



SOUTHERN DOWNS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

Dear Councillors

Your attendance is hereby requested at the General Meeting of Council to be held in the Council Chambers, Southern Downs Regional Council, 64 Fitzroy Street, Warwick on **Wednesday, 17 December 2014 at 9.00AM.**

Notice is hereby given of the business to be transacted at the meeting.

David Tuxford

ACTING CHIEF EXECUTIVE OFFICER

11 December 2014

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1. ATTENDANCE
2. APOLOGIES
3. CONDOLENCES
4. READING AND CONFIRMATION OF MINUTES
5. DECLARATIONS OF CONFLICTS OF INTEREST

6. READING AND CONSIDERATION OF CORRESPONDENCE

6.1 Correspondence

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Acting Chief Executive Officer	File Ref: N/A

Recommendation

THAT the report of the Chief Executive Officer in relation to Correspondence be received.

Report

1. **Department of Justice and Attorney-General** re notification of the appointment of the 2015 special holidays.

Action: Noted.

Attachments

1. Letter from Department of Justice [View](#)



Department of
Justice and Attorney-General

21 November 2014

Mr Andrew Roach
Chief Executive Officer
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

SOUTHERN DOWNS REGIONAL COUNCIL WARWICK BRANCH	
RECEIVED	
26 NOV 2014	
Action Officer	File
Task	
Dist	
Fwd	

Dear Mr Roach

I refer to your letter of 4 August 2014 nominating special holidays for 2015.

Pursuant to Section 4 of the *Holidays Act 1983*, the Attorney-General and Minister for Justice has appointed:

- Friday, 30 January 2015 a holiday for the Southern Downs Region - the area of the former Stanthorpe Shire and the area of the village of Dalveen for the purpose of the Stanthorpe Annual Show; and
- Friday, 6 February 2015 a holiday for the Southern Downs Region - the area of the former Warwick Shire - Division 1 for the purpose of the Allora Annual Show; and
- Friday, 20 February 2015 a holiday for the Southern Downs Region - the area of the former Warwick Shire - Division 3 (excluding the urban area of Warwick City and the locality of Murray's Bridge) for the purpose of the Killarney Annual Show; and
- Friday, 27 March 2015 a holiday for the Southern Downs Region - the area of the former Warwick Shire - Divisions 2, 5 & 6, Division 3 (being the urban area of Warwick City and the locality of Murray's Bridge), Division 4 (excluding the village of Dalveen) for the purpose of the Warwick Annual Show.

Notification of the appointment of the 2015 special holidays was published in the Government Gazette on 21 November 2014. A copy is attached for your information.

Should you require further information, please contact Ms Alissa Adriaansen, Executive Officer on telephone (07) 3225 2069.

Yours sincerely

A J (Tony) James
Executive Director
Private Sector Industrial Relations
Office of Fair and Safe Work Queensland



Southern Downs Regional Council



"DOC0173971"

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50 Ann Street Brisbane
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Queensland 4001 Australia
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ABN 13 846 673 994

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QUEENSLAND GOVERNMENT GAZETTE No. 62

[21 November 2014]

Column 1	Column 2	Column 3	Column 1	Column 2	Column 3
Date of Holiday 2015	District	Name of Show	Date of Holiday 2015	District	Name of Show
29 May	Shire of Flinders	Hughenden Show	19 March	Toowoomba Region - Toowoomba Regional Council area excluding the Yarraman, Upper Yarraman & Cooyar areas	Toowoomba Royal Show
1 July	Shire of Hinchinbrook	Ingham Annual Show	10 August	Toowoomba Region - that part of the Toowoomba Regional Council area covered by Yarraman, Upper Yarraman & Cooyar	Royal Queensland Show
17 July	Shire of Hope Vale	Cairns Annual Show	10 April	Western Downs Region - Dalby	Dalby & District Annual Show
17 July	Shire of Lockhart River	Cairns Annual Show	21 April	Western Downs Region - Wandoan	Wandoan District Annual Show
19 June	Shire of Mornington	Mount Isa Annual Show	19 May	Western Downs Region - Miles	Miles & District Show
15 May	Shire of Murweh	Charleville & District Annual Show	22 May	Western Downs Region - Chinchilla	Chinchilla Annual Show
17 July	Shire of Napranang	Cairns Annual Show	10 August	Western Downs Region - Tara	Royal Queensland Show
11 September	Shire of Noosa	Noosa Country Show	19 June	Whitsunday Region - the area formerly known as Shire of Whitsunday	Whitsunday Show
22 May	Shire of Paroo	Cunnamulla Show	23 June	Whitsunday Region - the area formerly known as Divisions 1 & 2 of the Shire of Bowen and that part of Division 3 North of the Bogie River from its confluence with the Burdekin River to its source and then Easterly by the Clarke Range to the Eastern boundary of the Shire	Bowen Annual Show
12 June	Shire of Richmond	Richmond Annual Field Day	3 November	Whitsunday Region - that area formerly known as that part of Div 3 of the Shire of Bowen South of the Bogie River from its confluence with the Burdekin River to its source and then Easterly by the Clarke Range to the Eastern boundary of the Shire	Collinsville Annual Show
18 September	Shire of Torres	Torres Strait Multicultural Show	17 July	Wujal Wujal Community	Cairns Annual Show
12 June	Shire of Woorabinda	Rockhampton Annual Show			JARROD BLEUIE
10 August	Somerset Region	Royal Queensland Show			
10 August	South Burnett Region	Royal Queensland Show			
30 January	Southern Downs Region - the area of the former Stanthorpe Shire and the area of the village of Dalveen	Stanthorpe Annual Show			
6 February	Southern Downs Region - the area of the former Warwick Shire - Division 1	Allora Annual Show			
20 February	Southern Downs Region - the area of the former Warwick Shire - Division 3 (excluding the urban area of Warwick City and the locality of Murray's Bridge)	Killarney Annual Show			
27 March	Southern Downs Region - the area of the former Warwick Shire - Divisions 2, 5 & 6, Division 3 (being the urban area of Warwick City and the locality of Murray's Bridge), Division 4 (excluding the village of Dalveen)	Warwick Annual Show			
29 May	Sunshine Coast Region - the area of the former Caloundra City Council	Maleny Annual Show			
12 June	Sunshine Coast Region - the area of the former Maroochy Shire	Sunshine Coast Annual Show			
8 July	Tablelands Region	Atherton Annual Show			


7. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

8. BUSINESS & COMMUNITY SERVICES DEPARTMENT REPORTS

8.1 BCS - Financial Report as at 30 November 2014

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Manager Finance Accountant	File Ref: 12.13

Recommendation

THAT Council receive and note the Financial Report as at 30 November 2014.

Report

A review of Council's operating performance against forecast as at 30 November 2014 shows that the net operating position is \$600k below the estimated position for the financial year to date.

Income Statement

As at 30 November 2014, total operating revenue of \$51.7m is in line with the expected year to date estimate of \$51.8m. Capital revenue of \$1.5m is about \$72k below the year to date estimate.

Overall operating expenditure of \$27m is \$500k ahead of the year to date estimate with employee costs being around 2% (\$200k) under budget and materials and services being around 8% (\$700k) over the year to date estimate.

Capital Works in Progress

Capital works expenditure to 30 November 2014 is \$4.9m which is 29.7% of the capital works budget of \$16.6m.

Year to date capital expenditure by area is as follows:

	Approved Annual Budget	Carryover & Amendments	Total Budget	YTD Expenditure	% Spent
Land & Land Improvements	-	110,000	110,000	24,085	21.9%
Buildings	193,000	16,491	209,491	142,769	68.2%
Plant & Equipment	4,400,000	(326,328)	4,073,672	229,224	5.6%
Roads, Drains & Bridges	6,845,000	373,623	7,218,623	2,648,181	36.7%
Water	2,610,000	64,555	2,674,555	1,048,259	39.2%
Wastewater	240,000	(37,000)	203,000	68,017	33.5%
Other Assets	1,450,000	689,465	2,139,465	776,633	36.3%
Total	15,738,000	890,806	16,628,806	4,937,168	29.7%

Budget Implications

The 2014-15 budget has been amended in line with the quarterly financial review to 30 September 2014 as reported and approved at the October General Council Meeting. The net effect on the budget is to increase the budgeted surplus from \$2.096m to \$2.156m.

The impact on the budget from the WIRAC management agreement has also been taken up in the 2014-15 budget figures. The decrease in fees revenue of \$761k, is offset by reductions in the expenditure budget lines of employee costs (\$454k), material costs (\$197k) and on-costs (\$446K). A provision of \$350k has been made in the budget against contracts to cover management agreement obligations for the remainder of the 2014-15 financial year.

Policy Consideration

Operational Plan 2014-2015

8.3.3 Implement and Review the following agreed Plans and Strategies:

8.3.3.1 Review and update the 10 year Financial Plan.

8.3.3.2 Annual Review of Debt policy, Procurement Policy, Revenue Policy and Investment Policy.

8.3.3.3 Review of Council's internal on-cost charges.

Community Engagement

Nil.

Legislation/Local Law

Local Government Act 2009 and Local Government Regulation 2012.

Options

Nil.

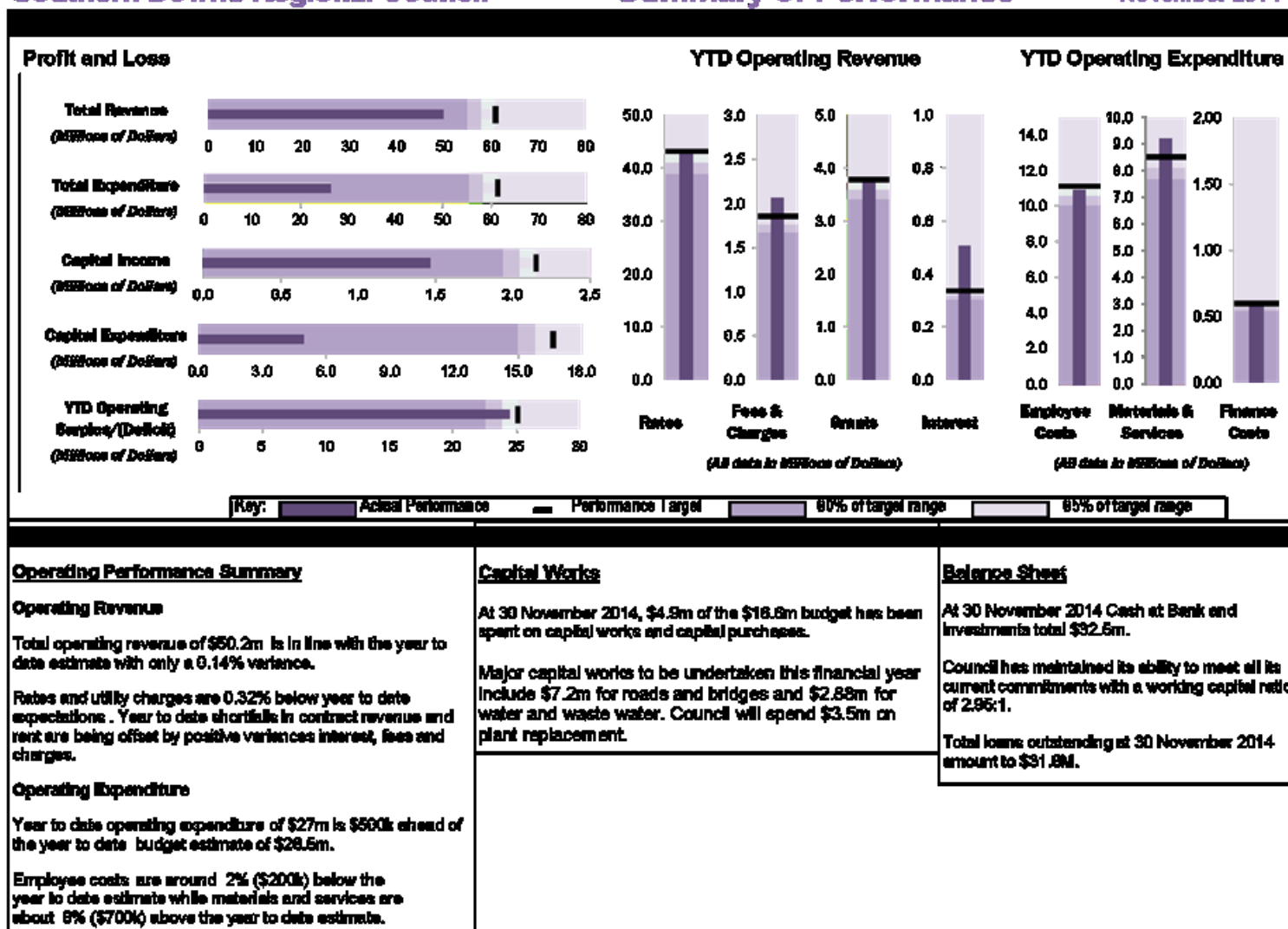
Attachments

1. Finance Report as at 30 November 2014 [View](#)
2. Investment Register [View](#)

Southern Downs Regional Council

Summary of Performance

November 2014



Southern Downs Regional Council Income Statement November 2014

2014 Actual \$		Annual 2013 Budget \$	Planned 2013 YTD Budget \$	Planned 2013 YTD Actual \$
Revenue from ordinary activities				
26,320,000	General Rates	27,232,038	27,232,038	27,230,933
20,092,000	Utility Rates and Charges	20,973,700	18,753,700	18,649,420
(3,953,000)	Lease Discounts	(2,886,566)	(2,741,056)	(2,770,959)
42,459,000		44,321,192	43,244,782	43,109,394
4,623,000	Fees and Charges	4,310,489	1,857,787	2,069,086
1,051,000	Interest	828,000	337,730	509,774
2,219,000	Contract & Sales Revenue	2,590,000	828,800	604,492
805,000	Rent and Other Income	602,087	251,137	151,329
19,008,000	Government Grants and Subsidies	7,778,087	3,788,373	3,798,268
78,165,000	Total Operating Revenue	61,429,854	58,318,548	58,242,343
Expenses from ordinary activities				
27,476,000	Employee Costs	25,027,173	11,128,343	10,900,890
35,411,000	Materials and Services	19,249,145	8,515,048	9,219,880
15,322,000	Depreciation and Amortisation	14,999,433	6,249,940	6,249,940
1,854,000	Finance Costs	2,148,896	597,103	619,986
60,063,000	Total Operating Expenses	61,424,647	26,490,434	26,990,696
(9,898,000)	Operating Surplus/(Deficit) before capital items	5,207	23,828,114	23,251,647
Other Capital Amounts				
14,004,000	Capital Grants, Contributions and Donations	1,951,162	1,541,806	1,469,193
(7,611,000)	Other capital income and (expenses)	200,000	-	-
(3,585,000)	Net Result Surplus/(Deficit)	2,156,369	25,361,920	24,720,842

Explanation

Income Statement

This Statement outlines:

- all sources of Council's YTD income (revenue).
- all YTD operating expenses incurred. These expenses relate to operations and do not include capital expenditure.

However the depreciation of assets is included.

The Net Result Surplus/(Deficit) for the reporting period is a good measure of council's financial performance.

This figure is determined by deducting total expenses from total revenue.

Southern Downs Regional Council Balance Sheet November 2014

2014 Actual \$		Annual 2013 Budget \$	Planned 2013 YTD Actual \$
Current Assets			
6,541,000	Cash assets & Investments	4,403,336	32,362,192
10,589,000	Receivables (includes Rates & Utilities receivable)	8,094,733	13,327,720
916,000	Assets held for sale	304,181	916,000
321,000	Inventories	243,731	384,392
18,367,000		13,046,221	47,190,304
Non-Current Assets			
439,000	Trade & Other Receivables	439,000	439,000
946,000	Investment Property	946,000	946,000
783,639,000	Property, plant and equipment	760,968,188	779,909,130
3,700,000	Other Financial Assets	4,684,553	3,663,031
9,851,000	Capital works in progress	-	10,998,907
970,000	Intangible Assets	831,220	970,000
799,565,000		767,892,963	796,926,068
817,932,000	TOTAL ASSETS	780,941,184	844,116,392
Current Liabilities			
8,212,000	Creditors and other payables	4,863,866	10,752,120
3,914,000	Provisions	1,606,276	3,344,733
1,905,000	Interest bearing liabilities	2,222,151	1,905,000
14,031,000		8,692,293	16,001,873
Non-Current Liabilities			
29,958,000	Interest bearing liabilities	27,697,990	29,958,000
4,139,000	Provisions	6,574,724	4,139,000
-	Other Payables	907,315	-
34,097,000		35,180,029	34,097,000
48,128,000	TOTAL LIABILITIES	43,872,322	50,098,873
769,804,000	NET COMMUNITY ASSETS	737,068,862	794,017,519
NET COMMUNITY ASSETS			
-	General Reserves	3,375,511	-
237,022,000	Asset Revaluation Reserve	201,678,000	237,022,000
532,782,000	Retained surplus	532,015,351	556,995,519
769,804,000	Retained surplus	737,068,862	794,017,519

Explanation

Balance Sheet

The Balance Sheet outlines what Council owns (its assets) and what it owes (liabilities) at a point in time. Council's net worth is determined by deducting total liabilities from total assets - the larger the equity, the stronger the financial position.

Key Ratios				Key Ratios			
	Budget	YTD Actual	On Target?		Budget	YTD Actual	On Target?
Working Capital Ratio (Current Assets / Current Liabilities)				Interest Coverage Ratio (Net Interest Expense / Total Operating Revenue) (%)			
	1.5 : 1	2.95 : 1	✓		2.15%	0.22%	✓
Target Ratio	> 1:1	> 1:1		Target Ratio Upper Limit (%)	10.0%	10.0%	
<p>This is an indicator of the management of working capital (short term financial capital). Measures the extent to which a Council has liquid assets available to meet short term financial obligations.</p>				<p>This ratio indicates the extent to which a Council's operating revenues are committed to interest expenses. As principal repayments are not operating expenses, this ratio demonstrates the extent to which operating revenues are being used to meet the financing charges associated with debt servicing obligations.</p>			
Operating Surplus Ratio (Net Operating Surplus / Total Operating Revenue) (%)				Asset Sustainability Ratio (Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)			
	3.5%	49.2%	✓		110.9%	79.0%	✗
Target Ratio	0.0% to 15.0%	0.0% to 15.0%		Target Ratio Lower Limit (%)	> 00%	> 00%	
<p>This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes.</p> <p>A positive ratio indicates the percentage of total rates available to help fund proposed capital expenditure. If the relevant amount is not required for this purpose in a particular year, it can be held for future capital expenditure needs by either increasing financial assets or preferably, where possible, reducing debt.</p>				<p>This is an approximation of the extent to which the infrastructure assets managed by the Council are being replaced as these reach the end of their useful lives. Depreciation expense represents an estimate of the extent to which the infrastructure assets have been consumed in a period. Capital expenditure on renewals (replacing assets that the Council already has) is an indicator of the extent to which the infrastructure assets are being replaced.</p>			
Net Financial Liabilities Ratio ((Total Liabilities - Current Assets) / Total Operating Revenue)				Comments on Ratio Results.			
	61.4%	5.8%	✓	<p>The reported ratios are taken from the Department of Local Government guidelines on sustainable financial management. When looking at ratios it is important to acknowledge that they represent a snapshot in time and that anomalies in the reported results are not taken in isolation. The targets are those provided by the Department as a preferred range and results outside those ranges will require further consideration.</p> <p>Whilst changes to the legislation have amended the required ratios, the ratios listed will continue to be reported on.</p> <p>For the year to date, all ratios are within expected guidelines.</p>			
Target Ratio Upper Limit (%)	≤60%	≤60%					
<p>This is an indicator of the extent to which the net financial liabilities of a Council can be serviced by its operating revenues.</p> <p>A positive value of less than 60 per cent is the benchmark as determined by the Department of Local Government. It indicates that Council has the capacity to fund liabilities and to have the capacity to increase its loan borrowings. A positive value greater than 60 per cent but less than a 100% indicates that Council has the capacity to fund liabilities but has limited capacity to increase its loan borrowings.</p> <p>A ratio less than zero (negative) indicates that current assets exceed total liabilities and; therefore, Council has the capacity to increase its loan borrowings.</p>							

INVESTMENTS REGISTER

as at 30 November 2014

CASH MANAGEMENT

10.30am CALL ACCOUNT

		<u>PRINCIPAL</u>	<u>INTEREST RATE</u>
GENERAL	QTC SORC Acct	\$ 7,878,715.18	3.34%
TOTAL	QTC	<u>\$ 7,878,715.18</u>	

BANK BILLS AND B/D

<u>DATE</u>	<u>DESCRIPTION</u>	<u>PRINCIPAL</u>	<u>INTEREST RATE</u>	<u>MATURITY DATE</u>
28-Aug-14	QCCU	\$ 800,080.00	3.85%	22-Dec-14
28-Aug-14	BANK OF QLD	\$ 800,080.00	3.40%	4-Dec-14
28-Aug-14	NAB	\$ 800,080.00	3.50%	4-Dec-14
28-Aug-14	QCCU	\$ 800,080.00	3.80%	28-Dec-14
17-Sep-14	WCU	\$ 802,888.80	3.85%	10-Dec-14
18-Sep-14	QCCU	\$ 802,224.88	3.65%	15-Jan-15
1-Oct-14	WCU	\$ 802,222.85	3.50%	7-Jan-15
2-Oct-14	WCU	\$ 802,880.80	3.60%	5-Jan-15
8-Oct-14	BANK WEST	\$ 802,820.66	3.35%	11-Dec-14
16-Oct-14	BANK OF QLD	\$ 804,758.32	3.45%	12-Feb-15
18-Oct-14	WCU	\$ 804,888.71	3.80%	15-Apr-15
28-Oct-14	BANK WEST	\$ 804,772.80	3.40%	21-Jan-15
28-Oct-14	BANK WEST	\$ 805,088.80	3.40%	28-Jan-15
30-Oct-14	BANK WEST	\$ 804,772.80	3.40%	28-Jan-15
30-Oct-14	WCU	\$ 805,188.44	3.35%	4-Feb-15
30-Oct-14	QCCU	\$ 804,758.18	3.65%	29-Apr-15
8-Nov-14	WCU	\$ 805,440.88	3.35%	5-Feb-15
12-Nov-14	BENDIGO	\$ 807,057.83	3.40%	12-Feb-15
13-Nov-14	QCCU	\$ 807,880.00	3.45%	12-Mar-15
18-Nov-14	BANK WEST	\$ 800,080.00	3.40%	18-Feb-15
18-Nov-14	SUNCORP	\$ 800,080.00	3.45%	18-Feb-15
20-Nov-14	QCCU	\$ 807,880.00	3.45%	18-Mar-15
20-Nov-14	NAB	\$ 807,134.25	3.45%	18-Mar-15
20-Nov-14	NAB	\$ 807,441.10	3.45%	28-Feb-15
28-Nov-14	NAB	\$ 807,057.64	3.45%	28-Feb-15
27-Nov-14	BENDIGO	\$ 808,788.86	3.40%	4-Mar-15
27-Nov-14	QCCU	\$ 807,440.00	3.45%	28-Mar-15
27-Nov-14	SUNCORP	\$ 808,788.85	3.50%	1-Apr-15
27-Nov-14	SUNCORP	\$ 808,880.41	3.50%	2-Apr-15
27-Nov-14	BANK OF QLD	\$ 808,830.41	3.50%	29-Apr-15
18-Nov-14	SUNCORP	\$ 300,080.00	3.40%	17-Feb-15
TOTAL		<u>\$ 24,832,065.28</u>		
GRAND TOTAL				<u>\$ 32,808,728.46</u>

FUNDS BREAKDOWN

<u>FUND</u>	<u>PRINCIPAL</u>
GENERAL	\$ 31,808,720.46
RESERVE	\$ -
TRUST	\$ 300,080.00
GRAND TOTAL	<u>\$ 32,808,720.46</u>


INSTITUTION BREAKDOWN

(30% MAXIMUM AT ANY ONE INSTITUTION)

<u>INSTITUTION</u>	<u>PRINCIPAL</u>
CBA	0%
BENDIGO	6%
WCU	16%
SUNCORP	8%
QCCU	18%
HERSTAGE	0%
BANK OF QLD	8%
QTC	23%
NAB	10%
CITIBANK	0%
BANK WEST	13%
100%	
GRAND TOTAL	<u>\$ 32,808,720.46</u>

8.2 BCS - Youth Development Officer Report - Southern Downs Young Leaders Program 2015

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Youth Development Officer Manager Community Services	File Ref: 03.55.07

Recommendation

THAT Council adopt and confirm the nominated appointees for the Southern Downs Young Leaders Program for 2015.

Report

This report requests Councils confirmation of the Southern Downs Young Leaders Program 2015, including the nominated appointees.

Southern Downs Young Leaders Program 2015

Interviews for the 2015 Southern Downs Young Leaders have taken place over the last few weeks. Eight young people in Warwick and one young person in Stanthorpe were interviewed by a panel including the Youth Development Officer, Councillors, Community Services Staff and Manager Community Services.

The quality of the eight Warwick applicants was very high and the panel recommended all eight be appointed for 2015.

Stanthorpe only has one nomination at this time, four young people indicated interest, however this did not lead to completion of application forms. The panel recommended that Liana Allen be appointed, with a continued search for 2-3 more young people for Stanthorpe in the New Year. The following young people are recommended to be appointed as Young Leaders for 2015:

Liana Allen	Stanthorpe
Dominic Andersen-Strudwick	Warwick *previous Young Leader 2014
Jack Kearns	Warwick
Sarah Pickering	Warwick
Elizabeth Dennis	Warwick *previous Young Leader 2013, and 2014
Kai Page	Warwick
Gabe Howard	Warwick
Jasmine Watts	Warwick
Jacob Meiklejohn	Warwick

Budget Implications

As provided for in financial year budget.

Policy Consideration

Corporate Plan 2014-2019

1. The Southern Downs Sense of Community
 - 1.7 Partner with agencies to develop, enhance, promote and implement services for young people, people with a disability and our aging residents

Operational Plan 2014-2015

- 1.7.3 Develop and Implement Councils Public Consultation Policies
 - 1.7.3.3 Review and refine the Youth Mentoring program between Councillors and Youth Services Young Leaders
- 1.9.1 Partner with agencies to develop, enhance, promote and implement services for young people, people with a disability and our ageing residents.
 - 1.9.1.2 Provide opportunities and activities to enhance the wellbeing of young people, people with a disability and our residents.

Community Plan 2030

1. The Southern Downs Sense of Community
 - 1.1 Recognise and respond to the different social needs and influences on various communities within the Southern Downs.
 - 1.6 Hold regular community events where local groups can showcase their activities and attract participation from new people.
 - 1.7 Strengthen communication networks within communities and across the region.

Community Engagement

- Southern Downs Young Leaders Program
- Support of Youth, Youth Programs and Events

Legislation/Local Law

Nil.

Options


1. Council adopt and confirm the nominated appointees for the Southern Downs Young Leaders Program for 2015.
2. Council adopt and confirm the nominated appointees for the Southern Downs Young Leaders Program for 2015 until 30 June 2015, subject to the confirmation for Youth Services for 2015-2016 financial year.

Attachments

Nil

8.3 BCS - Australia Day Awards Assessment Panel Membership

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Community Development Officer Manager Community Services	File Ref: 02.02.01

Recommendation

THAT Council:

1. Adopt the establishment of one Australia Day Awards Assessment Panel to deal with all applications received across the region with membership to include 4 Councillors, 2 Community Service staff and 1 Executive Services staff member, ensuring that nominations from Stanthorpe and Warwick are dealt with according to geographic location as per nomination form.
2. Council to nominate 4 Councillors as members of the Assessment Panel.

Report

This report is prepared in an endeavour to unify processes and procedures for both the Stanthorpe and Warwick Australia Day Awards.

No uniform process has previously been put in place for the assessment of nominations received for the region's Australia Day Awards each year.

It is proposed that an Assessment Panel be formed to assess the applications received for each region, ensuring that nominations from Stanthorpe and Warwick are dealt with according to geographic location as per nomination form. The makeup of the Panel would include:-

- 4 Councillor Representatives
- 2 Community Services staff
- 1 Executive Services staff

To reduce any conflicts of interest, the members of the Panel would be impartial and should refrain from participating in the nomination process. All members of the Assessment Panel are to have voting rights.

Due to timeframes involved in ordering engraving of trophies etc, it is proposed that the Panel would meet in the week commencing 5 January 2015. This will allow sufficient time for the applications to be collated, the Panel to meet to assess the applications, and for trophies to be ordered and received prior to Australia Day.

Budget Implications

Nil.

Policy Consideration

Community Plan 2030

1. The Southern Downs Sense of Community

1.10 Encourage and promote the valuable role volunteers play in community life.

Community Engagement

Nil.

Legislation/Local Law

Nil.

Options


1. Establish one Assessment Panel to deal with all applications received across the region with membership to include 4 Councillors, 2 Community Services staff and 1 Executive Services staff member, ensuring that nominations from Stanthorpe and Warwick are dealt with according to geographic location as per nomination form.
2. Establish Australia Day Awards Assessment Panels for Warwick and Stanthorpe with membership of each Assessment Panel to include 2 Councillors, 2 Community Services staff and one Executive Services staff member and, nominate 2 Councillors for each of the 2 Panels.

Attachments

Nil

8.4 BCS - Executive Performance Report

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Manager Corporate Services Senior Community Contact Coordinator	File Ref: 06.01; 06.03.01

Recommendation

THAT Council receive and note the attached Executive Performance Report for November 2014.

Report

Council's Senior Leadership Team (SLT) has recommended that Council be provided with a monthly and quarterly (when applicable) report in relation to the activity of the Community Contact Centres.

The attached report provides a breakdown of requests per Directorate and additionally details the most prevalent requests received by Council.

The Community Contact Centres endeavour to resolve 3 out of every 4 enquiries and the figures clearly show this is occurring.

Additionally, statistics are now included monthly, noting the responses received by Council for Bang the Table and CCTV requests.

Also included this month is Economic Development data in relation to businesses and major developments within the region. This will be a regular reporting feature of the monthly Executive Performance Report.

The statistical data for November 2014 is attached.

Budget Implications

Nil.

Policy Consideration

Operational Plan 8.6.1 *Provision of timely and accurate Council information to the community.*

Community Engagement

Nil.

Legislation/Local Law

Nil.

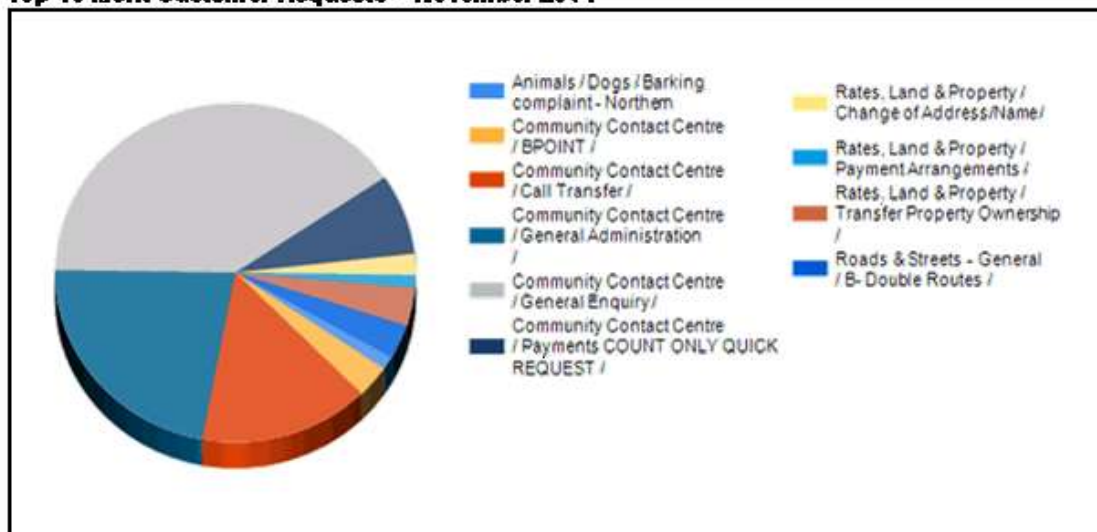
Options

Nil.

Attachments

1. Executive Performance Report Statistics [View](#)

Top 10 Merit Customer Requests – November 2014



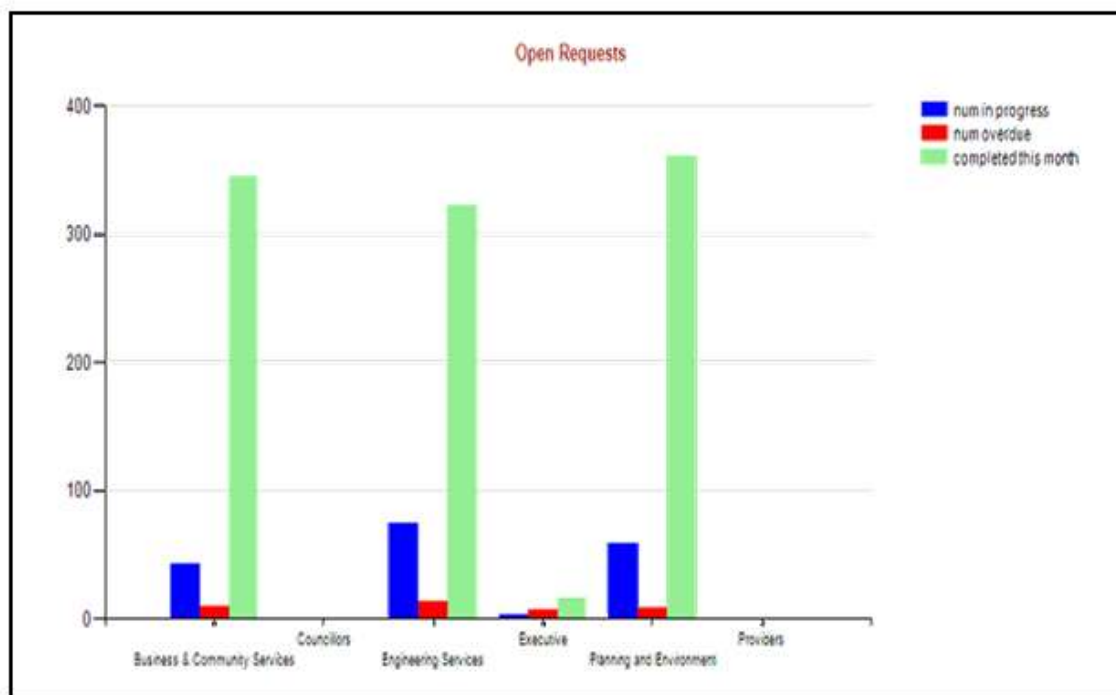
Request Type	Received	Finalised	in Final
CCC General Enquiry	979	979	979
CCC General Administration	641	641	641
CCC Call Transfer	372	372	372
CCC Count only	187	187	187
Rates, Land & Property Transfer Pty Ownership /	88	73	88
Roads & Streets - General / B- Double Routes /	79	73	79
BPOINT payments	75	75	75
Rates, Land & Property Change of Address/Name	49	48	49
Dogs / Barking complaint - Northern	30	26	30
Rates, Land & Property / Payment Arrangements /	30	24	30

Number of completed Receipts – November 2014

Nov 2014	Business & Community Services	Engineering Services	Executive	Planning and Environment	Total
App	1	6	0	2	9
Email	2	0	0	0	2
Letter	27	2	1	0	30
Phone	43	157	4	207	411
Traveller	1	0	0	0	1
Walkin	3	5	0	3	11
Web	6	2	0	3	11
Total	83	172	5	215	475

Merit Request Status – November 2014

Request Status	Business & Community Services	Councillors	Engineering Services	Executive	Planning and Environment	Providers
In Progress	43	0	74	3	59	179
Overdue	9	0	14	7	8	38
Open	52	0	88	10	67	217
Completed	345	0	322	16	360	1,043

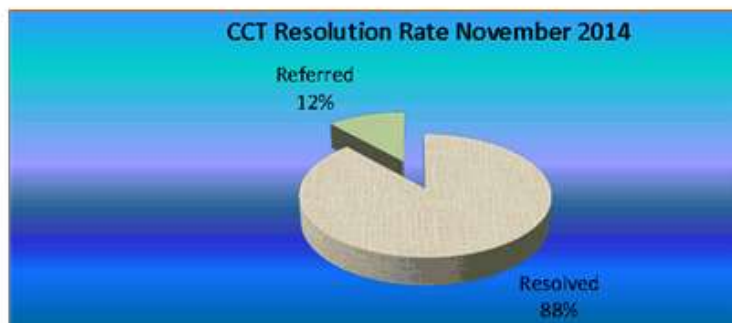


Merit Customer Interactions – November 2014

Interaction Type	Business & Community Services	Engineering Services	Executive	Planning and Environment	Providers
App	2	8	0	2	12
Email	3	0	1	0	4
Letter	29	2	1	0	32
Phone	2,039	207	8	271	2,525
Traveller	6	3	0	1	10
Walkin	163	5	0	5	173
Web	10	2	0	4	16
Total	2,252	227	10	283	2,772

Community Contact Resolution Rate

Total Customer Contacts	Resolved at Contact	Referred On
4,802	4,242	560



Economic Development - August to November 2014

Vacant Retail/Commercial Tenancies

- Werwick CBD (Principle Centre Zone) 19
- Stanthorpe CBD (Principle Centre) 6

New Businesses

In the period 1 August 2014 to 4 December Council issued licenses for 14 new food businesses and 2 new accommodation premises.

Closed Businesses

In the period 1 August 2014 to 4 December Council has no record of any businesses closing down.

Major Developments Commenced/Due

- ALDI Stanthorpe
- Woolworths Filling station in Stanthorpe.
- The construction start of the proposed extension of the Rose City Shopping World is yet to be announced.

Of Interest

The Stanthorpe farming community through the Southern Queensland Country Regional Food Network now successfully operate a Friday afternoon and early evening market on the piazza and Farley Street.

Food Business Licences Issued from 1 August 2014

Primary Group	Primary Category	Business Name	Description
Food	HighRisk1	Pa's Diner	Café/Rest
Food	LowRiskPre	Dalrymple Lodge	B&B
Food	HighRisk1	Corner Store Deli	FdManufact
Food	HighRisk1	St Mary's School Warwick	Takeaway
Food	HighRisk2	Glen Aplin Gardens	B&B
Food	HighRisk1	Super Fried	Takeaway
Food	HighRisk1	Doc's Pies	Bakery
Food	HighRisk1	Allora Sports Club Inc	Café/Rest
Food	HighRisk1	The JOCE Club	Takeaway
Food	LowRiskPre	Cedar Cottage Preserves	FdManufact
Food	HighRisk1	Brass Monkey Brewhouse	FdManufact
Food	LowRiskPre	Gourmet Pleasures	HomeKitch
Food	HighRisk1	Wally's Ice Cream Parlour	Mobile
Food	LowRiskPre	Brent A Hansen	Water

Rental Accommodation Licences Issued from 1 August 2014

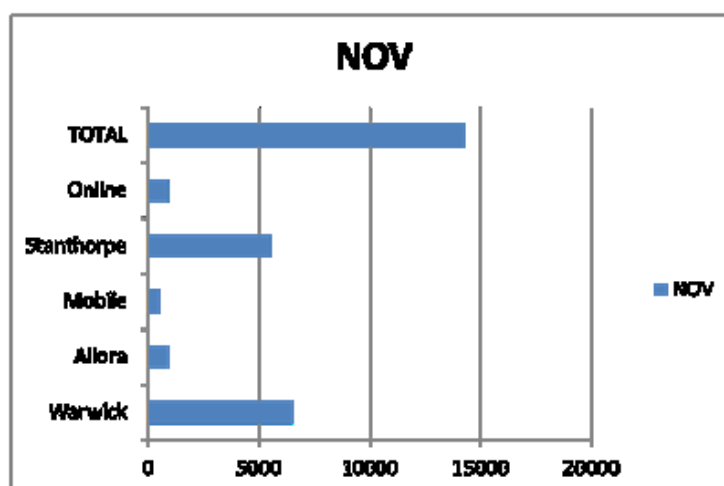
Primary Group	Primary Category	Business Name	Description
Accomm	B&B	Glen Aplin Gardens	B&B
Accomm	Tourist	Diamondvale Lodge	Tourist Accommodation

CCTV Requests for November 5

Bang The Table Nothing to Report for November


Library Visitors – November 2014

Warwick	Allora	Mobile	Stanthorpe	Online	TOTAL
6510	919	501	5505	897	14332



8.5 BCS - Application for Conversion to Freehold of Term Lease over Lot 81 on ML1184 Palgrave

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Manager Corporate Services Land Management Officer	File Ref: 14.16.17

Recommendation

THAT Council advise the Department of Natural Resources and Mines there is no objection to the application for the conversion of the Term Lease over Lot 81 on ML1184 to Freehold on the condition that Lot 81 on ML1184 is amalgamated with an adjoining lot owned by the applicant and no new lot is created.

