



GLADSTONE
REGIONAL COUNCIL

**GENERAL MEETING NOTICE
AND AGENDA**

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

On Tuesday 6 June 2023

Commencing at 9.00am

**Leisa Dowling
CHIEF EXECUTIVE OFFICER**

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G/1. MAYORAL STATEMENT OF CURRENT ISSUES

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 16 MAY 2023

Responsible Officer: Chief Executive Officer

Prepared By: Executive Secretary

Council Meeting Date: 6 June 2023

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 16 May 2023.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 16 May 2023 be confirmed.

Attachments:

1. Minutes of the General Meeting of Council held on 16 May 2023

G/3. DEPUTATIONS

G/4. OFFICERS' REPORTS

G/4.1. REPEAL OF UNIFORM AND PPE POLICY

Responsible Officer: General Manager Finance Governance and Risk

Prepared By: Governance Business Partner

Council Meeting Date: 6 June 2023

File Ref: CM28.2

Purpose:

This report recommends the repeal of the existing Uniform and PPE Policy to allow this activity to be managed operationally under the leadership of the Chief Executive Officer and Executive Team.

Officer's Recommendation:

That Council repeal its existing P-2019-20 Uniform and PPE Policy.

Summary:

This report provides Council with an opportunity to allow corporate attire to be managed operationally by removing the Council adopted Uniform and PPE Policy.

Link to Corporate Plan:

Accountable Council - We are providing good stewardship built on a foundation of trust.
Our People - We look after our people, so they look after you.

Background:

Council has for some years provided guidance on corporate attire through the adoption of a Corporate Uniform and PPE Policy. The Policy set the following broad criteria for Officers, when making decisions on personal protective clothing and corporate attire:

- Compulsory wearing of the Corporate Uniform / PPE
- Uniform Colours
- Employee and other Allocations (ie. Volunteers, representatives, etc)
- Additions / Exemptions from wearing the Corporate Uniform for charity and other special occasions.

Council has indicated that it would prefer matters relating to corporate attire to be managed operationally. Accordingly, there is no longer a need for a Council adopted Uniform and PPE Policy. The Chief Executive Officer and Executive Team will manage corporate attire through the Uniform and PPE Corporate Standard.

Risk Management Summary:

Council has a 'Corporate Brand' which corporate attire contributes to. Devolving responsibility for managing the corporate attire aspect of Council's broader corporate brand is considered to be low risk given that there will be Chief Executive Officer and Executive Team oversight and guidance to the business via the Uniform and PPE Corporate Standard.

Options and Opportunity Analysis:

Option 1 – Adopt the Recommendation

This option will allow the business to manage uniform and PPE issues operationally without the need to commit Councillor time to what is largely an operational matter.

Option 2 – Retain a Uniform and PPE Policy

Should Council elect to maintain input into corporate attire, it could decide to retain a Uniform and PPE Policy and provide guidance on what strategic issues it would like to include in the Policy.

Stakeholder Engagement:

The Governance Team has conducted comprehensive consultation with the workforce and the Joint Consultative Committee to identify any concerns, or opportunities for improvement, in the provision of uniforms and PPE. Of the 140 submissions received the majority of feedback related to operational level issues such as the range of uniform and PPE items, fit, comfort, styles, colours, footwear, material types, etc which will be used to inform our upcoming tender process and in the review of the Corporate Standard. The Executive Team has collectively considered the feedback at its meeting on the 26 April 2023.

Legal and Regulatory Implications:

There is no legal requirement for Council to provide a corporate uniform or to have a Uniform and PPE Policy. Council is however, legally obligated to provide personal protective equipment (including clothing) when a risk assessment determines that it is needed to reduce the risks associated with certain types of work or tasks.

Financial and Resource Implications:

As there is no proposal to change the provision of and level of allocations of uniforms and PPE, there are no financial or resource implications in removing the Policy. Funding for corporate uniforms and PPE is included in the budget that Council adopts annually.

Anticipated Resolution Completion Date:

The policy will be repealed in conjunction with the release of the unconfirmed Council Meeting minutes.

