25. Map 25 – Wurdong Heights – O'Connell

**Tabled Items:**

Nil.

**Report Prepared by:** Manager Governance & Risk (acting)



### **G/3.8.4. ECONOMIC DEVELOPMENT INCENTIVE SCHEME**

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

**Council Meeting Date: 3 July 2018**

**File Ref: FM7.2**

#### **Purpose:**

To introduce an Infrastructure Charge Economic Development Incentive Scheme for development across the Gladstone Region. This will consider incentives to encourage development in specific focus areas, retirement facilities and tourism development.

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

That Council adopt Policy P-2018-03 Infrastructure Charges Economic Development Incentive Scheme – General.

#### **Background:**

The use of an incentive scheme that provides discounts on levied charges for specific land uses is a common practice undertaken by Queensland Local Governments including Bundaberg, Fraser Coast, Rockhampton and Mackay. Whilst these incentive schemes vary in nature dependent upon land use, development particulars (such as location) and the percentage of discount, they often require applicants to meet certain criteria such as building works to be completed within two-three years of approval to receive such an incentive.

Whilst the Gladstone Region has not required the need for such a scheme in previous years due to the construction of the LNG plants and the WICET, applicants and the general development industry parties are now regularly enquiring as to whether Council is considering implementing such a scheme.

#### **Consideration:**

The recommendation is to introduce an incentive scheme that gives a 50% discount on infrastructure charges up to \$500,000 per application. This would be for:

1. New development applications;
2. Current applications;
3. Approved but not constructed applications;

that are completed within 2 years of the development permit being issued.

Given the current housing capability within the Gladstone Region, these incentives specifically exclude the following uses;

<b>Use:</b>	<b>Definition:</b>
Dual Occupancy	Premises containing two dwellings, each for a separate household, and consisting of: <ul style="list-style-type: none"> <li>• a single lot, where neither dwelling is a secondary dwelling or</li> <li>• two lots sharing common property where one dwelling is located on each lot.</li> </ul>
Dwelling House	A residential use of premises for one household that contains a single dwelling. The use includes domestic out buildings and works normally associated with a dwelling and may include a secondary dwelling.
Dwelling Unit	A single dwelling within a premise containing non-residential use(s).
Multiple Dwelling	Premises containing three or more dwellings for separate households.
Relocatable Home Park*	Premises used for relocatable dwellings (whether they are permanently located or not) that provides long-term residential accommodation. The use may include a manager's residence and office, ancillary food and drink outlet, kiosk, amenity buildings and the provision of recreation facilities for the exclusive use of residents.
Rural Workers Accommodation	Any premises used as quarters for staff employed in the use of land for rural purposes, such as agriculture, intensive animal husbandry and forestry, conducted on a lot in the same ownership whether or not such quarters are self-contained.
Non-resident Workforce Accommodation	Premises used to provide accommodation for non-resident workers. The use may include provision of recreational and entertainment facilities for the exclusive use of residents and their visitors.

Allowing the market to determine what type of development should be undertaken across the region is the preferred option as this allows market demands to drive development.