Report

Council has been advised by the Department of Natural Resources and Mines (DNR&M) of an application they have received from James and Ailsa Baguley for the conversion of their Term Lease over Lot 81 on ML1184 to Freehold. The current use of Lot 81 on ML1184 is for grazing. DNR&M has asked for Council's views on the application.

Council's Directors were requested to provide their thoughts on this issue. The acting Director of Business and Community Services offered no objection to the proposal. The Director of Planning and Environment and the Director of Engineering Services also offered no objection to the freeholding of this land on the condition that it must be amalgamated with an adjoining Lot and no new Lot is created, as Lot 81 on ML1184 is landlocked and appears to have no lawful access.

Budget Implications

Nil.

Policy Consideration

Operational Plan 4.5.1 Maintain compliance with legislation and manage the corporate governance functions of Council.

Community Engagement

Nil.

Legislation/Local Law

Nil.

Attachments

1. Correspondence from DNR&M and Aerial view of Lot 81 on ML1184 [View](#)

Author Naomi Radke
File/Ref number 2014/008276
Directorate/Unit State Land Asset Management
Phone (07) 4529 1374



Department of
Natural Resources and Mines

12 November 2014

Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

Dear The Chief Executive Officer

**Application for conversion to freehold Term Lease 0/205480 over Lot 81 on ML1184,
Parish of Palgrave**

The department has received the above application. The proposed use of the land is Primary Industry- Grazing.

Copies of documents supporting the application are enclosed for your information. The enclosed Smartmap shows the subject land and the surrounding locality.

Please advise the department of your views or requirements including any local non-indigenous cultural heritage values that the department should consider when assessing this application.

Objections to the application, and any views or requirements that may affect the future use of the land should be received by close of business on *extended to 24 December* 42-December 2014. If you offer an objection to the application, a full explanation stating the reason for the objection should be forwarded to this Office.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. An extension to this due date will only be granted in exceptional circumstances.

If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

This information has been provided to you in confidence for the purpose of seeking your views on this matter. It is not to be used for any other purpose, or distributed further to any person, company, or organisation, without the express written permission of the department unless required.

If you wish to discuss this matter please contact Naomi Radke on (07) 4529 1374.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to SLAM-Toowoomba@dnrm.qld.gov.au. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

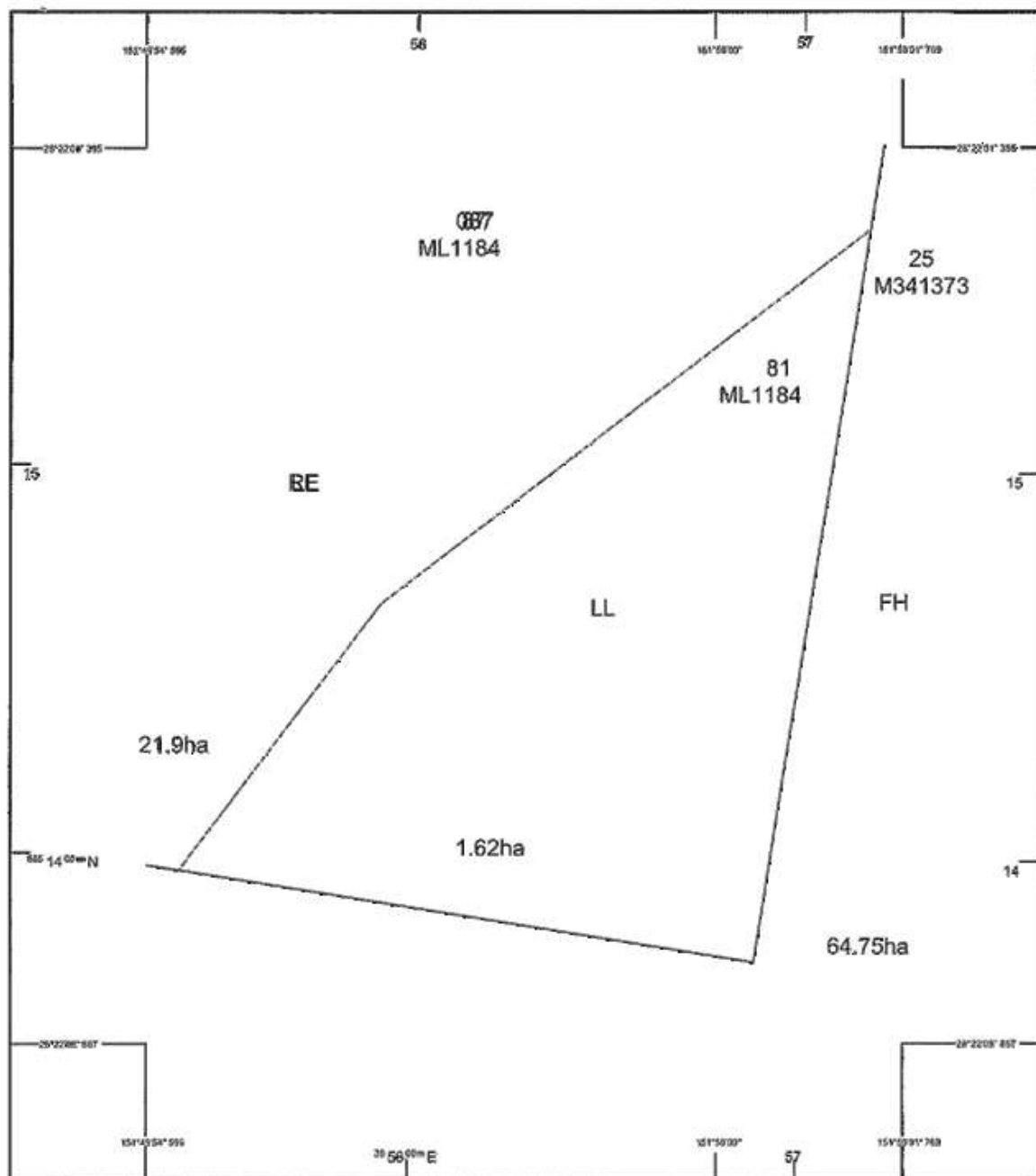
Postal :
DNR&M Toowoomba
PO Box 318
Toowoomba QLD 4350

Telephone : (07) 4529 1374
Fax: (07) 4529 1562

Please quote reference number 2014/008276 in any future correspondence.

Yours sincerely


Naomi Radke
Administration Officer



STANDARD MAP NUMBER 9241-24232		SmartMap An Extensile Product of SmartMap Information Services Based upon an extraction from the Digital Cadastral Data Base	
MAP SYMBOL POSITION & NEAREST LOCATION 		CLIENT SERVICE STANDARDS PRINTED (ddmmyyyy) 05/11/2014 DCD 04/11/2014 Users of the information recorded in this document accept all responsibility and risk associated with the use of the information and should seek independent professional advice in relation to dealings with property. Despite Department of Natural Resources and Mines (DNR&M)'s best efforts, DNR&M makes no representation or warranties in relation to the information, and to the extent permitted by law, excludes all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to lost time) from reliance on or compliance with any use of or reliance on the information. For further information on SmartMap products visit http://www.qld.gov.au/property/mapping/smartmap	
SUBJECT PARCEL DESCRIPTION DCD 04/11/2014 Lot/Plan 1.62ha Term LEASE Local Government SOUTH-EAST DOWNS REGION Locality PALGRAVE Parish PALGRAVE County WERNHOL Segment/Parcel 4E3746A		 (c) The State of Queensland, (Department of Natural Resources and Mines) 2014.	

8.6 BCS - December 2014 Policy Reviews

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Manager Corporate Services Governance Officer	File Ref: 04.12

Recommendation

THAT Council

1. Adopt the proposed policy amendments as attached.
2. Recind policies PL-HR041 WIRAC Uniform Policy and No 14 Use of Financial Reserves Policy 2009-2010.

Report

Council officers are in the process of reviewing overdue Council policies in order to ensure their appropriateness to Council's operations and currency, particularly relating to legislation. In order to clarify policy administration, formation and review for Councillors and staff, a new Guideline for the formation and review of Policies has been prepared.

Council adopted the Guideline for the formation and review of Policies at the General Council Meeting held on 25 June 2014. The Guideline states that Council has input into the policy development as well as policy review and this will occur through Council Briefing Sessions.

Council has subsequently reviewed the following policies on the following date:

8 December 2014 Briefing Session

PL – PL-HR051 Wellness Program Policy
PL – FS047 Trust Account Policy
PL – FS065 Fraud Policy
PL – HR050 Immunisation Policy

Proposed changes to policies are highlighted in the attachments.

Budget Implications

Nil.

Policy Consideration

Vision 2040
Direction 8: The Well-Governed Southern Downs

Community Engagement

Nil.

Legislation/Local Law

All of the policies have been amended so that they comply with the relevant legislation.

Options

1. Adopt the proposed policy amendments as attached; or
2. Do not adopt the proposed policy amendments as attached and make other amendments; and
3. Recind Policies PL-HR041 WIRAC Uniform Policy and No 14 Use of Financial Reserves Policy 2009-2010; or
4. Do not recind Policies PL-HR041 WIRAC Uniform Policy and No 14 Use of Financial Reserves Policy 2009-2010 and make other amendments.

Attachments

1. PL-HR051 Wellness Program Policy [View](#)
2. PL-FS047 Trust Account Policy [View](#)
3. PL-FS065 Fraud Policy [View](#)
4. PL-HR050 Immunisation Policy [View](#)



Wellness Program

Policy Number:	PL-HR051
Department:	Executive
Section:	Human Resources
Responsible Manager:	Human Resources Manager
Date Adopted:	23 February 2011
Date to be Reviewed:	Within 6 months of the quadrennial election
Date Reviewed:	8 December 2014
Date Rescinded:	n/a

REVISION RECORD

Date	Version	Revision description
Sept 2012	1	Annual Review
Dec 2014	2	Review and minor amendments.

Wellness Program

Policy no: PL-HR051

Updated: 17 December 2014

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Wellness Program

Policy no: PL-HR051

Updated: 17 December 2014

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1 Policy Background

A healthy lifestyle is viewed as a positive benefit within an organisation, and is linked to a fitter, healthier workforce, with higher morale, and fits with the work/life balance that is actively promoted throughout Australian workforce culture. Promotion of a healthy lifestyle is seen as desirable amongst employees, particularly when looking for an Employer of Choice.

There is a direct benefit of promoting proactive health programs amongst Council employees, particularly with almost half of our workforce over the age of 45. A Wellness Program assists in minimising the impact of an aging workforce on Council.

2 Purpose

To increase knowledge, awareness and acceptance of a healthy lifestyle as desirable amongst Council employees and to have a fit and healthy workforce, thereby reducing injury or illness both at home and at work.

3 Scope

Permanent employees of the Southern Downs Regional Council and employees who have employment contracts of more than twelve months.

4 Legislative Context

– n/a

5 Policy Details

5.1 Medical Assessments

Staff are encouraged to participate in an employer sponsored and paid for, non-compulsory medical assessment on a two yearly basis. Medical Assessments will include; Blood Glucose and Cholesterol Levels, White Cell Count, Iron Levels, Blood Pressure, Resting Pulse, Body Height and Weight, and Body Mass Index.

All medical information will remain confidential. Council will only be advised with the approval of the employee where a health issue may have an impact on the employee being able to undertake their duties in a safe manner.

Under these circumstances the employee and Council will jointly decide on a course of action to address the situation.

Wellness Program

Policy no: PL-HR051

Updated: 17 December 2014

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5.2 Skin Cancer Checks

Staff are encouraged to participate in an employer sponsored and paid for non-compulsory skin cancer check on an annual basis between November and February.

All medical information will remain confidential. Council will only be advised with the approval of the employee where a health issue may have an impact on the employee being able to undertake their duties in a safe manner.

Any treatment recommended by the practitioner following the check will be the responsibility of the employee, unless accepted as a Worker's Compensation claim.

5.3 Staff Flu Vaccinations

Staff are encouraged to participate in an employer sponsored and paid for non-compulsory flu vaccination at the beginning of each influenza season annually.

5.4 Employee Assistance Program

Council offers free access to professional and confidential counselling to employees to help resolve personal or workplace issues that are impacting on their work performance.

A list of practitioners who have agreed to participate in the program is maintained and reviewed annually by Human Resources ~~staff~~.

Employees can choose to contact the providers directly and arrange an appointment by quoting their payroll number or an appointment can be arranged through the Human Resources Manager

Employees are offered three appointments initially with an additional two appointments available at the request of the service provider.

5.5 Financial Support for ~~Affiliated Health and Fitness~~ Centres

~~15% discount on all memberships and casual aquatic and aerobics entry at Warwick Indoor Recreation Centre.~~

~~Council will explore opportunities for staff discounts at health and fitness centres throughout the Southern Downs Council region.~~

5.6 Promotion of Health related Programs

Council will engage in promotion of health related programs and events through the Intranet, newsletter and noticeboard to increase staff education and opportunities to engage in healthy lifestyle practices. These may include programs/events such as:

- Men's and Women's health awareness
- Presentations from external bodies such as Old Cancer Council; Heart Foundation, Beyond Blue or similar

- National or International Days/Weeks/Months for specific health awareness such as National Diabetes Week, Heart Week, Ovarian/Breast/Bowel Cancer Weeks.

5.7 Program Monitoring and Reporting

Program Monitoring and Reporting Staff attendance and participation in the various programs offered will be reported on an annual basis. Costs associated with providing the programs will also be reported on.

6 Definitions

Term	Meaning
n/a	

7 Related Documents

- n/a

8 References

- n/a



Trust Account Interest Policy

Policy Number:	PL-FS047
Department:	Business and Community Services
Section:	Finance
Responsible Manager:	Manager Finance
Date Adopted:	28 May 2010
Date to be Reviewed:	Within 6 months of the quadrennial election
Date Reviewed:	17 December 2014
Date Rescinded:	

REVISION RECORD

Date	Version	Revision description

Trust Account Interest Policy

Policy no: PL-FS047

Updated 17 December 2014

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1 Purpose

The purpose of this policy is to clarify the treatment of interest earned on money held in the Southern Downs Regional Council Trust Account.

2 Scope

This policy covers all monies deposited into Southern Downs Regional Councils Trust Fund.

3 Legislative Context

~~Section 116(3) of the draft Local Government (Finance, Plans and Reporting) Regulation 2009 describes trust money as follows.~~

Section 200 (3) of the Local Government Regulation 2012 describes trust money as follows;

Trust money is money that is –

- a. Paid to the local government in trust for a person; or
- b. Paid to the local government as a deposit; or
- c. Required by an Act to be credited to a trust fund; or
- d. Interest accrued on money that was paid to the local government under paragraph (a) or (c) –
 - i) Whether or not the money was required to be paid to the local government; and
 - ii) Provided the local government and the depositor have not agreed that the interest accrued should be paid to an entity other than the local government.

4 Policy Details

All interest earned on money held in the Southern Downs Regional Council Trust Account will be revenue to the Southern Downs Regional Council.

Council will:

- a) ~~not be required to invest trust funds or pay interest to beneficiaries on trust account balances unless otherwise specifically agreed.~~
- b) ~~not be obliged to invest that cash deposit in the name of, or for the benefit of, that person;~~
- c) ~~may invest that cash deposit (with others) in its own name and for its own benefit;~~
- d) ~~not be obliged to pay any interest earned on that cash deposit to the beneficiary.~~

Trust Account Interest Policy

Policy no: PL-FS047

Updated: 17 December 2014

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Fraud Policy

Policy Number:	PL-FS065
Department:	Corporate Services
Section:	Finance
Responsible Manager:	Manager Finance
Date Adopted:	24 April 2012
Date to be Reviewed:	Within 6 months of the quadrennial election
Date Reviewed:	17 December 2014
Date Rescinded:	N/A

REVISION RECORD

Date	Version	Revision description
Dec 2014	1	New Format & Review

Fraud Policy

Policy no: Policy Number PL-FS065

Updated: 17 December 2014

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Fraud Policy

Policy no: Policy Number PL-FN065

Updated: 17 December 2014

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1 Policy Background

Southern Downs Regional Council (SDRC) recognises that a policy relating to the management and control of fraud and corruption is an integral part of good governance and management practice. This Fraud Policy *establishes Council's intention to establish and maintain controls which will aid in the prevention and detection of fraud and corruption. By working closely with the Audit and Risk Management Committee, This policy is strongly linked with the Fraud Investigation and Prevention Action Plan. (Appendix 1)*

2 Purpose

Council has a zero tolerance attitude towards fraud and corruption. **The SDRC Fraud Prevention and Investigation Policy** formalises this attitude and establishes a pathway to ensuring that systems, procedures, and management practices:

- Assist Council to minimise the risk and consequences of fraud and corruption in relation to Council or its programs;
- Encourage Councillors and employees and others to take appropriate action to prevent and detect fraud and corruption in Council;
- Encourage and support Councillors and employees and others to report in a responsible manner, any belief based on reasonable grounds about official misconduct, fraud, corruption, or misconduct;
- Support and promote the provisions of the Council's Code of Conduct for employees;
- Ensure that Council achieves compliance with the provisions of the *Whistleblowers Protection Act 1994* and the procedures within Council's Code of Conduct for employees to assist and protect any person who may make a report to Council or a complaint to the Crime and Misconduct Commission (CMC);
- Ensure compliance with legal and statutory obligations; and
- Protect Council's reputation.

3 Scope

The policy applies to any fraud, or suspected fraud, involving Council employees, elected members, contractors, consultants, vendors or any other party with a business relationship with the Southern Downs Regional Council.

Fraud Policy

Policy no: *Policy Number PL-FN065*

Updated: **17 December 2014**

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4 Legislative Context

1. Local Government Act 2009
2. ~~Local Government (Finance, Plans and Reporting) Standard 2010~~
3. Crime and Misconduct Act 2001
4. Whistleblowers Protection Act 1994

5 Policy Details

Fraud Assessment

~~Council, through the Chief Executive Officer in conjunction with the Audit and Risk Management Committee will periodically conduct a comprehensive assessment of the risks of fraud and corruption within its business operations. Typically this will mean the conduct of an organisation-wide independent assessment of fraud and corruption risk within Council programs at least annually. After each review, Council will update its Risk Register, detailing the counter measures and control treatments to ameliorate the identified risks. The results of the risk assessment will be provided to Council's Audit and Risk Management Committee for comment and advice as to whether the areas of identified risk have been adequately dealt with.~~

Head of Power

~~The Financial Administration and Audit Act – Section 36 states that Accountable Officers must ensure that procedures within the department, including internal control procedures, afford at all times, adequate safeguards about each of the following:~~

- ~~(i) The correctness, regularity and propriety of payments made;~~
- ~~(ii) The assessment, levy and collection of revenue and other amounts receivable, the receiving, safekeeping, depositing in a financial institution of, and accounting for, public monies and other monies and the purchase, receipt, issue, sale, custody, control, management and disposal of and accounting for public property and other property;~~
- ~~(iii) The prevention of fraud or mistake.~~

Council through the Audit and Risk Management Committee and Senior Leadership team will create an environment and culture where fraudulent and corrupt behaviour will not be tolerated, where suspected acts of fraud or corruption are investigated and/or reported. To achieve this, Council through its Fraud Investigation and Prevention Action Plan will ensure that the following strategies are implemented: -

- Adequate and enforced responsibility structures.
- Periodic fraud risk assessments are carried out.
- Employee awareness training and review.
- Creation of customer and community awareness on Council's stance on fraud and corruption.
- Effective fraud and corruption reporting systems.
- Effective protected disclosure procedures.
- Effective external notification procedures.

Fraud Policy

Policy no: Policy Number PL-FN065

Updated: 17 December 2014

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- Effective investigation procedures/standards.
- Conduct and disciplinary procedures documented and communicated to staff.

RESPONSIBILITIES

All Councillors and Managers of Southern Downs Region Council are responsible for the fostering of an environment that makes active fraud and corruption control the responsibility of all staff in carrying out and issuing clear standards, strategies and procedures that encourage the prevention and minimisation of fraudulent and corrupt behavior. Fraudulent and corrupt behavior flourishes within an environment where systems, procedures and policies are not clearly communicated, reviewed, supported or understood by staff and councillors. It is the responsibility of managers and the executive team in ensuring that all relevant policies and procedures are updated on a regular basis, reviewed and communicated to all staff.

6 Definitions

Term	Meaning
Official Misconduct	<p>Official Misconduct is defined as any misconduct connected with the performance of an officer's duties that:</p> <ul style="list-style-type: none"> • Is dishonest or lacks impartiality, • Involves a breach of trust, or • Is a misuse of officially obtained information. <p>To be considered official misconduct, the conduct must constitute a criminal offence or be serious enough to justify dismissal.</p>
Fraud	<p>Fraud is characterised by intentional deception to facilitate or conceal the misappropriation of assets or a false representation or concealment of material fact for the purpose of inducing another party to act upon it to their financial detriment. Fraud also includes corruption or a breach of trust or confidentiality in the performance of official duties in order to achieve some personal gain or advantage for themselves or another person or entity.</p> <p>A basic test for fraud could include the following questions:</p> <ul style="list-style-type: none"> • Was deceit used? • Was the action unlawful? • Did it result in money or other benefits being received to which the person was not entitled? • Was a deliberate attempt made to do this?
Corruption	<p>Corruption is defined by the Crime and Misconduct Commission as behaviour that may involve fraud, theft, misuse of position or authority or other acts that are unacceptable to an organisation and which may cause loss to the organisation, its clients or the general community. It may also include such elements as breaches of trust and confidentiality. The behaviour need not necessarily be criminal in order to qualify as being "corrupt".</p>

Fraud Policy

Policy no: *Policy Number PL-FS065*

Updated: **17 December 2014**

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7 Related Documents

1. Southern Downs Regional Council Internal Audit Policy
2. Southern Downs Regional Council Audit Committee Charter
3. Southern Downs Regional Council Risk Management Framework
4. LGAQ Fraud Discussion Paper 2004
5. Southern Downs Regional Council **General Complaints Process** Policy

8 References

Nil.

9 Appendix

Appendix 1 - Fraud Investigation and Prevention Action Plan

Appendix 1.



Fraud Prevention and Investigation Action Plan

PURPOSE:

The purpose of this procedure is to formalise Council processes in relation to the receipt and actioning of reports of suspected fraudulent behaviour or wrongdoing.

SCOPE:

The Fraud Prevention and Investigation Procedure is intended to provide a consistent and professional response to any reports of suspected fraudulent behaviour or wrongdoing by Council staff or elected members.

The effective control of fraud risk is important in order to protect the reputation of Council, promote ethical conduct within Council, reduce financial and nonfinancial loss and to ensure compliance with legal and statutory obligations.

PROCEDURE:

Sources of Reports

Council may receive reports of alleged wrongdoing from the general public, external agencies or internal staff members. These will normally relate to administrative action by Council or alleged conduct breaches by Council employees or Councillors. In some cases, complaints may also relate to allegations of official misconduct by Council employees.

Reports of alleged wrongdoing could be received in the following ways:

- In writing from members of the public via mail or email;
- The online Complaints Process;
- The Ombudsman Office, Crime & Misconduct Commission or other external agency referring a matter to Council;
- External or internal Public Interest Disclosures;
- Internal complaints lodged by Council staff.

Suspected Fraudulent Behaviour

As noted in LGAQ Risk Management Discussion Paper (May 2004), the following are some behavioural warning signs to be aware of relating to potential fraudulent behaviour:

- Personnel refusing to take leave, resigning suddenly or failing to attend work for no apparent reason.
- Personnel taking an unusual interest in certain elements of the organisation's business outside their normal scope of duties.
- Internal controls being overridden and ongoing anomalies in work practices.
- Excessive variations to budgets or contracts, missing expenditure vouchers and official

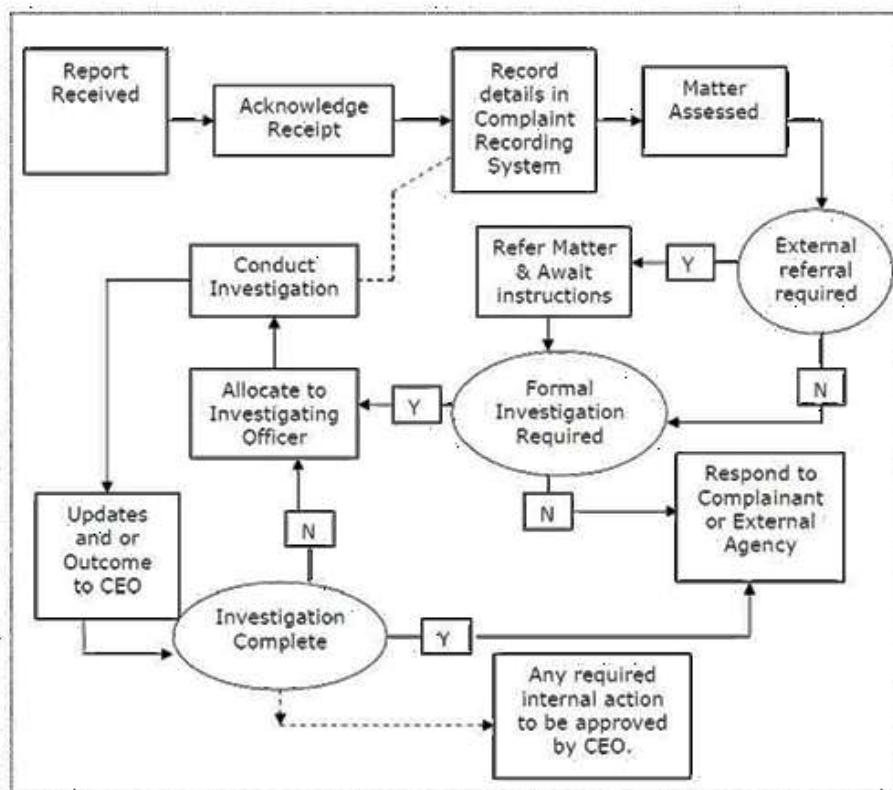
records unavailable.

- Refusal to produce files, minutes or other records within a reasonable timeframe.
- Trends and results not meeting agreed expectations.
- Account reconciliations not balancing or not properly maintained.
- Unauthorised changes to systems or work practices.
- Large or long outstanding debtor accounts and bad or doubtful debts.
- Lowest tenders passed over without explanations being recorded.
- Managers bypassing staff or staff bypassing Managers.
- Secretiveness of personnel about their work, duties and responsibilities.
- Unusual working hours or excessive overtime.
- Excessive control of records by one officer.
- Lost assets, absence of controls and audit trails.

The following are considered to be some of the key areas where Council could potentially be exposed to fraudulent behaviour. Adequate management controls need to be in place to address these areas.

- Grant Programs - This could involve a community group receiving favourable treatment in the grant allocation process by comparison with another group. The potential for grants received by Council to be misappropriated must be protected against.
- Misuse of Fuel Cards - This would involve a staff member using or allowing a fuel card to be used for an unauthorised purpose.
- Travel and Other Allowances - This may relate to illegal claims being submitted seeking reimbursement for expenditure that was not incurred or did not relate to Council business.
- Kickbacks, Gifts and Bribes - This would typically involve a member of staff or an elected member accepting a reward in return for doing a favour.
- Accounts Payable - This could occur whereby a Council officer falsified or prepared erroneous invoices/claims for goods or services which were not supplied to the Council.
- Theft of Council Assets - This could involve the theft of Council assets which may include computers, stationery, tools, cameras, vehicles, etc.
- Theft of Cash - This could involve the theft of rates revenue and other cash collected by Council employees or Contractors responsible for collecting cash on Council's behalf.
- People Development/Payroll - This may relate to individuals claiming they have qualifications which they do not hold, falsifying claims for leave entitlements and attendance records and "dummy" names on payroll records.
- Termination of Employment - This could involve staff not returning keys, fuel cards or other equipment when they cease their employment with Council.
- Misuse of Council Data - This could involve staff releasing to the public or others information that they become aware of to gain a pecuniary advantage for themselves or someone else or releasing information to discredit another person's reputation.
- Tendering Irregularities - This may involve situations where one contractor may be given preferential treatment at the expense of another operator.
- Computer Security - This may relate to theft of equipment and the manipulation of data within the computer to gain an advantage for self or someone else. It may relate to a computer virus being introduced to the organisation.
- Private Use of Council Assets & Equipment - This may involve staff using Council assets such as motor vehicles, computers, items of plant, etc. when unauthorised.

Overview of Fraud Investigation Process



Reporting Requirements

This procedure applies to the reporting of suspected fraud or wrong doing involving Council employees, elected members, contractors, consultants, vendors or any other party with a business relationship with Council.

Any person who suspects fraudulent behaviour or wrongdoing is encouraged to report the matter as that person sees fit. Reports may be made to: the Mayor; the Chief Executive Officer; Elected Members; Directors; Managers; or Team leaders.

A staff member reporting the matter is also encouraged to provide sufficient detailed information to enable a comprehensive summary to be prepared.

All summaries should identify and include, where possible, the following:

- Section and/or location of the alleged incident;
- Key person(s) involved;
- Nature of the alleged incident;
- Time period over which the alleged incident has occurred;

- Value associated with the alleged incident; and
- Any documentary evidence in support of the alleged incident.

Instances of suspected fraud or wrongdoing should be reported promptly and without delay.

Council would prefer that reports of fraud are not made anonymously as such reports cannot be pursued if further information is required. Additionally, the results of any investigation cannot be communicated to the reporting officer if made anonymously. However, anonymous complaints will receive due and proper consideration, although attempts may be made to identify an anonymous complainant for the reasons outlined above.

A proper record needs to be maintained of reports made and how they are addressed.

Whilst external reporting may be an option for some employees, the CMC requires the Chief Executive Officer to notify the Crime & Misconduct Commission (CMC) if they suspect a matter may involve 'official misconduct'.

The Chief Executive Officer needs to ensure all fraud related matters are assessed and to determine Council's obligations and/or need for reporting them to external agencies. External agencies to which reports of fraud and corruption are made will be determined by legislative requirements, and may include such agencies as the CMC, Queensland Police Service or Queensland Audit Office.

The highest degree of confidentiality will be a feature of reporting and investigating fraud. In line with the Whistleblowers Protection Act 2001, every attempt will be made to protect the confidentiality of employees who report fraud. The reputation of those potentially involved must also enjoy the highest level of protection.

In order to avoid damaging the reputations of innocent persons initially suspected of wrongful conduct, and to protect the Council from potential civil liability, the results of any investigations will be disclosed or discussed only with those persons who require knowledge of such investigation in the performance of their office or function.

Reports that are found to be deliberately vexatious will be deemed a breach of the Employee Code of Conduct. Where an employee has been found to have breached this code, penalties may be applied ranging from a warning or loss of privileges for minor breaches, through to termination of employment for official misconduct. This will be in accordance with the *Local Government Act 2009* and Council's Disciplinary Procedure.

Council will ensure that appropriate documentation of the facts has been achieved in order to permit:

- appropriate personnel action;
- protection of innocent persons;
- appropriate civil or criminal actions;
- preservation of the integrity of any criminal investigation and prosecution; and
- avoidance of any unnecessary litigation.

Council will treat all cases of reported or suspected fraud with seriousness and confidentiality. Employees who make complaints will not be victimised or disadvantaged and the person against whom the complaint is made will be treated with procedural fairness. Procedural fairness in this context relates to the person's right to be heard, and to have representation, legal or otherwise, present during interviews or discussions relating to the complaint being investigated. However in the event that fraud is proven, the employee(s) responsible will be subject to Council disciplinary action, the extent of which will be determined by the Chief Executive Officer. If the Chief Executive

Officer is involved in the matter, the extent of any disciplinary action will be determined by the Mayor.

Depending on the severity of the allegations, the Police may be involved in the investigation process. The decision to call the Police will be made by the Chief Executive Officer.

Investigation Procedure

The officers appointed to carry out workplace investigations, must be rigorously impartial, sensitive to the rights of individuals and ensure that the purpose of any investigation, for cases of suspected fraud, is to discover all relevant facts and not just those that are suggestive of guilt.

Council has nominated the Chief Executive Officer as the principal investigating officer except in circumstances where the complaint relates to the Chief Executive Officer in which case the Mayor or his delegate will become the investigating officer. Where considered necessary by the principal investigating officer, other officers deemed necessary may also be engaged to assist. At the conclusion of any investigation, the investigating officer in charge must submit a written report to the Mayor and Chair of the Audit & Risk Management Committee.

When alleged cases of fraud are reported, a fact finding inquiry will be conducted based on the principles of natural justice and procedural fairness. If the inquiry uncovers fraud, a criminal investigation may commence through the Queensland Police Service or the Crime and Misconduct Commission in cases related to "official misconduct". If an inquiry uncovers misconduct other than fraud, the matter will be dealt with by the Chief Executive Officer.

Council will follow the Independent Commission Against Corruption (ICAC) INVESTIGATING FRAUD CHECKLIST when undertaking investigations.

If the inquiry confirms beyond a reasonable doubt that a fraud has taken place or conduct proved and who is responsible, disciplinary action may be taken as per Council's Code of Conduct for staff and according to the provisions of the Local Government Act 2009 and associated Regulations for Councillors.

In addition to the above, the following are key areas to be considered when conducting an inquiry:

- Maintaining confidentiality i.e. identity of the source and the subject, including documents and the recording of information.
- It is vital that instances of alleged misconduct are thoroughly investigated and the employee, where it is deemed appropriate, is made aware of the allegations and provided with a reasonable opportunity to respond.
- An assessment of the information (to determine referral for either the Crime and Misconduct Commission, Queensland Police Service or the continuation of the fact finding inquiry).
- Matters relating to a criminal offence will be reported to the police as early as possible to avoid jeopardising potential police investigation. E.g. theft, assault, obtaining benefit by deception, embezzlement or misappropriation of money, bribery.

Communication

Appropriate communication and consultation between key parties to an enquiry is the most effective method of ensuring all facets have been considered.

The key communication and consultation aspects of this procedure are as follows:

- The status or results of any investigations will be disclosed or discussed only with those

- persons who require knowledge of such in the performance of their office or function;
- The identity of Officers reporting suspected fraud will be subject to strict confidentiality, and they will be advised of investigation outcomes;
 - Council expects all staff to be familiar with and act in accordance with the Code of Conduct and expects similar standards from contractors, volunteers, agencies or organisations that do business with the Council;
 - An employee who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to the Chief Executive Officer and must not, unless the Chief Executive Officer otherwise determines, act in relation to the matter.
 - Consultation with management to verify the integration of the Fraud Prevention & Investigation Policy with day to day operational activities;
 - Chief Executive Officer to be immediately advised where ever there is prima facie evidence to support an allegation of fraud;
 - At the conclusion of any investigation, the investigating officer in charge must submit a written report to the Mayor and Chair of the Audit & Risk Management Committee;
 - Matters relating to a criminal offence will be reported to the police as early as possible to avoid jeopardising potential police investigation.

Duties and Behaviour

Council expects its elected members and staff to maintain a high standard of ethical conduct in all activities, in particular with respect to resources, information and authority. The community rightly expects the Council to conduct its business in a fair and honest manner.

All staff are expected to develop, encourage, insist upon and implement sound financial, legal and ethical decision making within their responsibility levels.

Staff should also be familiar with and act in accordance with the Southern Downs Regional Council Code of Conduct and elected members to comply with the provisions of the Local Government Act 2009 and associated Regulations.

An employee who has a pecuniary interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to the Chief Executive Officer and must not, unless the Chief Executive Officer otherwise determines, act in relation to the matter.

Decision making should be open and transparent. It is in the best interests of fraud prevention for decision making to be visible and unambiguous to staff, elected members and the public.

Executive Managers and Managers at all levels of the organisation need to lead by example, to demonstrate integrity and fairness in decision making and an open honest relationship in their dealings with others. Specific fraud prevention strategies must be implemented that are consistent with overall Council strategies such as:

- Defining clear lines for supervisory responsibilities and accountabilities.
- Reinforcing the need for disciplinary measures when required.
- Adopting preventative measures to deter and detect instances of fraud – this places primary responsibility for deterrence and detection with each Senior Manager.

Measures to prevent fraud need to be continually monitored and reviewed.

Overall responsibility for coordinating fraud prevention measures rests with the Audit and Risk Management Committee function of Council. Responsibilities include:

- Review of any fraud related documentation produced.
- Consultation with management to verify the integration of the Fraud Prevention & Investigation processes within day to day operational activities.
- Questioning to check for understanding of investigation techniques and the Fraud Prevention & Investigation processes.
- To immediately advise the Chief Executive Officer of any situation where there is prima facie evidence to support an allegation of fraud.
- Has the authority to isolate the area of investigation, to prevent destruction or manipulation of evidence and to prevent further damage.
- In consultation with the Manager Human Resources, recommend that the staff member(s) be suspended from duties during investigations.
- Ensure staff who report fraud are advised that their concerns have been investigated and appropriate action taken.



Immunisation Policy

Policy Number:	PL-HR050
Department:	Executive
Section:	Human Resources
Responsible Manager:	Human Resources Manager
Date Adopted:	23 February 2011
Date to be Reviewed:	Within 6 months of the quadrennial election
Date Reviewed:	17 December 2014
Date Rescinded:	n/a

REVISION RECORD

Date	Version	Revision description
09.2012		Annual Review
17.2014		Annual Review

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Policy no: PL-HR050

Updated: 17 December 2014

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1 Policy Background

The Southern Downs Regional Council aims to provide its employees with every opportunity to perform their work tasks safely. Some occupations undertaken by SDRC staff may carry a risk of infection by Hepatitis A and/or B or Q Fever. An independent review of **positions regular work tasks** has been undertaken by an independent medical practitioner and those positions where vaccination is recommended identified. Policy content is derived from, and complies with, the current version of *The Australian Immunisation Handbook*.

2 Purpose

This policy outlines the responsibilities of Council and its employees in ensuring that all reasonable preventative measures are taken to avoid possible infection.

3 Scope

All SDRC employees identified as being at risk. This policy does NOT supersede any advice given by a registered medical practitioner.

4 Legislative Context

– *Work Health and Safety Act 2011*

5 Policy Details

5.1 RESPONSIBILITIES

5.1.1 Employer's Responsibilities

- a) Maintain and annually review a documented policy of the immunisation requirements for workers identified as undertaking at risk occupations.
- b) Ensure that employees are given adequate information and education to enable them to make valid decisions about immunisations, including access to a registered medical practitioner.
- c) Ensure that vaccination is available to existing and new staff in identified at risk positions and coordinate visits to medical practitioners to ensure staff receive all vaccinations and tests required.
- d) Be aware of Council's duty of care towards staff who are engaged in activities which may pose a risk of exposure.
- e) Conduct appropriate risk assessments on irregular duties undertaken by employees to ensure that employees are not placed at undue risk.
- f) Provide detailed information on safe work practices for work tasks where exposure to risk may arise, including appropriate first aid response where required.

