



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING MINUTES

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

On 6 June 2023

Commencing at 9.00am

**Leisa Dowling
CHIEF EXECUTIVE OFFICER**

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GENERAL MEETING MINUTES 6 JUNE 2023

Elected Members

Councillor - Mayor M J Burnett
Councillor G G Churchill
Councillor K Goodluck
Councillor R A Hansen
Councillor D V O'Grady
Councillor C A Trevor
Councillor N Muszkat
Councillor C Cameron
Councillor D Branthwaite

Officers

Mrs L Dowling (Chief Executive Officer)
Mrs R Millett (Executive Secretary)
Mr M Holmes (General Manager Finance Governance and Risk)
Ms C Quinn (General Manager Strategy and Transformation)
Mr M Francis (General Manager Strategic Asset Performance)
Mr J Tumbers (General Manager Operations)
Mr R Huth (General Manager Customer Experience)
Ms V Hankinson (Governance Business Partner)
Ms T McDonald (Manager Development Services, Acting)

G/0.3.2. APOLOGIES AND LEAVE OF ABSENCE

Nil

G/0.3.3. MESSAGES OF CONDOLENCE

Nil

G/0.3.4. DECLARATION OF INTERESTS

Nil

G/1. MAYORAL STATEMENT OF CURRENT ISSUES

Firstly, I would like to say thank you to our volunteers around the Gladstone Region, we have recently been celebrating Volunteers Week and saying thank you to all our volunteers across the region. Not just those that volunteer at Council facilities, like the art gallery, library, botanic gardens and entertainment centre, it's our volunteers right across the region, whether they are in a sporting club, community group, SES or any volunteer organisation. We have had the opportunity to say thank you and I thank Councillors for attending those events right across the region. Without our volunteers, our community wouldn't be as awesome as it is.

Also, recently we held the Santos GLNG Mayor's Charity Ball at the Gladstone Entertainment Convention Centre. The fundraising total is still being tallied from that weekend, but I can assure you that our three local beneficiaries will be looking forward to the funds that have been raised. The three beneficiaries are the Zonta Club of Gladstone, the Gladstone Animal Rescue Group and the Quoin Island Turtle Rehabilitation Centre who will no doubt be excited when we announce the total figure raised.

Recently we also welcomed The Smith Family to the Philip Street Communities and Families Precinct. The Smith Family have been operating in the Gladstone region for about 5 years and they have now setup in our Philip Street Communities and Families Precinct, which is the appropriate place for them to be located and to continue the good work that they are doing with our local families and local schools across the region, particularly in their Learning for Life program. They are doing great work and working with approximately 600 children across the Gladstone region to make sure that they have everything they need for their schooling. They are a fantastic organisation and I thank The Smith Family for setting up in our Philip Street Communities and Families Precinct.

Eco Fest was on the weekend which is part of World Environment Day and thank you Councillors who were able to attend, Councillor Desley O'Grady and Councillor Glenn Churchill for representing me on the day as I unfortunately couldn't be there. It is always a fantastic event at the Gladstone Tondoon Botanic Gardens and thank you to everyone involved.

The National General Assembly of Local Government is coming up next week in Canberra. It is where all 537 councils across the country come together and unite and discuss issues that are relevant to local councils right across the country and put those issues that are affecting local councils to the Federal Government. Following that will also be the Australian Councils of Local Government which has been organised by the Federal Government.

Tannum Sands High School will be celebrating their 25th Anniversary. On Friday 16 June 2023 there is a special assembly and on Saturday 17 June 2023 there are official celebrations. Congratulations to the team at Tannum Sands High School on 25 years, a huge celebration. I'm sure all past students from Tannum Sands High School will be looking forward to coming back and enjoying a weekend of celebrations.

The Queensland Country Women's Association (QCWA) 100 year celebration for the Gladstone Port Curtis division is on Monday 19 June 2023. I know a number of QCWA's across the region have been celebrating their 100th anniversary over the past few months and it is now time for the Gladstone Port Curtis branch to have their celebration.

The Sport and Active Living Expo is coming up at the Philip Street Communities and Families Precinct this weekend, Sunday 11 June 2023. This is for sporting clubs and organisations, fitness and wellbeing businesses to showcase what they offer in the Gladstone region. Should be a fantastic event. Later on in that afternoon we have An Unlikely Conversation with rugby league legend, Darius Boyd, speaking about men's health awareness. I encourage everyone to get along and enjoy the Sport and Active Living Expo.