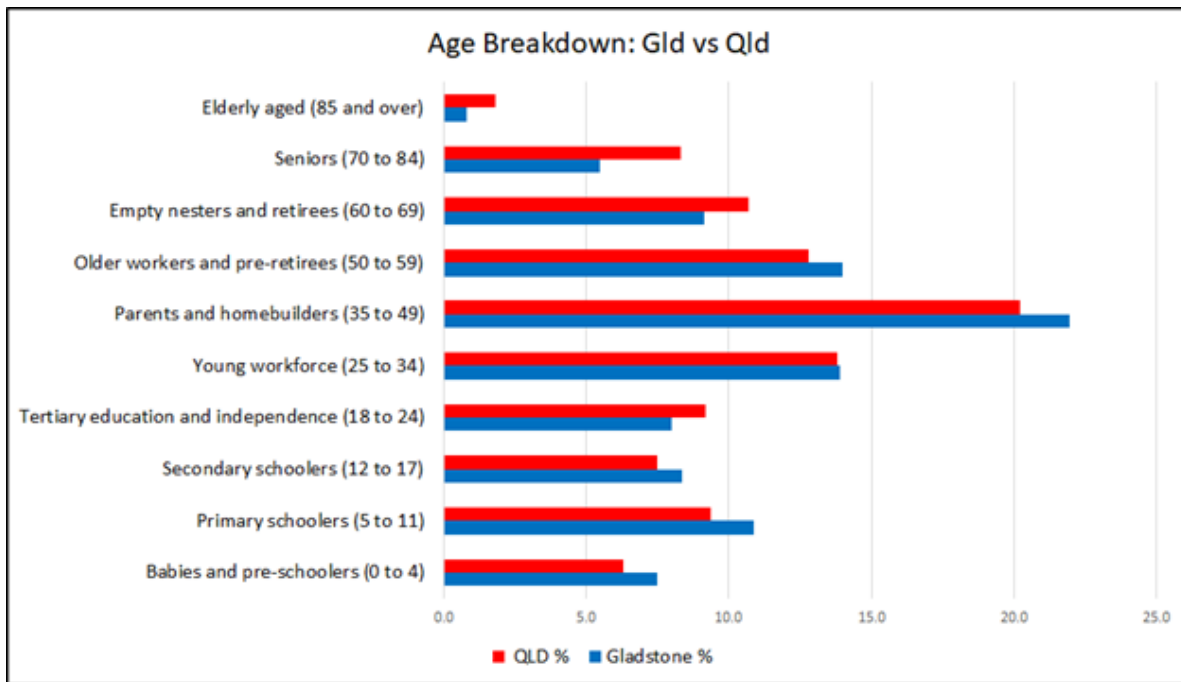
This option would allow for any non-residential development to be eligible for an incentive and would then allow the free market to determine what development is going to be undertaken.

This is the recommended option as it would stimulate development across the economy. Any development is only going to go ahead if there is a demand for it and the incentives are only a small percentage of the total project costs.

### **Alternative Option: Focused Incentives - Aged Care and Tourism**

Another manner of providing incentives is to implement a scheme based on meeting a specific need in the community in the region. This would be designed to increase development in specific areas of need or opportunity in the region that might be under-represented or provide specific benefits.

The use of the 2016 census data provides a clear illustration of areas where Council may wish to administer such a scheme. As seen in the following graph, there is a significant lack of older residents in the Gladstone region compared to the Queensland average. When you convert these to expected numbers then there are over 1,600 seniors over 75 that are under represented in our region.



**Figure 3: Age groups over and under represented in Gladstone region**

By providing an incentive for developments that encourage these residents to reside in Gladstone it would prompt greater development of these facilities. These facilities then provide jobs and on going employment as they service these facilities. The jobs associated with these facilities would tend to be in the health care sector of the economy which is under represented in the region.

These incentives would be available for the following uses that are located within a Priority Infrastructure area;

1. Residential Care Facility; or
2. Retirement Facility; or
3. Relocatable Home Park that solely provides for residents over the age of 50 years and may involve a caravan component but does not include a Tourist Park.

Council also is committed to developing tourism in the Gladstone Region and infrastructure incentives could be provided to help developers in these areas. Setting up the criteria for tourism usage would be done based on definitions in the planning scheme.

This would be similar to the retirement area with incentives given for specific use definitions that are clearly tourism related and in priority infrastructure areas. These definitions are:

- Nature-based Tourism
- Resort complex
- Short-term accommodation
- Tourist attraction
- Tourist park

If this option would be preferred then the alternate motion would be:

*That Council adopt Policy P-2018-04 Infrastructure Charges Economic Development Incentive Scheme – Tourism, Retirement and Aged Care.*

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

Consultation has taken place with the Manager Development Services, Planning Services Coordinator and Senior Technical Officer with reference to the following documents:

- Rockhampton Regional Council Development Incentives Policy 2017-2019;
- Mackay Regional Council Facilitating Development in the Mackay Region Council Policy;
- Fraser Coast Regional Council Investment Attraction Incentive Policy; and
- Bundaberg Region Council Open for Development 2016 Development Incentives.