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- g) Provide appropriate Personal Protective Equipment at all times, as per existing Workplace Health and Safety Policies, to minimise risk wherever possible.
- h) Maintain security and confidentiality of all employee information relating to vaccinations and infectious diseases.
- i) Inform employees that vaccinations will be funded by the SDRG, **except where employment is terminated prior to completion of vaccination program.**

Where employment is terminated prior to the completion of the vaccination program, the employee will be required to reimburse Council for any vaccinations thus far received, and will become responsible for the completion of their vaccination program at their discretion.

- j) Ensure that contracting agencies only provide staff into areas where high risk tasks may be performed who are able to prove a previous record of vaccination.
- k) Ensure that copies of the employee's vaccination records are available on termination or at the employee's written request within a reasonable amount of time.

5.1.2 Employee's Responsibilities

- a) Comply with the SDRG, vaccination and education program guidelines.
- b) If the employee refuses to undergo vaccination or to provide evidence of previous vaccination, they must document their dissent and their understanding of possible risks involved in non participation.
- c) Provide screening and/or vaccination records when requested by the SDRG.
- d) Report any adverse events following vaccination to their vaccination provider (i.e. registered medical practitioner).
- e) Comply with SDRG Workplace Health and Safety policies and procedures, including this policy, at all times.

5.2 CONSENT

5.2.1 Consent

- a) Valid consent, as outlined in *The Australian Immunisation Handbook* (current edition), must be obtained in writing from the employee prior to vaccination being undertaken. Valid consent shall be sought in writing via the Immunisation Consent Form, following provision of up to date written information sourced from Queensland Health or a registered medical practitioner.
- b) Documentation of the consent process and its outcome will be maintained as part of the Data Collection process (5.3.1).
- c) To assist employees to make an informed decision regarding consent, Council will provide written information and the opportunity to discuss with a registered medical practitioner prior to signing a consent form.

5.2.2 Conscientious Objection

- a. If recommended vaccines are refused, signed documentation of refusal and acknowledgement of possible risks will be obtained from the employee.
- b. Documentation of information provided and the refusal will be maintained as part of the Data Collection process (5.3.1).

5.3 IMMUNISATION

5.3.1 Data Collection

- a) Immunisation History
 - I. Council may request that staff provide documentation to verify previous vaccination(s) undertaken
- b) The SDRC will maintain a data collection system that:
 - I. Contains details of vaccinations provided to employees, including documented consent or refusal, type of vaccine(s) administered and details of registered medical practitioner.
 - II. Contains details of evidence of screening and vaccinations provided by employees or contractors at Council's request.
 - III. Is secure and accessible only by authorised personnel responsible for the oversight and management of the staff immunisation program.
 - IV. Is updated when any new events occur.

5.3.2 Immunisation Process

- a) Vaccines will be administered by a registered medical practitioner authorised to immunise and conducted in accordance with guidelines provided in the current edition of the *Australian Immunisation Handbook* (See Appendix A) or as determined by the registered medical practitioner.
- b) The need for vaccination will be identified by Human Resources staff in accordance with the recommendations of *Australian Immunisation Handbook* and Occupational Physician to ensure the following:
 - I. New employees entering into a position identified as at risk will commence required vaccination courses ~~following completion of their probationary period~~ **as soon as practicable after commencement**.
 - II. Existing employees moving into a position identified as at risk will commence required vaccination courses ~~within one month of~~ **as soon as practicable after** commencing in their new position.
 - III. Existing employees undertaking duties classified as at risk as at the time of adoption of this policy that are unable to provide evidence of current immunity will commence required vaccination courses within one month of adoption of this policy.

6 Definitions

Term	Meaning
'At risk'	Regularly engaged in activities where there is a high possibility of contact with blood, bodily fluids or faecal matter (Hepatitis A & B) or direct contact with livestock (Q Fever), as part of normal occupation. Determined by independent assessment of duties outlined in Position Description.

7 Related Documents

- Appendix A - Guidelines for Administration of Vaccines
- Appendix B - Position Identified as 'At Risk'
- Appendix C - Recommendations on Vaccination, Screening and Exclusion

8 References

- Australian Immunisation Handbook
- Immunisation Consent Form
- Immunisation Refusal and Acknowledgement of Risk Form
- Immunisation Fact Sheet



Appendix A

Guidelines for Administration of Vaccines

Hepatitis A and B

Hepatitis A & B are commonly and successfully vaccinated for using a combined vaccine such as Twinrix on the following schedule:

- A course of vaccines given at zero (0), one (1) and six (6) months.

Q Fever

Vaccination for Q Fever in individuals who have had previous doses of vaccine or other exposure to Q Fever is *not* recommended. Therefore vaccination is recommended according to the following schedule:

- Collection of detailed medical history by a registered medical practitioner qualified in the diagnosis of Q Fever to determine whether previous exposure to Q Fever is known or likely.
- Skin test and blood sample to detect any current antibody levels.
- If, after seven (7) days no reaction is observed, proceed with immunisation in one (1) single dose.
- No post vaccination blood tests are required to confirm immunity.

These guidelines are derived from and consistent with information provided in the current edition of the *Australian Immunisation Handbook*. Every effort is made to provide relevant information to employees however the advice of a qualified, registered medical practitioner should always be regarded as taking precedence.



Appendix B

Positions Identified as 'At Risk'

The following positions have been identified via independent and internal review to be at risk based on position description.

Hepatitis A and / or B

Position Title	Work Area
9 Plumbing Inspector	Built Environment Planning & Development
Environmental Health Officer	Environmental Services
Senior Environmental Health Officer	Environmental Services
Environmental Services Manager Environmental Services	Environmental Services
Carstaker Slade Campus	Cleaning and Maintenance
Cleaner	Cleaning and Maintenance and Cleaning
Facilities Maintenance Officer	Cleaning and Maintenance
Facilities Officer	Cleaning and Maintenance
Supervisor Facilities	Cleaning and Maintenance
Ganger Parks & Gardens (incl Killamey)	Parks & Gardens
Labourer Parks & Gardens (incl Wallangarra)	Parks & Gardens
Plant Operator Parks & Gardens	Parks & Gardens
Supervisor Parks Team Leader Parks & Gardens	Parks & Gardens
Assistant Sewerage Wastewater Treatment Plant Operator	Water and Wastewater Sewerage
Ganger Water and Wastewater Sewerage	Water and Wastewater Sewerage
Labourer Water and Wastewater Sewerage	Water and Wastewater Sewerage
Manager Water and Wastewater Sewerage	Water and Wastewater Sewerage
Principal Engineer Water and Wastewater Sewerage	Water and Wastewater Sewerage
Pump well Station Attendant	Water and Wastewater Sewerage
Sewerage Wastewater Treatment Plant Operator	Water and Wastewater Sewerage
Supervisor Wastewater Sewerage Treatment	Water and Wastewater Sewerage
Supervisor Wastewater Sewerage (incl Maintenance and Construction, North and South)	Water and Wastewater Sewerage
Relief Treatment Plant Operator	Water and Wastewater
Labourer Cemeteries Cemetery Workers	Community Facilities Services
Ganger Cemeteries	Community Facilities
Team Leader Cemeteries	Community Facilities
Technical Officer Water and Wastewater Sewerage	Water and Wastewater Sewerage
Waste Water Officer	Water and Wastewater Sewerage
Sewerage Wastewater Treatment Operator	Water and Wastewater Sewerage
Aquatics Coordinator	WMRAC
Centre Manager WMRAC	WMRAC
Dry Area Coordinator	WMRAC
Facility Maintenance Officer WMRAC	WMRAC
Lifeguard / Learn To Swim Instructor	WMRAC
Team Member WMRAC	WMRAC

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Diesel Mechanic / Fitter Welder	Works
Plant Operator (where operating plant at landfill site)	Works/Environmental Services
Supervisor Workshop	Works
Workplace Health & Safety Officer	Exec
Community Youth Worker	Community

Q Fever

Position Title	Work Area
Environmental Compliance Officer (W)	Environmental Services
Environmental Health Officer	Environmental Services
Local Laws Officer (Animal Control)	Environmental Services
Local Laws Officer (Pest Management Compliance)	Environmental Services
Saleyard Administration Officer	Saleyards
Saleyard Data Entry Clerk	Saleyards
Saleyard Labourer	Saleyards
Saleyard Maintenance Officer	Saleyards
Saleyard Superintendent	Saleyards

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Appendix C

Recommendations on Vaccination, Screening and Exclusion

The following table summarises advice received from The Health Advantage regarding vaccination, post-vaccination screening and exclusion from duties.

Immunization	Group	Vaccinate	Post Vaccine Testing	Exclusion if unvaccinated
Q fever	Saleyards	Yes – If Exposure above 200hrs/annum.	No	Yes (exception below 200hrs/annum exposure then particulate filter mask)
	Environmental Services	No - unless exposure to high risk tasks above 200hrs/annum.	No	Yes if above 200hrs/annum exposure.
Hepatitis A & B	Built Environment	Yes - (plumbing inspector)	No	No
	Water & Sewerage	Yes	No	No
	9.1 Parks & Gardens	Yes – but only if risk of needle stick injury or engaged toilet cleaning	No	No
	Cleaning and Maintenance	Yes – but only if risk of needle stick injury or engaged toilet cleaning	No	No
	Environmental Services, Works, Services, etc., community	Yes – but only if risk of needle stick injury or engaged toilet cleaning	No	No
	WRAC	Yes – but only if risk of needle stick injury, engaged toilet cleaning, caring for children in Day Care, working in indigenous communities	No	No
	First Aiders	Yes	No	No

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8.7 BCS - Delegations Register Amendments - Council to CEO

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Manager Corporate Services Governance Officer	File Ref: 22.01.01

Recommendation

THAT :

1. Council, pursuant to section 257 of the *Local Government Act 2009*, amend its Register of Delegations by the Southern Downs Regional Council to the Chief Executive Officer as per the attached document, which includes the suggested conditions that have been applied to those delegations reviewed during recent Council Briefing Sessions.
2. The Delegations Register Review Committee continues to meet and review the Delegations until all legislation included in the Register has been reviewed.

Report

At the General Meeting of Council on 26 March 2014, Item 13.1 Council recommended that:-

1. Council appoint the Mayor, Cr Bartley, Cr McNally and Cr Mackenzie to a Standing Committee to meet with King & Co to review Council's Register of Delegations to the Chief Executive Officer.
2. Other interested Councillors are welcome to attend the meeting.

As per this recommendation, during recent Briefing Sessions a review of the Delegations has commenced with Tim Fynes-Clinton of King & Company Solicitors. The Review Committee decided on the below set of conditions with an associated number. Several areas of legislation which have now been reviewed have a corresponding number from the below list in the comments column.

Condition Number	Explanation
1	Delegated to the Chief Executive Officer, unconditionally.
2	The Chief Executive Officer must, wherever reasonably practical, give prior notice by email to all councillors of the Chief Executive Officer's intention to exercise the power.
3	<ol style="list-style-type: none">1) The Chief Executive Officer must give two (2) working days prior notice by email to all councillors, of: -<ol style="list-style-type: none">a) the Chief Executive Officer's intention to exercise the power; andb) the Councillor's entitlement to provide comments on the issue to the Chief Executive Officer within two (2) working days of receipt of the email notification.2) The Chief Executive Officer must not exercise the power if, within two (2) working days of giving the email notification referred to in paragraph 1), the Chief Executive Officer receives a written request from at least two(2) councillors for the matter to be

	referred to the next Council meeting.
4	Power not delegated.

As previously advised Council subscribes to the Local Government Association of Queensland's online delegations register service which provides up to date advice on local government legislative delegations through King and Company Solicitors. As part of this service, Council has been advised on 12 February and 7 August 2014, of a number of changes to the Register of Delegations from Council to the Chief Executive Officer (CEO). Below is a summary of new registers and changes of substance to existing registers.

Summary of changes:

Changes of substance to existing registers:

Changes of substance to existing registers (These changes are current as at 12 February 2014)

Existing registers that have been amended:

1. Animal Management (Cats and Dogs) Act 2008 – Council to CEO
2. Building Act 1975 – Council to CEO
3. Environmental Protection (Waste Management) Regulation 2000 – Council to CEO
4. Environmental Protection (Water) Policy – Council to CEO
5. Fire and Rescue Service Act 1990 – Council to CEO
6. Food Act 2006 – Council to CEO
7. Land Act 1994 – Council to CEO
8. Land Protection (Pest and Stock Route Management) Act – Council to CEO
9. Liquor Act 1992 – Council to CEO
10. Local Government Act 2009 – Council to CEO
11. Local Government Regulation 2012 – Council to CEO
12. Plumbing and Drainage Act 2002 – Council to CEO
13. Right to Information Act 2009 – Council to CEO
14. Sustainable Planning Act 2009 – Council to CEO
15. Waste Reduction and Recycling Act 2011 – Council to CEO
16. Waste Reduction and Recycling Regulation 2011 – Council to CEO
17. Water Act 2000 – Council to CEO
18. Work Health and Safety Act 2011 – Council to CEO
19. Workers Compensation and Rehabilitation Act 2003 – Council to CEO
20. Workers Compensation and Rehabilitation Regulation 2003 – Council to CEO.

New registers (These updates are current as at 12 Feb 2014)

The following new registers have been created at the request of various Councils:

1. Acquisition of Land Act 1967 – Council to CEO

Changes of substance to existing registers (These updates are current as at 7 August 2014)

Existing registers that have been amended:

1. Disaster Management Act 2003 – Council to CEO
2. Environmental Protection Act 1994 – Council to CEO
3. Fire and Rescue Service Act 1990 – Council to CEO

4. Land Valuation Act 2010 – Council to CEO
5. Liquor Act 1992 – Council to CEO
6. Local Government Regulation 2012 – Council to CEO
7. Sustainable Planning Act 2009 – Council to CEO
8. Water Supply (Safety and Reliability) Act 2008 – Council to CEO
9. Work Health and Safety Regulation 2011 – Council to CEO.

New registers (These updates are current as at 7 August 2014)

The following new registers have been created at the request of various Councils:

2. Heavy Vehicle National Law (Qld) – Council to CEO
3. Heavy Vehicle (Mass, Dimension and Loading) National Regulation – Council to CEO
4. Heavy Vehicle National Law Regulation 2014 – Council to CEO
5. Nature Conservation Act 1992 – Council to CEO
6. Nature Conservation (Administration) Regulation 2006 – Council to CEO
7. Nature Conservation (Wildlife Management) Regulation 2006 – Council to CEO
8. Statutory Bodies Financial Arrangements Act 1982 – Council to CEO.

Budget Implications

Nil.

Policy Consideration

No PL-GV069 Guideline for the formation and review of Policies

Corporate Plan 2014–2019

8. The Well-Governed Southern Downs
 - 8.6 Develop and implement customer focused policies and processes in keeping with Council's commitment to customer service.

Community Plan 2030

8. The Well-Governed Southern Downs
 - 8.6 Create seamless processes between Southern Downs Regional Council and the community.

Community Engagement

Nil.

Legislation/Local Law

Local Government Act 2009, s257 - Delegation of Local Government Powers.

Local Government Act 2009, s260(1) - requires that the Chief Executive Officer must establish and record all delegations in a delegations register.

Local Government Regulation 2012, s305 - provides the particular content requirements for the register.

Options

1. Adopt the amendments to the 'Council to CEO Delegations Register' as per the attached document.
2. Amend the applied conditions, to those delegations reviewed during recent Council Briefing Sessions.
3. Add conditions to individual delegations if appropriate.
4. Do not adopt the amended 'Council to CEO Delegation Register'.

Attachments

1. Register of Delegations to the Chief Executive Officer. Due to the document's size, the attachment will be made available on the Councillors Shared drive. [View](#)

Item 8.7 BCS - Delegations Register Amendments - Council to CEO


Attachment 1: Register of Delegations to the Chief Executive Officer. Due to the document's size, the attachment will be made available on the Councillors Shared drive.

BCS - Delegations Register Amendments Council to CEO

Register of Delegations to the Chief Executive Officer. Due to the document's size, the attachment will be made available on the Councillors' Shared drive.

8.8 BCS - Addition to 2014-2015 Fees Amendment - Wallangarra Cemetery New Beam

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Manager Community Facilities	File Ref: 12.11

Recommendation

THAT Council add to its 2014/2015 Schedule of Fees and Charges an interment fee for the Wallangarra Lawn Cemetery for the sum of \$1,849.60 including GST, (the same as the Stanthorpe Lawn Cemetery fee).

Report

Cemeteries Fees

A concrete beam has been installed at the Wallangarra Cemetery to provide a Lawn Cemetery burial option.

The benefits of a Lawn Cemetery are to reduce burial costs to the families as monumental work is not required.

Maintenance for Council staff is also reduced as brush cutting along the concrete beam takes less time than maintenance around monumental work.

Budget Implications

Council's fees and charges provide an opportunity for revenue to be received for services rendered. The proposed interment fee for the lawn cemetery at Wallangarra is in line with that charged for the Stanthorpe cemetery.

Policy Consideration

Community Plan 2030

2. The Healthy and Active Southern Downs – Recreation
 - 2.24 Increase accessible, inclusive and diverse recreation activities through the provision of quality infrastructure and facilities across the region.

Community Engagement

Nil

Legislation/Local Law

Local Law 1.9 – Operations of Cemeteries

Options


1. Adopt the fees as outlined in the report.
2. Do not adopt the fee as outlined in the report.

Attachments

Nil

8.9 BCS - Saleyards Avdata Keys

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Manager Community Facilities	File Ref: 03.51

Recommendation

THAT Council amend the 2014-2015 Fees and Charges to reflect that a Security Access Gate Key is included in the following Agents Permit Fees:-

Agents Selling Permit for Cattle	\$4,665.00
Agents Selling Permit for Sheep	\$2,750.00

Report

At the October 2014 Saleyards Advisory Committee, a letter from the Warwick Livestock Selling Agents Association was tabled regarding Council's annual charge of \$84 for registration of an access key to the Warwick Saleyards and the one-off charge of \$35 for the purchase of a key.

The intention behind this report is to clarify that the cost of the initial Avdata key (both registration and annual) is included in the agents fees. Any subsequent key for an agent would then be at cost as prescribed.

The Agents Association are agreeable to the fee for purchasing a key but strongly object to the annual fee, as they feel that all Agents and their staff should be permitted access to the Saleyards at all hours.

The request proposed that the purchase fee should be included in the Annual Selling Permit Fees and no annual fee is charged. The Agents agreed that if extra keys are required, then these keys would incur both the purchase and annual fee.

In response, the Saleyards Advisory Committee recommended that a report be placed before Council requesting Council consider amending the 2014-15 fees and charges to reflect that initial key and annual fees be included in the annual agents fees. Any further keys then would be at cost.

Budget Implications

The current Fees & Charges for an Agents Selling Permit is \$4,665.00 for Cattle and \$2,750.00 for Sheep.

Policy Consideration

Community Plan 2030

4. The Economically Strong, Sustainable and Diverse Southern Downs

4.3 Protect and encourage agricultural and horticultural industries to remain viable.

Community Engagement

Nil.

Legislation/Local Law

Local Law No. 9 (Operation of Saleyards) 2011.

Options


1. Change the current Fees and Charges Schedule to reflect no annual fee charge for access keys to the Warwick Saleyards.
2. Keep the current Fees and Charges Schedule.

Attachments

Nil

8.10 BCS - Stanthorpe Cemetery - Outdoor Burial Wall - Stage 2

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Manager Community Facilities	File Ref: 05.30

Recommendation

THAT Council:-

1. Construct block A of stage 2, consisting of 24 vaults, of the Stanthorpe Outdoor Burial Wall, after 50% of the vaults have been purchased.
2. Amend the 2014/2015 Schedule of Fees & Charges to reflect the cost of the vaults at \$5,200 per vault for cost recovery only.

Report

The construction of stage 1 of the Outdoor Burial Wall in the Stanthorpe Cemetery was completed in June 2013. On 1 July 2013, burial vaults in the Outdoor Burial Wall were made available to purchase.

On 31 July 2013, Council resolved in part as follows:

5. *Due to the initial interest expressed in purchasing vaults in this wall, Council approve developing a mirror image of the current design, however, not build until 50% of the vaults are purchased. (The proposal is similar to that of a subdivision, whereby the community could purchase a vault off the plan and when sufficient funds are obtained, building could commence. This would be based on the cost recovery rate of the vault full price as stated on the Schedule of Fees as adopted by Council. This would not occur until the current stock of vaults are all sold.*

Within a short period of time, all 90 vaults were reserved. This has presented a problem for families who wish to secure interment of a loved one in the Outdoor Burial Wall but have not pre-purchased a vault.

Interested community members seem reluctant to pay upfront for a facility that has not yet been built. Therefore, clarification was sought at the June 2014 General Council Meeting to determine whether the resolution to await the sale of 50% of the vaults relates to 50% of 90 vaults (i.e. sale of 45 vaults prior to construction); or 50% of 24 vaults in stage 2, block A depicted below (i.e. sale of 12 vaults prior to construction).

A price estimate was included in the June 2014 paper to Council for the construction of a mirror image to Section A (24 vaults) with the price coming in at around \$100,000. (See proposed mirror image illustration).

In response, Council resolved to defer consideration of the Stanthorpe Cemetery – Outdoor Burial Wall Stage 2 to a September 2014 Briefing Session.

In addition, it was also requested that a comparative quote for a basic stand-alone design that is constructed of brick with a concrete roof, be obtained. The building would house 48 vaults, back to back, meaning 24 vaults per side.



On 15 July 2014, officers received a revised estimate based on a revised scope of work (Stand alone building, with back to back vaults with an overall capacity of 48 vaults). Based on the requirements, the estimate to complete the work was around \$200,000, meaning that no real cost saving would be delivered through a stand-alone unit.

Whilst there did not appear to be any significant variation in the unit price per vault in the construction of the wall (approximately \$4,200 per vault to build), the maintenance cost applied to each vault would vary depending on the number built, i.e. the more vaults constructed the less each vault would need to contribute to the ongoing maintenance as this cost would be spread over a greater number. Currently, the fee in Council's Fees and Charges (\$8,240 per vault) reflects the approximate cost to construct the facility plus the estimated cost to maintain the facility over a fifty (50) year period.

To assist understanding the costs to build and sell a vault, a benchmark was completed of other similar burial walls and/or above ground vaults from cemeteries located in Brisbane, Mareeba and Melbourne. A breakdown is provided below:

Brisbane City Council Cemeteries

Standard Position Vault - from \$16,496

Nudgee Cemetery

Vault - \$5,456

8 Bed Chapel - \$39,005

Mareeba Shire Council
Mausoleum Wall - \$8,100

Melbourne Cemeteries
From \$15,700 upwards

It is clear from the benchmark that the retail price on the sale of these vaults varies quite significantly across locations and it would seem that this is driven by location, standard of finish and construction materials.

An option available for consideration is to underwrite the construction of this facility prior to the revenue being in place. Council would need to carefully consider this option as the initial outlay to build 24, 48 or 90 vaults will be anywhere in the vicinity of \$100k to \$300k, excluding maintenance costs. Currently there is no allocated capital budget to undertake construction works and Council would need to carefully examine which capital project should be placed on hold to undertake this work, should the decision be to build the wall this financial year.

On 24 September 2014, Council resolved at its General Meeting to call Expressions of Interest (EOI) on the two separate designs for the construction of stage 2 of the Stanthorpe Outdoor Burial Wall, with the budget implications to be discussed at a further Council Meeting after receipt of those expressions of interest.

On 11 November 2014, an EOI on the two proposed designs for the construction of stage 2 of the Stanthorpe Outdoor Burial Wall was issued through Local Buy and to a number of local suppliers (14 suppliers in total were invited). In response, only two suppliers responded, with only one supplier providing a price against each design. Based on the one quote provided, it suggested to construct the wall would be as follows:

24 Vault Design (Replication of current design)	\$125k
48 Vault Stand Alone Design	\$215k

To recover construction costs alone, Council would need to charge approximately \$5,200 per vault for the 24 Vault Design or approximately \$4,500 per vault for the Stand Alone version.

Budget Implications

Council has not allocated any capital budget to complete this project.

Policy Consideration

Corporate Plan 2014-2019

1. The Southern Downs Sense of Community
 - 1.13 Develop and promote our unique artistic and cultural diversity.

Community Engagement

Significant community engagement was conducted prior to the finalisation of the Stanthorpe Cemetery Outdoor Burial Wall stage 1.

Legislation/Local Law

Land Act 1994
Land Regulation 2009
Subordinate Local Law 1.9 (Operation of Cemeteries)
Subordinate Local Law 1.13 (Undertaking Regulated Activities regarding Human Remains)

Options

The following options are based on the fee already set at the cost to construct plus fifty (50) years maintenance.

1. Await the sale of 45 vaults prior to construction of the whole of stage 2 (as previously resolved).
2. Approve the construction of the whole of stage 2 prior to the sale of 45 vaults.
3. Await the sale of 12 vaults prior to construction of stage 2, block A.
4. Approve the construction of stage 2, block A prior to the sale of 12 vaults.
5. Approve the construction of a stand-alone wall.
6. Await the sale of 24 vaults prior to the construction of a stand-alone wall.

The following options are based on the fee being set at the cost to construct the burial wall only. This would require Council to amend the current fee in the Council's fees and charges to reflect a fee of around \$4,200-\$5,200.


7. Await the sale of 45 vaults prior to construction of the whole of stage 2 (as previously resolved).
8. Approve the construction of the whole of stage 2 prior to the sale of 45 vaults.
9. Await the sale of 12 vaults prior to construction of stage 2, block A.
10. Approve the construction of stage 2, block A prior to the sale of 12 vaults.
11. Approve the construction of a stand-alone wall.
12. Await the sale of 24 vaults prior to the construction of a stand-alone wall.

Attachments

Nil

8.11 Calendar for 2015 General Council Meetings & Briefing Sessions

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Acting Chief Executive Officer	File Ref: N/A

Recommendation

THAT Council adopt the attached schedule for 2015 General Council Meetings and Briefing Sessions.

Summary/Purpose

The purpose of this report is to set a calendar for General Council Meetings and Briefing Sessions for 2015.

Report

In accordance with *Section 5.1.1* of Council's Code of Meeting Practice Policy, Council is required to adopt an annual schedule of dates for Council meetings.

Council's Policy also states that in accordance with *Section 257 of the Local Government Regulations*, Council will meet once per month on the fourth Wednesday of each month.

Council has held over discussions on the meeting practice until the LGAQ Planning review process has been completed in 2015. At that point, Council can consider its meeting schedule.

Attached is the proposed Schedule for 2015 General Council Meetings and Briefing Sessions.

Budget Implications

Nil.

Policy Consideration

Nil.

Community Engagement

Nil.

Legislation/Local Law

Local Government Regulation 2013.

Attachments

1. Schedule for 2015 General Council Meetings and Briefing Sessions [View](#)



Calendar for General Council Meetings and Briefing Sessions 2015


MONTH	BRIEFING SESSION 1	BRIEFING SESSION 2	GENERAL COUNCIL MEETING
January	No Session	No Session	28/1/2015 Stanthorpe
February	2/2/2015 Stanthorpe	9/2/2015 Warwick	25/2/2015 Warwick
March	2/3/2015 Warwick	9/3/2015 Warwick	25/3/2015 Stanthorpe
April	7/4/2015 Stanthorpe	13/4/2015 Warwick	22/4/2015 Warwick
May	4/5/2015 Warwick	11/5/2015 Warwick	27/5/2015 Stanthorpe
June	1/6/2015 Stanthorpe	9/6/2015 Warwick	24/6/2015 Warwick
July	6/7/2015 Warwick	13/7/2015 Warwick	22/7/2015 Stanthorpe
August	3/8/2015 Stanthorpe	10/8/2015 Warwick	26/8/2015 Warwick
September	7/9/2015 Warwick	14/9/2015 Warwick	23/9/2015 Stanthorpe
October	6/10/2015 Stanthorpe	13/10/2015 Warwick	28/10/2015 Warwick
November	2/11/2015 Warwick	9/11/2015 Warwick	25/11/2015 Stanthorpe
December	7/12/2015 Stanthorpe	No Session	16/12/2015 Warwick

April General Meeting - Tuesday due to Easter Monday Public Holiday
June Briefing Session - Tuesday due to Queens Birthday Public Holiday
October Briefing Session - Tuesday due to Labour Day Public Holiday

9. ENGINEERING SERVICES DEPARTMENT REPORTS

9.1 Engineering Department Monthly Report

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Director Engineering Services	File Ref: 04.15.01

Recommendation

THAT Council receive the Engineering Department Monthly Report

Report

The following is provided for the information of Councilors.

Works

Capital Works Undertaken During November 2014

Project:	TIDS Inverramsay Road
Budget:	\$535,000
Description:	Widen & Rehabilitate from Ch 2.77 to 5.40
Start Date:	15-Sep-14
Est End Date:	12-Dec-14
% Complete:	60%
Expenditure to date:	\$517,268 (including commitments)
Estimated Final Expend:	\$535,000
Project Officer:	Nathan Kamalan
Comments:	Primer seal of the second section scheduled for 5 Dec 14. the work length will be from Ch 5.44 to 3.70 km. There will be savings of \$50,000 from material as the length of the works reduced by 700 m. The balance fund will be used for survey and design works of the next section (from Ch 5.44 km) and the final seal.

Project:	Stanhope-Texas Road: Contract No STHD-1476 (Contract wor for TMR)
Budget:	\$521,690
Description:	Installation of signs & tree clearing
Start Date:	21-Oct-14
Est End Date:	17-Feb-15
% Complete:	10%
Expenditure to date:	\$63,139 (including commitments)
Estimated Final Expend:	\$521,690
Project Officer:	Nathan Kamalan
Comments:	Sign installation works commenced from Texas end.

Infrastructure Services

Design

Works Section

Anemone Street Stage 2, Killarney

In principle agreements have been received from the owners of the four properties affected by the proposed open channel. Engineering Section must now prepare planning application to subdivide three of the affected lots. Detailed survey has been carried out to locate existing CED services through these properties as well as other locations in Anemone Street. The proposed design will require some sections of the CED reticulation to be relocated to accommodate new stormwater infrastructure.

Water & Waste Water Section

Trunk Water Main Replacement Warwick WTP to Golf Links Reservoir

Detailed survey was commenced for stage 1 of the above project proposed to replace a section of the 300dia. water main running from the Warwick WTP to the Golf Links Reservoir. The section selected for Stage 1 is from the Victoria Street/ Rosehill Road intersection to the Golf Links Reservoir. Investigation work has been carried out around the reservoir to confirm location and depths of existing pipe work.

Preliminary alignment for new main is being prepared.

Land Acquisition, Wallangarra Water Treatment Plant

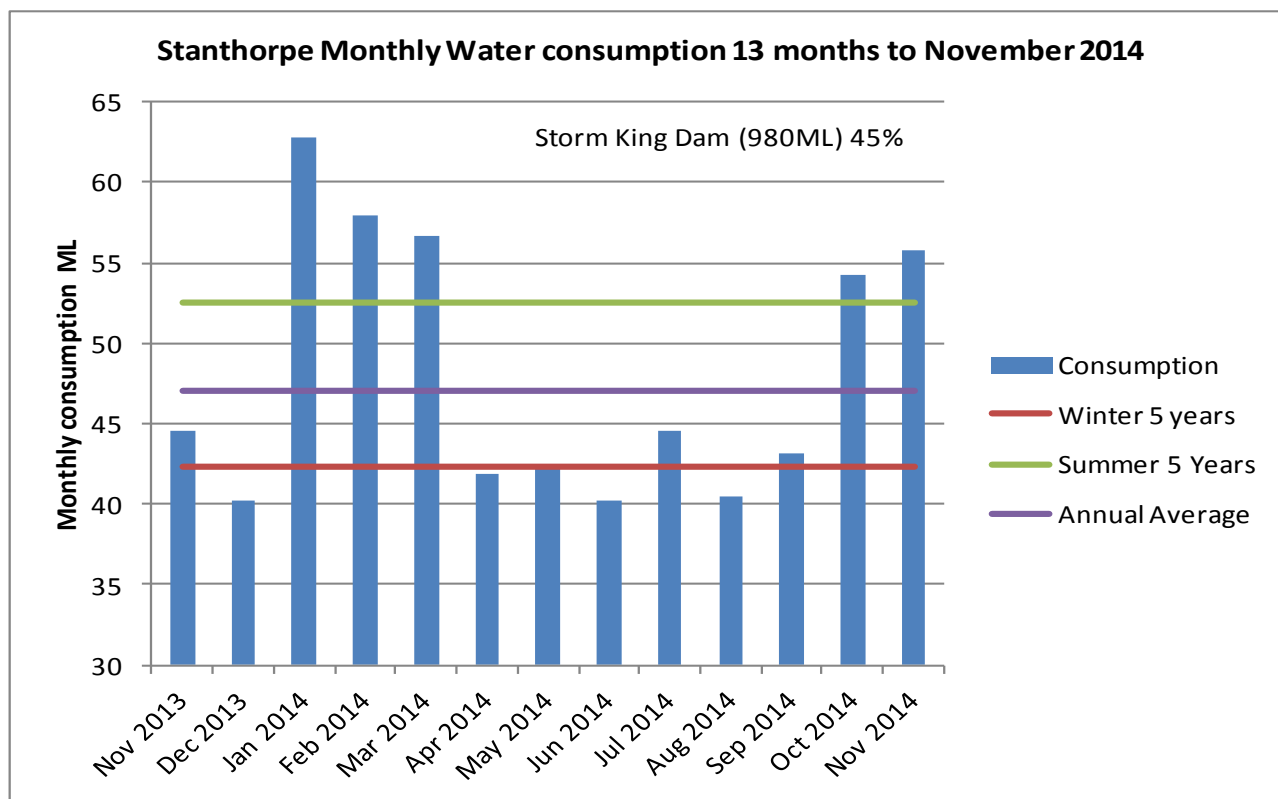
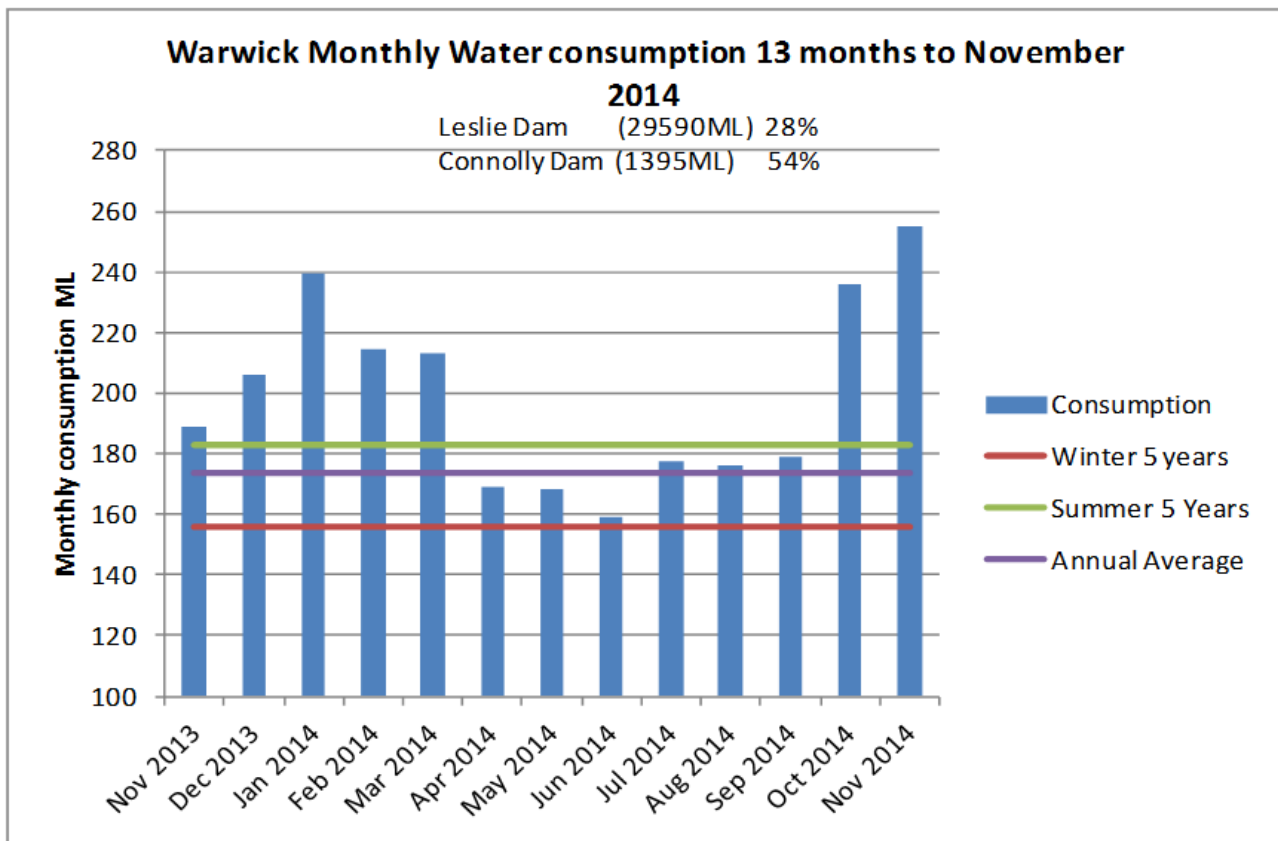
Arrangements made to obtain second valuation of land proposed to be acquired for the augmentation of the Wallangarra Water Treatment Plant.

Maintenance Section

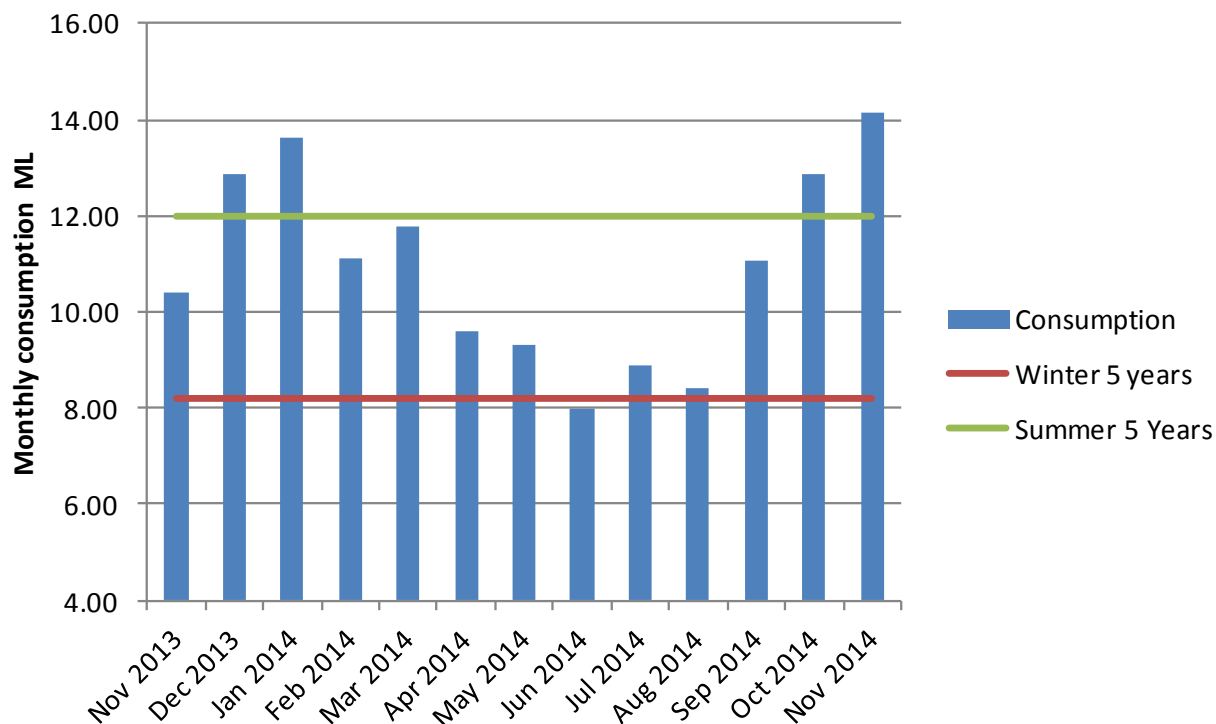
Lyons & Pratten Streets Intersection, Warwick

Request from Works department to investigate proposal for safety improvements at the above intersection as a result of public requests. Proposal involves preventing traffic turning right from Lyons Street into Pratten Street and right from Pratten into Lyons Street using signage and linemarking. Plan has been prepared and will be used for public consultation.

