



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, 61 Marsh Street, Stanthorpe on **Wednesday, 28 January 2015** at **9.00AM**.

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

David Tuxford

ACTING CHIEF EXECUTIVE OFFICER

22 January 2015

ATTENDANCE

11.00am Attendance by Terry Law from King & Company in relation to Agenda Item 14.16.

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1. ATTENDANCE

2. APOLOGIES

3. CONDOLENCES

Recommendation

THAT Council recognise those recently departed from the region.


4. READING AND CONFIRMATION OF MINUTES

5. DECLARATIONS OF CONFLICTS OF INTEREST

6. READING AND CONSIDERATION OF CORRESPONDENCE

6.1 Correspondence

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	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. **Hon David Crisafulli MP Minister for Local Government Community, Recovery and Resilience** – letter in response to Council's request for extension of time for the adoption of Council's 2013-14 Annual Report (copy attached).

Action: Noted

2. **Hon Andrew Cripps MP Minister for Natural Resources and Mines** - letter in response to Council's letter dated 20/11/14 regarding the requirement for grazing (agistment) permits on road reserves during drought conditions (copy attached).

Action: Referred to Director Planning and Environment

3. **Hon David Crisafulli MP Minister for Local Government Community, Recovery and Resilience** - letter regarding preparations for the 2016 quadrennial local government elections (copy attached).

Action: Noted

4. **LGAQ** - in response to Council's request regarding costs to Councils associated with the Heavy Vehicle National Law (copy attached).

Action: Referred to Director Engineering Services.

5. **Department of Local Government, Community Recovery and Resilience** in response to Council's letter requesting the opportunity to be involved in the Depreciation Pilot Study (copy attached).

Action: Referred to Director Business and Community Services

Attachments

1. Letter from Hon David Crisafulli [View](#)
2. Letter from Hon Andrew Cripps [View](#)

3. Letter from Hon David Crisafulli [View](#)
4. Letter from LGAQ [View](#)
5. Letter from Department of Local Government, Community Recovery and Resilience




Hon David Crisafulli MP Minister for Local Government
Community, Recovery and Resilience

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Our ref: DEPC14/2097

Your ref: DT/PMF

Councillor Peter Blundell
Mayor
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

Dear Councillor Blundell 

I refer to your letter of 26 November 2014 requesting an extension of time for the adoption of Southern Downs Regional Council's 2013-14 Annual Report.

After considering Council's request, I have decided not to approve an extension of time to 1 December 2014 to adopt the 2013-14 Annual Report. Council needs to ensure it has systems and processes in place to satisfy prescribed regulatory requirements.

Mr Stephen Johnston, Acting Director-General, Department of Local Government, Community Recovery and Resilience has written to Mr David Tuxford, Acting Chief Executive Officer of Council, to advise him of my decision.

If your officers require further information, they can contact Mr Gary Kleidon, Acting Director, Finance and Funding on (07) 3452 6760 or gary.kleidon@dlgcr.qld.gov.au, who will be pleased to assist.

Yours sincerely



David Crisafulli MP
Minister for Local Government,
Community Recovery and Resilience

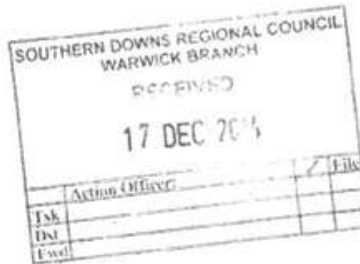


Hon Andrew Cripps MP
Minister for Natural Resources and Mines

Ref MO/14/01550
CTS 29752/14

15 DEC 2014

Mr David Tuxford
Acting Chief Executive Officer
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370



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Dear Mr Tuxford

Thank you for your letter of 20 November 2014 regarding the requirement for grazing (agistment) permits on road reserves during drought conditions.

The Southern Downs Regional Council (the council) administers the grazing of roads within the council area in accordance with the provisions of the *Land Protection (Pest and Stock Route Management) Act 2002* (the Act) and regulations. Permits are required for stock using the road reserve to ensure the stock owners are aware of and comply with any conditions applying including statutory requirements and that they are covered for their liability obligations. The conditions attached to stock grazing and travel permits have been developed over many years to ensure the safety of stock and road users and the productive management of stock route and roadside pasture.

The Act provides for a grazing permit to be issued for up to 28 days and for the holder to apply to renew the permit for no more than another 28 days on the same land if the council is satisfied there is enough pasture and water available. These time limits enable the council to manage the road reserve so that it is not overgrazed and there is equitable access to grazing and water where available. There is no provision in the current Act to vary these periods.

As current agistment rates for cattle of between \$1.02 and \$2.50 per head per week are well below current market rates, they already provide some assistance to landholders in drought situations. Local Governments retain half of the fees collected for grazing (agistment) permits to help cover their costs of administering, maintaining and managing the stock route network. The balance is remitted to the Department of Natural Resources and Mines (the department) for reinvestment into the stock route network through maintenance and improvement.

An issue for Local Government, especially in those areas with heavier stock route usage and more extensive networks, is the very substantial costs incurred in the management and maintenance of stock routes and facilities. It is considered that waiving fees would place additional pressures on Local Government funding of stock route management in accordance with its statutory obligations and may increase the demand for and dependence on, free agistment to the detriment of both the stock route and sound property management.



Southern Downs Regional Council



DOC0172224

There is no provision in the current Act or regulation to waive stock route fees or to provide free agistment to people affected by drought. The department is, however, considering a number of reforms to the legislation governing the administration of stock routes and this matter will be considered as part of the review. Local Governments will have an opportunity to provide input and comment on any proposed changes to stock route management legislation.

If you have any questions about my advice to you, Mr Andrew Freeman, Chief of Staff, will be pleased to assist you and can be contacted on telephone 3719 7365.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Andrew Cripps', with a stylized flourish at the end.

Andrew Cripps MP
Minister for Natural Resources and Mines



Hon David Crisafulli MP
Minister for Local Government,
Community Recovery and Resilience

Our ref: OUT14/10702

22 December 2014

Councillor Peter Blundell
Mayor
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

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Dear Councillor Blundell

I refer to my letter of 24 September 2014 regarding preparations for the 2016 quadrennial local government elections.

I am aware a number of local governments are considering conducting, or have expressed a desire to conduct, their elections by postal ballot for the whole of the areas.

It is my personal view that attendance voting strengthens the transparency and integrity of the democratic process and has the additional advantage of delivering social benefits to the community. Accordingly, I believe local government elections should be conducted by attendance ballots wherever possible.

Recent amendments to the *Local Government Electoral Act 2011* have made it significantly easier for individual electors who are unable to attend a polling booth on election day to apply to the returning officer to cast a postal vote.

On this basis, unless a local government is able to demonstrate exceptional circumstances exist, I am unlikely to approve an application to conduct the 2016 elections by way of postal ballot for the whole or part of the area.

If your staff require any further information, they can contact Mr Paul Toolis, Acting Director, Program Implementation and Review on (07) 3452 6704 or paul.toolis@dlgcr.qld.gov.au, who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read "David Crisafulli".

David Crisafulli MP
Minister for Local Government,
Community Recovery and Resilience

24 67599



LOCAL GOVERNMENT ASSOCIATION
OF QUEENSLAND

24 December 2014

Mr David Tuxford
A/ Chief Executive Officer
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370



Dear Mr Tuxford

Costs to councils associated with the Heavy Vehicle National Law

Thank you for your letter dated 12 December 2014, advising the Local Government Association of Queensland (LGAQ) of Council's November 2014 General Meeting resolution 'to lobby the LGAQ and the Minister for Transport and Main Roads to consider the implementation of a standard fee structure to process applications for the Heavy Vehicle National Law'.

A related motion was passed at this year's LGAQ Annual Conference in October:

"87 - Road Management - Improvements to the National Heavy Vehicle Regulator Processes: That the Local Government Association of Queensland calls for continued improvement to the National Heavy Vehicle Regulator processes through further consultation with state and local governments and funding mechanisms for local government review processes."

Since the introduction of the Heavy Vehicle National Law (HVNL) in early 2014, the LGAQ has advocated for formal arrangements to allow councils to charge fees for route assessments. Legal advice obtained by the LGAQ indicates that, in addition to the HVNL, this will require a facilitating regulation which would need to be passed by the State Government.

To progress this, the LGAQ made representations to the Department of Transport and Main Roads (TMR) to develop a state-wide fee system which can be applied by councils. The Department, as the relevant agency representing the State jurisdiction under the HVNL, has commenced work to develop a 'route assessment fee determination' for road managers, including councils.

The LGAQ and a number of councils have been participating in a working group convened by TMR to inform the development of a fee schedule reflecting the various levels of route assessment. When completed, the determination will be available for application by councils across the State.

The LGAQ will advise councils once this draft determination is open for comment, which is expected to be in early 2015. The LGAQ has argued that this needs to be implemented as soon as possible to address the drain on council resources, however advice indicates that the target commencement date for the system is 1 July 2015.

The LGAQ has also made representations to the National Heavy Vehicle Regulator (NHVR) to achieve recognition of the need for resources to support the integral role expected of local government. These discussions have focussed on the fact that local government has not previously been the subject of any regulatory impact assessment or funding / resource support considerations.

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Local Government Association Of Q
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Southern Downs Regional Council



DOC0173052



Further representations have been made via the Australian Local Government Association's Roads and Transport Advisory Committee in discussions with the NHVR on addressing the various impacts of the HVNL on local government. These discussions are ongoing and LGAQ will advise councils on the outcome.

The LGAQ uses the Regional Roads and Transport Groups (RRTGs), convened under the Roads and Transport Alliance framework, as a key network for disseminating information and organising forums to discuss issues. For example, LGAQ has worked with NHVR to organise presentations to RRTGs to communicate HVNL requirements and procedures to councils across the State.

Southern Downs Regional Council and Goondiwindi Regional Council are members of the Southern Border Regional Roads and Transport Group under the Roads and Transport Alliance. Under the framework, groups are expected to meet regularly to discuss regional planning and resourcing priorities throughout the year.

Mr Eric Kraak, Manager Works - Construction at Southern Downs Regional Council is the current Technical Coordinator for the Group. Representatives from LGAQ and TMR would be pleased to receive advice of the meeting schedule for the Southern Border RRTG to assist in organising presentations and other information for the group, and to attend when possible.

I invite your representative to contact Mr Roland McMillan, LGAQ's Principal Advisor – Finance and Economics on (07) 3000 2222 or at Roland.McMillan@lgaq.qsn.au, or Ms Susan Barlow by emailing to Susan.M.Barlow@tmr.qld.gov.au, to discuss how Southern Downs Regional Council can maximise the benefits of its participation in the Roads and Transport Alliance.