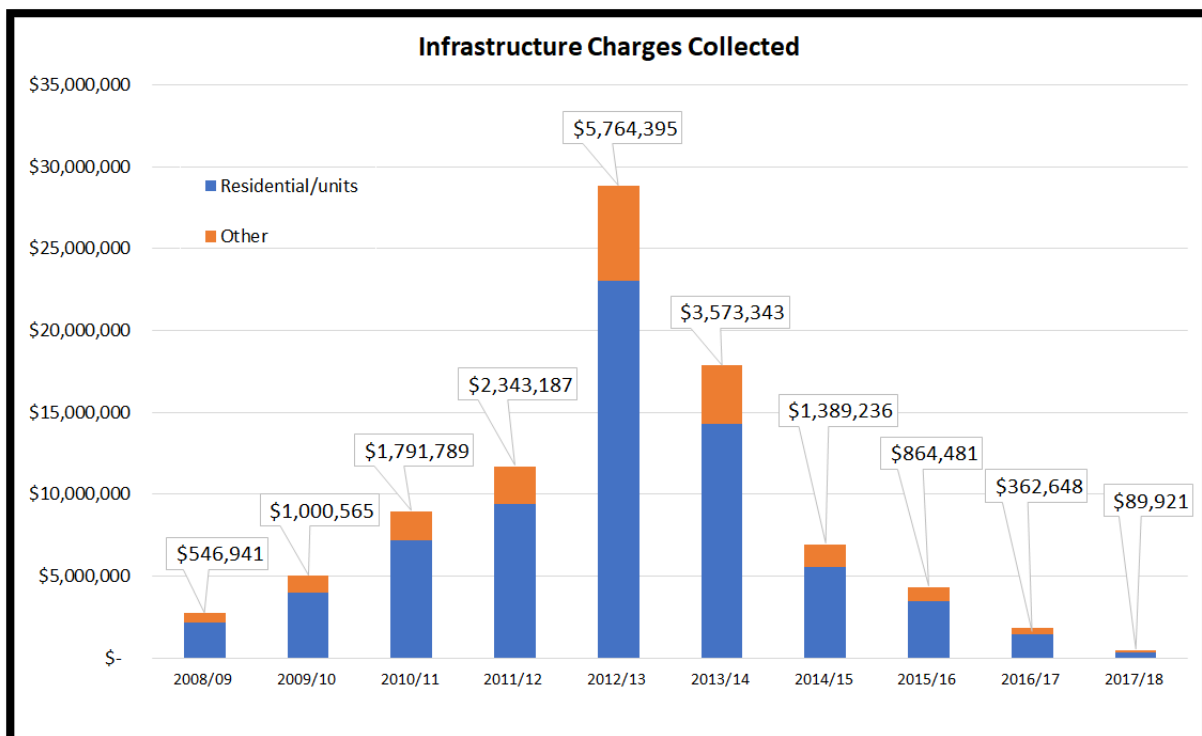
**Legal Environmental and Policy Implications:**

As part of any Development Permit, a Levied Charge is also issued which is calculated against the Adopted Infrastructure Charges Resolution in effect at the time of lodgment of the Development Application. Should either of these schemes be implemented, a Levied Charge would still be issued, however an Applicant would have the ability to apply to receive the incentive via an Infrastructure Agreement. The terms of the Infrastructure Agreement would be to the satisfaction of Council and in accordance with the Infrastructure Charges Economic Development Incentive Scheme, under which the agreement would be made.

However, if at any time the terms of the Infrastructure Agreement are not met by the Applicant, the original Levied Charge would then be payable upon commencement of any development.

**Financial and Resource Implications:**

The following graph illustrates the amount of infrastructure charges collected over the last 10 years and is categorised into residential and non-residential charges. Overall the calculation has been typically an 80/20 split with the non-residential charges shown numerically on the graph.



**Figure 2: Infrastructure Charges Collected between 08/09 to 17/18 Financial Years**

If no additional development was undertaken then the implementation of this scheme would result in a shortfall of approximate \$50,000 per annum over the next two and a half years. The total discounted amount is difficult to predict in the current economic climate.

Prior to the commencement of any scheme, the drafting of a template Infrastructure Agreement would be undertaken by Councils Development and Technical Services Departments and reviewed by Councils Legal Counsel. The administration of the Infrastructure Agreements would be undertaken by Council Administration/Technical Officers, however it is not anticipated that this would significantly increase workloads.

Upon commencement of any scheme Councils Development Services Department, along with the Communications Team would ensure that a broad advertising campaign is undertaken to ensure that the development industry are made fully aware of the benefits that the incentives may provide.

**Commentary:**

Nil.

**Summary:**

With either scheme, they provide Council the ability to afford applicants an incentive to deliver development within the region especially those land uses which may currently be underrepresented.

**Anticipated Completion Date:**

3 July 2018

**Attachments:**

1. Draft – P-2018-03 - Infrastructure Charges Economic Development Incentive Scheme – General Policy; and
2. Draft – P-2018-04 - Infrastructure Charges Economic Development Incentive Scheme – Tourism, Retirement and Aged Care.

**Tabled Items:**

Nil.