GENERAL MEETING MINUTES 6 JUNE 2023

Recently we held the First Nations Chamber of Commerce and Industry Summit 2023 at the Gladstone Entertainment Convention Centre. Well done to Matthew Cooke and Joshua Hollingsworth for organising that event. It was a huge event and fantastic to see our new industries and existing industries supporting our First Nations People and making sure that as the wealth is created across our region, everyone in our local community is included, in particular our First Nations people in the Gladstone region.

Now for an exciting part, our Economic Transition Road Map Award. For those who don't know, we have the Gladstone Region Economic Transition Road Map 2022 - 2032 which is something we launched on 15 November 2022 and it is about setting our community up for the next 10 years to make sure we are well placed to deal with the change in our economy, the transition in terms of renewable energies and supporting our existing industries and new industries.

It is about making sure we have learnt from the lessons of the past. We appreciate the local industries in our region including the LNG industries, but we all know the pain that our community went through during that massive boom and that bust that followed and this road map is something that Council has put together, in partnership with the Next Economy, to make sure our Gladstone region is appropriately ready and prepared for the transition that is yet to come and in the middle of.

We have received an award for the Economic Transition Road Map and been recognised by the Local Government Managers Australia Queensland for Excellence in Collaboration.

This is all about collaborating with our existing industries and new industries, local council and other levels of government and our community. Congratulations to Garry Scanlan, Economic Development Specialist, and the working group team, they have done an amazing job in putting that together in collaboration with our community.

Make no mistake, our community is going through a transition, the country is going through a transition and we started these conversations at a time when no one wanted to discuss renewable energies, no one wanted to talk about solar farms, wind farms and hydrogen, but our Council had the foresight to be able to have that conversation with our community, have that conversation with our local industries, be prepared and get a document ready and in place to set us up for the future. I can tell you that other local councils across the country, and the state, are very envious of the road map and some are looking at copying it as well, and we welcome the opportunity for them to do that.

It is about our community being prepared for what is to come. I am very excited that it has received awards and very happy that Garry's hard work, the working groups hard work and the work of the Next Economy has been rewarded with an award from the Local Government Managers Australia Queensland.

G/3. DEPUTATIONS

Nil

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.

GM/23/5005 Council Resolution:

Moved Cr Muszkat
Seconded Cr Hansen

That the Officer's Recommendation be adopted.

CARRIED

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 Addendum 1 to take effect from 1 July 2023.

GM/23/5006 Council Resolution:

Moved Cr Hansen

Seconded Cr Branthwaite

That the Officer's Recommendation be adopted.

CARRIED

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 Addendum 2 to take effect from 1 July 2023.

GM/23/5007 Council Resolution:

Moved Cr Cameron

Seconded Cr Churchill

That the Officer's Recommendation be adopted.

CARRIED

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.

GM/23/5008 Council Resolution:

Moved Cr Goodluck
Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

CARRIED

G/5. COUNCILLORS REPORT

Councillor Rick Hansen mentioned that accommodation was scarce over the weekend with a lot of events on including Beach Arts Music, Benaraby Drags 4wd (biggest event of the year for the drags), a regional netball carnival, a regional central districts carnival for basketball in under 14s, Eco Fest on Sunday, Gladstone Tennis Open, Andersons Auto 70th Birthday and Gladstone Entertainment Convention Centre had a big event as well with 450 competitors. Cr Hansen mentioned that our volunteers would've been running thing and passed on congratulations to all of the volunteers involved in the weekend. Cr Hansen noted that it was a great weekend in Gladstone.

Mayor Burnett mentioned the Andersons Auto 70th Birthday celebration and congratulated Les and Brad and the Anderson family for 70 years operating in our local community.

Councillor Natalia Muszkat noted there is always something on in Gladstone. Cr Muszkat mentioned that the new Winter Events booklet is out and recommended everyone to pick up a copy.