Yours sincerely

A handwritten signature in black ink, which appears to read 'S. Talbot', is written over the 'Yours sincerely' text.

Simone Talbot
A/ GENERAL MANAGER - ADVOCACY



Department of
**Local Government,
Community Recovery
and Resilience**

Our ref: MC14/4772

Your ref: DT: MES

22 JAN 2015

Mr David Tuxford
Acting Chief Executive Officer
Southern Downs Regional Council
PO Box 26
Warwick QLD 4370


Dear Mr Tuxford

I refer to your letter of 9 December 2014 to the Honourable David Crisafulli MP, Minister for Local Government, Community Recovery and Resilience about the depreciation pilot project.

As you would be aware, a general election of the Legislative Assembly of Queensland will be held on Saturday 31 January 2015. Accordingly, during this period the Government has assumed a caretaker role and certain caretaker conventions apply. As the Acting Director-General of the Department of Local Government, Community Recovery and Resilience, I am responding to your correspondence.

I welcome Southern Downs Regional Council's decision, commitment and desire to more appropriately deal with the management of Council's assets and the issue of depreciation.

Queensland Treasury Corporation (QTC) has conducted the depreciation project in pilot phase to date, and is preparing to open up the project to all Queensland local governments.

Officers of my Department have been in contact with QTC officers and advise that QTC welcomes Council's decision to participate and look forward to working with Council.

Mr David Mullins, or an officer from his team at QTC, will be in contact with you shortly to commence Council's involvement.

If you require any further information, please contact Mr Gary Kleidon, Acting Director, Finance and Funding on (07) 345 26760 or gary.kleidon@dlgcr.qld.gov.au, who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to be 'S. Johnston', with a long horizontal line extending to the right.

Stephen Johnston
Acting Director-General
Department of Local Government,
Community Recovery and Resilience


7. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

8. BUSINESS & COMMUNITY SERVICES DEPARTMENT REPORTS

8.1 BCS - Financial Report as at 31 December 2014

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Manager Finance Accountant	File Ref: 12.13

Recommendation

THAT Council receive and note the Financial Report as at 31 December 2014.

Report

A review of Council's operating performance against forecast shows that the net operating position of \$21.6m is \$249k above the estimated position for the financial year to date.

Income Statement

Total operating revenue of \$51.1m is in line with the expected year to date estimate of \$51.2m. Capital revenue of \$2m is also in line with the year to date estimate of \$1.95m.

Overall operating expenditure of \$31.5m is \$400k below the year to date estimate with employee costs being around 7% (\$970k) under budget and materials and services being around 8% (\$845k) over the year to date estimate.

Capital Works in Progress

Capital works expenditure to 31 December 2014 is \$5.7m which is 34.2% 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	159,204	76.0%
Plant & Equipment	4,400,000	(326,328)	4,073,672	340,544	8.4%
Roads, Drains & Bridges	6,845,000	373,623	7,218,623	3,150,508	43.6%
Water	2,610,000	64,555	2,674,555	1,094,413	40.9%
Wastewater	240,000	(37,000)	203,000	69,613	34.3%
Other Assets	1,450,000	689,465	2,139,465	850,667	39.8%
Total	15,738,000	890,805	16,628,805	5,689,033	34.2%

Budget Implications

No implications for the month of December 2014.

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.

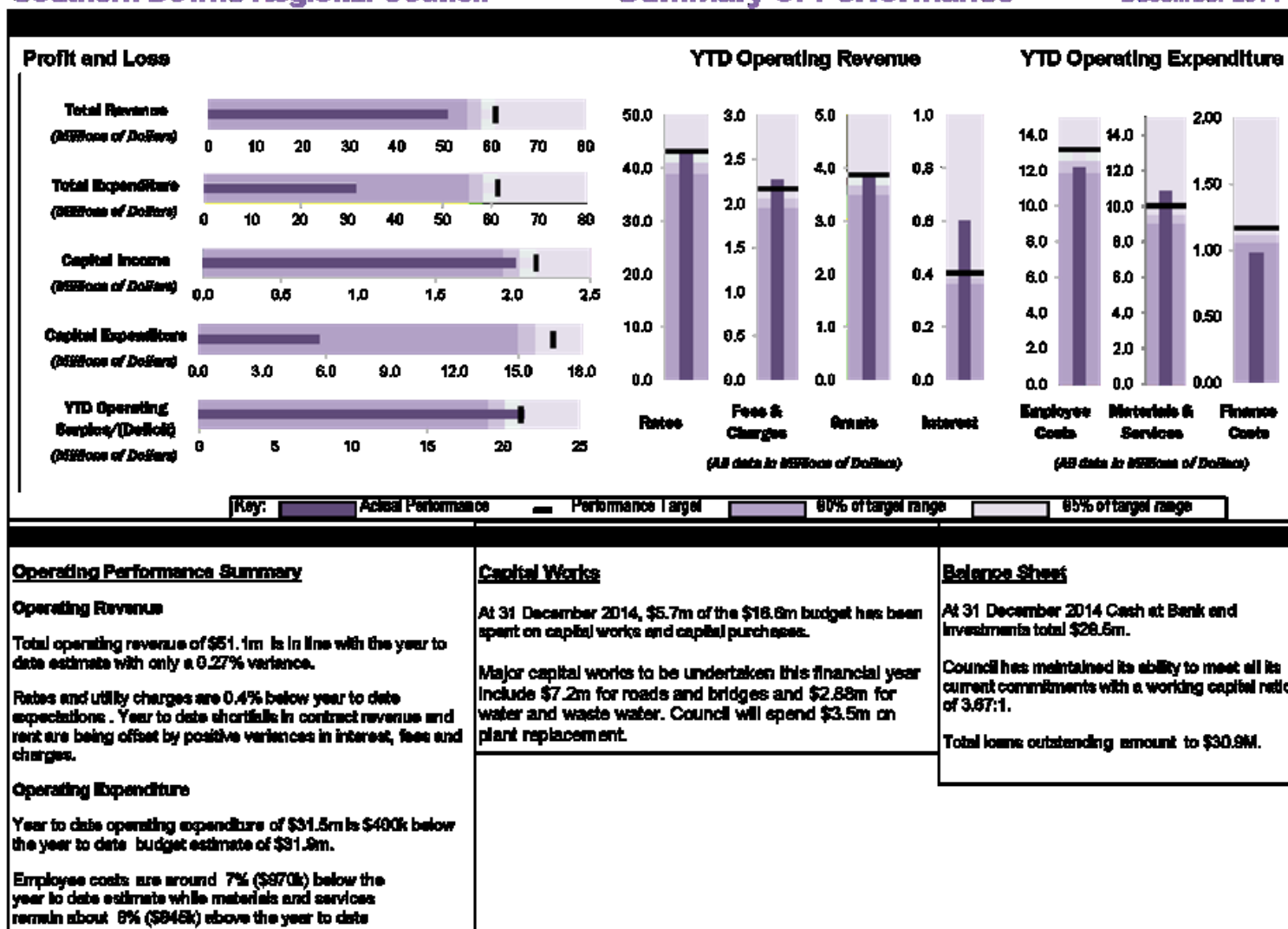
Attachments

1. Finance Report as at 31 December 2014 [View](#)
2. Investment Register [View](#)

Southern Downs Regional Council

Summary of Performance

December 2014



Southern Downs Regional Council Income Statement December 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	27,206,449
20,092,000	Utility Rates and Charges	20,973,700	18,753,700	18,641,428
(3,953,000)	Less Discounts	(2,886,566)	(2,741,056)	(2,774,771)
42,459,000		44,321,192	43,244,782	43,073,106
4,623,000	Fees and Charges	4,310,489	2,173,023	2,282,382
1,051,000	Interest	828,000	405,300	604,028
2,219,000	Contract & Sales Revenue	2,590,000	1,243,200	1,069,333
805,000	Rent and Other Income	602,087	290,647	229,481
19,008,000	Government Grants and Subsidies	7,778,087	3,883,201	3,845,612
78,165,000	Total Operating Revenue	61,429,855	51,242,072	51,184,163
Expenses from ordinary activities				
27,476,000	Employee Costs	25,027,173	13,172,847	12,199,432
35,411,000	Materials and Services	19,249,143	10,023,098	10,868,769
15,322,000	Depreciation and Amortisation	14,999,433	7,499,928	7,500,239
1,854,000	Finance Costs	2,148,896	1,170,238	981,026
60,063,000	Total Operating Expenses	61,424,647	31,866,111	31,549,507
(9,898,000)	Operating Surplus/(Deficit) before capital items	5,207	19,375,962	19,554,657
Other Capital Amounts				
14,004,000	Capital Grants, Contributions and Donations	1,951,162	1,951,162	2,021,691
(7,611,000)	Other capital income and (expenses)	200,000	-	-
(3,585,000)	Net Result Surplus/(Deficit)	2,156,369	21,327,124	21,576,348

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 December 2014

2014 Actual \$		Annual 2013 Budget \$	Planned 2013 YTD Actual \$
Current Assets			
6,541,000	Cash assets & Investments	5,049,362	28,550,730
10,589,000	Receivables (includes Rates & Utilities receivable)	8,118,906	11,363,954
916,000	Assets held for sale	304,181	915,300
321,000	Inventories	245,732	371,563
18,367,000		13,718,181	41,281,749
Non-Current Assets			
439,000	Trade & Other Receivables	-	-
946,000	Investment Property	946,000	946,000
783,639,000	Property, plant and equipment	760,119,306	776,158,493
3,700,000	Other Financial Assets	468,107	401,305
9,851,000	Capital works in progress	6,979,689	15,817,239
970,000	Intangible Assets	855,220	970,006
799,565,000		769,368,322	794,293,043
817,932,000	TOTAL ASSETS	783,086,503	835,494,814
Current Liabilities			
8,212,000	Creditors and other payables	4,863,866	3,157,675
3,914,000	Provisions	1,606,275	6,173,311
1,905,000	Interest bearing liabilities	2,222,149	1,904,798
14,031,000		8,692,290	11,235,785
Non-Current Liabilities			
29,958,000	Interest bearing liabilities	27,697,990	28,968,922
4,139,000	Provisions	6,574,724	3,862,001
-	Other Payables	907,316	-
34,097,000		35,180,030	32,830,922
48,128,000	TOTAL LIABILITIES	43,872,320	44,066,707
769,804,000	NET COMMUNITY ASSETS	739,214,183	791,428,107
NET COMMUNITY ASSETS			
-	General Reserves	3,375,511	-
237,022,000	Asset Revaluation Reserve	201,677,996	237,018,454
532,782,000	Retained surplus	534,160,676	554,409,653
769,804,000	Retained surplus	739,214,183	791,428,107