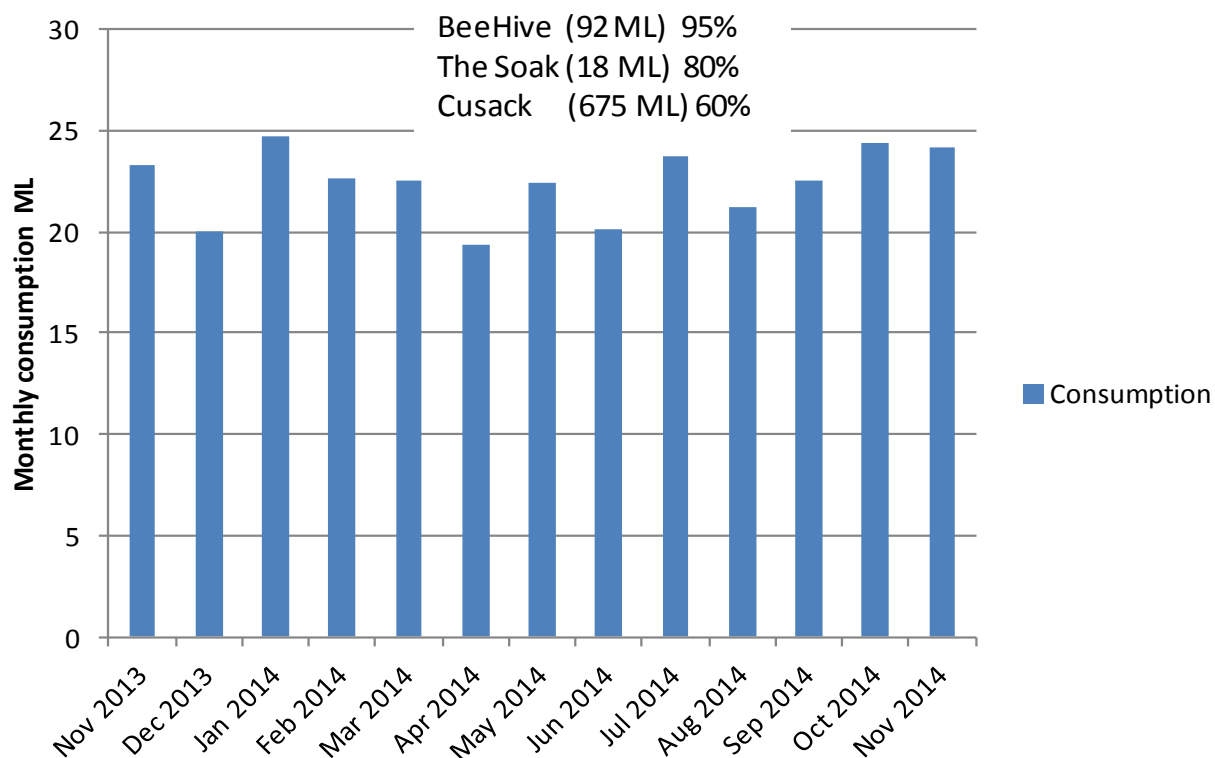
Monthly Water Consumption



Killarney Monthly Water consumption 13 months to November 2014



Wallangarra Monthly Water consumption 13 months to November 2014



Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Nil

Options


Nil

Attachments

Nil

9.2 Request to Name Allora Cricket Oval

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Director Engineering Services	File Ref: 0

Recommendation

THAT Council advertises the suggestion of “Keith Masters Memorial Oval” in the Allora Advertiser to seek community views and report back to Council.

Report

Councillor Rees has requested consideration be given to naming the Allora Cricket Oval in memory of Keith Masters.

Councillor Rees has provided the following information:

I would like to see the Oval named the ‘Keith Masters Memorial Oval’, as would the local Allora Cricket Clubs (Allora & the Allora ‘Rascals’), the community that is aware & the Warwick cricket Association.

Mr Masters passed away on the 14th of September 2013, after a lengthy period of illness, aged 84. He has many family members in the Allora area, being a father, Grandfather & Great Grandfather. Since I reformed the Allora Cricket Club Inc in 2004, Keith was a regular at the Allora Oval for weekend fixtures with his remarkable wit and amazing knowledge of the game of cricket. He himself played countless games over his sporting life at the Allora Oval.

He was a long serving Patron of the Warwick Cricket Association until his passing, a Life Member of the Eastern Downs Cricket Association (Toowoomba, Warwick etc), an organisation he presided over for many years, and is the only Life Member of the reformed Allora Cricket Club.

This is a little from his eulogy.

Keith attended the Allora State School for his primary education and secondary education at the Warwick High School. He rode a pushbike to Warwick at the weekend and returned to Allora after the school week.

Growing up in the years of WW2 made things very different. He was a member of the Junior Red Cross and also the High School Cadets.

In his younger years he loved playing sport around the district. His sports were cricket, hockey and tennis, he was good at all of them, but his great love was cricket. He was an outstanding batsman, and excellent wicketkeeper, and was a member of Allora, Warwick and Toowoomba representative teams, and led Allora to three premierships wins as captain.

After his playing years he became a highly regarded umpire. He was made a life member of the Eastern Downs Cricket Council and also a delegate to the Queensland Country Cricket Assoc.

On one occasion, he was selected in a composite team that played against a team that contained Richie Benaud (later Aust. Captain) Ray Lindwall, the feared Test fast bowler, Arthur Morris the great left-handed opening batsman for Australia, Jim Bourke also an Australian Test player and Tom Brook NSW representative bowler and later a famous Test umpire.

A lifelong resident of Allora, Keith also contributed so willingly to other Allora community groups and organisations.

A wonderful man who was instantly recognisable in his community, and throughout much of the wider area.

Council does not have a place naming policy however Council does have a Road Naming/Renaming Policy. The request generally meets these criteria. The Policy also requires community input. It is recommended that Council call for public comment in the Allora Advertiser.

Budget Implications

Small costs will be incurred for advertising in the local newspaper and for the erection of a sign.

Policy Consideration

As per the report

Community Engagement

It is suggested that the proposal be advertised in the local newspaper asking for comment.

Legislation/Local Law

Nil

Options

Council can


1. Advertise the suggestion and then consider a future report; or
2. Reject the suggested naming of the oval.

Attachments

Nil

9.3 Budget Reallocation: Water & Waste Water

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Director Engineering Services	File Ref: 12.05.03

Recommendation

THAT Council approve the reallocation of \$70,000 from account number 100578 to account number 101237.

Report

Tenders were called for the reconstruction of the roof on the Warwick Water Treatment Plant Reservoir. The 2014/2015 budget made provision for a budget of \$100,000 for the work. Due to unforeseen issues, the support structure also requires replacement. The total amount required is \$170,000 for this work.

It is proposed to transfer \$70,000 from account number 100578 (Water Planned Maintenance) to cover this shortfall.

Budget Implications

The Operational fund project 100578 will be reduced from \$318,209 to \$248,209. Capital project 101237 will be increased from \$100,000 to \$170,000.

Policy Consideration

Council approval is required as per clause (c) of the Budget Amendment Policy

Community Engagement

Nil

Legislation/Local Law

Nil

Options

Council can


1. Approve the budget amendment; or
2. Not proceed with the project.

Attachments

Nil

9.4 RFT 15/029 Supply & Installation of Stanthorpe Water Tank

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Principal Engineer Water & Waste Water	File Ref: 32.31

Recommendation

THAT Council, subject to negotiations with the preferred proponent, resolves to accept and enter into a contract to construct 1.2ML concrete water storage tank at Stanthorpe WTP by Kay Associates Pty Ltd at the total price of \$728,880.00(excluding GST)

Report

Council has a policy that any projects above \$200,000 have to get a Council resolution to be awarded. This project has a budget of \$ 600,000

Tender notice was published in council web site as well as newspapers and placed the documents in tender link requesting the price for Tender. The tender evaluation was undertaken in accordance with Council's procurement policy and recommendation was given in the evaluation report.

Key Project milestones and completion dates are shown in following Table:

Milestone	Date
RFT release Date	6-Nov-14
Site meeting with SDRC Engineer	21-Nov-14
RFT Closing	4-Dec-14
Evaluation Panel Meeting	8-Dec-14
Council meeting	17-Dec-14
Award of Contract	6-Jan-15

14 companies responded to the RFT. A total of 15 tenders (including alternative tenders) were received with one company putting alternative tender.

The tenders were evaluated by a panel of 3 staff members with the coordination of the RFT Administrator. Refer to the table below:

Role	Directly Assess and Score Responses	Person	Organisation
Chair	Yes	Menik Menikdiwela	Council
Member	Yes	Allan Petersingham	Council
RFT Administrator	No	Maryanne Kelly	Council
WHS Advisor	No	Stephen Kemp	Council
Member	Yes	Andrew Mapes	Council

The tenderers, their prices and status of conformation are listed below:

Tenderer	Conforming Tender Price (Exc. GST)	Alternative Tender Price (Exc. GST)
Kay Associates Pty LTD	\$728,880.00	
William Morley	\$870,196.00	
Aqua Infrastructure	\$873,467.23	
HORNICK	\$884,000.00	
MICHAEL De RE Builder P_L	\$906,065.00	
Silos, Bins & Tank Engineering Pty Ltd	\$935,187.22	
Beckhaus Civil Engineering PTY LTD	\$1,018,137.50	
Pensar Pty Ltd	\$1,022,480.00	
Bagara Engineering	\$1,045,662.37	\$837,520.80
Coffeys EMS	\$1,069,110.90	
FBD Constructions	\$1,168,036.60	
Dormway PTY LTD	\$1,232,819.70	
N F Corbett Pty. Ltd	\$1,306,603.00	
ProSpec Projects Pty Ltd	\$1,830,286.00	

The following tender was considered non-conforming:

- Bargara Concrete Tanks _ Alternative tender.

There are 5 confirming tenders and 1 non-confirming tender with the price variation upto 25% of the lowest tender price. Those tenders were evaluated. The tenderers having the price higher than 125% of the lowest price (ie \$ 911,100) were not considered for further evaluation.

The tenders were evaluated using the criteria listed in the table below:

Criteria	Evaluation Criteria	Weightage %
1	Work Health and Safety (Mandatory)	Pass/ Fail
2	Capabilities, Skills, Experience and Resources , Management system	20
3	Delivery Methodology , Demonstrated Understanding	15
4	Local preference	5
5	price and value for money	60

The results of the assessment are summarised below

Tenderer	Price Score	Non price score	Total Score	Rank
Kay Associates Pty LTD	60	29	89	1
William Morley	36	11	47	4
Aqua Infrastructure	36	15	51	3
HORNICK	36	28	64	2
MICHAEL De RE Builder P_L	12	14	26	5

Budget Implications

This contract will be funded as follows:

\$ 550,000 – Project PJ 101238 – Stanthorpe Water tank construction

\$ 170,000 – Project PJ101236 – Golf link Pipe extension.

\$ 720,000 – Project Total

The panel feels that there is opportunity to negotiate down some aspects of the price submission of Kay Associates Pty Ltd.

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Council is required to meet the requirements of the Local Government Act 2009 and the Local Government Regulation 2012 for procurement.

Options

Council award the tender for the supply & installation of a 1.2ML concrete water storage tank at the Stanthorpe Water Treatment Plant to Kay Associates Pty Ltd for a total cost of \$728,888.00 (excluding GST)

Attachments

1. Tender Evaluation Spreadsheet [View](#)

Project: 15/029
Contract: 15/029


Schedule

Item	Description	Unit	Qty.	TN 1	TN 2	TN 3	TN 4	TN 5	TN 6 Non-Conform
1	PRELIMINARIES - Site establishment and demobilisation	Item	Sum	\$42,000.00	\$97,435.00	\$29,930.62	\$18,000.00	\$212,157.00	\$150,408.00
2	CIVIL WORKS - Excavation, backfill and connections	Item	Sum	\$45,000.00	\$53,590.00	\$38,845.20	\$76,000.00	\$50,000.00	\$81,169.80
3	Concrete Tank								
3.1	50mm thick screed concrete	Item	Sum	\$6,000.00	\$8,112.00	\$7,307.56	\$8,000.00	\$3,960.00	\$48,000.00
3.2	Construction of Reservoir Slab Complete	m ²	56.7	\$82,000.00	\$85,813.00	\$93,381.50	\$114,000.00	\$47,869.00	\$113,000.00
3.3	Construction of Reservoir Concrete Walls Complete	m ³	90.1	\$216,000.00	\$246,063.00	\$271,781.69	\$217,000.00	\$209,655.00	\$148,900.00
3.4	Construction of Reservoir Columns Complete	m	49.5	\$26,000.00	\$40,689.00	\$25,554.38	\$17,000.00	\$12,030.00	\$15,000.00
3.5	Construction of Reservoir Roof Complete	m ³	57.3	\$118,000.00	\$125,429.00	\$128,730.18	\$189,000.00	\$84,413.00	\$120,000.00
3.6	Supply and Installation of Roof Access Hatch	Nos	2	\$2,000.00	\$19,960.00	\$20,076.56	\$14,000.00	\$7,840.00	\$10,200.00
3.7	Supply and Installation of Roof Ventilators	Nos	4	\$2,000.00	\$3,632.00	\$3,377.60	\$4,000.00	\$2,464.00	
3.8	Supply and Installation of Internal Access Ladder Complete	Item	1	\$8,000.00	\$10,116.00	\$13,836.46	\$12,000.00	\$13,440.00	\$7,160.00
3.9	Supply and Installation of External Stairs	Item	1	\$12,000.00	\$18,576.00	\$31,118.49	\$18,000.00	\$22,913.00	\$18,120.00
4	PIPEWORKS - supply and installation of all pipe materials and flow meters	Item	Sum	\$108,000.00	\$93,950.00	\$148,812.81	\$130,000.00	\$174,945.00	\$84,903.00
5	MISCELLANEOUS - scour/o verflow, pit, thrust blocks, footpath/drain, fence, leak test, cleaning and disinfection of pipes	Item	Sum	\$58,000.00	\$55,981.00	\$50,682.62	\$64,000.00	\$37,278.00	\$32,415.00
6	FINALISATION - Restoration, preparation of as constructed and provision of O&M manuals and documentation	Item	Sum	\$3,880.00	\$10,850.00	\$10,031.57	\$3,000.00	\$27,101.00	\$8,245.00
	SUB-TOTAL (Ex GST)			\$728,880.00	\$870,196.00	\$873,467.24	\$884,000.00	\$906,065.00	\$837,520.80
	Add Contingency						\$44,200.00		\$25,125.62
	GST			\$72,888.00	\$87,019.60	\$87,346.72	\$92,820.00	\$90,606.50	\$83,752.08
	TOTAL (Incl GST)			\$801,768.00	\$957,215.60	\$960,813.96	\$1,021,020.00	\$996,671.50	\$946,398.50

TN1 ~ TN6 - refer evaluation sheet

9.5 Community Service Standards - Water & Waste Water

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Director Engineering Services	File Ref: 32.89/32.92

Recommendation

THAT Council consider the tabled report.

Report

At the November 2014 General Meeting, the Draft Community Service Standards for Water & Waste Water was noted. Council was advised at that meeting that “Bang the Table” consultation was underway with completion due 12 December 2014.

The final report will be circulated to Councillors prior to the General Meeting.

Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Nil

Options

Nil


Attachments

Nil

10. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

10.1 Pest Management Working Group minutes from meeting held 18 November 2014

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Manager Environmental Services	File Ref: 11.12.08

Recommendation

THAT:-

1. The Pest Management Working Group minutes of the meeting held on 18 November 2014 be received and Council action the following recommendations:
 - a. The Local Laws Officers find out the eligibility criteria for the funding for wild dog control from the Department of Agriculture, Forestry and Fisheries and research our funding needs to be able to identify current projects and then to make application to the Department for funding.
 - b. The Local Laws Section writes to Biosecurity Queensland regarding the inspection of the Condamine River for Honey Locust infestations and about the funding of the project
 - c. Council supports the current coordinated Wild Dog Program (injectable baits programs) supplied by the Council;
 - d. Council request the State Government on behalf of the landholders to continue the current Wild Dog Baiting program in its present form, ie. Free-of-charge to the landholders.
 - e. Council investigate the use of permanent signs regarding baiting on properties and the funding of the signage.
2. Council support the drafting of a letter by the Pest Management Working Group to the State Government supporting the change to the 40 baits per square kilometre program as per the trial results.

Report

This report is to present the minutes of the Pest Management Working Group to Council for adoption and actioning of the minutes. Council's Pest Management Working Group (PMWG) is an advisory committee of Council which involves Community Group members with an interest in Pest Management. Council has considered the minutes of the PMWG after each committee meeting.

The last meeting of Council's PMWG minutes from 18th November 2014 are presented for Council's endorsement and action.

The items of note from the minutes are the recommendations to:

Recommendation:

That the Local Laws Officers find out the eligibility criteria for the funding for wild dog control from the Department of Agriculture, Forestry and Fisheries and research our funding needs to be able to identify current projects and then to make application to the Department for funding.

Moved: Mr John Agnew **Seconded:** Ms Renee Mackenzie **CARRIED**

The committee reviewed a letter from the Minister to Council advising of further funding for wild dog control and decided staff should find out about the criteria for funding and research our options before making further grant applications to DAFF.

Recommendation:

That the Local Laws Section writes to Biosecurity Queensland regarding the inspection of the Condamine River for Honey Locust infestations and about the funding of the project.

Moved: John Agnew **Seconded:** James Eastwell **CARRIED**

The committee had been advised that a proposed program to inspect the banks of the Condamine River from Killarney to Murrays Bridge could be funded by Biosecurity Queensland and decided to request an application be made for the funding.

Recommendations:

- 1 That Council supports the current coordinated Wild Dog Program (injectable baits programs) supplied by the Council;
- 2 That Council request the State Government on behalf of the landholders to continue the current Wild Dog Baiting program in its present form, ie. Free-of-charge to the landholders.
- 3 That Council investigate the use of permanent signs regarding baiting on properties and the funding of the signage.

Moved: Mr Clive Smith **Seconded:** Pedro Hodgson **CARRIED**

Clive Smith, the new president of the Community Wild Dog Advisory Committee gave the committee details of the last meeting of the group and asked the committee to endorse the recommendations requesting Council to support the current wild dog control program and permanent signage for baiting stations.

Recommendation:

That Council support the drafting of a letter to the State Government advising that we support the change to the 40 baits per square kilometre program as per the trial results. Draft letter to be forwarded to Damien Ferguson.

Moved: Damien Ferguson **Seconded:** John Agnew **CARRIED**

The committee heard from the Ag Force representative that research recently concluded that 40 baits per square kilometre was the best for wild dog control and asked that Council write a letter to the State and support this figure.

Budget Implications

Nil

Policy Consideration

Corporate Plan – Foundation Two – 2.3.5 Develop the following long term plans – Pest Management Plan.

Operational Plan– Foundation Two – Task 20 – Adopt a Southern Downs Region Pest Management Plan.

Community Plan - The Community Plan identifies protection of the environment as a future challenge for the region.

Community Engagement

The PMWG Committee is a community engagement tool.

Legislation/Local Law

Land Protection (Pest and Stock Route Management) Act 2002

Options

It is recommended that Council receive and endorse the minutes of the PMWG meeting held on 18 November 2014

Attachments

1. Minutes from Pest Management Working Group meeting held 18 November 2014 [View](#)



**Minutes of Meeting held at 61 Marsh Street Stanthorpe Tuesday,
18 November 2014 at 10.10am**

PRESENT: Mr James Eastwell, Mr Tim O'Brien, Cr Cameron Gow, Mr Ray Lambert, Mr Craig Magnussen, Cr Glyn Rees, Cr Ross Barile, Ms Renee Mackenzie, Mr Pedro Hodgson, Mr Harley West, Mr Damien Ferguson, Mr Daniel Vogelneust, Mr Marcus Enrich, Ms Kym Campbell, Mr John Agnew, Mr Clive Smith, Mr Ken McCray, Mrs Elspeth Cooper and Mrs Michelle Anderson (Minute Secretary).

APOLOGIES: Mr Clayton Spencer.

3.0 Business Arising From Previous Minutes

Ken McCray had advised of a couple of minor adjustments to the Minutes in regards to his update on Main Roads Roadside Weed Control Program Presentation. These have been completed prior to this meeting.

Recommendation:

That the minutes from the meeting of the Pest Management Working Group held on 12 August 2014 as circulated are true and correct.

Moved: Ms Renee Mackenzie Seconded: Mr John Agnew CARRIED

- a) The press Release regarding the working relationship between the Department of Transport and Main Roads and Council for roadside weed control is yet to be completed as Officers have been away on leave. Tim has now organised the Press Release and it will go through to the Department of Transport & Main Roads within the week.
- b) Community Wild Dog Management Advisory Committee Actions Items - Due to a change of the Executive Committee both items are still to be attended to.
- c) Council, at its last meeting, has supported the role of the State Drought Pest Fund provided through DAFF and delivered by Condamine Alliance. Council has also accepted the Pest Management Plan and it has been extended to 2015.
- d) Darling Downs Moreton Rabbit Board's 3 year Business Plan has been received by Minute Secretary and yet to be distributed.
- e) Cameron Gow has had discussions with Damien Ferguson about a Bow Hunting Group being able to participate in events such as the Sundown Valley National Park shoot. Cameron has now passed the information on to the Group and once they have held their next meeting they will come back to Damien Ferguson if necessary.

- f) Craig Magnussen has completed some research on deer trapping and will share his findings in general business. Craig also has been looking into the use of drones for pest management and we have two gentlemen with us today to present some information.
- g) Renee Mackenzie – Thanked Tim, as Council representative, for the fast payment of their invoice of \$15,000 as contribution for the top netting on the rabbit fence to make it dog proof.

4.0 Ninox Robotics – Use of Drones in Pest Management

Damien Ferguson introduced our guests, Daniel Vogelneust, Technical Director and Marcus Erinlich, Managing Director from Ninox and invited them to share their Company's innovative ways to assist with Pest Management.

At present, Ninox is looking to test their Military Grade Drones around the state seeing how well the device can spot animal pests. They are particularly interested in wild dog tracking and being able to identify them in all types of terrain.

Marcus & Daniel screened a slideshow presentation around the technical capabilities of drones for the purpose of pest detection and the possibilities for assisting Australian Agriculture with the recorded information and tracking. The drones are a compact and easily transported via a backpack and setup only takes 15 mins. The drones use a system which detects heat signatures of animals. In real time use, the gps co-ordinates of the animal can be given to hunters/trappers on the ground that could be advised straight away and would then be able to complete the kill.

The drone is capable of the following:

- a. Battery life is up to 4 hours duration
- b. In 4 hours an area of approximately 50km² can be covered
- c. The drone has a communication range of 80km
- d. 15km² of land area can be covered in an hour.

The cost to use the drone is \$3,000 per 4 hour sortie (including analysis). Ninox is hoping to commence the testing in mid to late January 2015 depending of flight plan approval from CASA (Aviation Authority).

The Group thought that Sundown National Park area might be a good area for testing due to the varying terrain and a diversity of pest types in the area. Marcus and Daniel were encouraged to talk with Tim, Craig and Clive to obtain further details of suggested test sites.

5.0 Minister for Agriculture, Fisheries and Forestry – Impact of Feral Animals

This letter, which was received in September from the Minister of Agriculture, Fisheries and Forestry and was circulated with the minutes last week discusses funding that is available for the coming 12 months.

Recommendation:

That the Local Laws Officers find out the eligibility criteria for the funding, research our funding needs to be able to identify current projects and then to make application to the Department for funding.

Moved: Mr John Agnew **Seconded:** Ms Renee Mackenzie **CARRIED**

6.0 Letter to the State Government – Honey Locust – James Eastwell

James has been in discussion with Pedro Hodgson about obtaining funding to complete a survey of the Condamine River area from Killarney to Murray's Bridge and beyond in relation to Honey Locust which is a Class 1 pest.

Recommendation:

That the Local Laws Section writes to Biosecurity Queensland regarding the inspection of the Condamine River and about the funding application.

Moved: John Agnew **Seconded:** James Eastwell **CARRIED**

7.0 State Government Wild Dog Service

Tim O'Brien advised that Clynton Spencer has resigned from his position with DAFF and will soon take up a position as Pest Management Officer with Toowoomba Regional Council based at Clifton. A letter has been written to Biosecurity about Clynton's replacement and requesting that the new Officer to have experience in land protection. Once the new appointee has been made, an invitation will be extended to them to attend this meeting.

8.0 Update on Wild Dog Funding initiatives – Craig Magnussen

Craig reported that the wings and buzzers have now been installed on 2 grids as previously advised. These are now fully operational. Council funded this out of their budget.

Aerial baiting in the Sundown area was conducted in October 2014 with funding being provided from Granite Borders Landcare.

9.0 Community Wild Dog Management Advisory Committee – Clive Smith

Clive Smith, the new President of the Community Wild Dog Management Advisory Committee was welcomed to the meeting. He advised that there are still a large number of wild dogs in the area. Clive expressed that the new Committee was concerned about the new 1080 laws and were worried that private operators might take over supply.

There have also been a number of working dogs killed in this area recently from eating a bait. Clive reinforced the importance of talking to neighbours, putting around warning signs and advertising when potential dates of baiting will occur.

Recommendations:

1. That Council supports the current coordinated Wild Dog Program (injectable baits programs) supplied by the Council;
2. That Council request that State Government on behalf of the landholders that the current Wild Dog Baiting program should continue in its present form, i.e. Free-of-charge to the landholders.
3. That Council investigate the use of permanent signs regarding baiting on properties and the funding of the signage.

Moved: Mr Clive Smith **Seconded:** Pedro Hodgson **CARRIED**

10.0 Update by Member Groups

John Agnew – John expressed his interest in the drones and options they have to offer. John thought that they would have a positive impact on Pest Management.

Ken McCray – Funds have been allocated and a contract has now been drawn up between Main Roads and Council. Geoff Pittstock, Local Laws Officer with Council will be continuing with the roadside/road reserve program on behalf of Main Roads and Council.

Ray Lambert – Ray reported that he has recently met with contractors working on the Killarney fence. Maintenance work continues and is running smoothly.

Craig Magnusson – Craig advised that he has been doing some research on the trapping of deer. He has submitted an application through the 25th Anniversary Landcare Grant scheme for \$20,000 to be used for equipment for trapping deer. No word yet of an approval.

150 Blackberry letters have been issued in the Dalcouth, Diamondvale and Kyoomba areas. A press release was drafted in winter but it wasn't put into the media in its entirety, so much of the meaning was lost.

Clive Smith – raised an issue around the exclusion fence. Matter referred to Craig for assistance.

Kym Campbell – A boxthorn meeting will be held next week at Gladfield. Kym thanked James Eastwell for all his help and running around with the event. Kym gave the Committee an update on the Weed spot program which will be targeting the Goomburra area. Kym is looking for landholders to support the program and get involved. If you know of any landholders keen to participate, please forward Kym their details. James also has produced a map which can be provided to anyone who wants to help out.

Kym also advised that they are targeting rabbits in the Emuvalle area. A press release will also be issued soon around aerial baiting and this will be available to Sonia Wood at Council once the State Government Department give the go ahead.

Damien Ferguson – Presented to the meeting some initial findings in relation to the use of baits in varying quantities, that is, 40 baits per square kilometre area or 10 baits per square kilometre area. Preliminary outcomes are suggesting that the 40 baits per square kilometre is more effective.

Recommendation:

That Council support the drafting of a letter to the State Government advising that we support the change to the 40 baits per square kilometre program as per the trial results. Draft letter to be forwarded to Damien Ferguson.

Moved: Damien Ferguson **Seconded:** John Agnew

CARRIED

Renee Mackenzie - Renee confirmed that they are over halfway through the fence maintenance program and hope to be finished by the end of January 2015. She advised that Will Dobbie has completed 60 km survey on the Lockyer Creek area. At present he is collating the data and once completed he will liaise with landholders to devise plans to eradicate the pests. Once this area is complete he will move on to Ma Ma and Tent Creek areas. Ken McCray requested a copy of this report for his

information. Tim asked if Southern Downs Regional Council could inspect the rabbit fence once the project was completed.

Renee announced that she will be finishing work early next year and at this stage there is no news of her replacement.

Harley West – Harley advised that the weather hasn't been very good for the work of blackberry control. The fire risk has been too high. He has been working in the Eukey, Pyramids area on rabbit control.

Pedro Hodgson – Pedro advised that Chilean Needle grass has been spoken of again in a recent meeting that he attended a couple of months ago. Fortunately the weather hasn't been ideal for the grass to get a good hold on in this season.

Pedro confirmed that 2 officers will be attending 10-80 training within the next 2 weeks. Pedro also reinforced the importance of neighbour notification when planning to bait. He confirmed that when a landholder signs for the baits they are really confirming that they have advised their neighbours that they are planning to bait. Pedro has also conducted some inspections with James in the Mt Tabor area in relation to baiting close to settled areas. They have mapped where they can and can't go in this area and will conduct baiting within the next week.

James Eastwell – James advised that there was some money available from Condamine Alliance for assistance with baiting stations, so one more will be established in Durakal and one at Dalveen. These are easy to manage and landholders are keen to assist. James is currently dealing with an outbreak of Mother of Millions. He is sending a letter to the landholder where the plant is growing to take steps to eradicate the plant. From this property the plant keeps spreading onto Council land.

James advised that he will be assisting with a Beat the Boxthorn meeting to be held at Gladfield next Tuesday. He also advised that much of his time is being taken up with requests for information about stock route grazing permits with the current weather conditions forcing landholders to continually think of how they can supply feed for their stock. James has also noticed that the Chilean Needle Grass has not been as bad this year. He said that Geoff Pitstock had been working hard to reduce the occurrence of this pest in our area and believed that the occurrence of Chilean Needle grass was down by about 30% from last year.

James and Craig are currently organising meetings with some people in the Main Range area to provide information about aerial baiting.

Elsbeth Cooper – Thanked members for all the information that they have provided.

Tim O'Brien – Tim has advised that he has received a quantity of mosquito traps. Queensland Health Act confirms that the mosquito is a pest and needs to be managed. The traps will be set to determine if any mosquitoes in our Region are carriers of disease.

Tim confirmed that there has been a recent spate of dead cattle in creeks. The creeks are actually controlled by the State Government but Council tends to remove them for public appeal.

Noisy Miners continue to be a source of annoyance in the Region. We have a number of traps available and further information can be obtained from Craig including disposal of birds.

11.0 General Business

Tim advised that Craig Magnussen is currently on loan to the Stanthorpe River Improvement Trust.

Next Meeting


The next meeting will be held at 10.00am on Tuesday 17 February 2015 at the Council Chambers, Warwick Administration Building, 64 Fitzroy Street Warwick. Stanthorpe

Closure

There being no further business, the meeting closed at 12.25pm.

10.2 Material Change of Use - Imperial Sapphire Pty Ltd & Brexline Pty Ltd, 2081 Inverramsay Road, Goomburra

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Planning Technical Officer	File Ref: MCU\01581

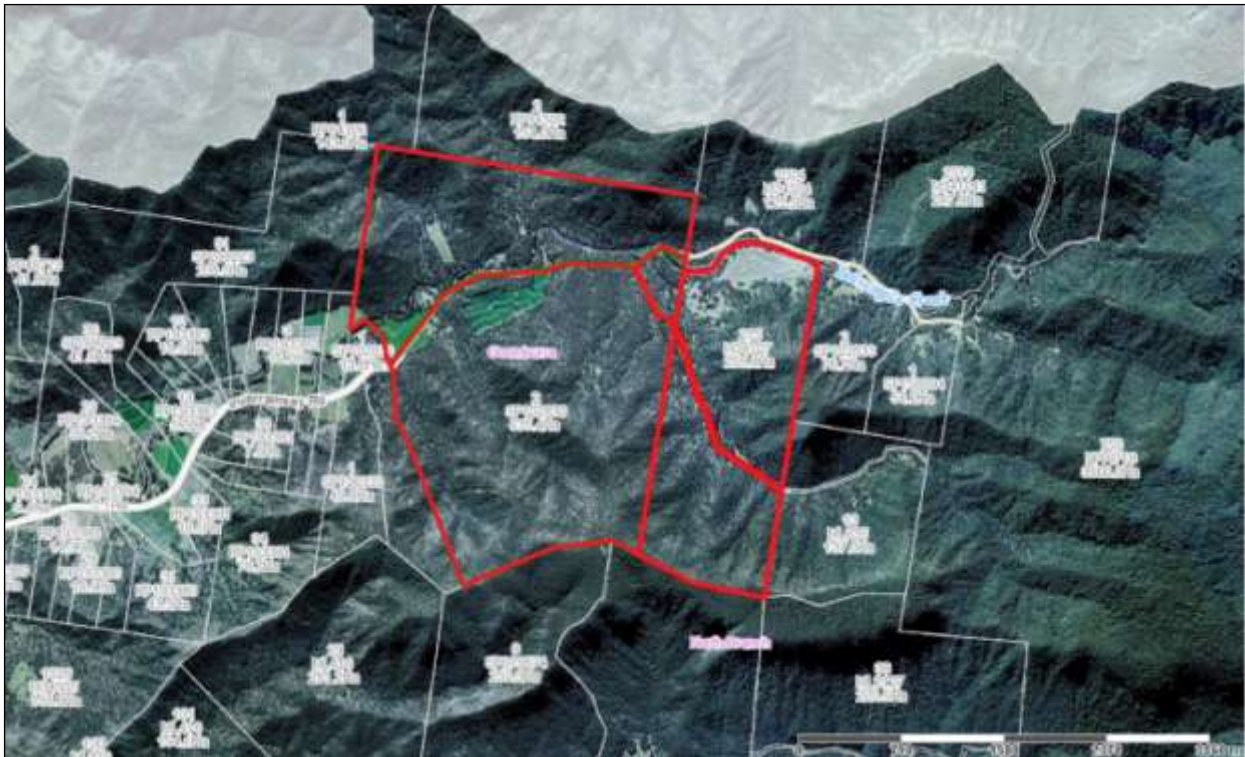
APPLICANT:	Imperial Sapphire Pty Ltd & Brexline P/L
OWNER:	Imperial Sapphire Pty Ltd & Brexline P/L
ADDRESS:	2081 Inverramsay Road, Goomburra
RPD:	Lot 215 M34107 and Lot 2 SP102830, Parish of Gladfield, County of Merivale
ZONE:	Rural
PROPOSAL:	Function facility (Wedding venue)
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	Two
REFERRALS:	Nil

Recommendation Summary

THAT the application for Material Change of Use for the purpose of a Function facility (Wedding venue), on land at 2081 Inverramsay Road, Goomburra, described as Lot 215 M34107 and Lot 2 SP102830, Parish of Gladfield, County of Merivale, be approved subject to conditions.

Report

The subject land has a combined area of 891.2 hectares and frontage to Inverramsay Road. There is a shed, office, cabins and amenities associated with the existing uses of a caravan and camping ground on the land.



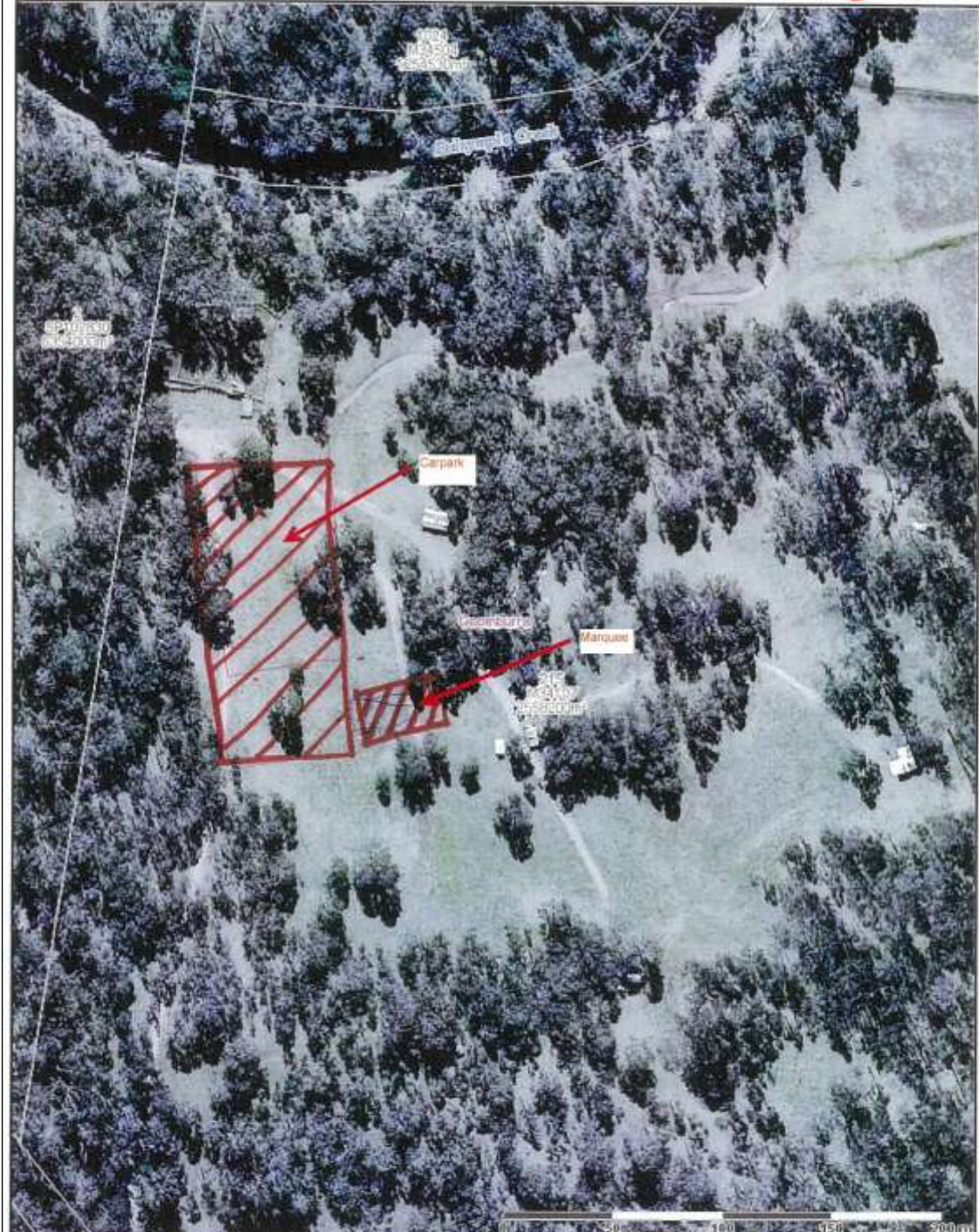
The land is cultivated along Inverramsay Road on Lot 215 SP102830. The remainder of the land is covered with remnant vegetation, however no clearing has been proposed within this application.

The applicant proposes a wedding venue catering for 150 guests at site A and, due to capacity limits of the temporary marquee structure, 132 guests at either sites B, C or D.