**Report Prepared by:** Manager Executive Services

### **G/3.8.5. APPOINTMENT OF A NEW LOCAL DISASTER COORDINATOR TO THE GLADSTONE LOCAL DISASTER MANAGEMENT GROUP**

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

**Council Meeting Date: 3 July 2018**

**File Ref: ES1.6**

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#### **Purpose:**

To appoint a new Local Disaster Coordinator to the Local Disaster Management Group under section 35 of the *Disaster Management Act 2003*.

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

That Council:

1. Resolve to endorse the Mayor's actions to appoint Mr Mark Holmes, General Manager Finance Governance and Risk, as the Local Disaster Coordinator of the Gladstone Disaster Management Group under section 35 of the *Disaster Management Act 2003* being satisfied that Mr Holmes has the necessary expertise to be a Local Disaster Coordinator; and
2. Resolve to endorse Mr Peter Billing, General Manager Operations, as the deputy Local Disaster Coordinator of the Gladstone Disaster Management Group under section 35 of the *Disaster Management Act 2003* being satisfied that Mr Billing has the necessary expertise to act as a deputy Local Disaster Coordinator.

#### **Background:**

In the Gladstone Regional Council area, Council along with the Queensland Police Service, Emergency Services and other agencies have appointed representatives that form the Gladstone Local Disaster Management Group (LDMG). The group meets on a regular basis and provide planning and coordination in the event of a disaster or emergency situation.

Council continues to be proactive in working towards the highest level of community preparedness in the event of a disaster. Core groups within the local communities of our Region have been established, these groups are known as the Local Emergency Coordination Committees (LECC). The LECC groups provide the local knowledge, expertise and communication that inform the Local Disaster Management Group with the LECC and LDMG working together on activation.

In accordance with section 35 of the *Disaster Management Act 2003*, a Local Disaster Coordinator (LDC) must be appointed for the LDMG. There has been a change in Councils management structure with the General Manager Finance, Governance and Risk, Mr Mark Holmes, assuming responsibility for disaster management duties. With this change it is necessary for the Chairperson (Mayor Burnett) of the Gladstone Local Disaster Management Group to appoint either the Chief Executive Officer or an employee of Council as the LDC. As part of the appointment the Chairperson is to be satisfied that the local disaster coordinator has the necessary expertise or experience to be a coordinator.

A Local Disaster Coordinator's responsibilities are:-

1. To coordinate disaster operations for the local group;
2. To report regularly to the local group about disaster operations;

3. To ensure, as far as practicable, that any strategic decisions of the group about disaster operations are implemented.

The appointment of the Local Disaster Coordinator must be in writing and notification will be given to the Commissioner of Queensland Fire and Emergency Services and the Chairperson of the Gladstone District Disaster Management Group (Queensland Police Service) once the recommendation has been adopted. Attached is a template of the Notice of Appointment of the Local Disaster Coordinator that will be completed once approved.

**Consideration:**

It is considered appropriate that Council also resolve to nominate a deputy LDC to relieve in the position where required. Accordingly, as the General Manager Operations is responsible for Council's Disaster Response preparedness, it is considered appropriate for this position to be nominated as a deputy LDC.

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

The new appointment will be communicated as above to the Commissioner of Queensland Fire and Emergency Services, the Chairperson of the Gladstone District Disaster Management Group (Queensland Police Service) and members of the Gladstone Local Disaster Management Group.

**Legal Environmental and Policy Implications:**

Gladstone Regional Council and the cooperative efforts of the Gladstone Local Disaster Management Group are governed by the roles and responsibilities of the *Disaster Management Act 2003*.

**Financial and Resource Implications:**

Nil

**Commentary:**

Nil

**Summary:**

Nil

**Anticipated Completion Date:**

3 July 2018

**Attachments:**

1. T1037 Notice of Appointment of Local Disaster Coordinator

**Tabled Items:**

Nil.

**Report Prepared by:** Manager Executive Services

**G/4. COUNCILLORS REPORT**

Nil.



**G/5. URGENT BUSINESS**

Nil.

**G/6. NOTICE OF MOTION**

Nil.

## **G/7. CONFIDENTIAL ITEMS**

### **G/7.1. DISPOSAL OF TWO UNITS AT 18 DISCOVERY DRIVE AGNES WATER**

**Responsible Officer: General Manager Operations**

**Council Meeting Date: 3 July 2018**

**File Ref: CP2.5, P62104**

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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: -

(h) other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage.

**ATTACHMENTS**