Cr Muszkat congratulated Gladstone Area Promotion and Development Ltd (GAPDL) Communities for Children and artist Nikki Johnson from The Gooreng Gooreng People for the publishing of the book, The Blue Tiger. Cr Muszkat noted that the book was launched a couple of weeks ago and will be available in all of Council's libraries and some schools around the region. Cr Muszkat mentioned that the book has a lot of educational content and information regarding the Gooreng Gooreng Peoples culture and traditions.

Councillor Glenn Churchill mentioned that a meeting was held recently with the National Emergency Management Agency (NEMA) members Noni Ryan, Recovery Support Officer Central Queensland and Heidi Carolan, Digital Content Producer, who came up from Canberra. Cr Churchill noted that the meeting was held to discuss how Council is progressing with the funding that was received under the Black Summer Bushfire Recovery Grants program, over \$2m, with the three projects being the First Nations Fire Officer; Local Disaster Management Coordination Centre upgrade; and Miriam Vale Community Centre Upgrade. Cr Churchill noted that the NEMA members were able to attend a culture burn lead by Michael Willmot, Council's First Nations Fire Officer. Cr Churchill mentioned that it was an opportunity to provide an insight into what Council is doing, that Council is being efficient with the funding and being effective to be able to create the model which is a first for Queensland. Cr Churchill noted that two officers from NEMA will be attending the Mount Larcom show to discuss with the show society the funding that they were successful in receiving for the Community Disaster Recover Hub and Animal Refuge. Mark Holmes, General Manager Finance, Governance and Risk noted that the cultural burn initiative is a Queensland first and there are only a handful around the nation and that NEMA were looking at how they can support that activity more broadly. Mr Holmes noted that Council is seeing the benefit from embracing the practices and looking at how Council engages with the Queensland Fire Emergency Services and merging the practices.

Councillor Desley O'Grady mentioned that the Gladstone Port Curtis Division of Queensland Country Women's Association (QCWA) has a 'Sit Less Move More' walk on Sunday 11 June 2023 at the Millennium Esplanade with a 2km, 5km, 7km and 12km walk. Cr O'Grady noted that the registrations have closed, however encouraged anyone interested to contact the Gladstone Port Curtis Division QCWA regarding attending.

Cr O'Grady mentioned that the Mount Larcom Show Ball is coming up, on Saturday 17 June 2023 and that the event starts at 7pm with the cost being \$10. Cr O'Grady noted that the event is family friendly and that winners from the ball will be attending the Mount Larcom Show, which is on Saturday 24 May and Sunday 25 May 2023, wearing their sashes and being a part of the grand parade.

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Councillor Kahn Goodluck mentioned that he attended the opening of Powerlink's Interim Facility. Cr Goodluck noted that Powerlink is the state entity that controls all the poles, wires and transmission infrastructure across Queensland and have traditionally only had a presence in Brisbane but have opened a facility in Gladstone. Cr Goodluck mentioned that Powerlink are looking to build a state of the art facility in Gladstone which will be the Powerlink Supergrid Transmission and Training Hub. Cr Goodluck noted that the facility will provide training opportunities to all the various trades, engineering and information technology and all the associated professions that are needed for transmissions infrastructure. Cr Goodluck welcomed Powerlink to the region and acknowledged the opportunities that this will provide to our community and assist in the transition that is being experienced.

Mayor Burnett mentioned that it is the middle of Pride Week, which began on Friday 2 June 2023 at Gladstone Cinemas with a movie night as part of the Rainbow on the Reef Pride Festival. Mayor Burnett noted that the Festival continues with events throughout the week before wrapping up on Saturday 10 June 2023 with the Fair Day at the Marina Parklands.

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.

GM/23/5009 Council Resolution:

Moved Cr Churchill

Seconded Cr Cameron

That the minutes for the General Meeting of 16 May 2023, be amended at Agenda Item G4.6 COMMUNITY INVESTMENT PROGRAM - FUNDING APPLICATIONS, to include a clarification that Gladstone Area Promotion Development Ltd (GAPDL) is utilising Council funding for its intended purpose.

CARRIED

G/6. URGENT BUSINESS

Nil

G/7. NOTICE OF MOTION

Nil

G/8. CONFIDENTIAL ITEMS

Nil

There being no further business the Mayor formally closed the meeting.

THE MEETING CLOSED AT 9:30AM.