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) (%)			
	1.58 : 1	3.67 : 1	✓		2.15%	0.74%	✓
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%	42.2%	✓		110.9%	75.9%	✗
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.			
	59.0%	5.6%	✓	<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 31 December 2014

CASH MANAGEMENT

10.30 am CALL ACCOUNT

		<u>PRINCIPAL</u>	<u>INTEREST RATE</u>
GENERAL	QTC SRC-Accr	\$ 4,283,857.32	3.23%
TOTAL	QTC	<u>\$ 4,283,857.32</u>	

BANK BILLS AND BDO

<u>DATE</u>	<u>DESCRIPTION</u>	<u>PRINCIPAL</u>	<u>INTEREST RATE</u>	<u>MATURITY DATE</u>
18-Sep-14	QCCU	\$ 802,224.88	3.55%	15-Jan-15
1-Oct-14	WCU	\$ 803,232.85	3.55%	7-Jan-15
2-Oct-14	WCU	\$ 802,080.50	3.55%	8-Jan-15
16-Oct-14	BANK OF OLD	\$ 804,782.32	3.45%	12-Feb-15
18-Oct-14	WCU	\$ 804,888.71	3.50%	16-Apr-15
28-Oct-14	BANK WEST	\$ 804,772.80	3.45%	21-Jan-15
28-Oct-14	BANK WEST	\$ 805,088.20	3.45%	28-Jan-15
30-Oct-14	BANK WEST	\$ 804,772.80	3.45%	28-Jan-15
30-Oct-14	WCU	\$ 805,188.44	3.35%	4-Feb-15
30-Oct-14	QCCU	\$ 804,768.18	3.55%	29-Apr-15
8-Nov-14	WCU	\$ 805,440.88	3.35%	5-Feb-15
12-Nov-14	BENDIGO	\$ 807,057.58	3.45%	12-Feb-15
13-Nov-14	QCCU	\$ 807,380.00	3.45%	12-Mar-15
18-Nov-14	BANK WEST	\$ 800,000.00	3.45%	19-Feb-15
19-Nov-14	SUNCORP	\$ 800,000.00	3.45%	19-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%	20-Feb-15
20-Nov-14	NAB	\$ 807,057.54	3.45%	20-Feb-15
27-Nov-14	BENDIGO	\$ 808,705.85	3.45%	4-Mar-15
27-Nov-14	QCCU	\$ 807,440.00	3.45%	28-Mar-15
27-Nov-14	SUNCORP	\$ 808,705.85	3.55%	1-Apr-15
27-Nov-14	SUNCORP	\$ 808,830.41	3.55%	2-Apr-15
27-Nov-14	BANK OF OLD	\$ 808,830.41	3.55%	29-Apr-15
4-Dec-14	NAB	\$ 807,441.10	3.45%	4-Mar-15
4-Dec-14	BANK OF OLD	\$ 807,228.48	3.50%	4-Jun-15
10-Dec-14	WCU	\$ 808,527.88	3.45%	10-Mar-15
11-Dec-14	BANK WEST	\$ 807,882.18	3.45%	11-Mar-15
22-Dec-14	QCCU	\$ 808,440.00	3.35%	23-Apr-15
23-Dec-14	QCCU	\$ 809,152.88	3.35%	27-May-15
18-Nov-14	SUNCORP	\$ 300,000.00	3.45%	17-Feb-15
TOTAL		<u>\$ 24,478,848.53</u>		
GRAND TOTAL		<u>\$ 28,770,808.85</u>		

FUNDS BREAKDOWN

<u>FUND</u>	<u>PRINCIPAL</u>
GENERAL	\$ 28,470,808.85
RESERVE	\$ -
TRUST	\$ 300,000.00
GRAND TOTAL	<u>\$ 28,770,808.85</u>


INSTITUTION BREAKDOWN

(30% MAXIMUM AT ANY ONE INSTITUTION)

<u>INSTITUTION</u>	<u>PRINCIPAL</u>
CBA	0%
BENDIGO	0%
WCU	17%
SUNCORP	8%
QCCU	20%
HERITAGE	0%
BANK OF OLD	8%
QTC	16%
NAB	11%
CITIBANK	0%
BANK WEST	14%
100%	
GRAND TOTAL	<u>\$ 28,770,808.85</u>

8.2 BCS - SDRC Operational Plan Quarterly Review - October to December 2014

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Acting Manager Corporate Services Temporary Governance Officer	File Ref: 12.05; 13.34

Recommendation

THAT Council receive and note the Southern Downs Regional Council's Operational Plan Quarterly Review – October to December 2014.

Report

The *Local Government Regulation 2012* requires that Council prepare and adopt an Operational Plan for each financial year. The Regulation also requires that Council must make assessments of its progress towards implementing its Operational Plan at regular intervals of not more than 3 months and that it must discharge its responsibilities in a way that is consistent with the annual Operational Plan.

Council is required to assess its progress towards implementing its annual Operational Plan. Officer comments regarding progress/completion of the 2014/2015 Operational Plan actions have been provided in order to undertake this assessment.

The Operational Plan has been highlighted to indicate items which have been carried over from the 2013/2014 Operational Plan. The red action items are projects which were included in the previous operational plan and had not been completed during the 2013/2014 financial year. Action items marked in blue indicate actions which are ongoing and do not have discernible finish date.

Budget Implications

The Operational Plan is consistent with Council's 2014/2015 Budget.

Policy Consideration

The Operational Plan reflects the long term goals identified within the 2014-2019 Corporate Plan.

Community Engagement

Nil.

Legislation/Local Law

Section 174 of the *Local Government Regulation 2012* states that Council must prepare and adopt an annual operational plan for each financial year.

Local Government Regulation 2012, Section 174(3) states that a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals of not more than 3 months.

Options

Nil.

Attachments

1. 2014-2015 Operational Plan Quarterly Review - October to December 2014 [View](#)

Office of the CEO						
4.5.1.1 Provide overall guidance and direction on Council's operations						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
4.5.1.1 Provide overall guidance and direction on Council's operations	CEO Office	Chief Executive Officer	In Progress	50%	30/06/2015	Governance model improved. Multiple briefing sessions conducted monthly, improved electronic communication. Annual plans and reports prepared and submitted in a timely manner.
4.5.1.2 Support for Elected Members						
4.5.1.2 Support for Elected Members	Elected Members	Chief Executive Officer	In Progress	50%	30/06/2015	Matters discussed at briefings that are relevant to the ongoing operation of Council, core services to be discussed in the second quarter of 2014/2015. As well as calendar for budget deliberation.
8.6.1.1 Negotiate a new Enterprise Certified Agreement						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.1.1 Negotiate a new Enterprise Certified Agreement	Human Resources and Organisational Development	Manager Human Resources	In Progress	20%	30/06/2015	New Award effective 1 October 2014. LGAQ have been engaged to facilitate Award transition and EB negotiations.
8.6.1.2 Provision of timely and accurate Council information to the community	Communications & Public Relations	Manager Human Resources	In Progress	40%	30/06/2015	Council information is continually being provided to the community by way of media releases, weekly Council News page and Council Facebook.
8.6.2.1 Implement the recommendations of the external safety audit to ensure full compliance.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.2.1 Implement the recommendations of the external safety audit to ensure full compliance.	Human Resources and Organisational Development	Manager Human Resources	In Progress	30%	30/06/2015	Development of safety reporting completed. Review of Safety Management System to commence early 2015.
8.6.5.1 Provide proactive effective HR services to the organisation.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.5.1 Provide proactive effective HR services to the organisation.	Human Resources and Organisational Development	Manager Human Resources	In Progress	50%	30/06/2015	Continual review of HR policies and procedures. Introduction of Value Awards for recognising and rewarding staff.

<i>Business & Community Services</i>						
1.5.1.1 Re-establish a Warwick Safety Advisory Group						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.5.1.1 Re-establish a Warwick Safety Advisory Group	Community Development	Manager Community Services	In Progress	20%	30/06/2015	As of 6 January, following discussion with Manager of Community Services, decision made to review options in March 2015.
1.6.1.1 Complete the Public Art Policy						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.6.1.1 Complete the Public Art Policy	Arts & Culture	Manager Community Services	In Progress	20%	31/03/2015	Deferred until 2016.
1.6.1.2 Engage with Arts Council and other new directions for RADF	Arts & Culture	Community Services Officer	In Progress	80%	30/11/2014	Changes to the RADF program were discussed at the RADF training to committee members, RLO and council representative by Coating Llake held on 21 August 2014. Training session held with Coating Llake (delivering on behalf of Arts Council) scheduled to be on the agenda for the January 2015 RADF meeting.
1.6.1.3 Review the Art, Cultural and Heritage Policy	Arts & Culture	Manager Community Services	In Progress	10%	25/02/2015	
1.6.1.4 Provide support for the Region's art galleries and develop opportunities for cultural activities	Arts & Culture	Manager Community Services	In Progress	25%	30/06/2015	Continue to provide assistance and information as required.
1.6.1.5 Manage an effective RADF program for the region.	Arts & Culture	Community Services Officer	In Progress	50%	30/06/2015	Round 2 for 2014/15 closed 12 December 2014. Received an overwhelming response with 14 applications going to the RADF Committee Meeting 12 January 2015 for consideration to the value of \$105,964 (total available funds for the whole year is \$103,333). Recommendations made will be presented in a report for the February 2015 General Council Meeting.
1.6.1.6 Work with local community volunteers on delivering Co-located Arts & Culture events in Stanthorpe for 2014/15		Manager Community Services	In Progress	25%	30/06/2015	Initial meeting held with key volunteers for Carols, Autism Day and Autism Day. Next meetings planned for October/November.
1.7.2.1 Review the 2030 Community Plan						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.7.2.1 Review the 2030 Community Plan	Community Services	Manager Community Services	In Progress	25%	30/06/2015	Will use the 2014/2015 Operational Plan updates in Interplan to complete this review.