Attachments:

1. Existing P-2019-20 Uniform and PPE Policy

G/4.2. REVIEW OF AMENITY AND AESTHETICS POLICY

Responsible Officer: General Manager Finance Governance and Risk

Prepared By: Governance Business Partner

Council Meeting Date: 6 June 2023

File Ref: CM28.2

Purpose:

This report recommends changes to Council's Amenity and Aesthetics Policy to take effect from 1 July 2023.

Officer's Recommendation:

That Council:

1. Repeal existing P-2018-02 Amenity and Aesthetics Policy; and
2. Adopt proposed P-2023-04 Amenity and Aesthetics Policy as presented in Attachment 3 to this report to take effect from 1 July 2023.

Summary:

Council's Amenity and Aesthetics Policy is overdue for its periodic review. It is recommended that Council consider the proposed changes to the Policy as shown in Attachment 2 to ensure that the Policy remains current and relevant.

Link to Corporate Plan:

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

Background:

Under the *Planning Regulation 2017*, Council acts as a Referral Agency for Building Works involving Class 1 (Dwellings) and Class 10a (Sheds, Carports, etc) structures where there may be an adverse impact on the amenity and aesthetics of a site, or where a proposed structure may be in conflict with the character of the locality.

Council has had a Policy in place since 2015 to provide guidance for those proposing Class 1 and Class 10a building work, on what Council will take into consideration when assessing potential adverse impacts on the amenity and aesthetics of an area.

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Development Services, based on their experience in administering this Policy and their exposure to the changing nature of building works and available products, have recommended some changes as summarised below:

- Rewording and ordering of triggers to provide clarity and consistency;
- Inclusion of trigger for new relocatable buildings being used as extensions to existing dwellings;
- Inclusion of the Planning Scheme Zone Code within the Assessment criteria; and
- Amendment to wording from 'shipping container/railway carriage' to 'relocatable storage structures' to capture the variety of structures this can include.

The Development Services Team have requested the changes to take effect from 1 July 2023 to allow time for the proposed amendments to be practically implemented in supporting information.

Risk Management Summary:

This policy is a risk mitigation measure for both Class 1 and Class 10a building proponents and Council to ensure that amenity and aesthetic considerations can be considered prior to an investment being made into a development that may be unlikely to meet amenity and aesthetic requirements.

Options and Opportunity Analysis:

Option 1: Officer Recommendation

This option will ensure that the Amenity and Aesthetics Policy remains current and relevant.

Option 2: Officer Recommendation with additional changes

This option provides the same opportunity as Option 1 but allows Council to make any additions or changes that it might consider necessary.

The resolution to give this option effect would be:

'That Council:

1. *Repeal existing P-2018-02 Amenity and Aesthetics Policy; and*
2. *Adopt proposed P-2023-04 Amenity and Aesthetics Policy as presented in Attachment 3 to this report, subject to the following amendments:*
 - a) *Insert amendment*
 - b) *Insert amendment...**to take effect from 1 July 2023.'*

Stakeholder Engagement:

The proposed changes have been recommended by Council's subject matter experts (SMEs) in the Development Services Team. Officers have also sought guidance from Councillors on any additional matters that may have needed to be considered during the review process. The Executive Team has also noted the proposed changes as part of Councillor Information Session and General Meeting Agenda considerations.

Legal and Regulatory Implications:

Schedule 9, Part 3, Division 2, Table 1, Item 1 of the *Planning Regulation 2017* allows local governments to require particular class 1 and 10a buildings and structures involving possible amenity and aesthetic impacts to be referred to Council for assessment. This Policy provides guidance on what matters Council may have regard to when assessing the amenity and aesthetic aspects of proposed building works under the Planning Regulation.

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Financial and Resource Implications:

There are no financial or resources implications in updating the Policy. There has been some commitment of internal resources from the Development Services and Governance Teams in conducting the Officer level review which was already budgeted for in the 2022/23 financial year.