ATTACHMENTS
Addendum 1

Gladstone Regional Council
Council Policy

Title	AMENITY AND AESTHETICS POLICY
Policy Number	P-2023-04
Business Unit/s	CUSTOMER EXPERIENCE
Date of Adoption	
Resolution Number	
Review Date	
Date Repealed	

1.0 PURPOSE:

To set out the guidelines to be applied by Council in assessing Applications for Amenity and Aesthetics made for certain types of Building Works proposed within the Gladstone Regional Council Local Government Area. For the purpose of assessment, Gladstone Regional Council has the role of a Concurrence Agency under the *Planning Act 2016* and *Planning Regulation 2017*.

2.0 SCOPE:

This Policy applies only to Building Works for which Council has resolved under Schedule 9, Part 3, Division 2, Table 1, Item 1 of the *Planning Regulation 2017* being:

- a) a single detached Class 1(a)(i) building, Class 1(a)(ii) building made up of not more than 2 attached Dwellings or a Class 10 building or structure; and
- b) in a locality, and of a form, of which the Local Government has, by resolution or in its Planning Scheme, declared that the form may:
 - i. have an extremely Adverse effect on the Amenity, or likely Amenity, of the locality; or
 - ii. be in extreme conflict with the character of the locality.

For the purposes of enforcing this Policy, localities are defined as the zones contained within the Our Place Our Plan Gladstone Regional Council Planning Scheme. The localities applicable to this Policy are outlined within Table 1 below:

Table 1: Localities
Low Density Residential Zone
Low-Medium Density Residential Zone
Medium Density Residential Zone
Character Residential Zone
Limited Development Zone
Rural Residential Zone
Township Zone
Centre Zone



Table 1: Localities
Principal Centre Zone
Neighbourhood Centre Zone

For matters relating to the Our Place Our Plan Gladstone Regional Council Planning Scheme see Council's Resolution Number G/15/2593 dated 6 October 2015 and G/17/3082 dated 20 June 2017.

3.0 RELATED LEGISLATION:

- *Planning Act 2016*
- *Planning Regulation 2017*
- *Building Act 1975*
- *Building Regulation 2021*

4.0 RELATED DOCUMENTS:

- Our Place Our Plan Gladstone Regional Council Planning Scheme
- Development Services Request - Amenity & Aesthetics

5.0 DEFINITIONS:

To assist in the interpretation of this Policy the following definitions apply:

Adverse means preventing success or development; harmful; unfavourable

Aesthetics means a set of principles concerned with the nature and appreciation of beauty

Amenity means a desirable or useful feature or facility, pleasantness or attractiveness of a building or place

Building Height has the same meaning as the Our Place Our Plan Gladstone Regional Council Planning Scheme

Building Work has the same meaning as the *Planning Act 2016* and the *Building Act 1975*

New Relocatable Building means a new structure not previously established on another lot either outside or within the Gladstone Regional Council Local Government Area

All other terms in this Policy have the meaning assigned to them under the *Planning Act 2016*, *Planning Regulation 2017*, *Building Act 1975* and the Our Place Our Plan Gladstone Regional Council Planning Scheme.

6.0 POLICY STATEMENT:

6.1 APPLICATION REQUIRED TO BE MADE

In accordance with Schedule 9, Part 3, Division 2, Table 1, Item 1 of the *Planning Regulation 2017*, certain types of Building Works within the Gladstone Regional Council Local Government Area will

require an application for Amenity and Aesthetics to be lodged and assessed by Council. These types of Building Works include:

- a) Construction of any Class 10a building on vacant land
- b) Construction of any Class 10a building more than 8.5m in height
- c) The relocation of any Class 1 or Class 10a building from an area outside or within the Gladstone Regional Council Local Government Area to another area within the Gladstone Regional Council Local Government Area. NB. This does not apply to New Relocatable Buildings
- d) Location of any Class 1 or Class 10a New Relocatable Building as an extension to an existing structure
- e) Construction of or extension to any Class 1a or 10a which results in 50% or more total site cover.

6.1.1 Form of Application

All applications for Amenity and Aesthetics will be required to be lodged with Council prior to the Building Work being undertaken by completion of the Request - Amenity & Aesthetics Form and payment of the application fee.