1.7.3.1 Provide opportunities and support for members of the community to become engaged in issues which affect the Region						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.7.3.1 Provide opportunities and support for members of the community to become engaged in issues which affect the Region	Community Engagement	Manager Community Services	In Progress	40%	30/06/2014	Library Strategic Plan Surveys to face community forums have been completed in identified locations across the Southern Downs. Online survey through Bing The Table as well as paper hard copies of surveys have been collected and the working party scheduled to meet to collated the information gathered. Scheduled for 2015.
1.7.3.2 Review the Community Engagement Policy	Community Engagement	Manager Community Services	Not Started	0%	31/03/2015	
1.7.3.3 Review and refine the Youth Mentoring program between Youth Services Councilors and Young Leaders	Youth Services	Youth Development Officer	In Progress	80%	31/10/2014	Review of youth mentoring program being implemented. Successful Formal Youth Council Meeting held in July with Highschool from the region. Mentoring program underway between Councilors and Young Leader. Final review of youth mentoring program between Councilors and Young Leaders to take place in January 2015, in preparation for New Young Leader Team 2015.
1.8.1 Develop a model for future youth services following the changes in expectations and funding from the department						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.8.1.1 Develop a model for future youth services following the changes in expectations and funding from the department	Youth Services	Youth Development Officer	In Progress	80%	30/06/2015	Notification was received from the Department in November 2014 regarding changes to Youth Services Funding. Memo and Report presented to Council December 2014 Youth Services Funding has been reallocated by Council back to the State Government as of 31st March 2015. Due to changes and expectations of service delivery set aligning with Council's key focus of Youth Services. Youth Development Officer position will now be funded by current Youth Services and Community Development Budget
1.8.1.2 Provide opportunities and activities to enhance the wellbeing of young people, people with a disability and our residents	Community Services	Manager Community Services	In Progress	25%	30/06/2015	Telephone and Radio personality Jerry Coleby-Williams has been engaged to provide two Sustainable Gardening and Horticultural Workshops in Warwick and Stanbury in March 2015. These workshops will offer a capacity building opportunity for all members of the community, including young people, people with a disability and ageing residents. (This activity is about 20% complete.)
1.8.2.1 Progress the decisions made on Council's long term involvement in Senior Housing						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.8.2.1 Progress the decisions made on Council's long term involvement in Senior Housing	Residential Units	Manager Community Services	In Progress	60%	30/06/2015	14/01/2015 Dot resolution to direct SDRC of Community Housing and the Department advised in Dec 2014 of proposal of how SDRC direct.
1.14.21 Introduce new Funding to Community Programs along with the associated education and information processes						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.14.21 Introduce new Funding to Community Programs along with the associated education and information processes	Community Grants	Community Development Officer	In Progress	60%	30/06/2015	Funding recommendations for the 2014-15 CDP & CSP applications were endorsed by Council, Letter of Offer and Funding agreements processed for all successful applicants & approved grant payments were finalised in December 2014. Monitoring of multiple final reports and activities is on-going.
1.14.22 Renew and promote the Community Directory to be a valuable source of information	Community Services	Training and Support Officer	In Progress	40%	30/06/2015	Strategy prepared and approved by manager. Working for access to database

6.1.10 Cemeteries						
6.1.10.1 Manage and maintain cemeteries across the region						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.14.3.1 Manage and maintain cemeteries across the region.	Cemeteries	Manager Community Facilities	In Progress	50%	30/06/2015	Cemeteries are being managed and maintained across the region. Council allocated capital budget for IT solution. Part of the funds will be used to employ someone to integrate and cleanse the data.
1.14.3.2 Assess the viability of above ground vault construction.	Cemeteries	Manager Community Facilities	In Progress	100%	30/06/2015	Construction of Block A of Stage 2 of the Stanthorpe Outdoor Burial Wall was approved by Council on 17 December 2014. Request for Quotation documentation is being drafted for release early in 2015
6.1.11 Parks, Gardens, sporting fields and open space						
6.1.11.1 Manage and maintain Council's parks and gardens, sporting fields and open space areas						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
2.23.1.1 Manage and maintain Council's parks and gardens, sporting fields and open space areas.	Parks, Gardens, sporting fields and open space	Manager Community Facilities	In Progress	50%	30/06/2015	Council's parks and gardens, sporting fields and open space areas are being managed and maintained.
2.23.1.2 Identify and develop opportunities for improved Recreation facilities within the region.	Parks, Gardens, sporting fields and open space	Manager Community Facilities	In Progress	50%	30/06/2015	Parks Rationalisation Committee looking at opportunities of decreasing overall maintenance area and enhancing some of the remaining facilities. Rationalisation
2.23.1.3 Manage and maintain Council's swimming pools including WIRAC.	Swimming Pools	Manager Community Facilities	In Progress	50%	30/06/2015	Council's seasonal swimming pools are being managed and maintained. Management of WIRAC was handed over to YMCA of Brisbane on 1 November 2014. Council is still involved in some maintenance of WIRAC as per the contract arrangement. Other stand alone pools are managed under a lease arrangement.
6.1.12 Libraries						
6.1.12.1 Engage with affected communities re alternative library service delivery following the mobile library decision.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
3.2.1.1 Engage with affected communities re alternative library service delivery following the mobile library decision.	Libraries	Manager Community Services	In Progress	20%	30/06/2015	Staff responded to various letters and phone calls regarding this decision. Face to Face engagement with affected communities will be scheduled following completion of Library Strategic Plan Engagement.
3.2.1.2 Develop and deliver appropriate IT training for library staff and contractors.	Libraries	Training and Support Officer	In Progress	80%	30/06/2015	Scheduled training for new training staff.
6.1.13 Libraries Strategic Plan						
6.1.13.1 Complete and begin implementation of the Library Strategic Plan.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
3.3.1.1 Complete and begin implementation of the Library Strategic Plan.	Libraries	Principal Librarian	In Progress	75%	30/06/2015	Online and hardcopy survey completed with community. Face to Face engagement with local communities and local events now completed. Meeting scheduled for 10th October to collect engagement to be incorporated into draft plan. Plan submitted by council in December 2014; Manager will present to Council in the new year
3.3.1.2 Operate a range of library services across the Region.	Libraries	Principal Librarian	Ongoing	-	30/06/2015	Library service currently successfully delivered through Warwick, Stanthorpe, Allora and mobile library
3.3.1.3 Complete Collection Development Policy for the Libraries	Libraries	Principal Librarian	Not Started	25%	30/06/2016	Work paper will start once the Library strategic plan is complete. Preparation has begun with Collection Development Policies collected from other library services, to be used in conjunction with SDRC's current guidelines to formulate policy

4.5.1.1 Overall direction of the Business and Community Services Directorate						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
4.5.1.1 Overall direction of the Business and Community Services Directorate.	Director Business & Community Services	Director Business & Community Services	Ongoing	-	30/06/2015	Continuous support provided to the organisation as well as leadership and advice.
4.5.1.1 Implementation of recommendations from Council's Audit and Risk Management Committee.	Risk and insurance	Manager Corporate Services	In Progress	50%	30/06/2015	Implementation of the ARMC recommendations continues throughout the year.
4.5.1.2 Implement a Local Government Legislation compliance service	Risk and insurance	Manager Corporate Services	Completed	100%	30/06/2015	Projected has been completed.
4.5.1.3 Maintain compliance with legislation and manage the corporate governance functions of Council.	Governance	Manager Corporate Services	In Progress	50%	30/06/2015	Delegations register review is ongoing, amendments adopted in December 2014.
6.1.1.1 Review waste water cost to different geographical areas within the region						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
6.1.1.1.1 Review waste water cost to different geographical areas within the region.	Parks, Gardens, sporting fields and open spaces	Manager Community Facilities	In Progress	80%	30/06/2015	162 parks have been inspected by the Parks Rationalisation Committee. A report was presented to Council in November 2014 outlining the recommendations of the Committee.
8.1.1.1 Review waste water cost to different geographical areas within the region						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.1.1.1.1 Review waste water cost to different geographical areas within the region.	Fleets and Services	Manager Finance	Not Started	0%	30/06/2015	Process to start in February 2015.
7.10.1.1 Manage and maintain aerodrome facilities at Warwick and Stanthorpe						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
7.10.1.1.1 Manage and maintain aerodrome facilities at Warwick and Stanthorpe.	Aerodromes	Manager Community Facilities	In Progress	50%	30/06/2015	Aerodrome facilities at Warwick and Stanthorpe are being managed and maintained. Avgas facility installed and operational at the Warwick Aerodrome.
8.3.1.1 Manage and maintain Council buildings and facilities						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.3.1.1.1 Manage Council's land portfolio to maximise opportunities for development, leasing and sale.	Governance	Manager Corporate Services	In Progress	50%	30/06/2015	Photo monitoring and reporting to DNR regarding vegetation plan at Ford Road, Rosenthal Heights, Advertised 11 parcels of Council owned and controlled land for lease. Commenced process in developing a Land Management Strategy.
8.3.1.1.1 Manage and maintain Council buildings and facilities.	Civic Facilities	Manager Community Facilities	In Progress	50%	30/06/2015	Council buildings and facilities are being managed and maintained. The Asset Management Plan for Buildings was adopted in principle by Council on 26 November 2014.
8.3.1.2 Manage and maintain Warwick Saleyards.	Saleyards	Manager Community Facilities	In Progress	50%	30/06/2015	Warwick Saleyards are being managed and maintained. Contractors engaged to undertake safety improvements as identified in the Warwick Saleyards Master Plan.