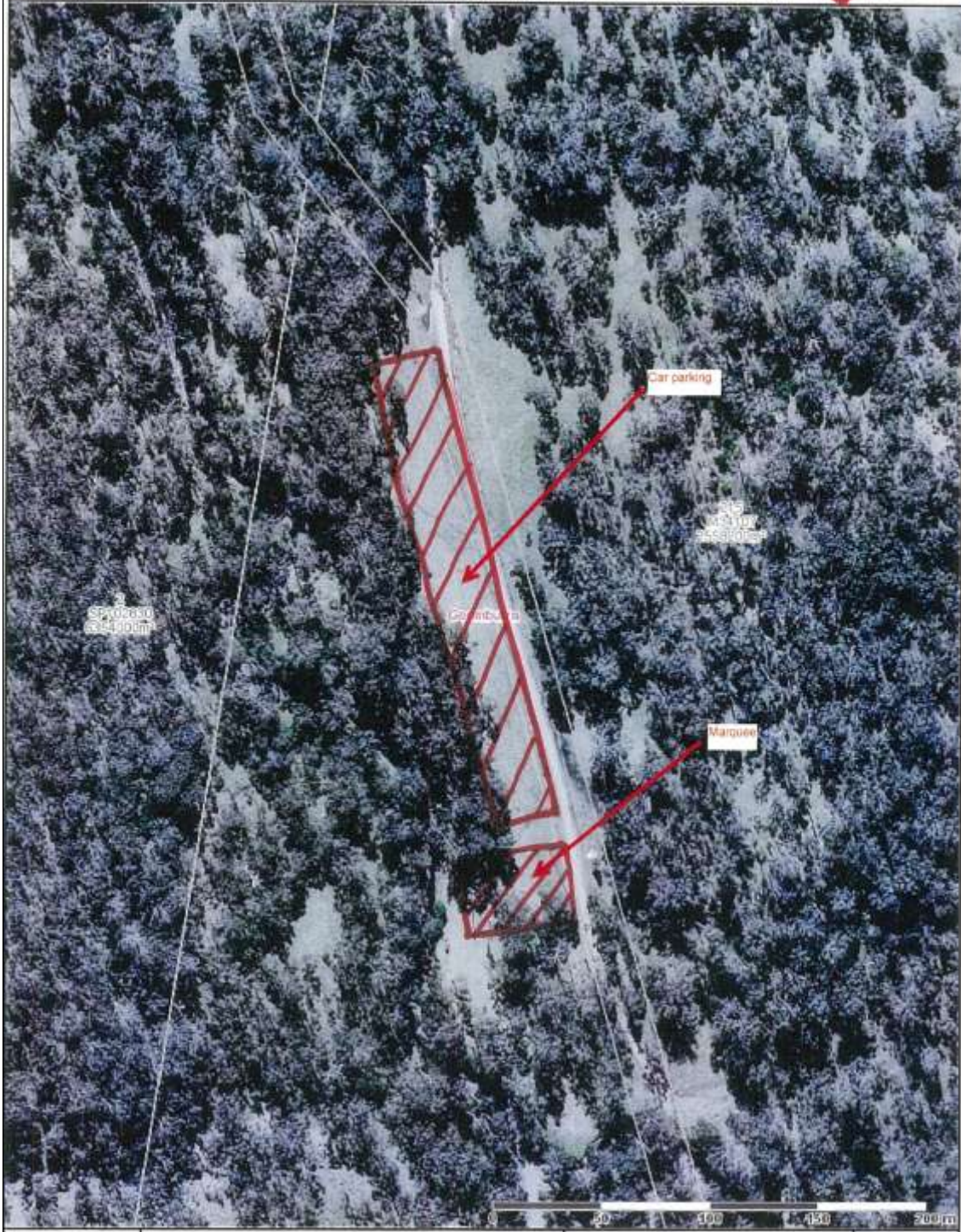
Proposed Function Facility - Cabin Site

B



Proposed Function Facility - Festival Site

C





It is proposed only one wedding will be allowed at any given time; with the corresponding camping area at the specific wedding site solely for the wedding party, their guests and associated people. To be clear, the amenities at the specific site, A, B C, or D are to be used solely for the purposes of the wedding party and their guests when that specific site is booked for a wedding.

It is proposed catering will be contracted for the wedding, with a cold room provided onsite for the caterers. Caterers will be required to have all relevant licenses relating to the preparation and handling of food.

Potable water is to be supplied by the applicant for the purposes of the wedding facility, including for the use of the caterers. Existing toilet facilities will be used on each proposed site and additional temporary toilets provided when needed.

During a site visit after the Public Notification period was completed, the applicant has become aware of incorrect information regarding the proposed operational hours in the application. The original proposal was to have the operating hours of all sites for Function facility purposes to be 8:00 am to midnight, however the applicant has requested the proposed operating hours to be from 8:00 am until 3:00 am on all sites.

Site A

Site A is located approximately 250 metres south from Inverramsay Road. The site is in the shelter of a creek bend, surrounded by dense remnant vegetation. An existing clearing will be used to accommodate the Function facility. A permanent barn style building is proposed on this site to accommodate the weddings. This barn includes a dance floor, deck, bar, kitchen, gift shop and office. The closest dwelling is located 900 metres to the north east.

Site B

Site B is approximately 300 metres from Site A, and will always be the designated camping site for any wedding at Gordon Country. It is 400 metres to the south from Inverramsay Road and located on the side of a raised parcel of land. The site is predominantly cleared with dense vegetation surrounding the perimeter of the site. The area is grassed and overlooks the valley to the north.

This site will not have a permanent structure and weddings and wedding receptions will take place in a marquee temporarily erected for the specific wedding. All complementing services and facilities will be placed within the designated area. The closest dwelling, separated by a valley, is located 700 metres to the north, at a similar height level as the proposed site.

Site B will be wholly provided for the use of camping associated with the Function facility regardless of what site the wedding and wedding reception is to be held on.

Site C

Site C is approximately 700 metres south from Inverramsay Road and is located at the base of a mountain surrounded by dense vegetation. The site has a clearing where the carparking and temporary marquee is proposed. The closest dwelling is over a kilometre away. This site is the most secluded out of all proposed sites, and has the longest internal driveway to of all proposed sites.

Site D

Site D is located adjacent to the north Inverramsay Road and 400 metres from the adjoining Tourist park to the west. The site contains cultivation and existing structures associated with the caravan and camping ground. The Temporary Marquee will be erected on the designated area near the creek bend with carparking in front of the existing Office.

All proposed sites take access from Inverramsay Road and access subject sites via an internal gravel driveway. Inverramsay Road is sealed to within the boundary of Lot 2 SP102830, and is of gravel construction for the remainder.

It is proposed that amplified music could be played on all sites within the hours of 8:00 am to 3:00 am on all four sites. This will be discussed later in this report.

Public notification process

The application was required to undergo a 15 business day public notification period. The requirements for public notification are:

- (a) Publish a notice at least once in a local newspaper; and
- (b) Place a notice on the land; and
- (c) Give written notice to all adjoining landowners.

The notice placed in the local newspaper stipulated the proposal was to be:

'FROM: Camping Caravan Park

TO: Wedding Function Facility'

However the notice on the land stipulated the proposal was to be:

'FROM: Camping Caravan Park

TO: Camping Caravan Park with Wedding Facilities + Functions'

Therefore, the requirements for the public notification stage were not complied with as incorrect information was notified that may cause confusion.

Also, Lot 2 SP102830 was not include on IDAS Form 1 due to an administrative error by the applicant, however the submitted Plans, Acknowledgement Notice, and the Public Notification process completed by the applicant, included Lot 2 SP102830 as it was the intention to include it in the application. It is considered reasonable that Lot 2 SP102830 is to be assessed in this application.

Under Section 304 of the Act, an assessment manager may assess and decide an application only if it is satisfied that the non-compliance with the public notification requirements did not:

- (a) adversely affect the awareness of the public of the existence and nature of the application; or
- (b) restrict the opportunity of the public to make properly made submissions.

Subject to Council accepting all submissions made by 4 December 2014 as being properly made submissions, it may be considered that the public were suitably aware of the application and each aspect of it, and had sufficient opportunity to make submissions.

Noise generated by wedding functions

Site A is located some distance away from neighbouring properties and in a heavily vegetated area, area characteristics that enables noise to be muffled to a great extent within a reasonable perimeter of the site. This location also provides a Barn for the purposes of a Function facility which will further contribute to dampening noise produced as part of this application.

Site B has a large cleared area, and the closest dwelling being directly across the valley, it would be difficult to contain noise to reasonable levels at this site.

Site C is located with the greatest distance from neighbouring properties. The site is surrounded by dense vegetation and mountains that will help buffer / contain noise.

Site D is located approximately 400 metres from Lot 1 SP102830, a property with a lawful caravan park and camping facility. There is no dense vegetation separating these two properties. It is considered that noise, such as amplified music, generated by weddings and wedding functions from this site will have a significant impact on the adjacent property, and these impacts must be considered.

Given the nature of the proposed development, the existing lawful businesses and natural surroundings where these proposed developments are located, the proposed operating hours for amplified music are not considered reasonable.

Considering the site locations, zoning and adjoining land uses, the proposed times amplified music is allow to be played is as follows:

Sites A and C	8:00am until 12:00am
Sites B and D	10:00am until 10:00pm

Submissions

Two submissions were received to the application. **A copy of both submissions has been forwarded separately to Councillors.** The submitter's residences are located 350 metres and 1.1 kilometres from the closest Function facility site.

Noise:

- The lack of noise restrictions and the potential impact a Function facility may have on the existing uses on adjoining properties is of concern. In particular submitters are concerned about noise from proposed Site D.
- The applicant may be provided with leniency to noise restrictions, whereas the submitters have strict conditions imposed on their existing uses from 10:00 am until 10:00 pm.
- There are concerns that a Function facility may encroach within unreasonable distance of Lot 1 SP158094.

Comment: In relation to noise, the applicant has indicated that only one wedding will take place at a time which includes the provision that camping not associated with the area nominated for the wedding function will be prohibited. Any increase in the number of weddings or sites will require the lodgement of a new application.

It is considered appropriate to limit the number of functions and events at Site D to one per month, so as to reduce the potential noise impacts on nearby uses.

As adjoining properties differ in uses, appropriate noise conditions will be imposed for the Function facility, that have regards to the hours of operation, the type of music which can be played and maximum noise limits.

Although included within the application, Lot 2 SP102833 does not have a proposed Function facility within the lot and will not be included in any approval. No access will be permitted through this lot to access any of the proposed sites. Distance from the closest proposed site to Lot 1 SP158094 is considered extensive and therefore it is not anticipated that there will be any noise nuisance.

Ambiguity of development application

- Photographs have been provided showing what is thought to be an illegal building associated with the proposed Function facility.
- Concerns that the application has misleading aerial photos and that the correct details were not provided on the IDAS Form 1. Both submitters propose that this warrants the application to be advertised again.

Comment: Site inspection by Council's Building compliance officers indicated that the structure referred to in the photo provided is not a part of the planning application and is associated to the existing use on the site.

Aerial photos are not mandatory for a planning application and out of date photos do not determine a planning approval. A site inspection was completed by two Council officers and all existing buildings and structures were identified and noted.

As discussed earlier, it is considered reasonable that Lot 2 SP102830 is to be assessed in this application.

Amenities

- The application will require catering and guest toilet facilities which will require large volumes of water. The submitters are concerned that suitable potable water and toilets facilities will not be provided to the standard required.

Comment: Potable water and amenities will be conditioned to ensure Councils standard requirements for Function facilities in conjunction with the existing use are met.

It is intended that existing water tanks will supply potable water to the sites. This will not include sourcing water from any of the creeks to service the proposed development. It is intended that all caterers will have access to a suitable potable water supply, which may include potable water being externally brought onto the site. This may require the applicant to install a water treatment

device, to allow the use of the existing tank water. Conditions will be imposed to ensure compliance with *Australian Drinking Water Guidelines 2011*.

The increased number of people for a specific wedding function at one of the proposed sites may require additional toilets facilities for the duration of the festivities. Considering that the proposed use is a Function facility with restricted operating abilities, temporary ablution facilities, such as portaloos are an acceptable short term solution to a Function facility, providing the portaloos are in addition to permanent toilets.

Fencing

- The proposed development does not mention fencing which is of concern to both submitters as straying cattle is an occurrence on Inverramsay Road.

Comment: The proposed land-use does not require fencing to make it functional, or increase safety to its patrons, or residents. It is not reasonable to require the applicant to fence their property as a result of the proposed Function facility.

Events

- The approval could be a cover for events such as 'Manifest' that would usually require a temporary event permit.

Comment: The proposed development will allow for weddings and associated uses to be undertaken. Events such as 'Manifest' will require a Temporary Events Permit or a separate planning application.

Public notification

- The Public Notification has been incorrectly advertised and should be re-advertised. The submitters do not object to the Function facility however have highlighted differences in the public notification and object to this being accepted by Council. This includes the position of one Public notification sign misplaced on the incorrect boundary.

Comment: In accordance with the *Sustainable Planning Act 2009* the applicant must:

- (a) publish a notice at least once in a newspaper circulating generally in the locality of the land; and
- (b) place a notice on the land in the way prescribed under a regulation; and
- (c) give a notice to the owners of all land adjoining the land.

In accordance with the *Sustainable Planning Regulation 2009* the notice must be:

The notice must be—

- (a) placed on, or within 1500mm of, the road frontage for the land; and
- (b) mounted at least 300mm above ground level; and
- (c) positioned so that it is visible from the road; and
- (d) made of weatherproof material; and
- (e) at least 900mm in height and 1200mm in width.

Through discussion with the assessment officer, before Public Notification commenced, the applicant was advised it would be more appropriate to place the Public notification signs on the boundaries of the lots that have a Function facility on the land, and where it was more visible to the public. Lot 2 SP102833, although included in the application, will not have an approved function site on the land and for the purposes of adhering to the Public notification requirement of the Sustainable Planning Act 2009, will not be given any approval.

Although the publically notified signs and newspaper advertisement are not identical, the purpose of the public notification has been achieved. The discrepancy in the public notification has not affected Community and Relevant Stakeholders becoming aware of the proposed Function facility. The discrepancies are considered minor and not relevant in this instance.

Roads

- The submitters oppose any leniency to conditioning of roads and entrance to properties.

Comment: Accesses and roads are conditioned as per Council's standard requirements.

Assessment against the Planning Scheme

This application required assessment against the Rural zone code, Car parking and loading code, Landscaping code, Outdoor lighting code, Physical infrastructure code, Biodiversity areas overlay code and Bushfire hazard overlay code.

Rural zone code

The areas of the land proposed for a Function facility is not used for agricultural purposes. The proposed development is of such small footprint, that it will not impact on the use of the subject land and surrounding land for rural purposes. It is also unlikely that the use of the surrounding land for rural purposes will conflict with the proposed Function facility. Three of the proposed sites are temporary in nature, and therefore there will be no permanent impact to the land.

The only permanent structure will be on Site A, where there will be minimal impact on the natural environment character and the scenic values of the land. This structure is setback 250 metres from Inverramsay Road and in a highly vegetated area.

The code requires the development site to have access to the road network via a fully constructed sealed road. Inverramsay Road is a constructed sealed road up until the road meets the subject lots.

The planning scheme requires that the safe and efficient operation of roads and accesses are maintained having regard to the nature of vehicles using the road, the location of uses that may be adversely affected by noise or dust generated by the use of the road and the location and design of access.

Council can require the applicant to seal this section of road, however given the minimal additional use of the road due to the development (say one function a week, with the possibility of guests arriving by alternative transport such as a bus) requiring the sealing of the road may not be considered reasonable.

Furthermore, although additional vehicles trips will be generated on the subject land during Functions, the removal of the proposed sites from the existing camping use during a function, will limit compounding amounts of traffic to each proposed site. It is expected that the dust and noise from additional traffic will not be greatly increased and will be only for short periods of time. The current standard of construction of Inverramsay Road can be considered acceptable.

The code requires existing natural and scenic values to be retained. Excessive noise is not suitable in a rural environment and would detract from the existing character of the area, therefore, as previously mentioned the proposal for amplified music to be played from 8:00am until 3:00am at all the four sites is considered unreasonable, and alternative times are proposed for the sites.

Landscaping code

The existing rural setting provides adequate landscaping on all sites, which can be conditioned to maintain the existing vegetation.

Outdoor lighting code

Any approval can be conditioned to ensure lighting does not create a nuisance.

Physical infrastructure code

Existing toilet facilities at the specific location of the wedding function will be used for that function's patrons only. Other existing uses such as camping will not be allowed to access the toilets on the same site as a function..

As previously detailed, it is intended that existing water tanks will be used to supply potable water to the sites. This will not include sourcing water from any of the creeks to service the proposed development. It is intended that all caterers will have access to a suitable potable water supply, which may include potable water being externally brought onto the site. This may require the applicant to install a water treatment device, to allow the use of the existing tank water. Conditions will be imposed to ensure compliance with *Australian Drinking Water Guidelines 2011*.

Sites B, C and D have proposed to use temporary power supplies such as generators and solar panels. Any generator used can be conditioned to ensure noise limits are in place.

The Code requires the provision of one parking space per 10 seats or part thereof. With up to 150 guests this would equate to 15 parking spaces. The area nominated on the proposal plans for parking at Sites B, C and D is large enough to provide adequate parking for cars.

A specific location for a carparking area at Site A has not been provided as part of this application, however adequate room for the required carparking spaces exist on site, outside the road reserves. Requirements for carparking can be conditioned to satisfy Council requirements.

The Code requires the parking areas and driveways to be sealed. Due to the rural nature of the proposed Function facilities and the intermittent use of a Function facility, the existing gravel driveway will be adequate. All proposed parking areas are currently grassed and it is intended to stay grassed.

Biodiversity areas overlay code

No clearing of Remnant vegetation has been proposed. All proposed sites are situated in existing clearings and have existing internal driveways to service them.

Disposal of wastewater in an appropriate manner can be conditioned.

Bushfire hazard overlay code

While sites B, C and D on the land identified as being within the Bushfire hazard overlay, the proposed use does not involve any buildings or structures, and therefore the safety of people and property will not be compromised.

The Queensland Development Code, MP 3.2 - Tents contains requirements with regards to fire safety. The requirements include the provision of extinguishers. This is considered suitable, as the marquee is only temporary in nature.

Site A is also within the Bushfire hazard overlay however proposes a permanent structure to be constructed. The proposed barn will be further assessed against the bushfire provisions of the Queensland Development Code, as part of the building approval process.

Adopted Infrastructure Charges

Development Type	Network	Rate	Proposed	Charge
Places of assembly	Other	\$35/m ² GFA	30% of \$35 x 451.5 m ²	\$4,740.75
TOTAL:				\$4,740.75

The adopted infrastructure charge is payable prior to the change of use of the land happening in accordance with Section 648H of the *Sustainable Planning Act 2009*.

Conclusion

The proposed development involves the use of land for a wedding venue. Four locations have been proposed on the land. Each venue will use existing facilities in combination with outsourced equipment, such as portable toilets and catering, depending on the site.

The proposal can be considered acceptable along with appropriate conditions. One building will be constructed for the purpose of the Function facility with the use of a temporary marquee on the other three sites.

The application is recommended for approval subject to conditions

.Recommendation

THAT the application for a Material Change of Use for the purpose of a Wedding Function Facility on land at 2081 Inverramsay Road, Goomburra, described as Lot 215 M34107 and Lot 2 SP102830, Parish of Gladfield, County of Merivale, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal plans submitted with the application, and subject to the final development being amended in accordance with the conditions of this approval.

Plan Name	Plan No.	Date
Site Plan	14GORDON	28 October 2014

2. The development may proceed in stages, provided that any road access and infrastructure services required to service the particular stage are constructed with that stage.

Land Use and Planning Controls

3. The Wedding function facility is to only operate on Lot 2 SP102830 and Lot 215 M34107 generally in accordance with the approval plan.
4. The Wedding function facility is to be solely used to provide a facility to conduct Weddings and associated uses. This approval does not allow for any music festivals or the like.
5. The Gift shop is to be only used in association with the Wedding function facility on Site A. The Gift shop is only permitted to be in use during the hours that a Wedding Function has been booked on Site A.
6. Only one of the four sites is to be used at a time for the use of a Wedding function facility.
7. Camping not associated with a Wedding function facility is prohibited on the same part of the site that is being used for the purposes of a Wedding function facility. This includes campers not attending the weddings, not being able to use the facilities on the site, such as toilets and showers.
8. The Wedding function facility is to be wholly conducted and contained on the site chosen for the Wedding, being generally in accordance with the approved plans.
9. The Wedding function facility shall provide for a maximum of 35 events in any calendar year.
10. The Wedding function facility shall provide for a maximum of 1 event per month on Site D.
11. There is to be a maximum of 150 guests at any one function.
12. There is to be a maximum of 132 guests at any function involving the proposed marquee submitted with this application.
13. Site B is the only approved site for the use of camping associated with the Wedding function facility regardless of what site the wedding and wedding reception is to be held on.
14. This approval does not allow for any use associated with the Wedding function facility to be situated within the road reserve through Lot 215 M34107.
15. Any use associated with the Wedding function facility is to be located at least 10.0 metres from Dalrymple Creek and any other associated waterways.
16. The Barn of Site A is not to be used for any other purposes other than the approved Wedding function facility.
17. The manager must keep and maintain a register which details:
 - (i) the names and addresses of each person who hires a site for the purpose of a Wedding;

- (ii) the number of people attending;
 - (iii) if catering is provided, the details of the caterer;
 - (iv) which site was hired; and
 - (v) the dates when the hiring of the site begin and ends.
18. The applicant is to prepare a Disaster Management Plan to be submitted for approval by the Director Planning and Development. The Disaster Management Plan is to address prevention and evacuating procedures for bushfire and flood, and must meet the specific outcomes of the State Planning Policy Guideline, Mitigating the Adverse Impacts of Flood, Bushfire and Landslide.

Building and Site Design

19. The buildings and structures associated with the Wedding function facility is to be generally in accordance with the approved plan.

Amenity and Environmental

20. The provisions of toilets must include:
- (i) Provision for disposal and removal of sanitary napkins from female toilets;
 - (ii) An adequate supply of toilet paper and soap in all toilets;
 - (iii) Separate toilet and hand washing facilities for food handlers; and
 - (iv) The cleaning of toilets to a suitable timetable.
21. Toilets are to be provided at a rate of one toilet per 50 persons.
22. Any portable toilets brought onto the site for the function must be water-flush, have hand basins provided, and be serviced by a regulated waste transporter with a current registration certificate with the Department of Environment and Heritage Protection. Waste tracking receipts are to be kept by the organiser of the function and available for viewing by an authorised officer
23. Amplified music shall not be permitted between 10.00 p.m and 10:00 a.m. at sites B & D and between 12.00 a.m and 8:00 a.m. at sites A & C
24. All speakers are to be orientated away from the neighbouring properties.
25. The marquee at sites B & D shall be positioned with three sides enclosed; the enclosed sides are to face neighbouring properties and the open side to face away from neighbouring properties.
26. Noise levels emitted from the premises must not exceed 5dB(A) above the background noise levels in the locality when measured from the nearest boundary of an affected residential dwelling, between the hours of 10.00 a.m. and 10.00 p.m. at sites B & D and 8.00 a.m. and 12.00 a.m. at sites A & C.
27. There is to be no audible noise associated with the Wedding function facility detectable at the boundary of affected residential properties from 12.00 a.m. to 8.00 a.m. at sites A & C and from 12 a.m. to 10.00 a.m. at site B & D.
28. The operator must record the following details for all complaints received and provide this information to Council on request:
- (i) time, date, name and contact details of the complainant;
 - (ii) reasons for the complaint;
 - (iii) any investigations undertaken;
 - (iv) conclusions formed; and
 - (v) any actions taken
29. When requested by Council, monitoring and/or sampling must be undertaken by a suitably qualified person(s) to investigate any complaint of environmental nuisance resulting from

noise (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief), and the results notified within 14 days of receipt to Council. This must be undertaken in accordance with any direction given by Council at the time.

If monitoring and/or sampling results indicate or where it is determined by an authorised person that environmental nuisance resulting from noise is being caused, you must:

- (i) address the complaint, including the use of appropriate dispute resolution if required; and
- (ii) immediately implement abatement or control measures so that emissions from site activities do not result in further environmental nuisance

- 30. Provision shall be made for the storage and removal of refuse and recyclables in accordance with the *Environmental Protection (Waste Management) Regulation 2000* to the satisfaction of the Director Planning and Environment. Sufficient numbers of suitable waste and recycling receptacles must be provided on site during the function. Waste and recycling receptacles must be regularly removed from the site to prevent unsightly accumulations of waste or environmental harm being caused. The waste must be disposed of at either Warwick Central Waste Management Facility or the Allora Waste Transfer Station and receipts for disposal of waste must be kept by the organiser of the function and be available for viewing by an authorised office
- 31. All service equipment and refrigeration units are to be positioned and housed so as not to cause nuisance or disturbance to persons or properties not connected with the function
- 32. Any lighting device is to be so positioned and shielded so as not to cause any glare nuisance to any neighbouring properties or passing motorist, or to shine upwards into the night sky

Fencing, Landscaping and Buffers

- 33. Existing landscaping is to be maintained on all sites.
- 34. No clearing of existing vegetation is to occur.

Car Parking and Vehicle Access

- 35. All vehicular access to the development site is to be from existing internal driveways off Inverramsay Road.
- 36. No access is allowed from Inverramsay Road to the Function facility sites through Lot 2 SP102833.
- 37. A 3.0 metre wide all-weather driveway is to be maintained from Inverramsay Road to the designated carparking areas associated with all sites.
- 38. A site plan showing the car parking layout is to be provided to Council prior to the use happening. The plan is to show where access to the carpark is taken from the internal driveways and that 40 car spaces can be situated within the area.
- 39. The car park area is to be in accordance with the plan approved provided under condition 38, and defined by a low physical barrier along the edge of the car parking area. At least 40 car parking spaces are to be provided on site. The carparking area may remain grassed provided it is appropriately maintained with a suitable cover of grass, otherwise the carpark shall be constructed in gravel to Council's standards.

Water Supply and Sewerage

- 40. If water is to be supplied to guests and/or caterers from a source outside of the site, the water supply must comply with the *Australian Drinking Water Guidelines 2011*.
- 41. If water is to be supplied for the development from a spring/bore/dam on the site, written advice must be supplied from the Department of Natural Resources and Mines that water may be lawfully supplied from that source. A water supply is to be provided in accordance with the approved report.
- 42. If water is to be supplied to guests and/or caterers from a source inside the site, the water supply must comply with the Australian Drinking Water Guidelines 2011. As the water supply

to the property is non-reticulated a Water Supply Management Plan is to be developed and implemented. A copy of the Water Supply Management Plan is to be submitted to the Manager of Environmental Services for approval prior to the commencement of use. The plan should identify health risks, preventative measures, treatment methods and establish monitoring procedures. Water quality testing (microbiological and chemical) on water from the property (via an NATA certified laboratory) will need to be conducted to assist in the development of this plan, and may be required on an on-going basis

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning and Environment, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any catering conducted for functions must be undertaken by a business licensed under the *Food Act 2006*.
- (iii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Sustainable Planning Act 2009* and would have to comply with the requirements of the Planning Scheme.
- (iv) If a marquee used for the Function facility has a floor area of more than 100 square metres, but less than 500 square metres, the erection of the marquee will be self-assessable development. The erection of the marquee must meet the applicable requirements of the Building Code of Australia and Queensland Development Code MP3.2 – Tents.
- (v) The applicant is to permit Council officers unrestricted access to the site at any time subject to reasonable security and health restrictions on access, so as to ensure the use is being conducted in accordance with the conditions of the approval.
- (vi) If a marquee used for the Function facility exceeds 500 square metres in floor area, **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009*. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. **A Form 11 (Certificate of Classification) must be issued for the marquee prior to the use commencing.**
- (vii) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2002* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. **A Certificate of Compliance must be issued** for the works prior to the use commencing.
- (viii) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. **A Form 21 (Final Inspection Certificate) must be issued for the building works prior to the use commencing.**

Aboriginal Cultural Heritage


- (ix) All reasonable and practicable measures must be taken to ensure that no harm is caused to Aboriginal cultural heritage (the “cultural heritage duty of care”). The cultural heritage duty of care is met if the development is conducted in accordance with gazetted cultural heritage duty of care guidelines. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsima.qld.gov.au

Attachments

1. Submissions to application for Material Change of Use, 2081 Inverramsay Road, Goomburra (Excluded from agenda - Provided under separate cover)[View](#)

10.3 Material Change of Use - BCG Property Investments Pty Ltd, Allen Lane, Applethorpe

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Principal Town Planner	File Ref: MCU\01555

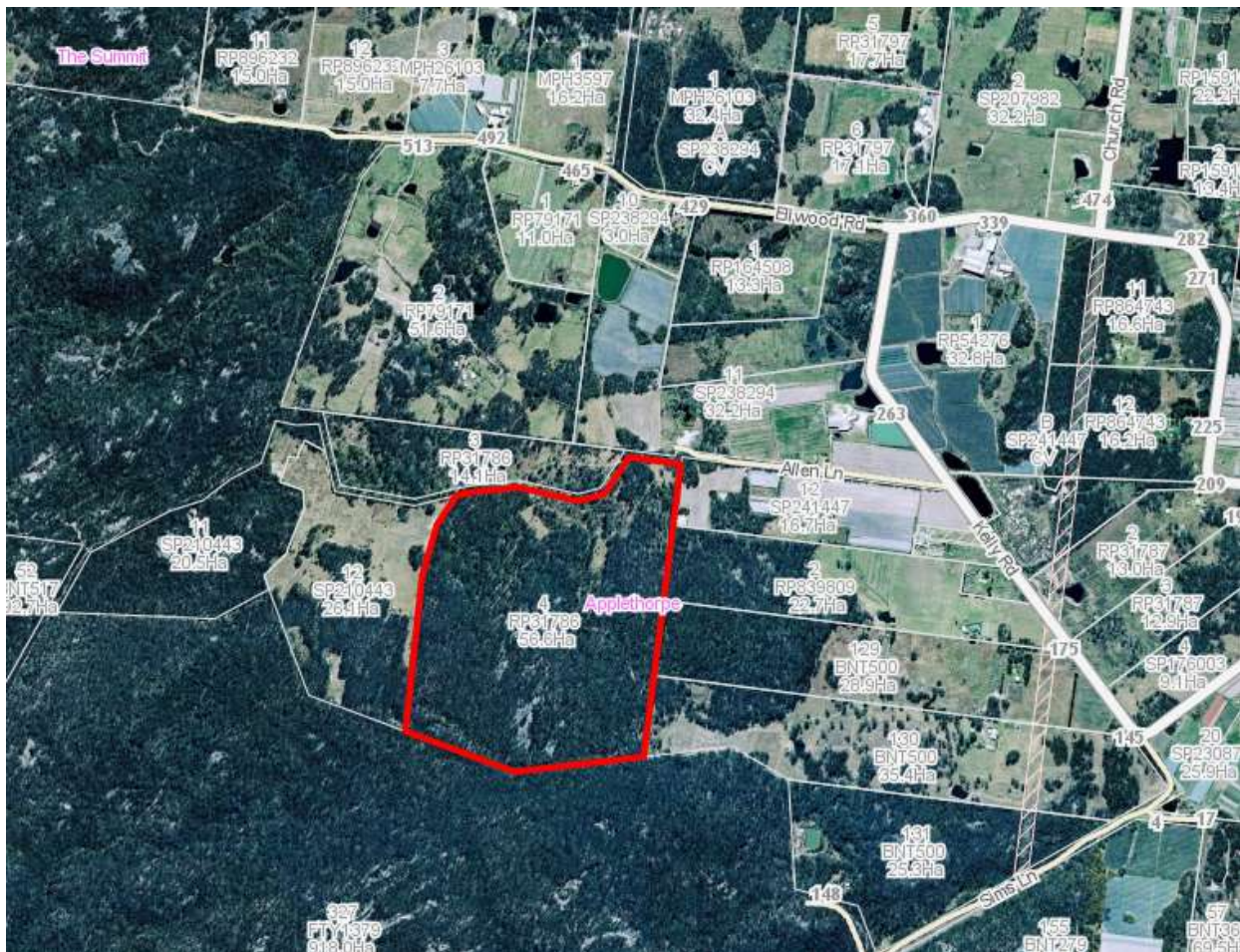
APPLICANT:	Gary Hayes & Partners Pty Ltd
OWNER:	BCG Property Investments Pty Ltd
ADDRESS:	Allen Lane, Applethorpe
RPD:	Lot 4 RP31786, Parish of Stanthorpe, County of Bentinck
ZONE:	Rural
PROPOSAL:	Non-resident workforce accommodation
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	One
REFERRALS:	Department of State Development, Infrastructure and Planning

Recommendation Summary

THAT the application for Material Change of Use for Non-resident workforce accommodation on land at Allen Lane, Applethorpe, described as Lot 4 RP31786, Parish of Stanthorpe, County of Bentinck, be approved subject to conditions.

Report

An application has been received for Material Change of Use for Non-resident workforce accommodation on land at Allen Lane, Applethorpe, described as Lot 4 RP31786, Parish of Stanthorpe, County of Bentinck.



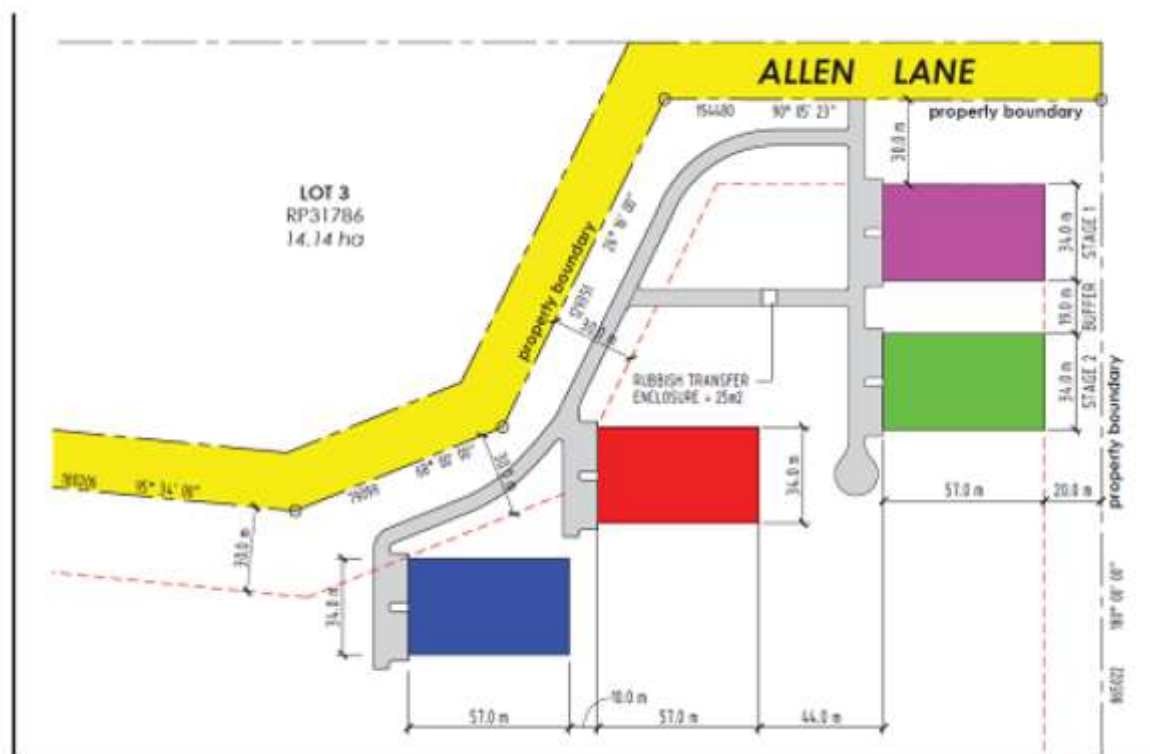
The subject land has an area of 56.6 hectares and frontage to an unmade section of Allen Lane. The lot is vacant and heavily vegetated.

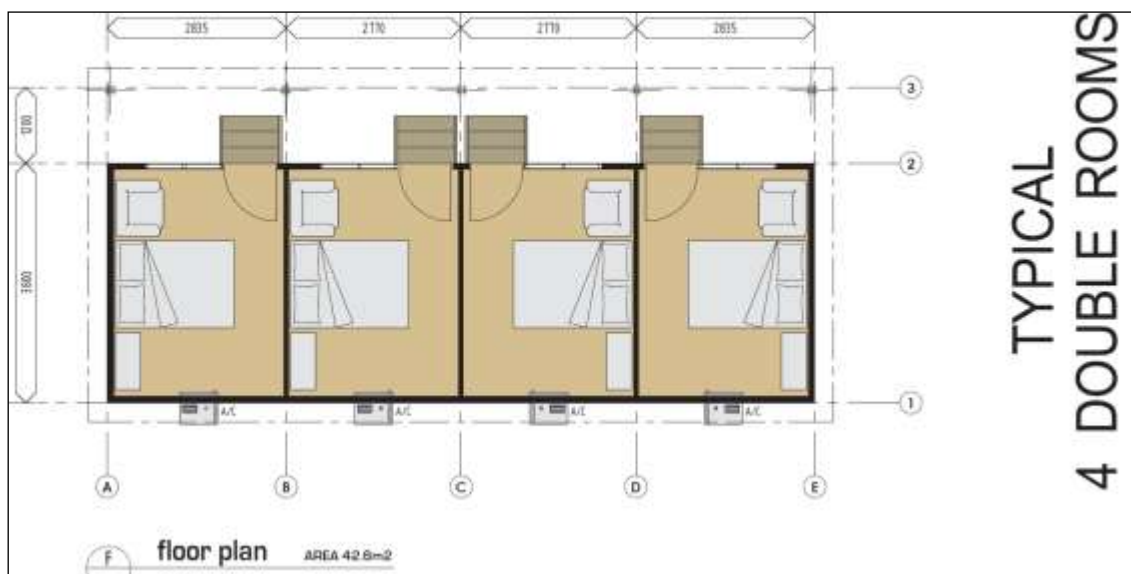
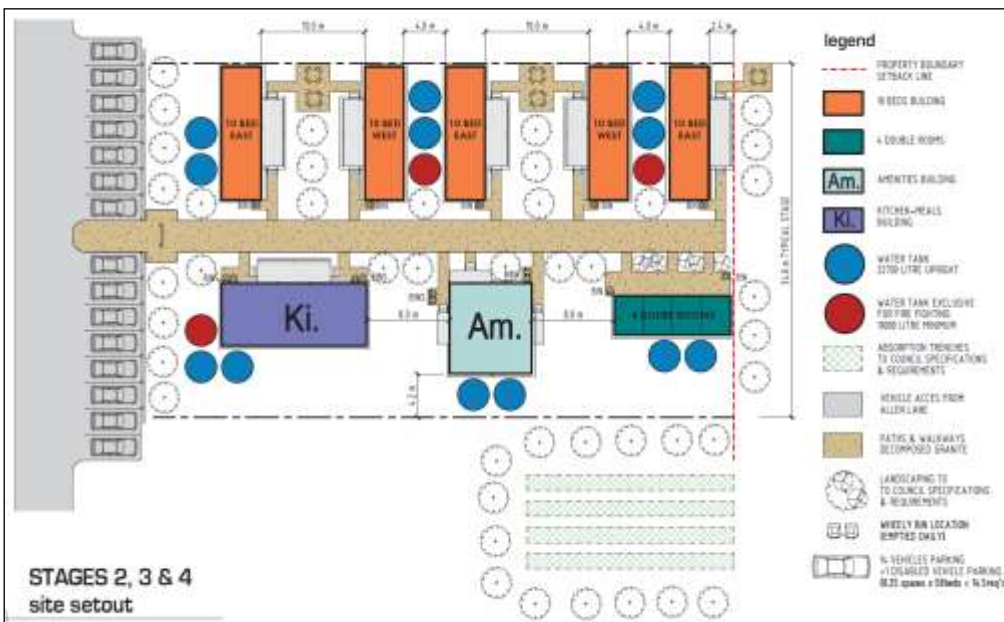
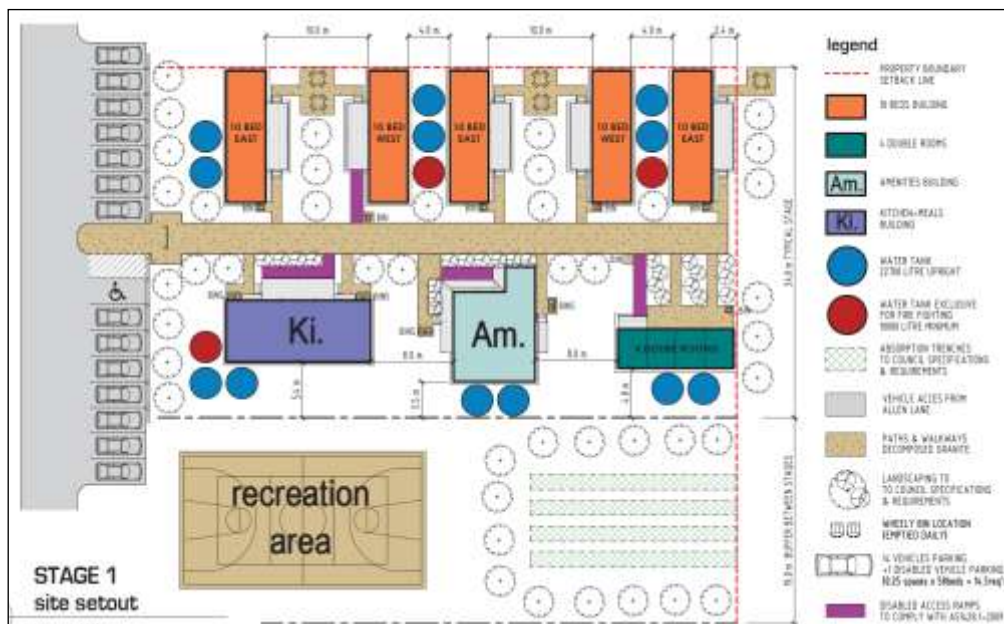
The applicant proposes to construct a Non-resident workforce accommodation facility within the north-eastern corner of the land to provide accommodation for farm workers. The development has been designed specifically to provide accommodation for workers associated with a strawberry farm to the north of the land, although the facility will be available for use by other farm workers.