6.1.2 Applicable Application Fee

The application fee for this assessment will be set by Council as part of its determination of fees and charges.

6.2 MATTERS COUNCIL MAY HAVE REGARD TO DURING ASSESSMENT

Council may have regard to the following matters in making its Amenity and Aesthetics assessment:

- a) Current approved use of the site
- b) All existing structures on the site and their total site cover and siting
- c) Any Adverse Amenity impacts created as a result of the proposal on the established built form and character, including adjoining neighbours and public places
- d) All existing structures and the established built form immediately visible from the site including building line setbacks. Consideration will not be given to existing structures located outside of the immediate visible streetscape
- e) Where proposing to locate a Class 10a building on vacant land:
 - The proposal does not include any plumbing fixtures which would allow the structure to be used as a habitable and/or pseudo habitable building
 - The proposal does not jeopardise the ability to locate a future Class 1a building on the site; and



- o The proposal is located to the rear of the site and/or any future Class 1a building would be able to be located forward of the Class 10a building. The structure is to meet the requirements in the following table:

Lot Area	Class 10 Building(s) with Combined floor area more than:
Less than 450m ²	Development does not exceed 54m ² where on a vacant site
Between 450m ² - 2,000m ²	Development does not exceed 72m ² where on a vacant site
Between 2,000m ² - 40,000m ²	Development does not exceed 150m ² where on a vacant site

- f) The dimensions of the land on which the building is proposed and whether the site is a corner site
- g) The nature of the proposal including its height, design, building materials and colours being complimentary to the existing built form
- h) Whether existing or proposed landscaping treatments may be required to soften and/or screen any Amenity impacts created as a result of the proposal
- i) The differences in contours of the land on which the building is proposed compared with the contours of adjoining land
- j) Any underground Council controlled reticulated services and/or easements located within the site
- k) Whether adjoining landowners have consented to the proposal
- l) Built form and Amenity requirements in the relevant Planning Scheme Zone Code
- m) Where proposing to locate any Class 10a relocatable storage structure (including a Shipping Container, railway carriage), development complies with the Acceptable Outcome or Performance Outcomes of Table 3 below:

Low Density Residential Zone, Low-Medium Density Residential Zone, Medium Density Residential Zone, Character Residential Zone and Township Zone	
Performance Outcomes	Acceptable Outcomes
Design and Siting	
PO1 The design, siting and materials of the Relocatable Storage Structure are consistent with the Amenity of the surrounding neighbourhood and the overall outcomes of the zone as contained within the Our Place Our Plan Gladstone Regional Planning Scheme.	AO 1.1 Relocatable Storage Structures are to be placed behind the Dwelling House and shall not be visible from the principal street frontage. AO 1.2 Relocatable Storage Structures are to be screened by landscaping or a suitable screening structure to minimise the visual impact from the street and adjoining sites.



Table 3 - Zone Specific Assessment Criteria	
	<p>AO 1.3 A maximum of one Relocatable Storage Structure may be established on a lot.</p> <p>AO 1.4 Relocatable Storage Structures are to be of a consistent colour scheme to the Dwelling House to minimize the visual dominance of the structure on the site, from adjoining sites and from the street.</p> <p>AO 1.5 Relocatable Storage Structures are to comply with the relevant setback provisions outlined in the Queensland Development Code and the National Construction Code of Australia.</p>
Limited Development Zone and Rural Residential Zone	
Performance Criteria	Acceptable Solutions
Design and Siting	
<p>PO1 The design, siting and materials of the Relocatable Storage Structure are consistent with the Amenity of the surrounding neighbourhood and the overall outcomes of the zone as contained within the Our Place Our Plan Gladstone Regional Planning Scheme.</p>	<p>AO 1.1 Relocatable Storage Structures shall not be visible from the principal street frontage.</p> <p>AO 1.2 Relocatable Storage Structures are to be screened by landscaping or a suitable screening structure to minimise its visual impact from the street and adjoining sites.</p> <p>AO 1.3 Relocatable Storage Structures are to be of a consistent colour scheme to the Dwelling House to minimize the visual dominance of the structure on the site, from adjoining sites and from the street.</p> <p>AO 1.4 Relocatable Storage Structures are to comply with the relevant setback provisions outlined in the Queensland Development Code and the National Construction Code of Australia.</p>
Centre Zone; Principal Centre Zone; Neighbourhood Centre Zone	
Performance Outcomes	Acceptable Outcomes
Design and Siting	
<p>PO1 The design, siting and materials of the Relocatable Storage Structure are consistent with the Amenity of the surrounding neighbourhood and the overall outcomes of the zone as contained within the Our Place Our Plan Gladstone Regional Planning Scheme.</p>	<p>AO 1.1 Relocatable Storage Structures are to be placed behind the main building façade and shall not be visible from the principal street frontage.</p> <p>AO 1.2 Relocatable Storage Structures are to be screened by landscaping or a suitable screening structure to minimise the visual impact from the street and adjoining sites.</p> <p>AO 1.3 A maximum of one Relocatable Storage Structure may be established on a lot.</p> <p>AO 1.4 Relocatable Storage Structures are to comply with</p>