SDRC Operational Plan - Quarterly Review - October to December 2014						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.3.3.1 Review and update the 10 year Financial Plan.	Financial Services	Manager Finance	Not Started	0%	30/06/2015	To be reviewed as part of the 2015/16 budget process.
8.3.3.2 Annual review of Debt Policy, Procurement Policy, Revenue Policy and Operational Policy.	Financial Services	Manager Finance	Not Started	0%	30/06/2016	To be reviewed as part of the 2016/16 budget process.
8.3.3.3 Review of Council Internal Council charges.	Financial Services	Manager Finance	In Progress	25%	30/06/2016	Current council rates of 49%-53% compared to indirect employee's cost for the 2015/16 year of £44,190. A further look at the break down between permanent and casual staff is still to be undertaken.
SDRC Operational Plan - Quarterly Review - January to March 2015						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.5.1.2 Operate the Community Contact Centre and expand Council's Community Contact presence in rural regions.	Community Contact Centre	Manager Corporate Services	In Progress	60%	30/06/2015	The CCC's resolution rate was 60% for the September 2014 quarter. The expansion of customer service to rural areas will be dependent on the status of Council's mobile library service.
SDRC Operational Plan - Quarterly Review - April to June 2015						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.6.1 T1 OneCouncil realignment.	Information Technology	Manager Information Services	In Progress	65%	30/06/2015	Finance, GL Chart & Supply Chain 85% complete. Fleet gone live - 80% complete. Asset Project Team and Project commenced for June 2015 completion. eProperty Project commenced. Application Start to go live Jan 2016. HR/Payroll underway with myDetails and my Lease the next modules to go live. Property & Rating Complete.
8.6.6.2 Archive Shorthope's Town Planning files.	Records Management	Records Management Project Officer	In Progress	10%	30/06/2016	My progress has been suspended temporarily due to a WHS risk that has been identified with the Financial Services Strongroom Computer. All efforts are now on reducing this risk by processing the information stored in this location to lighten the load of the computer logs. However Ramesh Ramesh's part of the project (converting the applications in Property & Rating) will continue unaffected.
8.6.6.3 SDRC Website.	Information Technology	Manager Information Services	In Progress	50%	30/06/2015	WIP - dependent on vendor working on the project. Signed off on design, started content upload WIP - uploading content Working on content
8.6.6.4 Archive Shorthope's Building files.	Records Management	Records Management Project Officer	In Progress	20%	30/06/2016	My progress has been suspended temporarily due to a WHS risk that has been identified with the Financial Services Strongroom Computer. All efforts are now on reducing this risk by processing the information stored in this location to lighten the load of the computer logs. However Ramesh Ramesh's part of the project (converting the applications in Property & Rating) will continue unaffected.
8.6.6.5 SDRC Intranet.	Information Technology	Manager Information Services	In Progress	90%	30/12/2014	Working on the Corporate Directory. All the rest is ready to go. Fine tuning the Corporate Directory to have roles and mobile numbers. Should be able to launch in February as we are waiting for the new CEO for the first page launch.
8.6.6.6 Upgrade and improve ECM.	Information Technology	Manager Information Services	Not Started	0%	30/06/2016	The upgrade of ECM involves a very different look and feel and major functionality change. Go live is not anticipated until at least May 2016.
8.6.6.7 Implement a conveyancing system.	Information Technology	Manager Information Services	In Progress	20%	30/06/2016	Conveyancing officers are gathering, checking and collating existing data from various sources including manual registers. This data will then be uploaded automatically into the TechnologyOne system along with other manual data entry that will need to be done. TechnologyOne have been contacted to assist in the implementation. Internal Meeting arranged for late January 2016 to keep the implementation going and address training and target dates.
8.6.6.8 Implement Corporate Performance Management Systems.	Information Technology	Manager Information Services	In Progress	92%	30/06/2015	New module implemented, however needs some tweaking, still tweaking the module

8.6.7.1 Implement Contracts Administration.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.7.1 Implement Contracts Administration.	Governance	Manager Corporate Services	In Progress	50%	30/06/2015	Council's Contract's Administrator has implemented procedures and processes in relation to procurement planning, contract formation and contract management.
8.6.8.1 Implement a video solution between Standonhoe and Warwick offices.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.8.1 Implement a video solution between Standonhoe and Warwick offices.	Information Technology	Senior Infrastructure Officer	In Progress	70%	31/07/2014	Waiting for shelves.
8.6.10.1 Implement WIFI in council administration building.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.10.1 Implement WIFI in council administration building.	Information Technology	Senior Infrastructure Officer	In Progress	80%	1/1/2014	Need to sort out some certification issues.
8.6.11.1 Replace existing wireless network links.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.11.1 Replace existing wireless network links.	Information Technology	Senior Infrastructure Officer	In Progress	30%	20/12/2014	Proposal for Licensed wireless links obtained from LocalBuy supplier. Currently waiting on response to attempted communication with Local fiber supplier to negotiate leasing the existing fiber connections in Standonhoe.
8.11.1.1 Provide rating and revenue services to Council.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.11.1.1 Provide rating and revenue services to Council.	Rating and Revenue	Acting Revenue Accountant	In Progress	50%	30/06/2015	Water consumption rates issued in October with 88% collected. Supplementary rates issued in December, and an extra week allowed to allow for the Christmas period.
8.11.1.2 Review of rating categories and classifications.	Rating and Revenue	Acting Revenue Accountant	In Progress	60%	30/06/2015	As other work has been held with a LOPAC representative in November. The group are planning on holding a workshop with Council in January to determine what areas they need to focus on.
8.11.3.1 Manage the insurance and risk functions of Council.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.11.3.1 Manage the insurance and risk functions of Council.	Risk and Insurance	Manager Corporate Services	In Progress	50%	30/06/2015	Implementation of new insurance claims process, in respect to Council vehicles, is in progress.
Develop Council's Business Continuity Plan	Risk and Insurance	Manager Corporate Services	In Progress	80%	30/06/2015	The draft business continuity framework and sub-plan were presented to the December 2014 meeting of the ARMC. Document development will continue to be re-presented at the March 2015 ARMC meeting.

8.11.1 Security Camera Upgrade for Blenheim Waste Facility						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.11.A.1 Security Camera for Blenheim Waste Facility Management	Information Technology	Senior Infrastructure Officer	Completed	100%	30/09/2015	Additional Camera installed on a next generation network and DVR, allowing for future expansion of digital camera's.
8.11.A.2 Security Camera for Waste Water Facility	Information Technology	Senior Infrastructure Officer	Not Progressing	0%	N/A	To be deleted - Project cancelled insufficient resources.
8.15.1 Disaster Recovery Services for Blenheim Waste Facility						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.15.1.1 Provide disaster recovery services to residents in the event of a disaster.	Community Recovery	Manager Community Services	Ongoing	-	30/06/2015	Community Development Team carried out an evacuation centre exercise based on the Blenheim Civic Centre and developed centre set-up layout options as part of a preparedness strategy.
8.15.1.2 Complete MOU's with the Salvation Army and Operating Red Cross for future recovery needs.	Community Recovery	Community Development Officer	In Progress	85%	30/06/2015	The draft MOU with Salvation Army has been submitted for comment with LDMB members and currently reviewing some finance strategies regarding reimbursement/payout to Salvation Army for costs incurred. As of 5 January, 2016, final draft completed and submitted to Salvation Army for their signature and sending return.

Engineering Services						
2.14.1.1 Review & adapt customer service standards for Water and Wastewater						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
2.14.1.1 Review & adapt customer service standards for Water and Wastewater	Water reticulation	Manager Water and Wastewater	In Progress	100%	30/06/2015	Draft completed. On line consultation with customers completed. Final report adopted by Council on 17 December 2014. Final report submitted to regulator by 8 Jan 2015.
2.14.1.2 Develop and implement sub plans for evacuation centre and the local emergency coordination centre						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
2.14.1.2 Develop and implement sub plans for evacuation centre and the local emergency coordination centre	Disaster Management	Disaster Management Coordinator	In Progress	15%	30/11/2015	MCUs for across identified evacuation centres have been or are in the process of been completed. The development of the plan is being led by Shile Stobbings and requires a number of other Agencies to have input. As a result it is not anticipated that this plan will be completed and adopted by the LDMG before Nov 2015 LDMG meeting. The Local Emergency Coordination Committee Activation Sub Plan was completed in May 2013. This plan will require reviewing before June 2016.
2.15.1.1 Develop a Priority Cycle Network Plan in association with TMR						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
2.15.1.1 Develop a Priority Cycle Network Plan in association with TMR	Infrastructure Services	Manager Infrastructure Services	In Progress	10%	30/06/2015	Work plan adopted by Council. Further work delayed by resignation of Manager Infrastructure Services.
2.25.2.1 Develop a report to provide full costings for supply of effluent to Maccam Park						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
2.25.2.1 Develop a report to provide full costings for supply of effluent to Maccam Park	Wastewater collection and treatment	Manager Water and Wastewater	In Progress	10%	30/06/2015	This has been assigned to Principal Engineer Water and Wastewater to action by April 2015.
4.3.1.3 Develop a Fire Trail Management Plan						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
4.3.1.3 Develop a Fire Trail Management Plan	Disaster Management	Disaster Management Coordinator	Not Started	0%	30/06/2016	Fire Trail Management responsibility sits with RFSQ. SDRC assists the RFSQ by chairing a Fire Trail Coordination group which is tasked with developing and maintaining Fire Trails across the SDRC area. Part of SDRC assistance is to provide funding from either its own budget or State Government Grants. As the SDRC provides funding it is important that the funding is correctly utilised and the correct value for money, hence the development of the Fire Trail Management Plan.

ACTION						
SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment	
4.10.1.1 Survey and design of the extension of the Shearwater Industrial Estate of Rowley Court (stage 1).	Infrastructure Services	Manager Infrastructure Services	In Progress	60%	30/06/2016	Work plan adopted by Council. Further work delayed by resignation of Manager Infrastructure Services
ACTION						
SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment	
4.10.2.1 Investigate and report to Council on the possible development of additional Council queries	Council Road Network	Manager Works Maintenance	In Progress	10%	30/06/2015	Awaiting a further decision from Council.
ACTION						
SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment	
5.2.1.1 Deliver the 2014/15 Water and Waste Water Capital Works Program	Water reticulation	Manager Water and Wastewater	In Progress	60%	30/06/2015	Alerts Watermain - practical completion Wastewater Reservoir Roof - Constructing along Golf Links Watermain - Pipe and fittings procured; Construction to commence 19 January 2015 Shearwater WTP 2nd reservoir - Kick off meeting completed; Construction commencing 27 Jan 2015 4 Minor projects completed
5.2.1.2 Develop and/or review and update existing key documentation (plans, processes, procedures, practices, manuals) to support the management and maintenance of a	Water reticulation	Manager Water and Wastewater	In Progress	35%	30/06/2015	Completed Recycled Water Procedures WTP (Ollimes) at practical completion
ACTION						
SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS	
7.1.3.1 Deliver the 2014/15 Works Construction Capital Works Program	Works Construction	Manager Works Construction	In Progress	60%	30/06/2015	Delivery of the Works Construction Capital program is progressing. Difficulties are being experienced in negotiating a easements for the Ashmore St project and this may require this project to be pushed back to next financial year with other projects brought forward to this year. A final decision will be put to Council early in 2015 when further progress with negotiations is known.
ACTION						
SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS	
7.1.5.1 Develop an economically sustainable timber bridge replacement program.	Council Road Network	Manager Works Maintenance	In Progress	60%	30/06/2015	A full timber bridge replacement program is with the Manager Works Maintenance for review.
ACTION						
SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS	
7.1.8.1 Develop a 5 year Capital Works Program for Roads and Associated Infrastructure	Works Construction	Works Planning Engineer	In Progress	45%	30/06/2015	Progress on this item has slowed and additional effort will be required in the next half to this year to complete this project