Anticipated Resolution Completion Date:

1 July 2023

Attachments:

1. Existing P-2018-02 Amenity and Aesthetics Policy
2. Tracked Changes P-2018-02 Amenity and Aesthetics Policy
3. Proposed P-2023-04 Amenity and Aesthetics Policy

G/4.3. REVIEW OF RESIDENTIAL BOUNDARY RELAXATION POLICY

Responsible Officer: General Manager Finance Governance and Risk

Prepared By: Governance Business Partner

Council Meeting Date: 6 June 2023

File Ref: CM28.2

Purpose:

This report recommends changes to Council's Residential Boundary Relaxation Policy to take effect from 1 July 2023.

Officer's Recommendation:

That Council:

1. Repeal existing P-2018-01 Residential Boundary Relaxation Policy; and
2. Adopt proposed P-2023-05 Residential Boundary Relaxation Policy as presented in Attachment 3 to this report to take effect from 1 July 2023.

Summary:

Council's Residential Boundary Relaxation Policy is due for its periodic review. It is recommended that Council consider the proposed changes to the Policy as shown in Attachment 2 to ensure that the Policy remains current and relevant.

Link to Corporate Plan:

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

Background:

Under the Planning Regulation 2017 Council acts as a Referral Agency for Building Works involving Class 1 and 10 buildings where they may not comply with the Acceptable Solutions of the Queensland Development Code. In accordance with the National Construction Code, these structures are defined as:

- Class 1a: A single dwelling being a detached house, or one or more attached dwellings, each being a building, separated by a fire-resistant wall, including a row house, terrace house, town house or a villa unit
- Class 10a: A private garage, carport, shed or the like.

The purpose of this Policy is to provide building applicants with clear guidance on the assessment criteria for Alternative Solutions to meeting the building setback requirements. In 2018 Council resolved to adopt a Policy to provide the community with a more transparent and clear understanding of what criteria Council will consider in assessing applications for residential building boundary relaxations.

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Development Services based on their experience in administering the Policy have recommended the following changes to ensure that the Policy continues to provide the best outcomes for the community:

- Rewording and ordering of triggers to provide clarity and consistency;
- Inclusion of the Planning Scheme Zone Code and the fire separation requirements of the National Construction Code within the assessment criteria; and
- Inclusion of 'Unacceptable Structures' to provide clear parameters for the community prior to lodging applications that are unlikely to be supported.

The Development Services Team have requested the changes to take effect from 1 July 2023 to allow time for the proposed amendments to be practically implemented in supporting information.

Risk Management Summary:

This policy is a risk mitigation measure for both Class 1 and Class 10 building proponents and Council to ensure that boundary setback considerations can be considered prior to an investment being made into a development that may be unlikely to meet boundary relaxation requirements.

Options and Opportunity Analysis:

Option 1: Officer Recommendation

This option will ensure that the Residential Boundary Relaxation Policy remains current and relevant.

Option 2: Officer Recommendation with additional changes

This option provides the same opportunity as Option 1 but allows Council to make any additions or changes that it might consider necessary.

The resolution to give this option effect would be:

'That Council:

1. *Repeal existing P-2018-01 Residential Boundary Relaxation Policy; and*
2. *Adopt proposed P-2023-05 Residential Boundary Relaxation Policy as presented in Attachment 3 to this report, subject to the following amendments:*
 - a. *Insert amendment*
 - b. *Insert amendment...*
 - c.*to take effect from 1 July 2023.'*

Stakeholder Engagement:

The proposed changes have been recommended by Council's subject matter experts (SMEs) in the Development Services Team. Officers have also sought guidance from Councillors on any additional matters that may have needed consideration during the review process. The Executive Team has also noted the proposed changes as part of Councillor Information Session and General Meeting Agenda considerations.

Legal and Regulatory Implications:

Schedule 9, Part 3, Division 2, Table 3, Item 1 of the *Planning Regulation 2017* allows local governments to relax residential boundary clearances for class 1 and 10 buildings and structures. This Policy provides guidance on what matters Council may have regard to when assessing the residential boundary relaxations for proposed residential building works and associated structures under the Planning Regulation.