Table 3 - Zone Specific Assessment Criteria	
	the relevant setback provisions outlined in the Queensland Development Code and the National Construction Code of Australia.

n) Any other factors which Council may consider relevant given the nature of the proposal.

7.0 ATTACHMENTS:
Nil

8.0 REVIEW MECHANISM:

This Policy will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or by the CEO; or
3. Five (5) years from date of adoption.

TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	5 May 2015	G/15/2410	
Amendment 1	6 October 2015	G/15/2593	
Amendment 2	20 March 2018	G/18/3351	Change summary:- <ul style="list-style-type: none"> • meet new statutory obligations as a result of the Planning Act 2016; • to mitigate risk of challenges to Building and Development Dispute Resolution Committee; and • to clarify assessment criteria which are capturing unintended assessments and associated costs to applicants.
Amendment 3	6 June 2023		Change summary: <ul style="list-style-type: none"> • 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.

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LEISA DOWLING
CHIEF EXECUTIVE OFFICER

Addendum 2

Gladstone Regional Council

Council Policy

Title	RESIDENTIAL BOUNDARY RELAXATION POLICY
Policy Number	P-2023-05
Business Unit/s	CUSTOMER EXPERIENCE
Date of Adoption	
Resolution Number	
Review Date	
Date Repealed	

1.0 PURPOSE:

To set out the guidelines to be applied by Council in assessing applications for Residential Building Relaxations made for certain types of Building Works proposed within the Gladstone Regional Council Local Government Area. For the purpose of assessment, Gladstone Regional Council has the role of a Concurrence Agency under the *Planning Act 2016* and *Planning Regulation 2017*.

2.0 SCOPE:

This Policy applies only to Building Works triggered under Schedule 9, Part 3, Division 2, Table 3, Item 1 of the *Planning Regulation 2017* being:

- a) The Queensland Development Code Part 1.1, 1.2 or 1.3 applies to the Building Work and, under the Part, the proposed building or structure does not include an Acceptable Solution for a relevant Performance Criteria under the Part; or
- b) Under the *Building Act 1975*, section 33, an alternative provision applies for the Building Work and, under the provision, the proposed building or structure is not of the quantifiable standard for a relevant qualitative statement under the provision; or
- c) All of the following apply—
 - i. Under the *Building Regulation 2021*, sections 4 and 5, the Planning Scheme includes a provision about a matter provided for under Performance Criteria P4, P5, P7, P8 or P9 of the Queensland Development Code, Parts 1.1 or 1.2
 - ii. The provision applies for Building Work
 - iii. Under the provision, the proposed building or structure is not of the quantifiable standard for a relevant qualitative statement under the provision.

3.0 RELATED LEGISLATION:

- *Building Act 1975*
- *Building Regulation 2021*
- *Planning Act 2016*
- *Planning Regulation 2017*



4.0 RELATED DOCUMENTS:

- Development Services Request Form - Residential Boundary Relaxation
- National Construction Code
- Our Place Our Plan Gladstone Regional Council Planning Scheme
- Queensland Development Code MP 1.1, 1.2 and 1.3

5.0 DEFINITIONS:

To assist in the interpretation of this Policy the following definitions apply:

Amenity means a desirable or useful feature or facility, pleasantness or attractiveness of a building or place

Building Height has the same meaning as defined in the Queensland Development Code MP 1.1, 1.2 and 1.3

Building Work has the same meaning as the *Planning Act 2016* and the *Building Act 1975*

All other terms in this Policy have the meaning assigned to them under the *Planning Act 2016*, *Planning Regulation 2017*, *Building Act 1975*, the Our Place Our Gladstone Regional Council Planning Scheme and the Queensland Development Code MP 1.1, 1.2 and 1.3.