7.11.1.3 Develop and adopt a Functional Road Hierarchy for Southern Downs Regional Council Road Network						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
7.11.1.3 Develop and adopt a Functional Road Hierarchy for Southern Downs Regional Council Road Network	Council Road Network	Manager Works/Maintenance	In Progress	40%	30/06/2015	All segments of the Council road network have been populated with estimated and sets of traffic volumes. A proposed Functional Road Hierarchy spreadsheet has been developed. Based on traffic volumes each road segment has now been assigned a classification under this Hierarchy. Both the traffic volume and classification are now mapped in Intransp.s. The next task is to peer review the roads to ensure correct classification.
7.11.1.3 Complete remaining NDORRA Rehabilitation Works associated with the January 2013 Flooding Event.	NDORRA Works Program	Manager Works/Construction	In Progress	30%	30/06/2015	Since the January 2013 Flooding Event the majority of the flood damage rehabilitation works have been completed, claimed and accepted. (\$1.5 million) Final Map up Batch submission has been approved by the QRA in late November 2014 (estimated \$1.4 million). Tenders were called and a Contract was awarded to Probuild Civil for the final construction contract in December 2014. Contract works are well commenced in January 2015 with a planned practical completion of the contract on 9 April 2015. Final NDORRA accepted documentation will have to be prepared and submitted to the QRA before 30 June 2015
8.3.2.1 Preparation of a report regarding plant strategies for consideration by Council						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.3.2.1 Preparation of a report regarding plant strategies for consideration by Council	Fleet and Plant Management	Manager Infrastructure Services	In Progress	10%	30/06/2015	Work delayed by unavailability of Manager Infrastructure Services. Terms of reference to employ a consultant deferred.
8.6.6.1 Develop a plan and costing for adoption by Council for depot/workshop operations						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.6.6.1 Develop a plan and costing for adoption by Council for depot/workshop operations	Depot Services	Manager Infrastructure Services	In Progress	10%	30/06/2015	Work delayed by unavailability of Manager Infrastructure Services. Terms of reference to employ a consultant deferred.
8.7.1.1 Develop and adopt best practice Asset Management Plans for Waste Water, Buildings, Roads, Waste Management Facilities, Stormwater						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.7.1.1 Develop and adopt best practice Asset Management Plans for Waste Water, Buildings, Roads, Waste Management Facilities, Stormwater	Infrastructure Services	Manager Infrastructure Services	In Progress	60%	30/06/2015	Asset management plans for Water and waste water adopted by Council.

Planning and Environment						
1.14.1.1 Overall Direction of the Planning and Environment Directorate						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS/COMMENTS
1.14.1.1 Overall Direction of the Planning and Environment Directorate	Director Planning and Environment	Director Planning and Environment	In Progress	50%	30/06/2015	Continuing as normal.
1.14.1.2 Ensure Planning and Environment Capital Works are constructed and completed generally in accordance with the Budget and Operational Plan.	Director Planning and Environment	Director Planning and Environment	In Progress	28%	30/06/2015	Preliminary design for Northern Grange Hall WTS are completed and tenders have been called for detailed engineering design. Some minor works at Whitwick and Stathorpe waste facilities underway. Closures have been called for Stathorpe Pound building.
4.3.2.1 Provide strategic direction for appropriate use of agricultural land.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS/COMMENTS
4.3.2.1 Provide strategic direction for appropriate use of agricultural land.	Strategic Planning	Principal Town Planner	In Progress	20%	30/09/2016	Major activity associated with the planning scheme review.
4.5.1.1 Upgrade building and associated facilities at the Stathorpe Pound to improve customer service and operations related to animal control and pest management.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS/COMMENTS
4.5.1.1 Upgrade building and associated facilities at the Stathorpe Pound to improve customer service and operations related to animal control and pest management.	Local Levy	Local Levy Coordinator	In Progress	50%	30/06/2015	Tenders called and contractor advised of success contract to be drawn up and work to start January.
4.10.1.1 Identify potential areas for additional industrial land in villages and towns including for special industries.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS/COMMENTS
4.10.1.1 Identify potential areas for additional industrial land in villages and towns including for special industries.	Strategic Planning	Manager Planning and Development	Ongoing	-	30/06/2015	We have industrial land in Stathorpe, and are in discussion with Dept Engineering for their development in Alton.
4.10.1.2 Undertake the construction of the next sub-stage of the Stathorpe Industrial Estate.	Economic Development	Manager Planning and Development	In Progress	40%	30/06/2015	Money has been allocated in the 14-15 FY budget, and the final engineering design is underway. Once the design has been completed, and the costing done, construction will kick off.
4.10.1.3 Redesign the approved subdivision of the Stathorpe Industrial Estate and allow for the further expansion of the	Planning Services	Manager Planning and Development	Completed	100%	31/12/2014	A redesign of the SIE was approved by delegated authority. The land is surveyed this week 5/6 January 2015.


COUNCIL						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
4.19.4.1 Oversee review of Planning Scheme including Initiatives in consultation Development Assessment.	Director Planning and Environment	Director Planning and Environment	In Progress	25%	30/09/2015	Progress has been restricted by lack of staff resources which the Manager Planning and Development are addressing with the appointment of an additional leave planner (please note this is not an increase of staffing, but is achieved by changing an existing position). Staff on long term leave are still creating a delay in addressing this problem. New Planning Act is likely to delay completion of review.
4.19.4.2 Implement Economic Development Strategy	Economic Development	Manager Planning and Development	Ongoing	-	31/12/2014	The Strategy will be rewritten once the new EDO is appointed.
4.19.4.3 Review the Southern Downs Planning Scheme and adopt amendments.	Strategic Planning	Manager Planning and Development	Ongoing	-	30/09/2015	Senior Planning Officer is working on the project. The new Planning Bill will have a significant impact on the structure and the working in the amended scheme. Our target date for this new revision is April 2015.
4.19.4.3 Develop a business strategy to assist local businesses and industry in providing services to Council.	Economic Development	Manager Planning and Development	In Progress	60%	31/12/2014	1. A number of workshops on "local buy", and small business resilience have been held. These have been very successful; 2. Once a new EDU officer has been appointed, we will be able to work further on this. 3. A forum focussing on business and industry will be held on 30 October, and that will drive the approach council takes.
4.19.4.4 Have new flood mapping incorporated into Planning Scheme as a Temporary Local Planning Instrument.	Strategic Planning	Principal Team Planner	Completed	100%	29/09/2014	TLPI was adopted by Council on 24/09/2014 and commenced on 29/09/2014. Certified copies of the TLPI have been provided to the Minister and public notification conducted in accordance with the Statutory Guidelines.
TOWN						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
6.3.1.1 Review Council's role in tourism.	Economic Development	Manager Planning and Development	Ongoing	-	30/09/2015	This role review is waiting on the outcome of the reference group.
6.3.1.2 Seek Council's endorsement of Recommendations from the Tourism Advisory Group and action Council decisions or recommendations.	Tourism	Manager Planning and Development	In Progress	75%	30/09/2015	We are awaiting the final recommendation from the Advisory group, once that has been done, which seems to be by end November / mid December, Planning and Development will prepare a report with recommendations to the Council.
COUNCIL						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
6.4.1.1 Complete first 50% of the Northern Gateway Bus Waste Transfer Station once the Sunraysia has been subject to a public consultation with the direct neighbours.	Waste collection and disposal	Senior Environmental Health Officer	In Progress	15%	30/09/2015	Public consultation was held with adjoining landholders on 14/10/14, no major concerns raised. Request for Quotation for Design were issued on 18/12/14, this closes on 14/1/15.
6.4.1.2 Implement and review the Waste Management Plan for 2014/15 including Capital Works.	Waste collection and disposal	Manager Environmental Services	In Progress	60%	30/09/2015	Tools have been allocated to staff in the Department and recycling and composting public education is planned for late October.

6.8.2.1 Continue to promote, educate and implement awareness and best practice waste collection, recycling, environmental health and environmental protection strategies.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
6.8.2.1 Continue to promote, educate and implement awareness and best practice waste collection, recycling, environmental health and environmental protection strategies.	Waste collection and disposal	Senior Environmental Officer	In Progress	60%	30/06/2015	Staff are continuing to undertake awareness during inspections and disclosures. Promotion of waste minimisation and recycling is done through signage at waste facilities, advertising and public meetings.
6.8.2.2 Carry out inspections of Environmentally Relevant Activities and respond to pollution activities.	Environmental Health Services	Senior Environmental Officer	In Progress	50%	30/06/2015	50% of ERA premises have been inspected and all pollution incidents have been investigated.
7.10.1.1 Assist in the future development of the endorsement and ensuring suitable guidelines for a range of different types and sizes of uses and activities.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
7.10.1.1 Assist in the future development of the endorsement and ensuring suitable guidelines for a range of different types and sizes of uses and activities.	Economic Development	Manager Planning and Development	In Progress	60%	30/06/2015	We are awaiting the final recommendation from the Advisory group, once that has been done, which seems to be by end November / end December, Planning and Development will prepare a report with recommendations to the Council.
8.3.3.1 Review Infrastructure Charges						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.3.3.1 Review Infrastructure Charges	Planning Services	Manager Planning and Development	Not Started	0%	30/06/2015	Review still to be conducted.
8.3.8.1 Finalise and implement amendments to Animal Control Local Law						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.3.8.1 Finalise and implement amendments to Animal Control Local Law	Local Laws	Local Laws Coordinator	In Progress	80%	30/06/2015	Amendments have been substantiated and administrative procedures for documented regulation etc is underway. All up to date.
8.3.8.1 Finalise and implement changes to Temporary Housing Local Law						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.3.8.1 Finalise and implement changes to Temporary Housing Local Law	Built Environment	Manager Planning and Development	In Progress	50%	30/06/2015	Waiting for response from the State Department Housing.
8.5.12.1 Review and update the Local Heritage Register						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.5.12.1 Review and update the Local Heritage Register	Strategic Planning	Principal Town Planner	Completed	100%	24/05/2014	Amendments to the Local Heritage Register were adopted by Council on 24/05/2014. Public notification of the amendments to the register has been given in accordance with the Queensland Heritage Act.