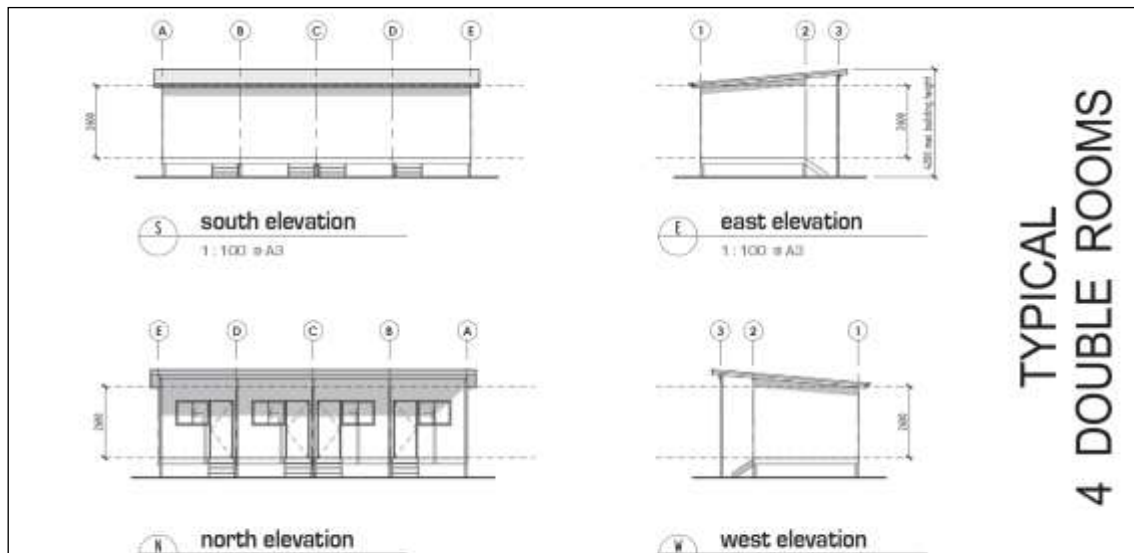
The proposed development involves 24 accommodation buildings and associated communal facilities to be developed in four stages. Each stage will consist of the following:

- 5 accommodation buildings, each accommodating 10 people
- a building with four double suites, accommodating a total of 8 people
- an amenities building
- a kitchen
- 15 car parking spaces

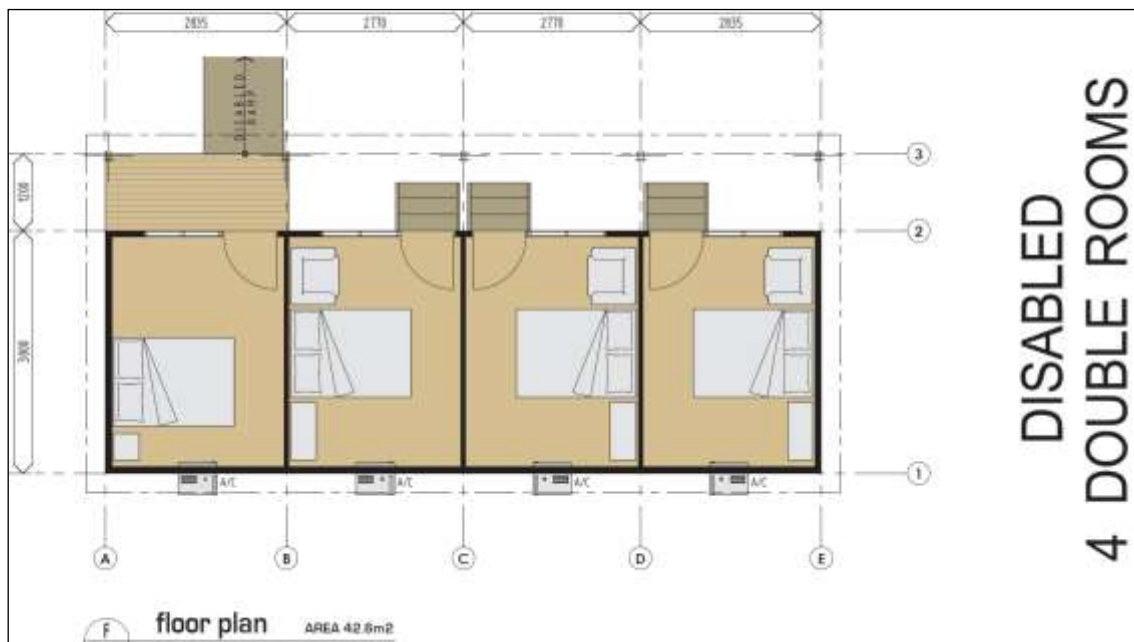
Stage One will include facilities for disabled persons. Each stage will provide accommodation for 58 people. The total capacity of the development will be 232 people.



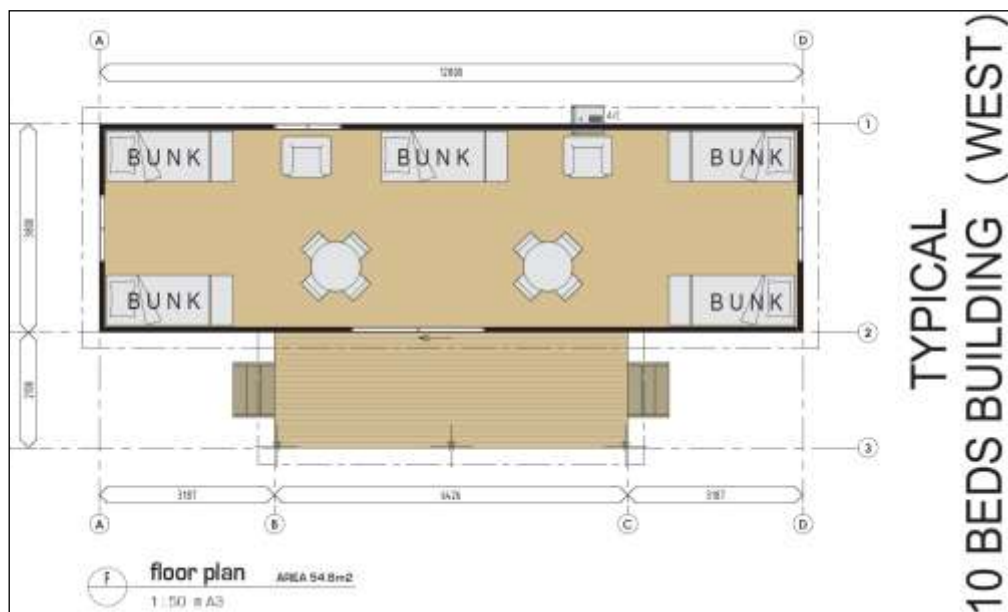




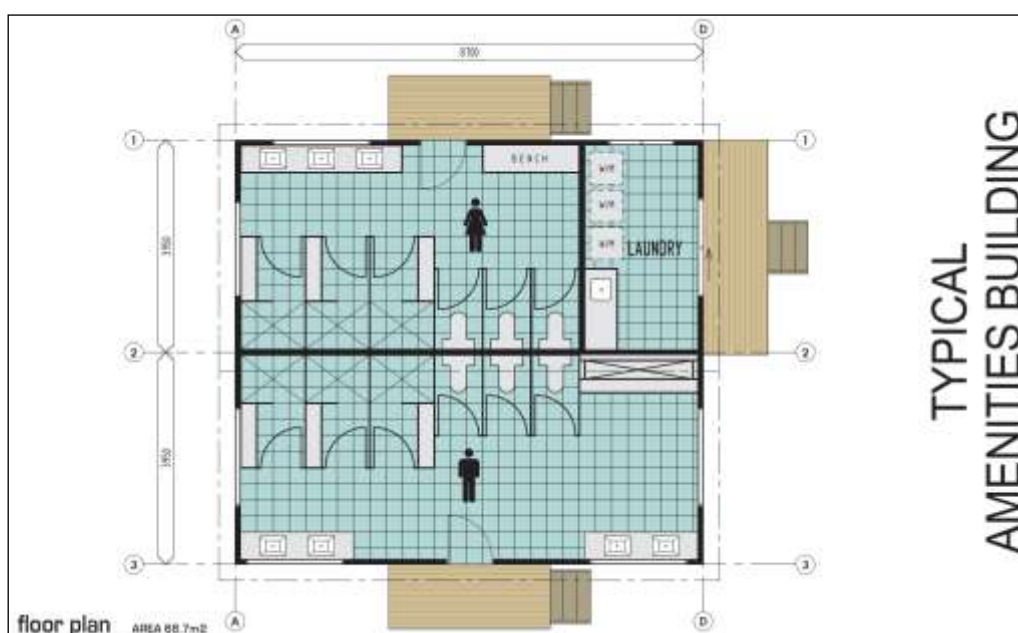
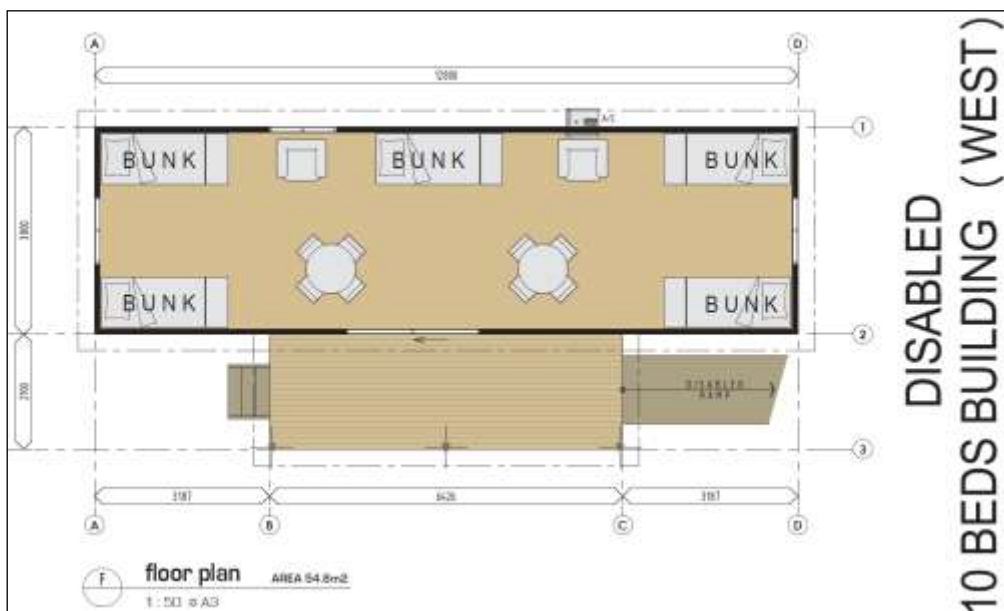
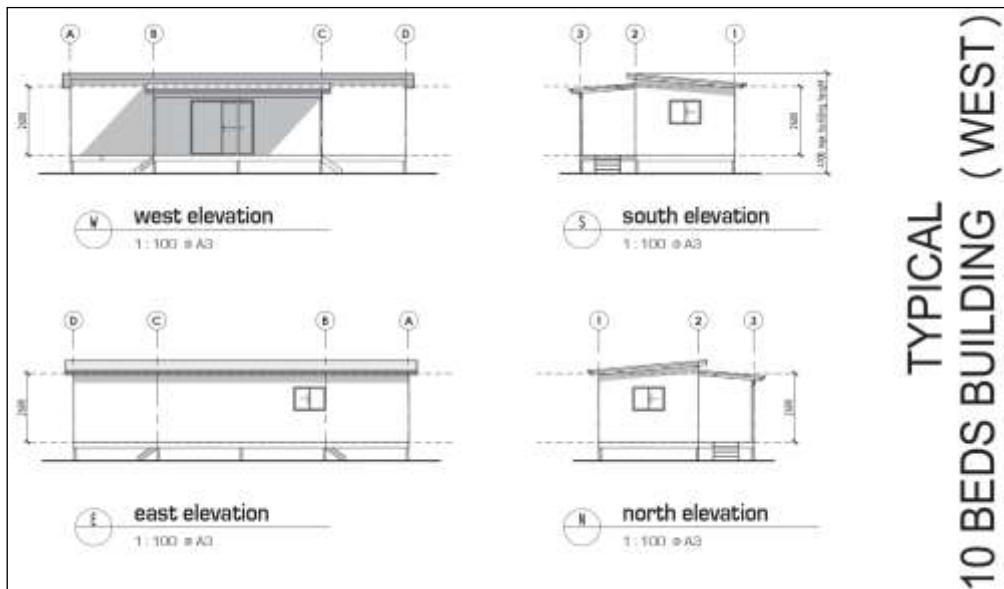
TYPICAL
4 DOUBLE ROOMS

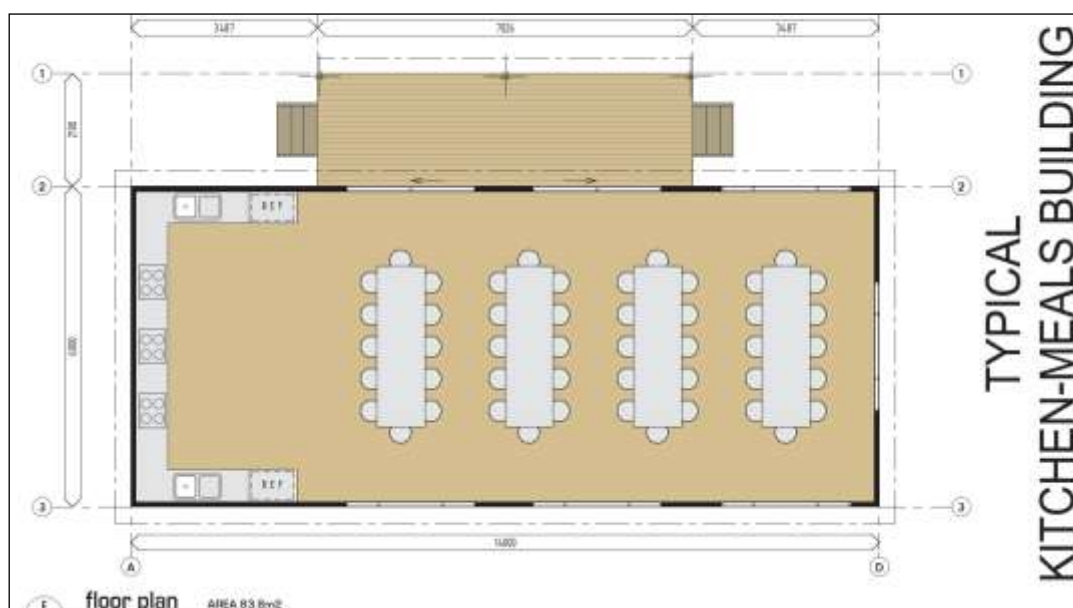
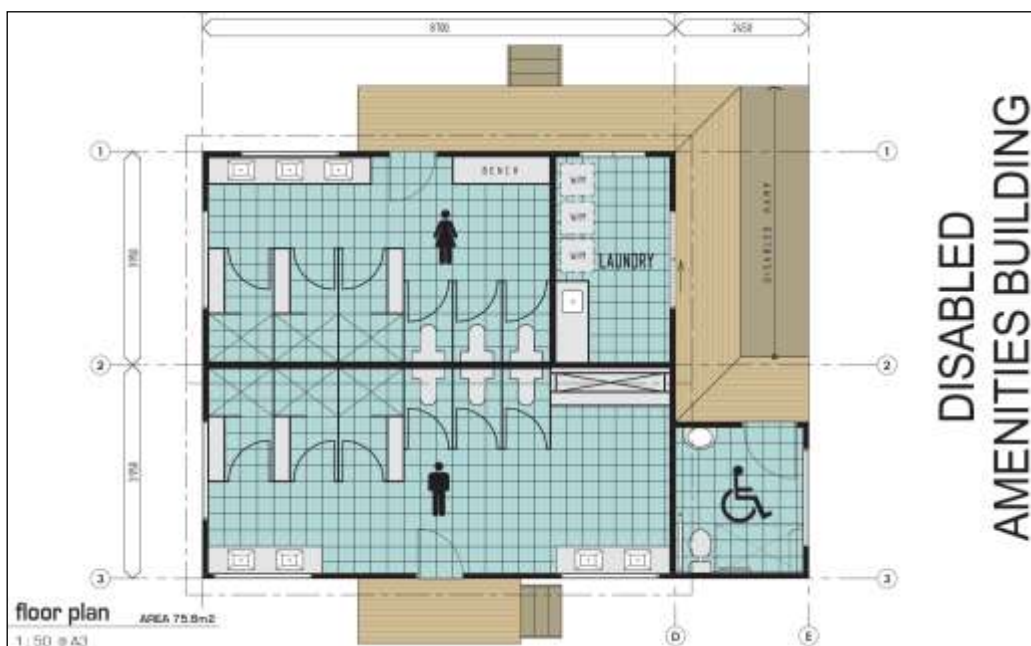
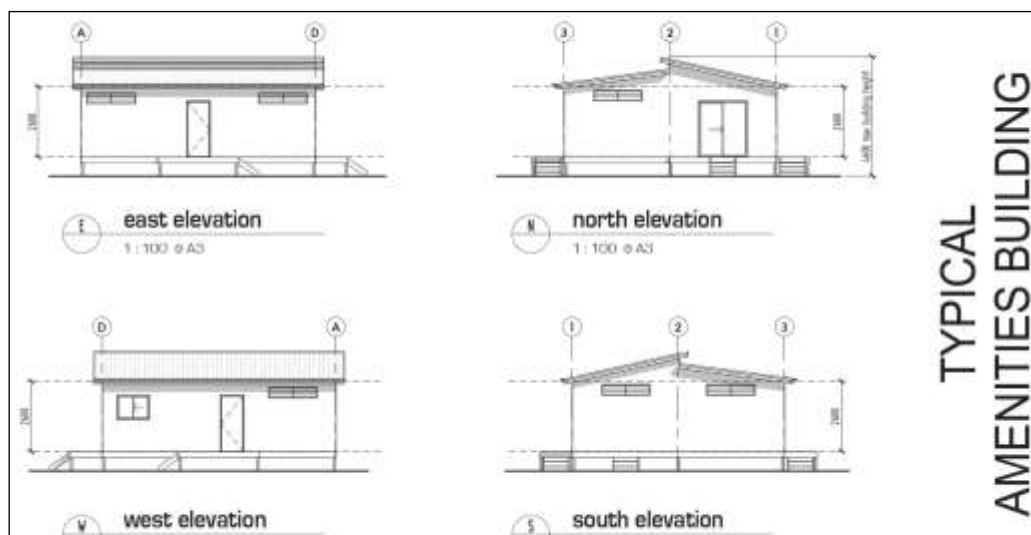


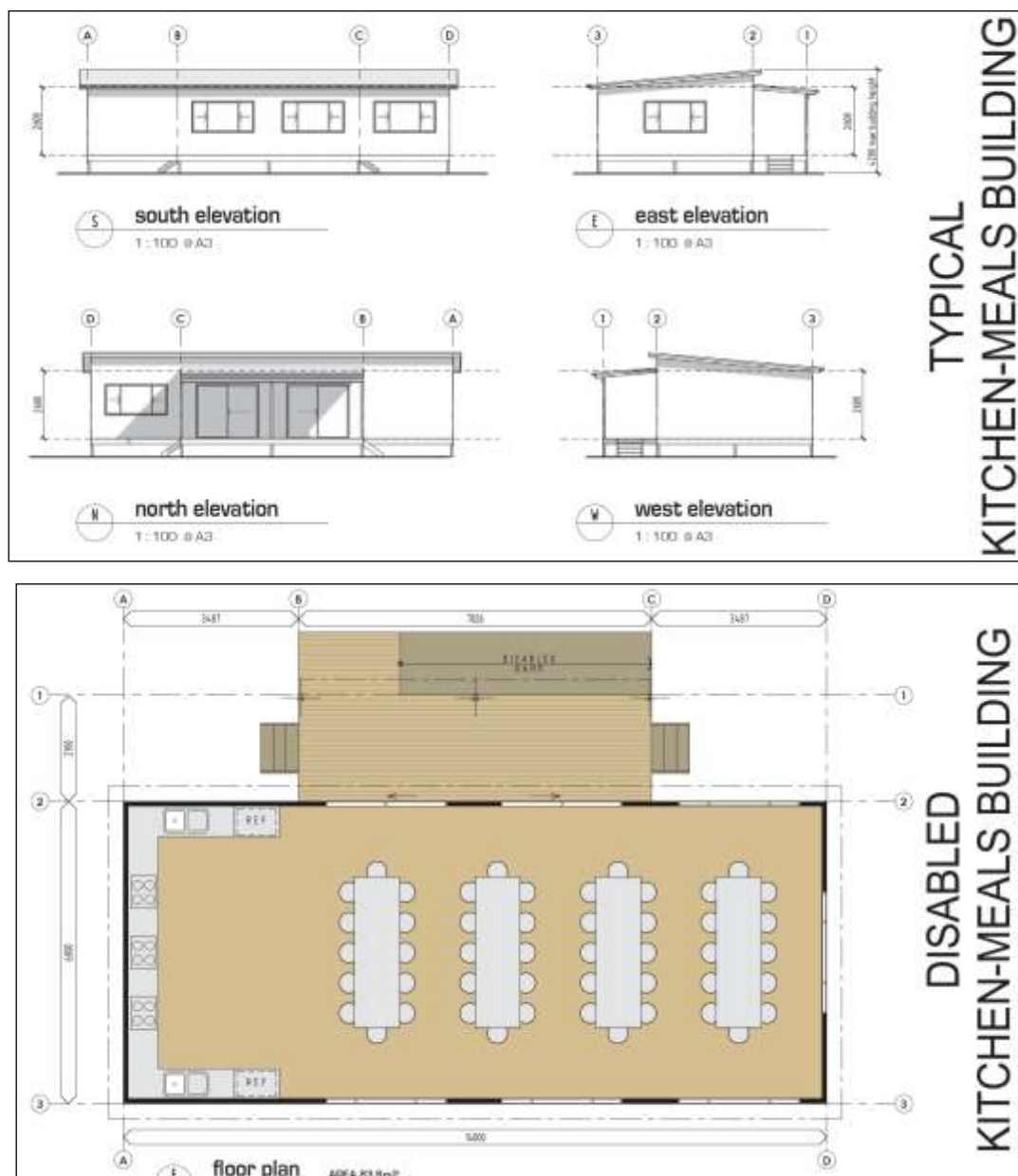
DISABLED
4 DOUBLE ROOMS



TYPICAL
10 BEDS BUILDING (WEST)







Referral

The application required referral to the Department of State Development, Infrastructure and Planning (DSDIP). The DSDIP has no requirements in relation to this application.

Submissions

One submission was received to the application. **A copy of this submission has been forwarded separately to Councillors.** The issues raised in the submission are as follows:

Loss of amenity and security

- The scale of the development will adversely impact on the peace and quiet of the area.
- Temporary residents do not care for the environment. There will be litter left along the roadside. Littering of bottles and takeaway food packaging is always evident during the fruit picking season, but due to the large number of workers, the amount of litter will increase.
- The safety and security of neighbour's possessions will be compromised. With the increase in the number of people residing in the area, local residents will not be able to monitor vehicles in the area. This will cause discomfort and insecurity for locals.

The two dwellings closest to the proposed development site are located approximately 630 metres to the north-west and the north. The submitters' residence is located approximately 1.18 kilometres from the proposed development site. The land to the south, west and south-east of the proposed development site is heavily vegetated. This will reduce the impact on the development.

It cannot be assumed that the behaviour of the workers will be unacceptable and that they will steal or litter. Waste bin will be provided at the facility to reduce littering.

Increase in traffic

- The applicant has not taken into consideration the fact that guests will need to travel to Stanthorpe for shopping, banking and entertainment. They will not just be walking to work and back. This will have a huge impact on road traffic and noise.

Allens Lane is a gravel road. The applicant states that the road will adequately cater for the expected traffic generated by the facility. Farm workers staying at the facility will likely be working on adjoining farms, and workers will walk to work or be transported by minibus.

The construction of Allen Lane is addressed later in this report.

Assessment against the Planning Scheme

This application required assessment against the following codes of the planning scheme:

- Rural zone code
- Car parking and loading code
- Landscaping code
- Outdoor lighting code
- Physical infrastructure code
- Biodiversity overlay code
- Bushfire hazard overlay code

Rural zone code

The code requires uses established in the Rural zone to not conflict with rural land uses or the natural, scenic and community values of the area. The development site does not have a history of being used for rural purposes (other than possible light grazing), but as the proposed development will provide accommodation for rural workers, it will support the continued rural activity in the area. The development will occupy only a small part of the lot, and has been designed to ensure no clearing of regulated vegetation is required.

The land adjoining the proposed development site to the east is used for horticultural purposes. However, as the facility will provide workers accommodation, it will be likely that those staying at the facility will be away from the site working when the majority of farming activity is being undertaken on the adjoining land.

Allen Lane is a gravel road, the construction of which ends just before the subject land. The code requires access to the land to be via a constructed sealed road. The code does allow for gravel road access where the safe and efficient operation of roads and access is maintained. The Director Engineering Services has advised that Allen Lane should be sealed, otherwise Council will be required to regularly grade the road which does not currently occur. It is considered appropriate that the sealing of the road be required prior to Stage Two commencing.

The code requires development to be sensitive and responsive to the scenic amenity of the area. The development has been designed to ensure regulated vegetation is retained, which goes some way to retaining the scenic amenity of the area. The buildings are proposed to be located only 30 metres from the road boundary and will not be residential in character. The code required all new building to be located at least 60 metres from the road boundary. However, given that the site will not be visible from any other residence, and Allen Lane does not is not a through road, the visual appearance of the development can be considered acceptable subject to suitable landscaping and the retention of remnant vegetation.

Carparking and loading code

The code does not stipulate a car parking ratio for Non-resident workforce accommodation.

A similar application for Rural workers accommodation at Newlands Road was required to provide parking based on the ratio required for a Hostel, i.e. 0.25 spaces per bed. The applicant has proposed 15 parking spaces at each stage which meets the provision of one space 0.25 spaces per bed.

The code requires all car parking areas to be sealed. However, it is considered that construction of the parking areas to a gravel construction will meet the Performance outcome which requires carparks to be constructed to an acceptable standard in keeping with the character and standards in the locality.

Landscaping code

The applicant has proposed landscaping within each stage of the development. It is also considered appropriate that some landscaping be required within the setback of Stage One. This landscaping together with the retention of existing remnant vegetation is considered adequate to meet the requirements of the code.

Outdoor lighting code

Conditions can be imposed to ensure outdoor lighting does not create a nuisance.

Physical infrastructure code

Twelve water tanks each with a capacity of 22,700L will be provided with each stage. This is in addition to the 30,000L being stored for fire fighting purposes.

The applicant should be required to provide further information regarding the method of water treatment to provide potable water. Advice from the Senior Environmental Health Officer is that potable water must be supplied to all drinking water supplies, showers, baths, hand basins, kitchen sinks and laundry facilities.

The applicant states that treated effluent from the sewage treatment plant will be irrigated onto surrounding land. The system will be a commercial unit, designed to cater for the expected maximum of 240 people. The one system will cater for all four stages.

A sewage treatment system of this size is an Environmentally Relevant Activity No. 63 (Sewage treatment) and an Environmental Authority will be required from the Department of Environment and Heritage Protection for the operation of the system.

The upgrading of Allen Lane has previously been discussed.

Biodiversity areas overlay

The applicant has designed the development to ensure all buildings and infrastructure are located within those parts of the site not identified as regulated vegetation.

A condition can be imposed ensuring the lighting is orientated to minimise negative impacts on wildlife.

Bushfire hazard overlay

The land is identified as being a bushfire hazard area.

The applicant states that for each stage of the development, three water tanks of 10,000 litres will be exclusively available for fire fighting purposes and fitted with approved fire fighting fittings.

All buildings will need to be within a cleared area, and setback at least 1.5 times the predominant mature canopy tree height or 20 metres (whichever is the greater) from hazardous vegetation.

The code requires that occupants of the development have more than one effective and reasonable route of escape by standard motor vehicle once they have exited the subject site.

Allen Lane provides only one route of escape, so the applicant will be required to ensure occupants can escape through land to the north to get to Ellwood Road or Kelly Road.

Adopted Infrastructure Charges

Non-resident workforce accommodation is defined as a Specialised use under the Adopted Infrastructure Charges Resolution. As there is no set charge for Specialised uses. The charge is determined at the time of assessment.

The proposed use can be considered similar to that of a Hostel. The charge for a Hostel is \$7500/dwelling unit or \$2500/suite where all services are available. A similar application for Rural workers accommodation at Newlands Road was required to pay \$75,000 in adopted infrastructure charges for 200 people, based on 30% of \$2500/suite for Parks and Roads networks. This equates to \$375 per person, where each suite accommodates two people. As the proposed development is similar to that proposed at Newlands Road, a charge of \$375 per person can be considered acceptable. This charge rate was also imposed on an approved development for Non-resident workforce accommodation at Wallangarra Road, Stanthorpe.

Development Type	Network	Rate	Proposed	Charge
Specialised use - calculated as though a hostel with 2 people/suite	Roads and Parks	30% of \$2500/suite = \$375/person	232 people	\$87,000
TOTAL:				\$87,000

The charges are payable per person at each stage, i.e. \$21,750 at each of the four stages.

The adopted infrastructure charge is payable prior to the change of use of the land happening in accordance with Section 648H of the *Sustainable Planning Act 2009*.

Conclusion

The proposed development includes the construction of a Non-resident workforce accommodation facility to provide accommodation for farm workers. The proposed development involves 24 accommodation buildings and associated communal facilities to be developed in four stages. The total capacity of the development will be 232 people.

One submission was received to the applicant raising concerns about the loss of amenity, increase in traffic and noise, and concerns with security and the loss of possessions.

The development will not be visible from any other residence and the site is located in a heavily treed area at the end of Allen Lane. The development is unlikely to have adverse impacts on other residents of the area.

Allen Lane is a gravel road. The Director Engineering Services advises that this road should be sealed, and it is recommended that this sealing be completed prior to the use of Stage Two commencing.

The application is recommended for approval subject to conditions.

Recommendation

THAT the application for Material Change of Use for Non-resident workforce accommodation on land at Allen Lane, Applethorpe, described as Lot 4 RP31786, Parish of Stanthorpe, County of Bentinck, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

1. The development of the site is to be generally in accordance with the proposal plans submitted with the application, and subject to the final development being amended in accordance with the conditions of this approval.

Plan Name	Plan No.	Date
Locality Plan	625-14 S02.0	28 July 2014
Site Plan	625-14 S03.0	28 July 2014
Stage 1 Setout	625-14 S04.0	28 July 2014
Stages 2, 3 & 4 Setout	625-14 S05.0	28 July 2014
4 Double Rooms Plan	625-14 S06.0	28 July 2014
4 Double Rooms Elevations	625-14 S07.0	28 July 2014
(Disabled) 4 Double Rooms Plan	625-14 S08.0	28 July 2014
(Disabled) 4 Double Rooms Elevations	625-14 S09.0	28 July 2014
10 Beds Building (East) Plan	625-14 S10.0	28 July 2014
10 Beds Building (East) Elevations	625-14 S11.0	28 July 2014
10 Beds Building (West) Plan	625-14 S12.0	28 July 2014
10 Beds Building (West) Elevations	625-14 S13.0	28 July 2014
(Disabled) 10 Beds Building (West) Plan	625-14 S14.0	28 July 2014
(Disabled) 10 Beds Building (West) Elevations	625-14 S15.0	28 July 2014
Amenities Building - Plan	625-14 S16.0	28 July 2014
Amenities Building - Elevations	625-14 S17.0	28 July 2014
(Disabled) Amenities Building - Plan	625-14 S18.0	28 July 2014
(Disabled) Amenities Building - Elevations	625-14 S19.0	28 July 2014
Kitchen - Meals Building Plan	625-14 S20.0	28 July 2014
Kitchen - Meals Building Elevations	625-14 S21.0	28 July 2014
(Disabled) Kitchen - Meals Building Plan	625-14 S22.0	28 July 2014
(Disabled) Kitchen - Meals Building Elevations	625-14 S23.0	28 July 2014

2. The development may proceed in stages, subject to all infrastructure and services required for a stage is provided with that stage, including the payment of the Adopted Infrastructure Charges.

Land Use and Planning Controls

3. The material change of use the subject of this development permit must be completed within a period of 6 years starting the day this development permit takes effect. The development permit will lapse in respect of each aspect of the material change of use that has not commenced within this period, unless a change to this approval is granted by Council.
4. The buildings and associated facilities may only be used for itinerant/transient rural workers. The accommodation buildings and associated facilities are **not** to be used for tourist accommodation.
5. An on-site manager is to reside on site at all times.
6. The manager of the accommodation must keep and maintain a register which details:
 - (i) The names and addresses of each person who is residing in the accommodation; and
 - (ii) The date of arrival and departure.
7. The number of persons to be accommodated must not exceed the following:
 - 2 in each room of the 4 double room buildings

- 10 in each of the 10 beds buildings
8. No materials or goods associated with the development are to be displayed or stored within the car park or landscaped areas, or outside the boundaries of the site.
 9. A telecommunications system that can be accessed by residents at all times in the event of an emergency must be available on the site.

Building and Site Design

10. All buildings are to be set back at least 30.0 metres from the northern boundary of the land, and 20.0 metres from the eastern boundary of the land.
11. Toilets, showers, handbasins and laundry facilities are to be provided and maintained for persons of both sexes (including disabled persons), in accordance with the plans "Amenities Building - Plan" (625-14 S16.0) and "(Disabled) Amenities Building - Plan" (625-14 S18.0).
12. A copy of each Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
13. A copy of the Form 11 (Certificate of Classification) for each building must be submitted to Council prior to the use of that building commencing. (See advisory note below.)
14. At least two clothes hoists are to be provided with each stage.
15. For the safety of residents lighting is to be provided within the development including adjacent to the car parks, the kitchen/dining area, the amenities and laundry. **Details of the lighting are to be submitted to and approved by the Director Planning and Environment prior to the issue of any Development Permit for Building Work.** Lighting is to be provided in accordance with the approved plan.
16. Sealed pathways are to be provided between each accommodation building, to connect to the amenities, laundry, kitchen, dining and carpark areas.

Amenity and Environmental Controls

17. The land is to be maintained in a clean and tidy state.
18. Litter bins, including recycling bins, are to be provided in convenient locations throughout the accommodation complex. The litter bins are to be located on concrete pads and covered with a lid to prevent animals entering the bins. Litter bins are to be emptied on a daily basis.
19. Waste is to be stored in suitable containers and removed from the site to the Stanthorpe Waste Management Facility on at least a weekly basis. Alternatively, the owner can enter into an agreement with an approved waste contractor for the at least weekly removal of waste to another facility.
20. Recyclable waste that is being stored on site must be stored in a screened area such that it is not visible from the roadway.
21. Advertising Devices relating to the Non-resident workforce accommodation may **only** be erected on the subject land, i.e. Lot 4 RP31786. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the rural character of the surrounding area. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.
22. Any lighting device is to be so positioned and shielded so as not to cause any glare nuisance to any nearby residential property or motorist, or to shine upwards into the night sky. Lighting is to be located and orientated to not shine into bushland areas.
23. All cleared or lopped timber and vegetation must be processed on site by wood chipping, mulching or similar method. Any processing of trees or vegetation must be carried out in a safe manner and without any adverse environmental impacts from noise or dust emissions, and in accordance with any requirements under the *Environmental Protection Act 1994*.

Bushfire Requirements

24. All buildings are to be located within a cleared area, and setback at least 1.5 times the predominant mature canopy tree height or 20 metres (whichever is the greater) from hazardous vegetation.
25. Water tanks exclusively for fire fighting purposes are to be provided in accordance with the plans "Stage 1 Setout" and "Stages 2, 3 & 4 Setout". Standard rural fire brigade fittings are fitted to the outlets of the tanks for access by rural fire services vehicles.
26. A fire evacuation route is to be provided over Lot 11 SP288294 to Kelly Road, to allow evacuation from the site in the event of a bushfire preventing the use of Allen Lane.
27. An Emergency Management Plan is to be submitted to and approved by the Director Planning and Environment. The Emergency Management Plan is to address evacuation procedures for bushfire. A copy of the approved Emergency Management Plan is to be made available for all residents. At the time of arrival, residents are to be made aware of the evacuation procedures. A concise one page version of the evacuation procedures is to be displayed in all buildings. The Emergency Management Plan is to include at least the following detail:
 - Evacuation procedures and assembly points (both on-site and off-site);
 - The alternative evacuation route through Lot 11 SP288294; and
 - Contact details and other local information sources which can be used in the case of an emergency.