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Financial and Resource Implications:

There are no financial or resources implications in updating the Policy. There has been some commitment of internal resources from the Development Services and Governance Teams in conducting the Officer level review which was already budgeted for in the 2022/23 financial year.

Anticipated Resolution Completion Date:

1 July 2023

Attachments:

1. Existing P-2018-01 Residential Boundary Relaxation Policy
2. Tracked Changes P-2018-01 Residential Boundary Relaxation Policy
3. Proposed P-2023-05 Residential Boundary Relaxation Policy

G/4.4. SHOW HOLIDAY 2024

Responsible Officer: General Manager Finance Governance and Risk

Prepared By: Governance Business Partner

Council Meeting Date: 6 June 2023

File Ref: CM23.1

Purpose:

The purpose of this report is to nominate a preferred show holiday for the region in 2024.

Officer's Recommendation:

That Council nominate Monday 12 August 2024 as the Show Holiday for the Gladstone Regional Council local government area in 2024.

Summary:

Council may nominate an appropriate date as a Show Holiday in 2024 for Ministerial approval.

Link to Corporate Plan:

Connecting Communities - We work with you and for you, supporting the success of our communities.
Resilient Economy - We play our part in supporting the success of our region.

Background:

Correspondence has been received from the Office of Industrial Relations inviting nomination by Council of a special holiday/s to be observed for the 2024 calendar year. There are two (2) types of special holidays that can be nominated by Council:

1. Show Holiday – a special holiday that is a public holiday only if it is in respect of an agricultural, horticultural, or industrial show; or
2. Bank Holiday – a special holiday only for banks and insurance officers in accordance with the *Trading (Allowable Hours) Act 1990*.

Given a Bank Holiday is not a public holiday, this option has not been explored further.

In 2023, Council nominated Monday 14 August 2023 as the Show Holiday which aligns with the Queensland Royal Show (Ekka).

Risk Management Summary:

Council takes a cautious approach towards taking risk when it has potential reputational consequences. Options 1 and 3 seek to control the risk whilst Option 2 is likely to be misaligned with Council's risk appetite.

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Options and Opportunity Analysis:

There are three (3) options available to Council.

Option 1 – Nominate Monday 12 August 2024

The Queensland Royal Show is being held from Saturday 10 August 2024 to Sunday 18 August 2024. It is the officer's recommendation that Monday 12 August 2024 be nominated as the Show Holiday for the Gladstone Region in 2024.

Option 2 – No nomination of date

There is no requirement for Council to nominate a Show Holiday; however, it is anticipated this would not be a favourable option for the community.

Option 3 – Nominate another date

Council may nominate an alternative date that aligns with another agricultural, horticultural, or industrial show and meets the requirements of the *Holidays Act 1983*.

Stakeholder Engagement:

No consultation was undertaken in preparation for this report.

In 2018, a phone poll was conducted to obtain community feedback into the proposed show holiday. 75% of participants indicated that they would like a Show Holiday that aligns with a weekend.

Legal and Regulatory Implications:

Section 4 of the *Holidays Act 1983* outlines the requirements by the Minister for approval of a Special Holiday which includes the requirement that a Show Holiday must only be nominated for a date on which an agricultural, horticultural, or industrial show is being held.

Whilst there is no definition for such events (agricultural, horticultural, or industrial) within the *Holidays Act 1983*, general practice has been to align the nominated date with a declared agricultural show as published by the Queensland Chamber of Agricultural Shows (known as Queensland Ag Shows).

Local events such as the Harbour Festival do not meet the requirements for nomination as a Show Holiday.

Financial and Resource Implications:

Under the National Employment Standards, employees are to be without loss of ordinary pay and are entitled to be absent from work or refuse to work in reasonable circumstances on a public holiday. Further, employees who work on a public holiday are entitled to penalty rates in accordance with their award or agreement.

Anticipated Resolution Completion Date:

Within two (2) weeks of Council resolution.

Attachments:

Nil

G/5. COUNCILLORS REPORT

G/6. URGENT BUSINESS

G/7. NOTICE OF MOTION

G/8. CONFIDENTIAL ITEMS