ACTION PLAN (The following table lists the actions that have been identified as a result of the quarterly review of the Operational Plan for the period October to December 2014. The actions are listed in the table below, along with the responsible officer, the status of the action, the percentage of completion, the completion date, and the progress comments.)						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
6.6.13.1 Process all applications in accordance with the relevant legislation and timeframe.	Planning Services	Manager Planning and Development	Ongoing	-	30/09/2015	We currently process all DA applications within the statutory timeframe.
6.6.13.2 Undertake a review of new Act and Regulations when it comes into effect including changes to the OPP and the Regional Plan to ensure that the Planning Scheme does not conflict with this legislation and related documents.	Planning Services	Manager Planning and Development	Deferred	40%	30/09/2015	All work towards the new Act has been suspended pending the State Government election. The new Act has not yet commenced, and it seems that it will only start in early 2015 pending the outcome of the State Government election on 31 January 2015. Once more certainty on the format and the rules and regulations has been received from the State, only then can we progress with this.
6.6.13.3 Review Development Assessment procedures to accord with proposed new Planning Act.	Planning Services	Manager Planning and Development	Ongoing	-	30/09/2015	SDRC submitted comments to the State on the new rules. The State process is still underway, and we await further feedback from them first quarter 2015.
6.6.13.4 Continue to provide interest group forums including gas and Development Assessment, Tourism, Economic Development, and Agriculture.	Planning Services	Manager Planning and Development	Ongoing	-	30/09/2015	The non-commercial camping reference group is meeting 3 Feb after we moved some way during our December 2014 meeting. Two business and industry forums were held in December 2014, and several points of concern were discussed. We will be releasing information on the outcome in January 2015, and pending the new
6.6.13.5 Review and expand Council's Development Assessment Panel Structure.	Planning Services	Manager Planning and Development	Ongoing	-	30/09/2015	All work has been done, it now needs to be proof read. All Development Assessment work however will have to be utilised due to the changes in the planning legislation, and this can only commence once the new Act is in place.
ACTION PLAN (The following table lists the actions that have been identified as a result of the quarterly review of the Operational Plan for the period October to December 2014. The actions are listed in the table below, along with the responsible officer, the status of the action, the percentage of completion, the completion date, and the progress comments.)						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
6.11.2.1 Review pest management services in accordance with legislative requirements, currently a requirement and to ensure protection of the environment, and control related Capital	Rural Lands Program	Local Leave Coordinator	In Progress	60%	30/09/2015	Pest Management services are reviewed constantly. Capital works on the wild dog check fence is planned in April - May each year after the storm season.

8.3 BCS - Proposed Trustee Lease to Allora Men's Shed

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Acting Manager Corporate Services Temporary Leasing Officer	File Ref: 05.18.05

Recommendation

THAT Council enter into a Trustee Lease with Allora Men's Shed over part of Lot 125 ML1959 (known as Allora Scout Group Park) with Allora Men's Shed being responsible for all associated fees with the preparation of the Trustee Lease including survey costs.

Report

Allora Men's Shed (AMS) has approached Council requesting a lease over Lot 125 ML1959 (Allora Scout Group Park). AMS would like to use this land to further expand their current operations and also allow room for future expansions. AMS wish to lease the area on the eastern side of the land, which includes the former scout hut. AMS intend on constructing a fence around the proposed lease area, renovate the existing former scout hut and erect a shed if a Trustee Lease is executed.

This part of the land was previously leased to Allora Scout Group but the Trustee Lease was surrendered in 2006. The land has been maintained by Council since the Trustee Lease was surrendered. By leasing a part of the land, this will reduce maintenance costs for this park. This parcel of land has been on the Parks Rationalisation list.

AMS currently hold a lease over Lot 1 RP70817 (80 Herbert Street, Allora), which they wish to retain and continue with upgrades.

Budget Implications

Anticipated additional revenue through Community Organisation Lease Fees - \$197.90 per annum plus CPI.

All costs and fees associated with the preparation of the Trustee Lease will be payable by the Allora Men's Shed.

Policy Consideration

Community Plan 2030

1. The Southern Downs Sense of Community
 - 1.2 Develop community hubs as central meeting places that are driven by the community and used for community activities where a sense of community is fostered.
3. The Southern Downs Learning Community
 - 3.2 Increase effective use of existing facilities and leaning environments for multiple purposes including informal community education programs.

- 3.3 Create and sustain community learning hubs that share resources and skills.

Community Engagement

Nil.

Legislation/Local Law

Nil.

Options

1. Consider moving the land to Freehold.
2. Enter into a Trustee Lease for part of lot.
3. Investigate possible lease of area on other side of the creek.


Attachments

1. Site Map of Lot 125 on ML1959 [View](#)



8.4 BCS - Executive Performance Report

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Manager Corporate Services Acting Manager Corporate Services	File Ref: 06.01; 06.03.01

Recommendation

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

Budget Implications

Nil.

Policy Consideration

Operational Plan 2014-2015

8.6.1 Develop and implement policies and procedures to effectively manage HR resources and practices across the entire Southern Downs.

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

Community Engagement

Nil.

Legislation/Local Law

Nil.

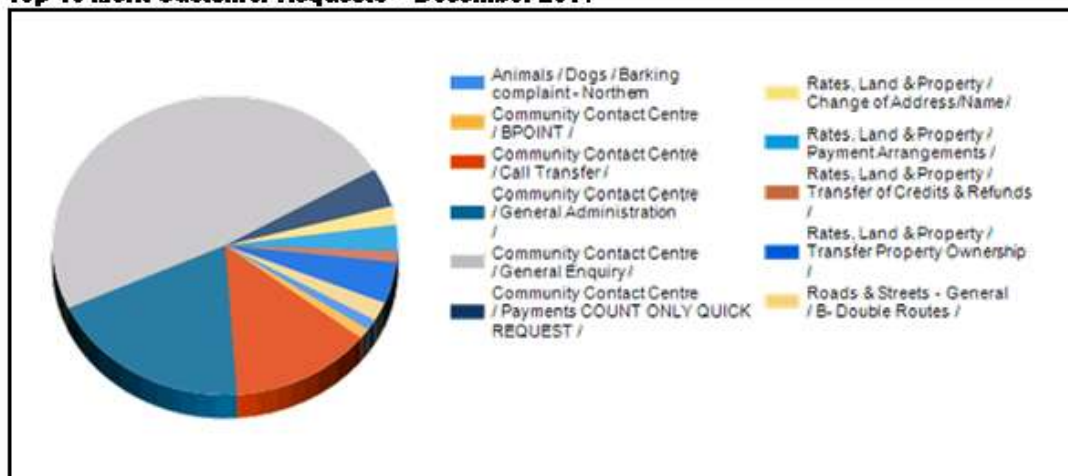
Options

Nil.

Attachments

1. Executive Performance Statistics [View](#)

Top 10 Merit Customer Requests – December 2014



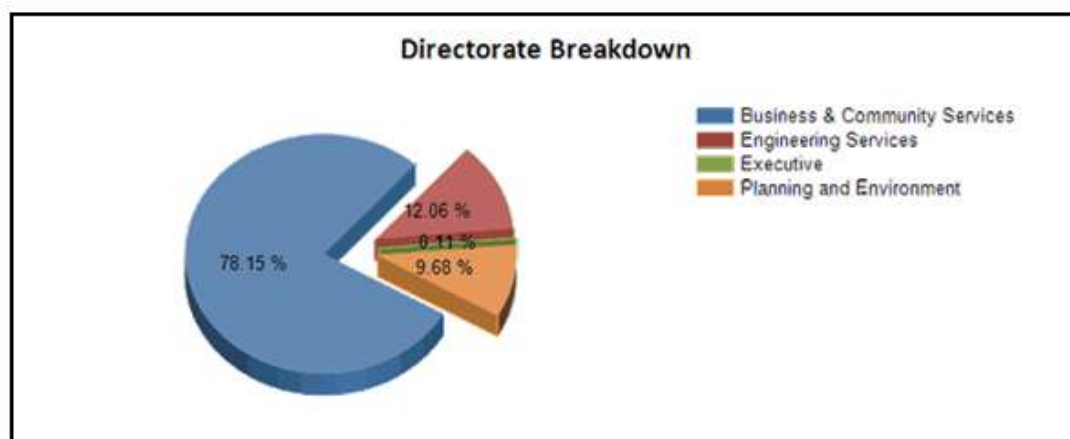
Request Type	Managed	Unfulfilled	In Time
CCC General Enquiry	967	967	967
CCC General Administration	383	383	383
CCC Call Transfer	265	265	265
CCC Payments Count Only Quick Request	84	84	84
CCC BPOINT	23	23	23
Rates, Land & Property - Transfer Property Ownership	88	5	45
Rates, Land & Property - Payment Arrangements	55	52	52
Rates, Land & Property - Change of Address/Name	41	0	7
Rates, Land & Property - Transfer of Credits & Refunds	26	24	26
Roads & Streets - General - B- Double Routes	41	39	39
Animals / Dogs / Barking complaint - Northern	23	19	23

Merit Customer Interactions – December 2014

How Received	Count
Telephone	1,959
Document Management	384
Walk In	236
Internal	19
Web	14
Traveller	14
Letter	11
APP	5
E-Mail	3
Total	2,645

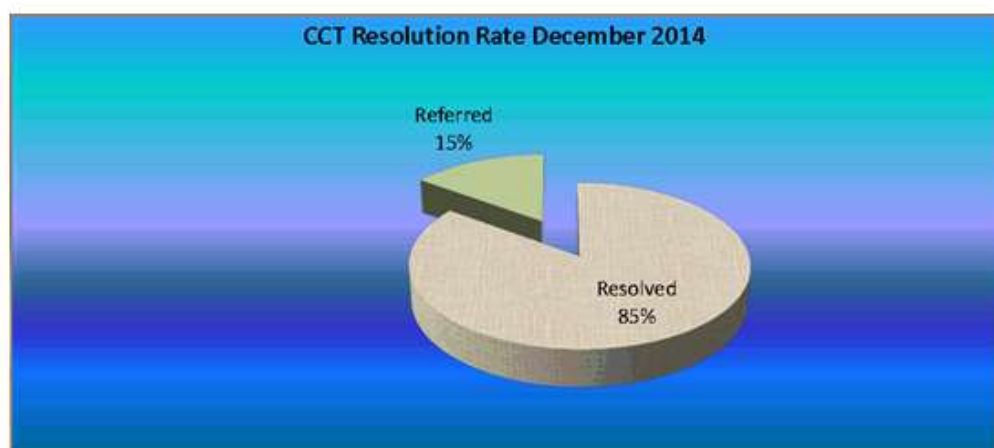
Merit Request Status – December 2014

December 2014	Business & Community Services	Engineering	Executive	Planning & Environment	Total
Overdue	0	23	1	5	29
Open	11	19	1	21	52
Completed	2068	300	2	235	2,603



Community Contact Resolution Rate

Total Customer Contacts	Resolved at Contact	Referred On
2,543	2,163	381





Right To Information (RTI) and Information Privacy (IP) Applications – December 2014

On hand 1 st December 2014		Received December 2014		Completed December 2014		On hand 31 st December 2014	
RTI – 4	IP – Nil	RTI – 2	IP – Nil	RTI – 3	IP – Nil	RTI – 3	IP – Nil

CCTV Requests for December

7 requests from QPS.