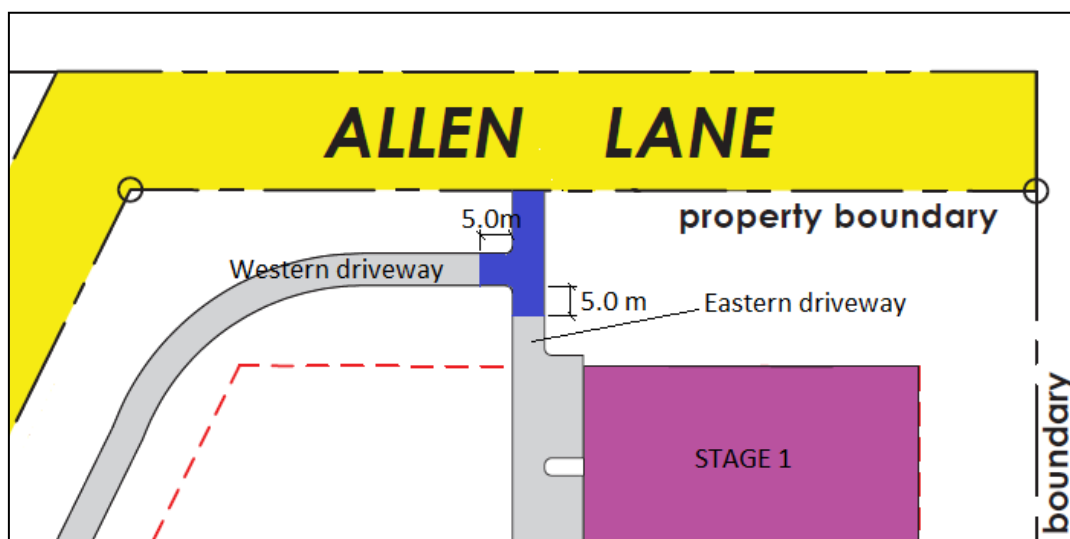
Fencing, Landscaping and Buffers

28. Landscaped areas are to be provided in accordance with the plans "Stage 1 Setout" and "Stages 2, 3 & 4 Setout", subject to additional landscaping being provided along the full frontage of the car parking areas, and within the area between the northern boundary of the land and Stage One.
29. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment prior to the issue of any Development Permit for Building Work.** The Landscaping Plan must include details of the location and species of plants, the irrigation system and the height and material of fencing. Plants are to be generally frost resistant and drought hardy, and must not include weed species. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

Car Parking and Vehicle Access

30. **Prior to the commencement of Stage One**, vehicle access is to be constructed to the site from Allen Lane in accordance with Council's standard. Such entrance roadworks are to be at least 6.0 metres in width, constructed in gravel, and are to include appropriate drainage works.
31. **Prior to the commencement of Two One**, the vehicle access to the site from Allen Lane is to be sealed in accordance with Council's standard.
32. Car parking is to be provided on site for each stage in accordance with the plans "Stage 1 Setout" and "Stages 2, 3 & 4 Setout". The car park areas are to be set back at least 30 metres from the boundary.
33. Unless required by other conditions of this approval, all car parking, driveway and loading areas shall be constructed in gravel or similar materials, drained, laid out and regularly maintained. Where the carparking and driveways are not maintained to an appropriate standard, the car parking and driveway areas are to be sealed in accordance with Council's standards.
34. **Prior to the commencement of Stage Two**, the first section of the driveway must be sealed from the Allen Lane entrance to 5.0 metre past the future intersection with the western driveway, as shown on the plan below. This sealed section of driveway must be regularly

maintained.



35. **Prior to the commencement of Stage Three**, the first section of the western driveway is to be sealed for 5.0 metre past the intersection with the eastern driveway, as shown on the plan above. This sealed section of driveway must be regularly maintained.
36. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system be permitted.

Roadworks and Stormwater Drainage

37. Any roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Engineering Services.
38. **Prior to Stage One commencing**, Allan Lane is to be extended as a gravel constructed road, to provide constructed road access to the site. The boundaries of the road reserve are to be surveyed to ensure all roadworks are carried out within the road reserve.
39. **Prior to Stage Two commencing**, Allen Lane is to be constructed to a sealed road standard, including stormwater drainage, from the intersection with Kelly Road to the entrance to the site.

Water Supply and Sewerage

40. A sufficient supply of potable water, that complies with the *National Health and Medical Research Council: Australian Drinking Water Guidelines*, must be provided within the dining/kitchen and amenities buildings, also must be supplied to all drinking water supplies, showers, baths, hand basins, kitchen sinks and laundry facilities.
 - (a) Prior to the issue of building approval for any buildings, a Water Management Plan demonstrating that adequate provision has been made for the supply of water, including a potable water supply, is to be submitted to and approved by the Manager Environmental Services. A water supply is to be provided in accordance with the approved report.
 - (b) All water supplied from off-site must be by a registered water carrier, holding a current licence under the *Food Act*. All appropriate paperwork relating to the supply of drinking water to the site by a water carrier is to be retained for inspection by Council.
41. If water from a water outlet may be unsuitable for drinking, a sign stating "Unsuitable for Drinking" is to be prominently displayed at the outlet.
42. Wastewater is to be disposed of by means of a suitable septic system in accordance with the

Queensland Plumbing and Wastewater Code. An approval for plumbing and drainage works must be obtained in accordance with the *Plumbing and Drainage Act 2002* prior to the septic system being installed.

Electricity, Street Lighting and Telecommunications

43. Reticulated electricity is to be provided to the accommodation facility.
44. In accordance with the Federal Government's National Broadband Network (NBN) initiatives, the Developer (at the Developer's expense) is to install a fibre ready pit and pipe network (including trenching and ducting, design and third party certification) to NBN Co's specifications, to allow for the installation of Fibre-to-the-Premises (FTTP) broadband services. Any fibre provider may be used, provided they meet NBN specifications and open access requirements. Ownership of the infrastructure is to be transferred to NBN Co in exchange for the provision of fibre within that pit and pipe network. Prior to commencement of the use, written advice is to be provided from NBN Co that the pit and pipe network has been installed in accordance with NBN Co's specifications.

Operational Works

45. All operational works are to be accepted on-maintenance prior to the use of the land commencing. (See advisory note below.)

Adopted Infrastructure Charges

46. Payment is to be made to Council in accordance with the Adopted Infrastructure Charges Notice attached to this decision notice. The charge payable at each stage will be calculated based on the number of people accommodated at that stage.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning and Environment, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Sustainable Planning Act 2009* and would have to comply with the requirements of the Planning Scheme.
- (iii) An application must be submitted and approved by Council for a permit under Local Law No. 1.11 (Operation of Shared Facility Accommodation) 2011.
- (iv) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2002* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Certificate of Compliance must be issued** for the works prior to the use commencing.
- (v) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. **A Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing.**
- (vi) A Registration Certificate for Environmentally Relevant Activity No. 63 Sewage treatment is to be obtained in accordance with the *Environmental Protection Act 1994* prior to the commencement of any Environmentally Relevant Activity.
- (vii) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Sustainable Planning Act 2009*. This application must be

submitted with the following:

- Relevant IDAS Forms;
- The relevant fee in accordance with Council's Schedule of General Fees and Charges;
- Design, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);
- A car parking plan showing the location and dimension of all parking areas, details of the proposed pavement treatment, and full engineering specifications of layout, construction, sealing, drainage and line marking;
- A plan showing ingress and egress wheel and swept turning paths;
- A Stormwater Management Plan;
- An Erosion and Sediment Control Plan.

Operational Works shall be subject to a 12 months Defect Liability Period commencing from the day the works are accepted on-maintenance. A bond will be held by Council as security, and refunded following a defect-free inspection at the end of the Defect Liability Period.

- (viii) All reasonable and practicable measures must be taken to ensure that no harm is caused to Aboriginal cultural heritage (the "cultural heritage duty of care"). The cultural heritage duty of care is met if the development is conducted in accordance with gazetted cultural heritage duty of care guidelines. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsima.qld.gov.au

Schedule 2 - Department of State Development, Infrastructure and Planning's Conditions of Approval


Nil

Attachments

1. Submission received to application for Material Change of Use, Allen Lane, Applethorpe (Excluded from agenda - Provided under separate cover)[View](#)

10.4 Material Change of Use - Hutchison Quarries Pty Ltd, 608 Mountain Maid Road, Greymare

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Senior Planning Officer	File Ref: MCU01550

APPLICANT:	Hutchison Quarries Pty Ltd
OWNER:	John D Leonard
ADDRESS:	608 Mountain Maid Road, Greymare
RPD:	Lot 22 ML659, Parish of Palgrave, County of Merivale
ZONE:	Rural
LAND AREA:	246.9 hectares
PROPOSAL:	Extractive industry (Decomposed granite and sand extraction)
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	Four (4)
REFERRALS:	Nil

Recommendation Summary

THAT the application for Material Change of Use for the purpose of an Extractive industry on land at 608 Mountain Maid Road, Greymare, described as Lot 22 ML659, Parish of Palgrave, County of Merivale, be approved subject to conditions.

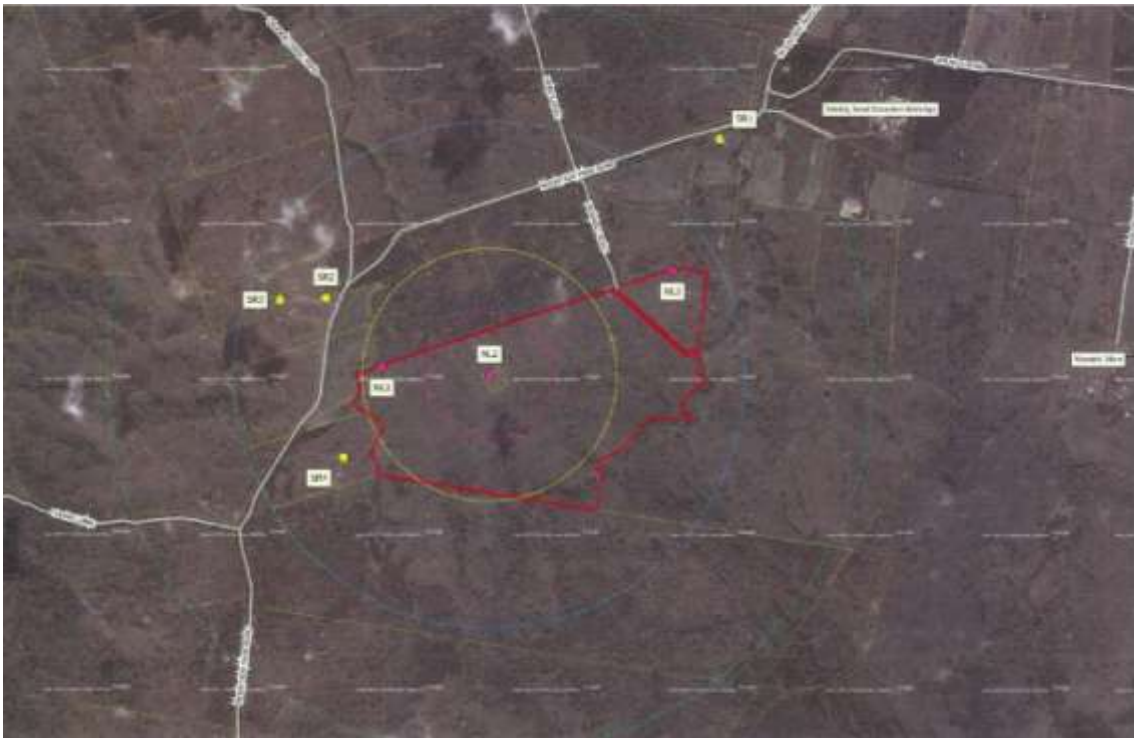
Report

The subject property has frontage to Leonard Road, Greymare Creek and Lagoon Creek, and is currently vacant.



Hutchinson Quarries Pty Ltd currently operates an extractive industry, with crushing and screening activities at Lot 518 RP814311, on Pink Gum Lane, Leslie Dam. The proposed development, for the extraction of granite and sand, is required to meet the market requirements for specific types of materials.





The applicant has indicated that the proposed extraction area of the site is located at one of the highest points on the property and has been selected as it is the more likely area to cause minimal disturbance to adjoining properties and the public, and appears to have the largest quantity of material in a single location.

No information regarding the area of excavation has been supplied with the application. A calculation of the excavation area designated on the plan provided with the Environmental Noise Impact Assessment has indicated that the extraction area is approximately 3.0 hectares.

The applicant has detailed that the extraction will be performed using a bulldozer to rip and win material from the extraction slope onto the processing pad. The material can then be loaded with a front end loader or excavator and hauled from the site.

If material requires further processing, a small truck mounted screening plant will be used to screen out different sized products and then stockpiled or loaded out.

It has been indicated that the hours of operation shall be between 7.00 am and 6.00 pm, Monday to Saturday, excluding public holidays. Extraction of material with the bulldozer shall take approximately 50 hours per annum and the screening plant shall screen 5,000 tonnes in approximately 25 hours.

The Environmental Noise Impact Assessment report submitted as a response to the information request, has indicated that outside of the main operational hours (5.00 am to 7.00 am, and 6.00 pm to 8.00 pm), product haul trucks could arrive on site and equipment maintenance could occur.

A front end loader may be required to be left onsite for some periods of time, although it will be the applicants aim to remove all material from the site as quickly as possible once extracted each year.

A Komatsu D155AX-3 bulldozer, Volvo L150-E and Sandvik QE340 Reclaimer will be used at any one time on the site.

Two operators may be present at one time if extraction and processing of materials is being performed at the same time onsite, otherwise the operators of the haulage trucks shall be the only person on site at any one time.

The haulage route intended to be used from the Cunningham Highway, is along Montrose Lane, Greymare Road, Mountain Maid Road and Leonard Road. Leonard Road is a formed road.

Submissions

There were 4 submissions received to the application. **Copies of the submissions have been forwarded separately to Councillors.**

The matters raised by the submitters are as follows:

Roads

- Mountain Maid Road, Montrose Lane and Greymare Road are the chosen route to the Cunningham Highway, these roads are single lane bitumen. There is great concern these single lane bitumen roads are not designed to withstand increased traffic, particularly continual heavy vehicles movement/loads. Montrose Lane has a narrow road reserve and all these roads have no safe opportunities for overtaking heavy vehicles (travelling with or oncoming traffic) without having to leave bitumen or pulling over to the side of the road.
- Apart from the Mountain Maid Road route to the Cunningham Highway, the other option is Henry Road, Lagoon Creek Road and Greymare School Road. It is stated that very minimal dust will be generated, this route is not ideal either and would required upgrading, but may be more suitable if the development is to be approved. Gravel roads are easier/cheaper to repair, protecting the existing bitumen roads.
- Montrose Lane/Cunningham Highway intersection suitability needs to be investigated.
- The existing Greymare Creek culvert crossing on Greymare Road has visibility issues also, particularly the crest to the east of this crossing.
- Mountain Maid Road is breaking up badly as time goes on with vision and safety on all corners very important which we hope is recognised when this application is considered.
- Whilst Leonard Road is narrow for passing, a major concern relates to its intersection with Mountain Maid Road, particularly if long vehicles are moving deco and sand from the proposed area and creating dust. There is the Henry's Road side of the intersection to consider as well with the increased traffic.
- Leonard Road should be finished by gravel sheeting the remaining sections of dirt, to ensure there is minimal dust nuisance.
- If Council were to approve the application with conditions, there are a lot of trees at this intersection which definitely need to be cleared, a stop sign from Leonard Road is needed and dust problems should be considered from the unsealed Leonard Road. There will also be a need for a large turning area so the impact on the existing bitumen surface is minimised.
- A concern is the safe operation of the primary school bus route. This school bus collects and returns children each school day to the following locations in the Greymare district:
 - Greymare Road/Mountain Maid Road intersection (Greymare Hall);
 - Greymare Road/Montrose Lane intersection; and
 - Montrose Lane.

Comment: Council's Engineering Services department have completed site inspections, including of the haul route and have indicated that it should be a condition of any approval that upgrades occur to both the Mountain Maid Road and Leonard Road intersection, and Leonard Road.

Currently any heavy vehicle, except B-Double can legally use the roads in this area. There are already operating extractive industries in the area, therefore if there were affects on the school bus then it would be occurring now.

The Cunningham Highway and Montrose Lane intersection is under State control. The application did not require referral to the Department of State Development, Infrastructure and Planning (DSDIP).

- There is currently a permanent road closure application for the road located within Lot 22 ML659 and to the northern boundary of adjacent Lot 66 ML659. If this road is to be closed,

there are concerns this may lead to an increase of operations in the future, leading to increased heavy vehicle movements.

Comment: There is no proposal to close this section of road. Any proposal to increase the scale and intensity of the use will require the submission of a new planning application, which would be subject to public notification.

Stormwater

- The surface drainage from the subject site to Greymare Creek has been addressed in basin, dams, etc, but no attention has been directed to the run-off to Lagoon Creek, which is the subject sites western boundary. As the area of excavation has been indicated as 200,000 square metres (20 hectares/50 acres) and the location of excavation is planned to be on the highest point, run-off to Lagoon Creek needs to be investigated and prevented.

Comment: This concern has been addressed in the environmental assessment included later in this report.

It is unsure where the submitters comments on the excavation area was obtained, as no information has been supplied as part of the application. A calculation of the excavation area designated on the plan provided with the Environmental Noise Impact Assessment has indicated that the extraction area is approximately 3.0 hectares.

Noise

- The Environmental Noise Impact Assessment indicates that the proposed development does not comply with state regulations in two time frames when activities are carried out simultaneously. Dozer and screening work would not have to be done at the same time.
- Exhaust brakes used down the rise past the houses would be a noise problem. Exhaust brake use is mentioned in the works plans and it would be appreciated if they could honour their commitments.

Comment: This concern has been addressed in the environmental assessment included later in this report.

Incorrect information included in the Environmental Noise Impact Assessment report

- The Noise Impact Assessment report includes SR4 as "vacant caretakers residence on property owned by the subject lot owner." This information is incorrect as the property is owned by a separate party, not associated with the proposed development, and it is not vacant. The dwelling is used by the owners regularly to reside whilst completing work on the large property. It surely must be of a concern to Council that the status of the nearest house to this proposed development was wrong on three counts when the Environmental Noise Impact Assessment was done.

It is questioned as to whether monitoring would have been done in different places if our house would have been described correctly.

Comment: This concern has been addressed in the environmental assessment included later in this report.

Operation hours

- With the application for 5,000 tonnes a year, we ask why extra times, other than the six days a week, 11 hours a day, would be needed for machinery maintenance and the like.

The assessment details different activities being allowed for a further four hours per day. It would be impossible for anyone off site to know if noise in those additional four hours would be from uses allowed in those four hours.

Comment: It is considered appropriate that the operating hours be limited to 7.00 am to 6.00 pm, including preparation and maintenance of vehicles. Given the scale of the development, it is not considered necessary for other works to occur outside of these hours.

Devaluation

- Developments like the one proposed in this application can have an impact on property values.
- Currently the surrounding lots are ideal lifestyle blocks, this will change with a quarry as a neighbour.

Comment: Resources are location bound, and need to be extracted in the location where it is. Council would be unable to rely upon economic grounds and potential devaluation as a reason to refuse this application.

Assessment against the Planning Scheme

This application required assessment against the Rural zone code, the Extractive industry code, the Carparking and loading code, the Landscaping code, the Outdoor lighting code, the Physical infrastructure code, and the Bushfire overlay code.

Rural zone code

The Local government purpose of the zone is as follows:

- (i) Provide the opportunity for extractive industries where the resource is available consistent with management of impacts and site rehabilitation.
- (l) Provide for uses that require isolation from urban areas as a consequence of their impacts such as noise or odour.

The purpose can be achieved through the following outcomes:

- (viii) Non-rural uses including tourist uses and industries to value add to rural enterprises:
 - a. are located, designed, oriented, constructed and operated to minimise impact on existing rural uses and are buffered from productive land; and
 - b. do not alienate good quality agricultural land, strategic cropping land or potential strategic cropping land; and
 - c. are located on cleared land to avoid the need for additional clearing of vegetation; and
 - d. are designed to minimise environmental impacts; and
 - e. are located, designed, oriented, constructed and operated to avoid hazards such as bushfire, landslip and flood; and
 - f. are accessed by roads that are of an adequate standard for the traffic generated by the use; and
 - g. are located so that they do not contribute to urban sprawl or ribbon development along roads or contribute to piecemeal or unplanned development of areas.

The property is within the Sandstone rises and traprock hills precinct, which has the following outcomes:

- (iii) Intensive value adding rural activities and intensive animal industries are located on site that are large enough to accommodate appropriate buffering and water/waste water treatment requirements and are accessed via a network of roads that are constructed to accommodate the traffic generated by the use. These uses are not located in the dam catchment areas where they could impact on water quality. These uses are not located close to Warwick, Pratten, Karara or Leyburn where there is potential for air quality, noise, odour and traffic to impact on residents within the urban environment.

Part of the land is identified as Strategic Cropping Area (SCA) under the *Regional Interests Act 2014*. The extraction area is proposed within the SCA, however the land has not been cultivated and has always been used for grazing of stock. The applicant states that there will be only a small area of disturbance (approximately 3.0 hectares) and that the remainder of the land will remain available for rural uses. Disturbed areas will be rehabilitated having consideration to their

continued use for rural purposes, and sediment dams will provide a water supply for livestock. Therefore, the impact on the rural use of the land can be considered acceptable.

The applicant proposes minimal tree clearing, with only those trees within the extraction area being removed. No areas identified as remnant ecosystem is proposed to be cleared.

The extractive activities will be carried out more than 100 metres from a road and waterway. This will minimise the visual impact.

The proposed development complies with the Code with regards to Conservation of good quality agricultural land, and Conservation of rural land, and specific to the Sandstone rises and traprock hills precinct, Uses and Scenic amenity.

General, and Scenic amenity: The proposed development has the potential to conflict with scenic and community values.

PO1 The rural or natural environment character of the land is retained. Uses established in the Rural zone do not conflict with rural land uses or the natural, scenic and community values of the area.

PO8 Development is sensitive and responsive to the scenic amenity of the area. The appearance and siting of buildings, other structures, carparking areas or signage is compatible with the scenic character of the area, the design of any nearby structures and is respectful and sympathetic to any Local heritage place.

The extraction site will not be obvious from Leonards Road or Mountain Maid Road due to the topography of the land and the existing vegetation.

The land has historically been used for grazing purposes only. The extraction area is approximately 3.0 hectares in size, leaving the majority of the site to continue to be used for rural purposes. The extraction area will be progressively rehabilitated following the use ceasing.

The extractive operations proposed for the site are not large in scale and operate only as demand requires, minimising the impact on the environment.

Access: The haulage route intended to be used is along Montrose Lane, Greymare Road, Mountain Maid Road and Leonard Road. All roads are sealed, except Leonards Road, which is a formed road. The Acceptable outcomes of the Rural zone code state as follows:

AO3 All uses are erected on lots that have frontage to a constructed road.

AO4 Uses other than a home based business including a bed and breakfast or rural home stay (not exceeding 6 guests) have access to the Region's road network via fully constructed sealed roads from the property boundary.

The associated Performance outcomes of the Rural zone code state as follows:

PO3 Development has acceptable access for vehicles and pedestrians.

PO4 The safe and efficient operation of roads and access is maintained having regard to the nature of vehicles using the road, the location of uses that may be adversely affected by noise or dust generated by the use of the road and the location and design of access.

Council's Director Engineering Services has indicated that the vertical and horizontal alignment of Leonards Road is poor. There are concerns with regards to the regular use of this road by truck and dog or semi trailers.

Concerns have also been raised with regards to the intersection of Leonards Road with Mountain Maid Road, as it is narrow, with poor visibility.

It is considered appropriate that the road be upgraded to a constructed gravel road, which will ensure the alignment and width of the road is appropriate. As part of this process, the road should be straightened and improvement works undertaken at the Mountain Maid Road intersection.

Amenity, public health and safety: The proposed development has the potential to create a noise and dust nuisance. The associated Performance outcomes of the Rural zone code state as follows:

- PO6 All uses are located, designed, oriented and constructed to minimise noise, dust, odour or other nuisance from existing lawful uses including rural and industry uses.
- PO7 All uses are located, designed, oriented and constructed to minimise nuisance caused by noise, vibration and dust emissions generated by the State controlled road and rail network.

A noise impact assessment was undertaken by Yarramine Environmental to determine the effect on noise emissions of the proposed operations. This assessment concluded that the proposed operations will not cause noise nuisance at the nearest dwelling.

Noise and dust are further discussed later in the report.

In relation to the Sandstone rises and traprock hills precinct, scenic amenity has been previously addressed in this report. The land will be progressively rehabilitated to ensure that the rural use of the land can continue once the use ceases.

Extractive industry code

The proposed development complies with the Code with regards to Visual impact, , Light emissions, Access and traffic, Shade and dust, Waste, Flood, and Environment.

Amenity: The Acceptable outcome states as follows:

- AO4 Internal roads are to be sealed or other adequate dust suppression techniques are to be used.

The applicant has not indicated that the internal roadway will be sealed, therefore it is anticipated that it would be gravel. The associated Performance outcome states as follows:

- PO4 The development minimises air pollution.

Dust is addressed later in the report, regarding the environmental assessment.

Traffic: The Acceptable outcome states as follows:

- AO5 The haul route is along roads that are fully constructed and sealed.

As previously detailed, Leonards Road is a formed gravel road. The associated Performance outcome states as follows:

- PO5 The haul route is along roads that are designed and constructed to a standard to meet the needs of the traffic generated by the use without compromising the safety and amenity of residential uses fronting the haul route.

Any approval can be conditioned to require all loads to be covered and wheel cleaning equipment to be used to prevent wastes, stone and soil adhering to wheels and being deposited on access roads.

Given the scale of the development, and that there will be approximately 180 vehicles per year, it is considered that a condition of any approval should require that the road be upgraded to ensure it is a constructed gravel road. It is not considered reasonable for Leonards Road to be sealed.

Carparking and loading code

The Planning Scheme does not stipulate a carparking requirement for an Extractive industry; rather it requires sufficient car parking to be provided to accommodate the number and type of vehicles likely to be generated by the development having regard to the nature and operation of the use.

Given the size of the land and the infrequent nature of the use, it is considered appropriate for informal parking within the grassed area to be permitted.

Landscaping code

The applicant has not submitted a detailed rehabilitation plan for the proposed site. It should be a condition of any approval that this be submitted and approved, prior to the extraction commencing. The rehabilitation plan is to include at least the following:

- Top soil replacement;

- Planting species and height;
- Weed control;
- Watering;
- General site maintenance;
- Replacement planting;
- Mulching; and
- Monitoring.

Outdoor lighting code

Conditions can be imposed to ensure lighting does not create a nuisance.

Physical infrastructure code

AS there is no dwelling on the site, there is no existing energy supply, water supply and sewerage system. The applicant does not proposed to connect any of these services to the extraction site. As the use is periodical and contractors are employed to extract the materials, it is not necessary to require n energy or water supply.

It should be a condition of any approval that portable toilet facilities are provided when persons are on site for an extended period of time, a day or more at a time. Portable facilities are a safe and effective means of sewage disposal.

Bushfire hazard overlay code

A very small part of the site is included in the Bushfire hazard overlay. The extraction area is not within the overlay.

Environmental Assessment by Nicole Collett, Senior Environmental Health Officer

Noise

The applicant has stated the hours of operation will be from 7.00 am to 6.00 pm Monday to Saturday, excluding public holidays. It has also been stated that the extraction of material will occur for approximately 50 hours per annum, and the operation of the screening plant for approximately 25 hours per annum. The additional noise generating activity will be the haulage trucks, which the applicant has stated will vary depending on product requirements, but compliance with operating hours will be maintained.

A noise impact assessment was requested as part of the application, and was provided by the applicant. This included background noise measurements along the northern boundary of the property, as well as calculations of predicted noise levels at the boundary and nearest sensitive receptors, and recommendation on compliance with the *Environmental Protection (Noise) Policy 2008* and the Department of Environment Heritage Protection's *Planning for Noise Control Guidelines*.

In the noise impact assessment, it is stated that vehicles may arrive on-site and vehicle maintenance could occur from 5.00 am to 7.00 am and from 6.00 pm to 8.00 pm. However, the application has stated operational hours will be from 7.00 am to 6.00 pm, and this is what will be conditioned. Therefore, only the 'day' time period will be assessed, which covers from 7.00 am to 6.00 pm, as no activity should be undertaken outside the conditioned operating hours.

The noise impact assessment states a maximum of three items of plant could be operated simultaneously, as well as a haul truck. Calculations in the report are based on an excavator, front end loader and screening plant. As these are not the three loudest pieces of equipment, a calculation has been done using the bulldozer, screening plant and front end loader, which are the three loudest pieces of equipment, which found the combined noise level (with the haul truck) to be 112 LA_{eq} dB(a) rather than 111 LA_{eq} dB(a) reported in the noise impact assessment. Therefore, this level has been used in any further calculations.

The objective in the *Environmental Protection (Noise) Policy 2008* is generally used to condition planning approvals by the Southern Downs Regional Council, that being an acceptable noise limit is background plus 5 dB(A). Table 6 in the noise impact assessment shows the background noise levels during the day at the site of the extractive activity, as well as two locations along the

northern boundary. Tables 17, 18, 19 and 20 show the predicted noise levels from the combined use of plant at the nearest sensitive receptors. This information demonstrates it is unlikely the acceptable noise limit of background plus 5 dB(A) will be breached, and therefore it is unlikely an environmental nuisance from noise will be caused from the operation of the extractive industry. However, conditions will be placed on an approval to ensure any noise impacts are controlled from the site.

Water/Land

The property on which the proposed activity is to be located is bordered on two sides by Lagoon Creek and Greymare Creek. Contamination of stormwater run-off and nearby waters by sediment originating from the extractive operations and the disruption of land from vehicular movement and the extractive operations are the most likely forms of water and land contamination that could occur as a result of the proposed activity. Small volumes of fuel and oil may also be stored on site in order to operate the machinery, which could also potentially impact on stormwater run-off and nearby waters if there was a spill.

The applicant has stated the location of the activity on a hill will limit the amount of excess water from the disturbed area. It is also stated the extractive operations will occur well above the height of the existing gully running past the area to ensure there will be adequate area and elevation to install a sediment basin/dam to catch all run-off water from the disturbed areas. The basin will ensure sediment from the run-off water has settled before water leaves the dam and continues down the existing gully to Greymare Creek. The applicant has not provided any controls for run-off to Lagoon Creek.

Therefore measures must be put in place and conditioned on an approval to minimise and prevent the contamination of stormwater, land and the creeks. In addition, conditions can be placed on an approval to ensure any disturbed land is remediated progressively.

Air Pollution

The most likely form of air emissions from the proposed activity will be dust from the operation of plant and equipment on site including trafficable areas and vehicle access roads, along with the stockpiling of material. The applicant has stated that given the type of material to be extracted and processed, dust from the activities is anticipated to be very minimal and have no adverse operational effects to neighbours. The applicant has also provided advice that strict operating conditions, including limiting the use of exhaust brakes, hours of operation, and speed/driving behaviour, will ensure trucks do not produce excess dust when hauling material. No information has been provided about stockpiling on-site.

Due to the distances of the activity from the nearest sensitive receptors (as shown on the plan submitted as part of the Environmental Noise Impact Assessment), it is unlikely that dust emissions from the activity will result in an environmental nuisance. However, conditions are to be placed on an approval to ensure air emissions from the activity are managed, and mitigation measures put in place if required.

Waste Management

The applicant has stated that all waste generated from the site and associated activities shall be disposed of in a manner that will not have a negative impact on the environment in any way. All waste items will be transported off site in an appropriate manner and disposed of at a suitable facility. Suitable conditions may be placed on an approval to ensure this occurs, and that general waste is stored appropriately, recycled where possible, and removed from site on a regular basis.

Light Pollution

The applicant has not provided any details in relation to lighting proposed. However, given that operational hours will be mainly during daylight hours, it is unlikely that light emissions from the activity will result in environmental harm, and suitable conditions can be placed on an approval to control this.

Adopted Infrastructure Charges

An Extractive industry is defined as a Specialised use under the Adopted Infrastructure Charges resolution. No charge is specified for Specialised uses, but is to be determined at the time of assessment. The only network that would be applicable is roads. As the applicant is responsible for upgrades to the road network, it is not considered appropriate to also apply an Adopted Infrastructure Charge.

Conclusion

The proposed development is for the extraction of granite and sand, up to 5,000 tonnes per year. The land has historically been used for grazing purposes. As the extractive operations will occupy approximately 3.0 hectares of the site, the remainder of the property can remain for rural purposes.

The area will be progressively rehabilitated to ensure the land will be able to be used for rural purposes once the use ceases.

The proposed extraction area of the site is located at one of the highest points on the property and the applicant has selected the site as it is the more likely area to cause minimal disturbance to adjoining properties and the public, and appears to have the largest quantity of material in a single location. The extractive operations will not be visible from Mountain Maid Road or Leonard Road.

Council's Director Engineering Services has indicated that the vertical and horizontal alignment of Leonards Road is poor. There are concerns with regards to the regular use of this road by truck and dog or semi trailers.

Concerns have also been raised with regards to the intersection of Leonards Road with Mountain Maid Road, as it is narrow, with poor visibility.

It is considered appropriate that the road be upgraded to a constructed gravel road, which will ensure the alignment and width of the road is appropriate. As part of this process, the road should be straightened and improvement works undertaken at the Mountain Maid Road intersection.

The proposed development is considered an appropriate land use and can meet the requirements of the Planning Scheme. It is recommended the application be approved subject to conditions.

Recommendation

THAT the application for Material Change of Use for the purpose of an Extractive industry on land at 608 Mountain Maid Road, Greymare, described as Lot 22 ML659, Parish of Palgrave, County of Merivale, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal plans submitted with the application, as determined by the Director Planning and Environment, and subject to the final development being amended in accordance with the conditions of this approval.
 - Plan Titled: Site Location Map, showing proposed extraction area, dated 26 October 2014, prepared by Yarramine Environmental.

Land Use and Planning Controls

2. This approval is limited to a period of fifteen (15) years and will expire on 31 December 2030. Any application to extend the approval will be subject to a review of compliance with the conditions of this Development Permit in accordance with Council's standard requirements at that time.
3. **The maximum amount of material to be extracted from the site must not exceed 5,000 tonnes per annum.**
4. The excavation and stockpiling of overburden, is to be conducted wholly within the 3.0 hectare designated area, shown on Plan Titled: Site Location Map, showing proposed extraction area, dated 26 October 2014, prepared by Yarramine Environmental, i.e. approximately 290 metres from the northern boundary, and approximately 870 metres from Lagoon Creek. No materials or equipment are to be stored outside this area.
5. **No more than 5,000 square metres** of the proposed excavation site, as shown on Plan Titled: Site Location Map, showing proposed extraction area, dated 26 October 2014, prepared by Yarramine Environmental, **is to be open and excavated at any one time. The excavation is to be in a sequential order.**
6. Blasting is prohibited on the site.
7. No more than two (2) people shall operate on the subject site at any one time, excluding truck drivers who are only driving trucks.
8. The extractive industry shall generally operate only between the hours of 7.00 am and 6.00 pm, Monday to Saturday, this includes preparation and maintenance of vehicles. The activity is not permitted to be conducted on Sundays or public holidays.
9. The applicant is to have an annual audit prepared by a suitably qualified auditor, to the satisfaction of the Director Planning and Environment, demonstrating compliance with the conditions of this development permit in relation to the location and area of the site being excavated, the amount of material removed from the site on a weekly and annual basis. **The results of each audit are to be submitted to Council no later than 1 November each year.**
10. The applicant is to **submit a plan prepared by a surveyor** which shows that the current total area of excavation and associated activities. **The plan must be submitted and approved prior to the use of the land for extraction purposes.** The surveyor must **install permanent markers** showing the boundary to the area to be used, and the applicant must ensure that these markers remain onsite for the life of the extractive industry.
11. Machinery to be used in the Extractive Industry is generally limited to one (1) bull-dozer, one (1) loader and one (1) truck at any one time and one (1) mobile screening plant which shall comply with noise emission standards.

Amenity and Environmental Controls

12. All material stockpiles and trafficable areas within the approved place must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown emissions to the atmosphere. Reasonable and practicable measures may include but are not limited to:
 - a. Using water sprays and/or a water truck;
 - b. Adopting and adhering to speed limits;
 - c. Using dust suppressants and wind breaks; and
 - d. Sealing the areas.
13. When requested by Council, dust and particulate monitoring must be undertaken to investigate any complaint or environmental nuisance caused by dust and/or particulate matter (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief), and the results notified within 14 days to Council following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially sensitive place and upwind sites and the report must include:
 - a. Dust deposition for a complaint alleging dust nuisance; and
 - b. For a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM10) suspended in the atmosphere over a 24 hour averaging period.
14. Noise levels emitted from the premises must not exceed 5dB(A) above the background noise levels in the locality when measured at the boundary of the property. There is to be no audible noise emitted beyond the boundary on Sundays and Public Holidays
15. When requested by Council, noise monitoring must be undertaken to investigate any complaint of noise nuisance (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief), and the results notified within 14 days to Council. For the purpose of this condition, noise monitoring must be conducted by a person(s) with appropriate experience and/or qualifications in accordance with the latest edition of the Environmental Protection Agency's Noise Measurement Manual, and include:
 - a) LA eq, adj, 1hr;
 - b) LA bg, T or LA 90, T;
 - c) LA 10, adj, 1 hour;
 - d) LA 1, adj, 1 hour;
 - e) the level and frequency of occurrence of impulsive or tonal noise;
 - f) atmospheric conditions including wind speed and direction;
 - g) effects due to extraneous factors such as traffic noise; and
 - h) location, date and time of recording.
16. If dust and particulate or noise monitoring (required under conditions 13 or 15) indicates or where it is determined that environmental nuisance is being caused, you must:
 - a) Address the complaint, including the use of appropriate dispute resolution if required; and
 - b) Immediately implement abatement measures so that emissions from site activities do not result in further environmental nuisance.
17. Waste and recycling must be regularly collected and disposed of to prevent unsightly accumulations of waste or environmental harm being caused.
18. Any lighting devices, including security lighting, must be installed so that light shines down and away from adjacent premises and roads and does not exceed 8 lux at the property boundary.
19. Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

20. Contaminants, including stormwater that has been in contact with any contaminants and the washdown water from the maintenance and cleaning of vehicles, other equipment or plant, must not be released from the site to any waters, stormwater drains, or the bed and banks of any waters.
21. Suitable banks and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering any extractive areas, stockpile sites, and ponds or other structures used for the storage or treatment of contaminants or wastes.
22. Any hazardous materials (e.g. oil and fuel) must be stored in a covered and bunded area.
23. Any liquid spills must be cleaned up as soon as practical and disposed of in an appropriate manner that ensures environmental harm does not occur. An appropriate spill kit for the management of wastes and hazardous liquids associated with the activity must be readily available at the site. Anyone operating under this approval must be trained in the use of the spill kit.
24. From commencement of the activity to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all activities that are carried out.
25. The operator of the activity must record the following details for all complaints received and provide this information to Council on request:
 - a. time, date, name and contact details of the complainant;
 - b. reasons for the complaint;
 - c. any investigations undertaken;
 - d. conclusions formed; and
 - e. any actions taken.
26. The operator of an activity to which this approval relates must:
 - a. install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval;
 - b. maintain such measures, plant and equipment in a proper and efficient condition; and
 - c. operate such measures, plant and equipment in a proper and efficient manner.
27. The operator of an activity to which this approval relates must contact the Council as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval, or any event where environmental harm has been caused or may be threatened.
28. The site (including all disturbed areas such as slopes, borrow pits, stockpile and screening areas) must be rehabilitated in a manner such that:
 - a. suitable native species of vegetation are planted and established;
 - b. replacement of top soil;
 - c. potential for erosion of the site is minimised;
 - d. the quality of stormwater, other water and seepage released from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminium, and total manganese are not likely to cause environmental harm;
 - e. the likelihood of environmental nuisance being caused by release of dust is minimised;
 - f. the water quality of any residual water body meets relevant criteria for subsequent uses and does not have potential to cause environmental harm;
 - g. the final landform is stable and not subject to slumping; and
 - h. any actual and potential acid sulfate soils in or on the site are either not disturbed, or are submerged or treated, so as to not be likely to cause environmental harm.

A rehabilitation plan is to be submitted to and approved by the Director Planning and Environment prior to the commencement of the use. The rehabilitation plan is to include details of the points listed above and is to be commenced once each 5,000 square metres excavation area has been exhausted.

29. Advertising Devices relating to the extractive industry may **only** be erected on the subject land, i.e. Lot 22 ML659. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the rural character of the surrounding area. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.