6.0 POLICY STATEMENT:

6.1 APPLICATION REQUIRED TO BE MADE

In accordance with Schedule 9, Part 3, Division 2, Table 3, Item 1 of the *Planning Regulation 2017*, certain types of Building Works within the Gladstone Regional Council Local Government Area will require an application for a Residential Boundary Relaxation to be lodged and assessed by Council. These types of Building Works include:

- a) Construction of any Class 10 or Class 1 building or structure located within six (6) metres of the front property boundary and/or a Council controlled road
- b) Construction of any Class 10a building, or combination of 10a buildings, within 1.5m of any side or rear boundary and having a wall length, or combined wall length, exceeding nine (9) metres
- c) Construction of any Class 1a single storey building, or Class 10a where used for patio/deck/entertainment, located within 1.5 metres to the side or rear of a property boundary
- d) Construction of any Class 1a building where located in any of the following setbacks:
 - Within 1.5m of the side or rear of a property boundary where 4.5m or less in height
 - Within 2m of the side or rear of a property boundary where greater than 4.5m but less than 7.5m in height
 - Within 2m, plus 0.5m for each 3m or part thereof, of the side or rear of a property boundary where greater than 7.5m in height

- e) Construction of any Class 10a building exceeding a mean Building Height of 3.5 metres or a total height of 4.5 metres located within 1.5 metres of the side or rear of a property boundary
- f) Construction of any Class 10b structure or a combination of structures which exceed two (2) metres in Building Height and located within six (6) metres of the front property boundary and/or a Council controlled road
- g) Construction of any Class 10b structure or a combination of structures which exceed two (2) metres in height and located within 1.5 metres of the side or rear of a property boundary.

6.1.1 Form of Application

All applications for a Residential Building Relaxation will be required to be lodged with Council prior to the Building Work being undertaken by completion of the Development Services Request - Residential Boundary Relaxation Form and payment of the application fee.

6.1.2 Applicable Application Fee

The application fee for this assessment will be set by Council as part of its determination of fees and charges.

6.2 MATTERS COUNCIL MAY HAVE REGARD TO DURING ASSESSMENT

Council may have regard to the following matters in making its Residential Building Relaxation assessment:

- a) Current approved use of the site
- b) Any adverse Amenity impacts created as a result of the proposal on the established built form and character including adjoining neighbours or public places
- c) Any underground Council controlled infrastructure and/or easements located within the site
- d) All existing structures and the established built form immediately visible from the site including building line setbacks. Note that consideration will not be given to existing structures located outside of the immediate visible streetscape
- e) The differences in contours of the land on which the building is proposed compared with the contours of adjoining land and road frontage
- f) The dimensions of the land on which the building is proposed and whether the site is a corner site
- g) Whether adjoining landowners have consented to the proposal
- h) The fire separation and safety requirements within the National Construction Code
- i) Built form and Amenity requirements in the relevant Planning Scheme Zone Code; and

- j) Any other factors which Council may consider relevant given the nature of the proposal.

6.3 UNACCEPTABLE STRUCTURES

Council will generally not accept the following types of structures:

- a) Enclosed 10a structures in the front six (6) metres of the property boundary
- b) Structures that would result in a total cumulative site cover exceeding 50% in residential zones.

7.0 ATTACHMENTS:

Nil

8.0 REVIEW MECHANISM:

This Policy will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or the CEO; or
3. Five (5) years from date of adoption.

TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	20 March 2018	G/18/3350	Introduced to: <ul style="list-style-type: none"> • to meet statutory obligations as a result of the introduction of <i>the Planning Act 2016</i> • to mitigate risk of challenge to the Building and Development Dispute Resolution Committee; and • to clarify assessment criteria specific to Boundary Relation matters.
Amendment 1	6 June 2023		Change summary: <ul style="list-style-type: none"> • 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.

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LEISA DOWLING
CHIEF EXECUTIVE OFFICER