Fencing, Landscaping and Buffers

30. The applicant is to retain the existing vegetation on the land to provide a treed buffer on the southern and western boundaries of the site. This vegetation is to provide a visual screen of the extraction site.
31. There is to be no clearing of vegetation outside of the excavation area for any purpose associated with the Extractive Industry.

Car Parking and Vehicle Access

32. Vehicle access is to be constructed to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.) The access works are to include appropriate drainage works. The access must be constructed along Leonard Road at a location which provides adequate sight distance in either direction. If necessary, the property access gateway must be located within a setback such that all vehicles proposed to enter and/or exit the land are able to stand clear of the carriageway whilst the property gateway is being opened and/or closed.
33. A 4.0 metre wide all-weather driveway is to be constructed from the vehicle access from Leonard Road, to the extraction area.
34. The applicant is to erect "Not Unauthorised Entry" sign on all gates to the site.
35. The applicant is to designate an area for car parking on the land.
36. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system be permitted.

Roadworks and Stormwater Drainage

37. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Engineering Services.
38. Leonard Road is to be upgraded to a constructed gravel road standard, including widening; drainage works; and straightening of the road alignment, from the Mountain Maid Road intersection, until at least 10 metres beyond the entrance to the subject site. The widening of the pavement is to achieve a total width of 6.0 metres.
39. The Mountain Maid Road and Leonard Road intersection are to be upgraded to ensure there is appropriate visibility. Such works will include the widening of the road surface to accommodate the turning movements for truck and dog combinations and semi trailers.

Water Supply and Sewerage

40. Portable toilet facilities must be provided on site when the Extractive Industry is in operation for an entire day or more consecutively.

Operational Works

41. All operational works are to be accepted on-maintenance prior to the use of the land commencing. (See advisory note below.)

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning and Environment, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Sustainable Planning Act 2009* and would have to comply with the requirements of the Planning Scheme.
- (iii) The applicant is to permit Council officers access to the site in accordance with the powers of entry provisions of the *Local Government Act 2009*, subject to 48 hours notice and reasonable security and health restrictions on access, so as to ensure the use is being conducted in accordance with the conditions of the approval.
- (iv) Provision shall be made for the storage and removal of refuse in accordance with the *Environmental Protection (Waste Management) Regulation 2000* to the satisfaction of the Director Planning and Environment.
- (v) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Sustainable Planning Act 2009*. This application must be submitted with the following:
 - Relevant IDAS Forms;
 - The relevant fee in accordance with Council's Schedule of General Fees and Charges;
 - Design, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);
 - A plan of works required to the Mountain Maid Road and Leonard Road intersection;
 - A plan of works required to Leonards Road to ensure it is a constructed gravel road;
 - A Stormwater Management Plan; and
 - An Erosion and Sediment Control Plan.

Operational Works shall be subject to a 12 months Defect Liability Period commencing from the day the works are accepted on-maintenance. A bond will be held by Council as security, and refunded following a defect-free inspection at the end of the Defect Liability Period.

Aboriginal Cultural Heritage


- (vi) All reasonable and practicable measures must be taken to ensure that no harm is caused to Aboriginal cultural heritage (the "cultural heritage duty of care"). The cultural heritage duty of care is met if the development is conducted in accordance with gazetted cultural heritage duty of care guidelines. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsima.qld.gov.au

Attachments

1. Submissions to application for Material Change of Use, 608 Mountain Maid Road, Greymare (Excluded from agenda - Provided under separate cover)[View](#)

10.5 Request for Negotiated Decision - Reconfiguration of Lot, Gary Hayes & Partners Pty Ltd (Mcgill), 360 Bracker Road, Rosenthal Heights

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Senior Planning Officer	File Ref: RC\01500

APPLICANT:	Gary Hayes & Partners Pty Ltd
OWNER:	Ruth J McGill
ADDRESS:	360 Bracker Road, Rosenthal Heights
RPD:	Lot 615 M341327, Parish of Warwick, County of Merivale
ZONE:	Rural residential
LAND AREA:	8.1 hectares
PROPOSAL:	Subdivision of one into two lots
LEVEL OF ASSESSMENT:	Code
SUBMITTERS:	Not Applicable
REFERRALS:	Nil

Recommendation Summary

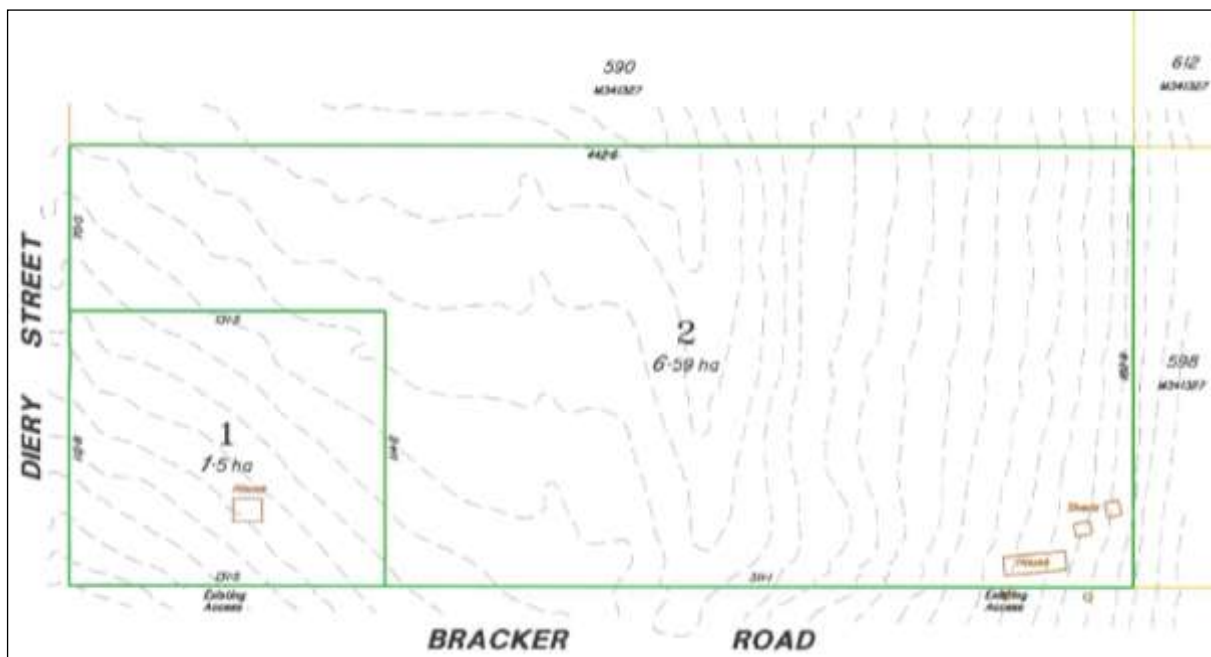
THAT the request for a Negotiated Decision in relation to the Development Approval dated 10 October 2014 for the Subdivision of one into two lots on land at 360 Bracker Road, Rosenthal Heights, described as Lot 615 M341327, Parish of Warwick, County of Merivale, be refused.

Report

On 10 October 2014 Council issued a Development Permit for a Subdivision of one into two lots. A request has been received for a Negotiated decision in relation to this approval.



There are currently two dwellings on the property. The applicant proposes to subdivide the land into two lots, with each lot containing a dwelling.



The applicant has requested a review of Condition 6, relating to sealed road widening of Bracker Road, for the frontage of the site.

Condition 6

6. Sealed road widening of Bracker Road, to a minimum of 2.75 metres width from the centre line with a concrete strip provided along the edge of the bitumen, along the Bracker Road frontage of the land. Such works are to include appropriate drainage

The applicant has provided the following representations:

We note that the Reconfigure lot code requires that new lots on the rural residential zone have access from the frontage of the site to nearest town centre via roads with a sealed width of at least 5.5 metres.

Both proposed lots have frontage to both Bracker Road and Diery Street. Diery Street provides access to the town centre in accordance with the Planning Scheme. There is no requirement in the Planning Scheme to have all accesses to nearest town centre via roads with a sealed width of at least 5.5 metres. As such, we believe the road widening of Bracker Road to be an unreasonable imposition for the proposed development.

As there are two existing dwellings, there is no increase in use from the proposed development. The existing dwellings are the only dwellings with access to this section of Bracker Road, and this section of road is not used as a connector road for other dwellings in the locality. We submit that the existing road network has serviced the current site effectively, creating no nuisance, access or circulation problems in the locality.

We request that Council delete condition 6 as we believe it is not a relevant or reasonable condition for this development as there is no change to the existing use.

Whilst the applicant has indicated that the proposed development complies with the Planning Scheme, as both lots have frontage to a road with a sealed width of 5.5 metres, being Diery Street, this is questionable, as the dwellings on the proposed lots quite clearly take access from Bracker Road, thus the frontage to these lots is Bracker Road.

In relation to the road frontage, the original report stated as follows:

The proposal does not comply with all relevant Acceptable outcomes of the Physical infrastructure code.

AO10 New lots in the Low density residential zone, Medium density residential zone, the Rural residential zone and the Industry zone have access from the frontage of the site to the nearest town centre via roads with a sealed width of at least 5.5 metres.

Diery Street has a pavement width of 5.6 metres. Bracker Road has a pavement width of 3.1 metres toward the western portion of the subject lot, with the pavement increasing to 3.3 metres in width along the eastern portion of the lot. The required width of Bracker Road is not achieved until the intersection with Tooth Street.

Diery Street is of sufficient width and it could be conditioned that access only be taken from Diery Street. However, it is acknowledged that both of the existing dwellings take access from Bracker Road and it would be difficult to control access from Diery Street only. It is highly likely that given the location of the existing access that Bracker Road is the preferred route to access Warwick town centre.

The associated Performance outcome states as follows:

PO10 New lots in the Low density residential, Medium density residential and the Rural residential zone and the Industry zone have safe and effective access to the town centre.

It is considered appropriate to require the applicant to widen the road, such that the sealed pavement will be 2.75 metres wide from the centre line of the road, for the full Bracker Road frontage of the subject land. It is a requirement of the planning scheme that a concrete edge strip be provided at the edge of the bitumen.

Upon receipt of this request for a negotiated decision, another site inspection was conducted. It is considered that Bracker Road is too narrow to allow for subdivision without any requirement for roadworks.



Western side of the subject lot, looking east



Middle section of the subject lot, looking east



Eastern side of the subject lot, looking west

Council officer's opinions remain unchanged, therefore it is considered appropriate that the condition remain unchanged and the request for a negotiated decision be refused.

Conclusion

The subdivision of the property into two lots is consistent with the Planning Scheme, however it is required that new lots have access from the frontage of the site to the nearest town centre via roads with a sealed width of at least 5.5 metres.

The property currently contains two dwellings, which are situated in close proximity to Bracker Road and take their access from Bracker Road, therefore it is considered to be the main frontage. Bracker Road in this location is 3.1 metres toward the western portion of the subject lot, with the pavement increasing to 3.3 metres in width along the eastern portion of the lot.

Given that the application is for a subdivision, and the potential for significant subdivision in the area, it is considered appropriate for sealed road widening of the Bracker Road frontage of the property.

Therefore the request for a negotiated decision is recommended for refusal.

Recommendation

THAT the request for a Negotiated Decision in relation to the Development Approval dated 10 October 2014 for the Subdivision of one into two lots on land at 360 Bracker Road, Rosenthal Heights, described as Lot 615 M341327, Parish of Warwick, County of Merivale, be refused for the following reasons:

Bracker Road has a pavement width of 3.1 metres toward the western portion of the subject lot, with the pavement increasing to 3.3 metres in width along the eastern portion of the lot. The required width of Bracker Road is not achieved until the intersection with Tooth Street.

Diery Street is of sufficient width, however, both of the existing dwellings take access from Bracker Road and it is the main road frontage for the property.


It is considered appropriate to require the applicant to widen the road, such that the sealed pavement will be 2.75 metres wide from the centre line of the road, for the full Bracker Road frontage of the subject land. It is a requirement of the planning scheme that a concrete edge strip be provided at the edge of the bitumen.

Attachments

Nil

10.6 Request for Negotiated Decision - Material Change of Use, JFPS Investments Pty Ltd, 29 Grafton Street, Warwick

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 17 December 2014
	Senior Planning Officer	File Ref: MCU01534

APPLICANT:	JFPS Investments Pty Ltd
OWNER:	JFPS Investments Pty Ltd
ADDRESS:	29 Grafton Street, Warwick
RPD:	Lot 1 RP36238, Parish of Warwick, County of Merivale
ZONE:	Medium density residential
LAND AREA:	809 square metres
PROPOSAL:	Short-term accommodation (12 people)
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	Eight (8)
REFERRALS:	Nil

Recommendation Summary

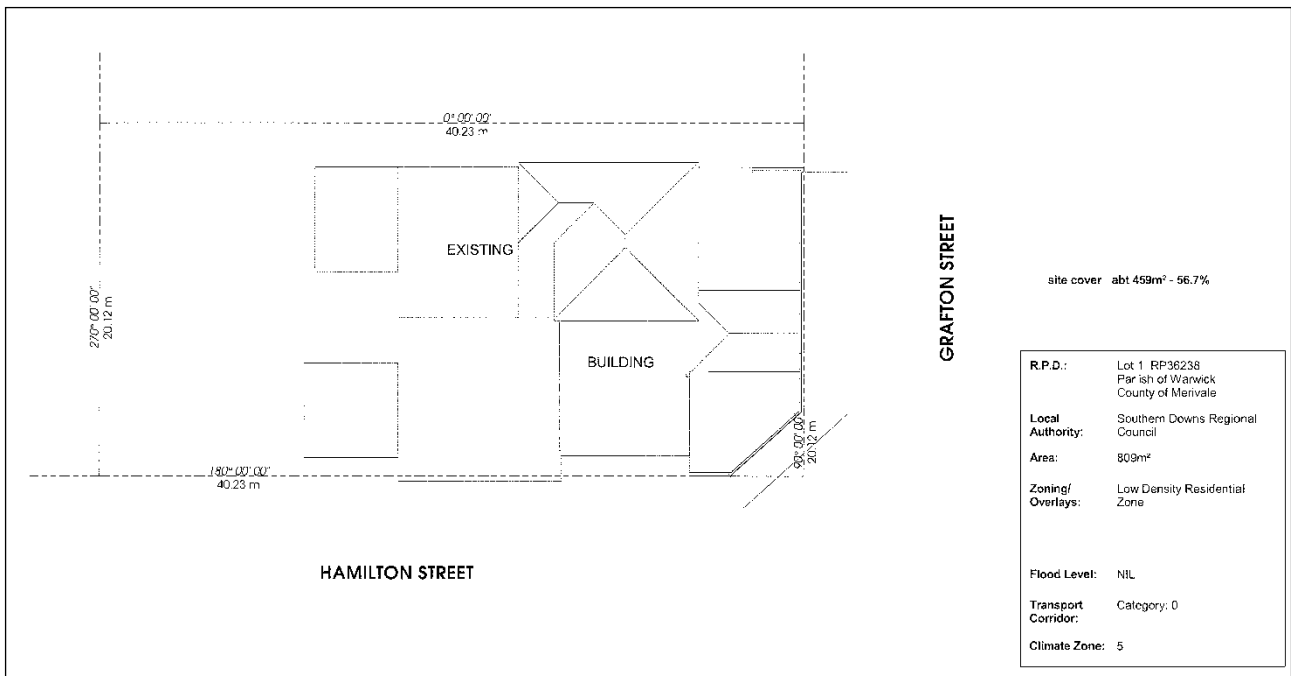
THAT the application for a Negotiated Decision, in relation to the Development Permit dated 22 October 2014 for a Material Change of Use for the purpose of Short-term accommodation (12 people) on land at 29 Grafton Street, Warwick, described as Lot 1 RP36238, Parish of Warwick, County of Merivale, be approved in part only.

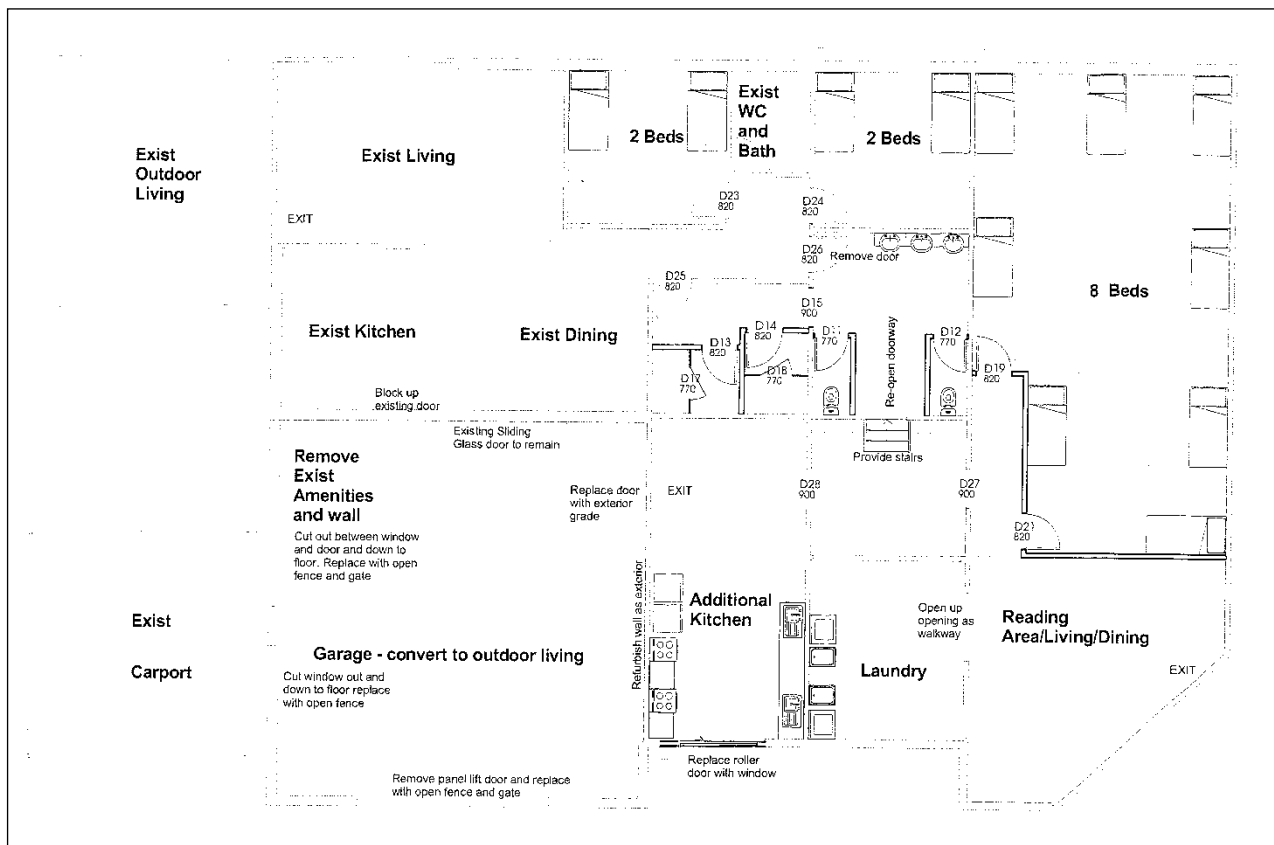
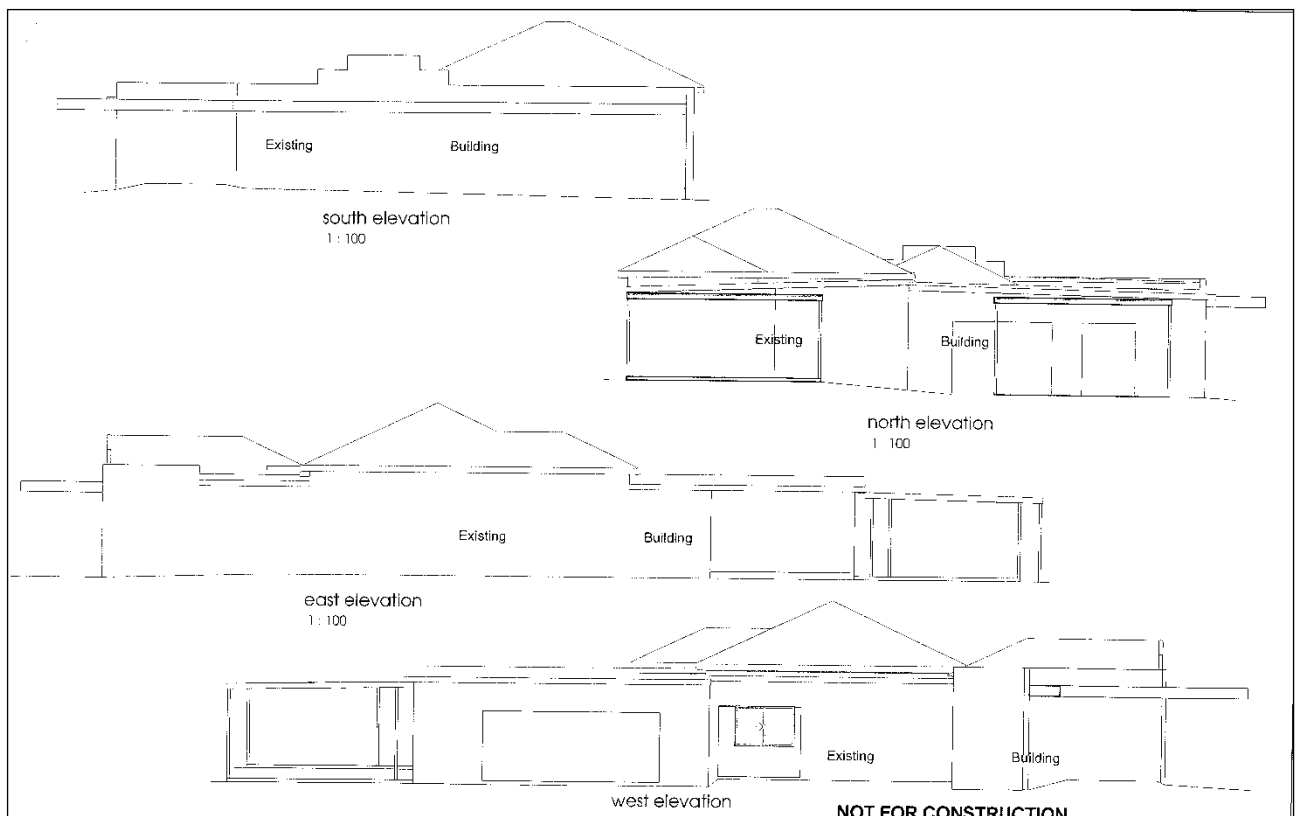
Report

On 22 October 2014 a Development Permit was issued for a Material Change of Use for the purpose of Short-term accommodation (12 people) on land at 29 Grafton Street, Warwick, described as Lot 1 RP36238, Parish of Warwick, County of Merivale. A request has been received for a Negotiated Decision in relation to this approval.



The applicant proposes to convert the building into short term accommodation, for up to 12 people.





The applicant has requested Council review Conditions 3, 13, 14, 15, 16, 19, 20 and 25, relating to an on-site manager residing on site at all times, erection of a screen fence, the provision of fencing details, densely planted landscaping, construction of an industrial crossing, concrete floor of the carport and the reinstatement of the redundant crossing.

Condition 3

3. *An on-site manager is to reside on site at all times. The on-site manager is to be responsible for the management of the accommodation, including, but not limited to, waste disposal, noise levels, etc.*

The applicant has provided the following representation:

It is not a requirement of the Planning Scheme that an on-site manager be provided. Our preferred tenant is one which leases the entire building full time – i.e. to provide accommodation to their short term employees (for a maximum period of six months) or the like. In these circumstances we propose to have the condition waived.

If the property was to be leased to a more transient type of tenant we would agree to have the condition imposed.

Whilst it is acknowledged that the Planning Scheme does not specifically require an on-site manager, it was indicated as part of the application that an on-site manager will be permanently residing on site. Council's decision was based on the information that there would be a person who would reside on the property in a management role.

To provide some flexibility and given the nature of the use, it is considered appropriate that the condition be amended as follows:

3. *~~An~~ responsible person, who is residing at the property on a full time basis, ~~This person~~ is to be responsible for the management of the accommodation, including, but not limited to, ~~tenants behaviour~~, waste disposal, noise levels, etc.*

Conditions 13, 14, 15 and 16

13. A screen fence 1.8 metres high shall be erected along the Hamilton Street frontage, excluding the building and the entrance to the carport, to provide visual screening. The fence is to be setback at least one metre from the property boundary to allow for landscaping. This screen fencing is to be provided at the developer's cost.
14. A screen fence 1.8 metres high shall be erected along the northern and eastern boundaries of the site, to provide visual screening. This screen fencing is to be provided at the developer's cost.
15. **Details of the proposed fencing are to be submitted to and approved by the Director Planning and Environment prior to the issue of a Development Permit for Building Work.** Fencing is to be provided and maintained in accordance with the approved details.
16. A densely planted landscaped strip, at least one metre in width is to be provided on the western side of the 1.8 metre high screen fence required by Condition 13.

The applicant has provided the following representation:

There is a 1.2 metre existing fence in place along the boundary of the Hamilton Street frontage. It is proposed that this fence be left in place and landscaping be installed inside of the property fence. The installation of a 1.8 metre fence would not serve any other purpose other than to restrict air flow. The existing trees on the nature strip are being retained and already provide a certain amount of visual screening. Across the street is a Queensland Rail yard that is only used for heavy vehicle parking. The existing fence is not visually unappealing. Other properties that have been converted into accommodation have not had this condition imposed and nor have many other businesses around Warwick.

The siting of the residence of the property located to the north boundary of the site is set well back from the line of site of the proposed development. The front of this property is well landscaped and already provides a visual screening. Installing a 1.8 metre fence will not serve any purpose. There is an existing fence in place. It is proposed that the existing fence be repaired and a suitable hedge approximately 1.0 metre in width be planted as to provide further visual screening.

The residence to the East of the proposed development is a medium set timber home. The bottom of the windows on this home sit at approximately 1.8 metres. The bottom of the windows of the proposed development sit at approximately 1.6 metres. Along the fence line of both properties sit a number of garden sheds. Installing a 1.8 metre fence along this boundary would only serve to further reduce the air flow. It is proposed in place of the 1.8 metre fence a suitable hedge approximately 1.0 metre in width be planted as to provide privacy to both residences.

It is also of a concern if a 1.8 metre fence is installed at the boundaries the property would be very closed in. This is a residential development in a residential area, it is also a concern that the 1.8 metre fence also does not fit with other properties in the area.

There are many examples of residential homes converted to accommodation or commercial premises in and around Warwick. Many of these properties are located in existing residential areas. Many of these properties do not have 1.8 metre fence conditions imposed.

Condition 16:

It is proposed that the densely planted landscaped strip, at least 1.0 metre in width be planted on the Eastern side of the existing fence. Hamilton Street is often a path travelled at night by people who often leave rubbish, bottles and cans along the way. The existing trees on the nature strip often have branches left broken off by these pedestrians. It would only encourage these pedestrians to damage further property if a garden was to be installed on the Western side of the boundary.

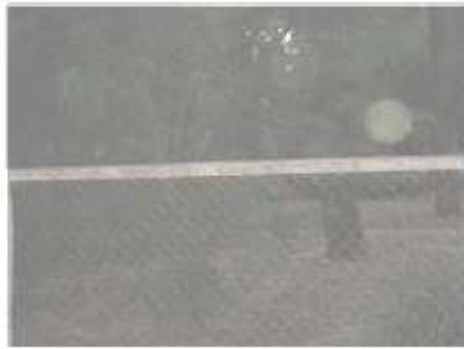
Condition 14: Location of Northernneighbour vs proposed development. The development condition requires a 1.8metre fence installed as a visual screen. The Northern neighbor is set well back from the property. This boundary has a fence in place and has landscaped gardens in place that already provide a visual screen.



Trees along the nature strip (Hamilton Street) that already visually screen the property.



Fence line that is already in place along Hamilton Street. In the background the landscaping / gardens already in place of the NorthernNeighbour



Landscaping / gardens that are already in place along the boundary of the Northern Neighbour



Examples of converted houses around Warwick that do not have 1.8metre fence conditions imposed





Examples of existing accommodation in residential areas.
Landscaping and / or low fencing in place.

Condition 13, 14, 16: Proposed landscaping hedges. To assist in the visual appeal of the property it is proposed that a 1.8 metre wide hedge be planted around the Western, Eastern and Northern boundary fences. The hedge would provide privacy, assist in the air flow through the property and be a more visually appealing option to a 1.8 meter fence line. Given that very few properties are fenced in the area it would also be more in line with the other properties.

Bambusa Guangxiensis
Common Name: Chinese Dwarf

- Approx height: 3 metres
- Culm Size: 2.00 cm
- Minimum Temperature: -4 °C

Horicultural Uses
Hedge, Screen or Ornamental

Outstanding Features
Chinese Dwarf is a beautiful lush low growing variety with foliage to the ground. Its mass of green, typical bamboo looking leaves give it a very graceful appeal.

Description
Used as fast growing hedge that can be pruned to create that formal look, or left to create a low screen. Chinese Dwarf also grows well in pots or standalone as a garden feature plant.

There is currently a low picket fence along the Hamilton Street frontage. It was considered that a 1.8 metre high screen fence would be appropriate to ensure privacy to the residents of the subject land. It is considered appropriate that Condition 13 be amended to allow for the existing fence to remain.

Condition 13 should be amended as follows:

13. A screen fence 1.28 metres high shall be erected along the Hamilton Street frontage, excluding the building and the entrance to the carport, to provide visual screening. ~~The fence is to be setback at least one metre from the property boundary to allow for landscaping.~~ This screen fencing is to be provided at the developer's cost.

Note: The existing fence is considered satisfactory.

The landscaping required by Condition 16, was to reduce the bulk of the 1.8 metre high screen fence required by Condition 13, and to ensure a pleasant streetscape, given it was likely that one street tree would need to be removed. The applicant has since indicated that no street trees will be removed. As the existing picket fence will remain, it is considered appropriate for Condition 16 to be deleted. Subsequently, Condition 17 should be amended to ensure the street trees are retained.

17. *The street trees within the road reserve of Hamilton Street are to be retained, ~~except one tree may need to be relocated in accordance with this condition if it impedes safe access into the carport.~~ These trees are to be protected during construction. If it is not possible to design the development to preserve all the trees in their current locations, the tree/s must be relocated as the developer's cost. The relocation of the tree/s is to be carried out by a suitably qualified and experienced person. If the tree/s die within 12 months of the relocation, the dead tree must be replaced with an advanced tree of the same species and height*

Whilst the dwelling at 14 Hamilton Street is setback a significant distance from Hamilton Street, the Planning Scheme requires all uses to have a minimum 1.8 metre high solid fence erected along the common boundary with any residential use. The fence is intended to ensure other uses do not impact on the nearby residential uses by means of noise, safety, privacy, lighting, etc.

The conditions imposed on the businesses shown in the images, which are claimed by the applicant as "examples of converted houses around Warwick that do not have 1.8 metre fence conditions imposed," are as follows (Clockwise from the top left):

- 13 Percy Street, Warwick - Mercy Family Services, Mixed use zone (File ref: MCU\01230):
 - A screen fence 1.8 metres high along the side and rear boundaries of the land.
- 54 Guy Street, Warwick - Country Smiles Denture and Mouthguard Clinic, Mixed use zone (File ref: MCU\01067):
 - A screen fence 1.8 metres high along the side and rear boundaries of the land.
- 55 Guy Street, Warwick - Guy Street Dental and The Physiotherapy centre, Mixed use zone (File ref: 5A.5.1.151):
 - A 1.8 metre high fence be erected on the northern boundary adjoining existing dwelling houses.
- 96 Percy Street, Warwick - Granite Belt Dental, Medium density residential zone (File ref: MCU\01101 and MCU\01231):
 - The existing 1.8 metre high screen fence along the eastern boundary is to be retained.
- 26 Myall Avenue, Warwick - Body Tune Health, Low density residential zone:
 - This is a Home based business and doesn't require a planning approval.

It is noted that the uses above are very different to the proposal for Short term accommodation.

The conditions imposed on the businesses shown in the images, which are "examples of existing accommodation in residential areas. Landscaping and/or low fencing in place," are as follows (Clockwise from top left):

- 53 Canning Street, Warwick - Pitstop Lodge, Medium density residential zone (File ref: MCU\00525):
 - Maximum of 12 guests.
 - A screen fence 1.8 metres high along the side and rear boundaries of the land.

- 31 Guy Street, Warwick - Guy House B&B, Mixed use zone, formerly City Frame Land Use Area (File ref: MCU\00794):
 - Maximum of four guests.
 - There is a 1.8 metre high fence along the western property boundary and a wire fence along the northern property boundary, from the building setback to the rear of the property.
- 180 Palmerin, Warwick, Low density residential zone (File Ref: MCU\00775):
 - Maximum of six guests.
 - The existing fencing and landscaping meet the provisions, therefore no upgrade was required.

The requirement for fencing is intended to ensure nearby residential uses are not impacted on by the proposed short term accommodation use, by means of noise, safety, privacy, lighting, etc.

It is noted that the two examples where the fencing requirements were varied are significantly smaller in scale and details of the fencing was assessed as part of the planning approval. The similar development at 53 Canning Street, Warwick required a 1.8 metre high screen fence along the side and rear boundaries.

Conditions 14 and 15 should remain unchanged.

Conditions 19 and 20

19. *A concrete industrial crossing is to be constructed at the Hamilton Street entrance to the carport in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)*
20. *The concrete is to extend to cover the entire floor of the carport, linking it to the crossing required by Condition 18.*

The applicant has provided the following representation:

In place of a concrete industrial crossing it is proposed an all weather driveway be installed constructed of compressed road base covered with a suitable to drive over decorative rock.

As with condition 19 we propose to extend the driveway to cover the entire floor of the carport, linking it to the crossing required by condition 19.

The industrial standard crossover is currently an accepted standard by Council when providing access from the road to the boundary of a subject property. The purpose of the crossover is to mitigate against any negative impacts such as tracking of soil onto the road, washing of soil onto the road during rain events and uneven footpaths through general wear of the crossover. The use of the site is in excess of a single dwelling, and the number of vehicles movements will be greater. The concrete crossing will help protect Council's infrastructure from any of these adverse effects due to an increase of use on the land.

The concrete floor of the carport is to ensure that there are sealed carparking spaces on site, which is a requirement of the Planning Scheme. To provide greater flexibility, Condition 20 should be amended to require the floor to be sealed, opposed to stipulating only concrete.

The site is located within a residential area, it is considered appropriate that the requirement for a concrete crossover remain.

Conditions 19 and 20 should be amended as follows:

19. *A concrete ~~industrial~~ crossing is to be constructed at the Hamilton Street entrance to the carport in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)*

20. The ~~concrete is to extend to cover the~~ entire floor of the carport, linking it to the crossing required by Condition 198, ~~is to be sealed~~.

Condition 25

25. The redundant vehicle crossing in Hamilton Street, in front of the converted garage, is to be reinstated back to kerbing, and the footpath reinstated.

The applicant has provided the following representation:

We propose to leave the existing concrete pad in front of the converted garage, but still reinstate the vehicle crossing back to kerbing. This would be more in line with the rest of the property frontage. The path is very well used by local residents walking to and from the city centre.

The applicant's proposal is considered satisfactory. Condition 25 should be amended as follows:

25. The redundant vehicle crossing in Hamilton Street, in front of the converted garage, is to be reinstated back to kerbing, ~~and the footpath reinstated~~.

Recommendation

THAT the application for a Negotiated Decision, in relation to the Development Permit dated 22 October 2014 for a Material Change of Use for the purpose of Short-term accommodation (12 people) on land at 29 Grafton Street, Warwick, described as Lot 1 RP36238, Parish of Warwick, County of Merivale, be approved in part only, for the following reasons:

Conditions 14 and 15

The requirement for fencing is intended to ensure nearby residential uses are not impacted on by the proposed short term accommodation use, by means of noise, safety, privacy, lighting, etc.

The similar development which the applicant referred to, required a 1.8 metre high screen fence along the side and rear boundaries.

Conditions 14 and 15 should remain unchanged.

Conditions 19 and 20

The industrial standard crossover is currently an accepted standard by Council when providing access from the road to the boundary of a subject property. The purpose of the crossover is to mitigate against any negative impacts such as tracking of soil onto the road, washing of soil onto the road and uneven footpaths through general wear of the crossover. The use of the site is in excess of a single dwelling, and the number of vehicles movements will be greater. The site is located within a residential area, it is considered appropriate that the requirement for a concrete crossover remain.

THAT Conditions 3, 13, 17, 19, 20 and 25, be amended and Condition 16 be deleted, as follows:

3. ~~A responsible person, who is residing at the property on a full time basis, This person~~ is to be responsible for the management of the accommodation, including, but not limited to, ~~tenants behaviour~~, waste disposal, noise levels, etc.
13. A screen fence ~~1.28~~ metres high shall be erected along the Hamilton Street frontage, excluding the building and the entrance to the carport, to provide visual screening. ~~The fence is to be setback at least one metre from the property boundary to allow for landscaping.~~ This screen fencing is to be provided at the developer's cost.

~~Note: The existing fence is considered satisfactory.~~
16. ~~Deleted. A densely planted landscaped strip, at least one metre in width is to be provided on the western side of the 1.8 metre high screen fence required by Condition 13.~~
17. The street trees within the road reserve of Hamilton Street are to be retained, ~~except one tree may need to be relocated in accordance with this condition if it impedes safe access into the carport.~~ These trees are to be protected during construction. If it is not possible to design the development to preserve all the trees in their current locations, the tree/s must be relocated at the developer's cost. The relocation of the tree/s is to be carried out by a suitably qualified and experienced person. If the tree/s die within 12 months of the relocation, the dead tree must be replaced with an advanced tree of the same species and height
19. A concrete ~~industrial~~ crossing is to be constructed at the Hamilton Street entrance to the carport in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
20. The ~~concrete is to extend to cover the~~ entire floor of the carport, linking it to the crossing required by Condition ~~19~~, ~~is to be sealed.~~
25. The redundant vehicle crossing in Hamilton Street, in front of the converted garage, is to be reinstated back to kerbing, ~~and the footpath reinstated.~~

11. REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES

Nil

12. NOTICES OF MOTION

Nil

13. GENERAL BUSINESS

14. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 275(1) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public and move 'into Committee' to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

Recommendation

THAT the meeting be closed to the public and move into committee to discuss the following items, which are considered confidential in accordance with Section 275(1) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following, as indicated:

14.1 Quotation For Landscape Design For Stanthorpe Streetscape

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

14.2 BCS - Stanthorpe Regional Art Gallery Request

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(c) of the *Local Government Regulation 2012*, as it contains information relating to the local government budget.

14.3 BCS - Youth Development Officer Report - Southern Downs Youth Service Funding and Future

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(c) of the *Local Government Regulation 2012*, as it contains information relating to the local government budget.

14.4 BCS - Water Consumption Relief

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(d) of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

14.5 BCS - Proposed Sale of Land at Stanthorpe Industrial Estate

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

14.6 BCS - Senior's Housing - Exit Management Strategy

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

14.7 BSC - Audit & Risk Management Committee (ARMC) Meeting - 4 December 2014 - CONFIDENTIAL

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*, as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

14.8 BCS - YMCA Stanthorpe - Assignment of Freehold and Trustee Leases

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local*

Government Regulation 2012, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

14.9 Rhys and Kerry Featherstone, 15 Amiens Road, Stanthorpe

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(f) of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving Southern Downs Regional Council.

14.10 Environmental Nuisance from Abrasive Blasting Operations at 44 Old Stanthorpe Road, Warwick

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(f) of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving Southern Downs Regional Council.

14.11 Request to consider the ancillary use of the Stanthorpe Showgrounds, from the Stanthorpe Agricultural Society

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(f) of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving Southern Downs Regional Council.