Bang the Table

Water & Wastewater Customer Service Standards – Concluded 12 December 2014 – 5 responses were received.

Library Visitors – December 2014

Warwick	Allora	Mobile	Stanthorpe	Online	TOTAL
4,659	752	418	5,208	767	11,804

New Food Businesses Lodged Since 5 December 2014

Primary Group	Primary Category	Business Name	Location
Food	HighRisk1	Boss Meats	Storm King
Food	HighRisk1	The Rose Town Café	Warwick
Food	HighRisk1	Bluebird Kitchen & Bar	Warwick


New Accommodation Premises Lodged Since 5 December 2014

Nil.

9. ENGINEERING SERVICES DEPARTMENT REPORTS

9.1 Engineering Department Monthly Report

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Director Engineering Services	File Ref: 04.15.01

Recommendation

THAT Council receive the Engineering Services Department Monthly Report and recommend advertising the fluoridation equipment for removal and sale.

Report

The following is provided for the information of Councillors.

General

- Star pickets used in road reserves remain an issue, in particular now that they are being hidden in grass growth.
- Fluoridation of the water supplies ceased after testing was carried out on 9 January 2015. I recommend advertising the equipment for removal and sale.

Works

Capital Works Undertaken During December 2014

Project:	Gravel Resheeting 14/15 - Stage 2
Budget:	\$1,647,471 (total budget for stages 1,2 & 3)
Description:	Gravel resheeting
Start Date:	1-Dec-14
Est End Date:	27-Feb-15
% Complete:	Stage 1 - 100%, Stage 2 - 5%
Expenditure to date:	\$801,328 (stage 1 & 2)
Estimated Final Expend:	\$1,647,471
Project Officer:	Pat Lyons, Heath Tomkins & Nathan Kamalan
Comments:	Out of 3 stages, stage 1 & stage 2 commenced. Stage 3 will continue to the end of the financial year. Gravel resheeting works scheduled for December 2014 to February 2015 as the full crew will not be working from mid December 2014 to late January 2015 period

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:	23-Dec-14
% Complete:	100%
Expenditure to date:	\$539,115 (including commitments)
Estimated Final Expend:	\$580,000 (including final seal)
Project Officer:	Nathan Kamalan
Comments:	Primer seal from Ch 3.7-5.4 km competed and final seal to be carried out in March 2015

Infrastructure Services

Design

Works Section

Anemone Street Stage 2, Killarney

Planning application was prepared and submitted to the Planning Department for the subdivision of 3 lots to create a fourth lot dedicated to drainage. Contracts have been prepared for the sale of parts of 3 lots affected by the proposed open channel. Quotations were obtained from surveyors to survey the land and prepare the survey plan. A surveyor has been appointed and requested to supply the survey plan by the end of February. This work will also include preparation of the survey plan for a drainage easement over one lot. In principle agreements have been received from the owners of the four properties. 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 & Wastewater Section

Trunk Water Main Replacement Warwick WTP to Golf Links Reservoir

Preliminary plans have been prepared 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. Stage 1 will be the section from the Victoria Street/ Rosehill Road intersection to the Golf Links Reservoir. Plans submitted to Queensland Rail for approval of the proposed railway crossing.

Water Main installation, Burges Road Allora

Survey and design completed for private works requiring construction of a DN100 water main from the Allora reservoir to Burges Road. Water service to be provided to Lot 1 RP117355.

Allora Reservoir Bypass

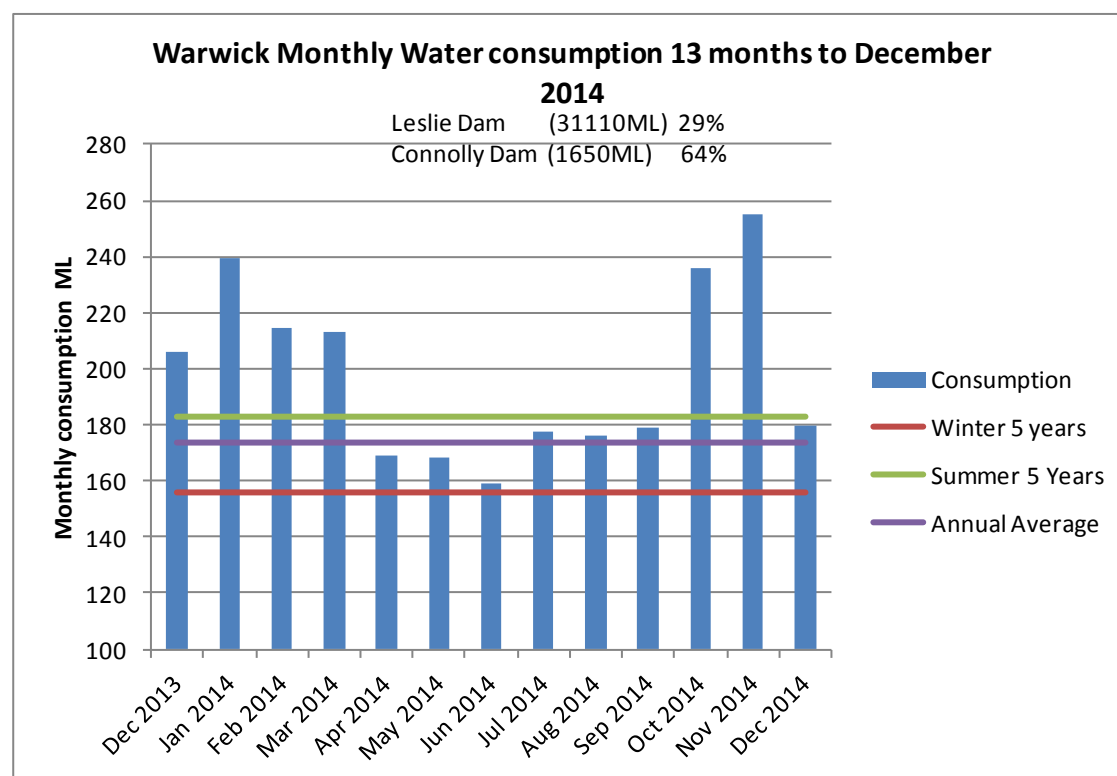
Plan prepared for the installation of DN 150 bypass of the intake at the Allora Reservoir to allow any future maintenance on the reservoir to proceed without having to interrupt supply to Allora.

Water & Wastewater as at 31 December 2014

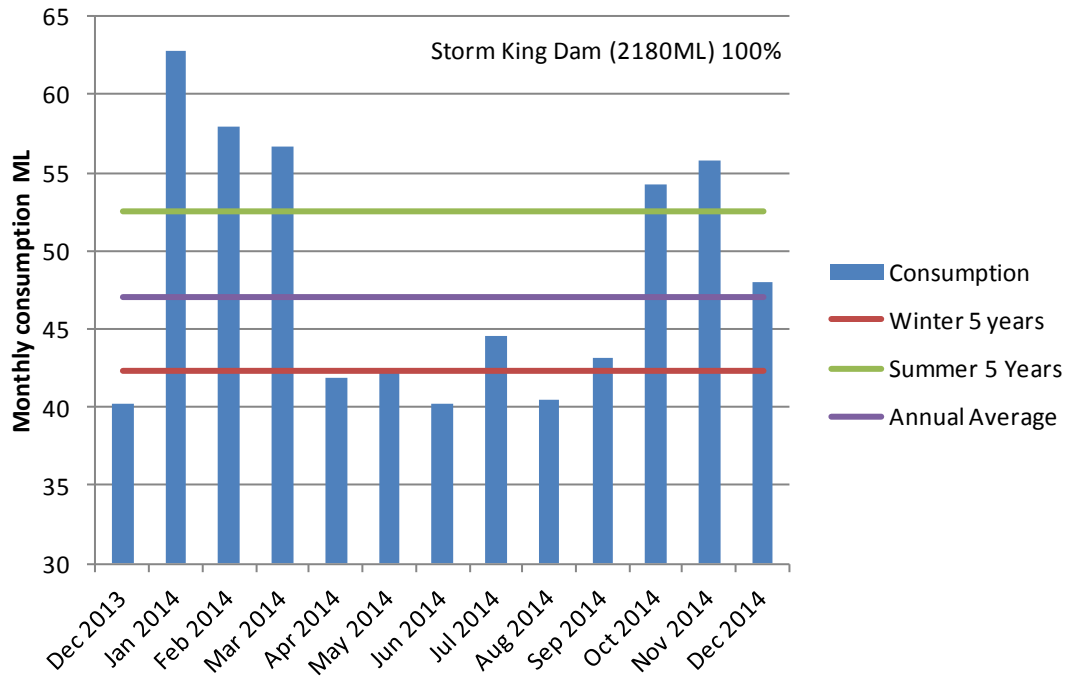
Dam Levels

Water Supply Levels and Monthly consumption at the end of December 2014									
Remaining Supply is based on no rain & current monthly consumption & does not take account of evaporation losses.									
	Water Scheme	Supply Source/s	Supply Capacity (ML/Yr) unless specified otherwise				Demand (ML)		Remaining Supply (Yrs)
			Maximum	Dam % Full	Quantity	Available	Annual	Monthly	
1	Warwick	Leslie Dam (SunWater)	106,200	29.0%	30,798	32,456	2829.06	235.76	3.8
		Connolly Dam	2,590	64.0%	1,658				
2	Stanthorpe	Storm King Dam	2,180	100.0%	2,180	2,180	691.55	57.63	1.1
3	Killarney	Spring Creek Weir & OSS	300	N/A	300	300	169.97	14.16	1.8
4	Wallangarra	Beehive Dam	97	100.0%	97	747	299.46	24.96	2.5
		The Soak	22	100.0%	22				
		Cusack's Dam (Private)	628	100.0%	628				
5	Allora	Warwick WTP			As per Warwick		271.78	22.65	3.8
6	Dalveen	Bore/s	30	N/A	30	30	11.38	0.95	2.6
7	Leyburn	Bore/s	30	N/A	30	30	26.16	2.18	1.1
8	Pratten	Bore/s	30	N/A	30	30	25.87	2.16	1.2
9	Karara	Canal Creek Weir	5	N/A	5	5	2.14	0.18	2.3
10	Yangan	Warwick WTP			As per Warwick		39.36	3.28	3.8
Data is based on water monthly reports of December 2014									
		Leslie Dam (SunWater)	Agreement to hold bottom 15% (15,930) for SDRC. Contract for supply of 3,207 ML/yr						
		Cusack's Dam (Private)	Agreement to hold all licensed supplies (estimated at 528ML) exclusively for SDRC.						
	Note!	Stanthorpe supply is 11 months if evaporation is included.							

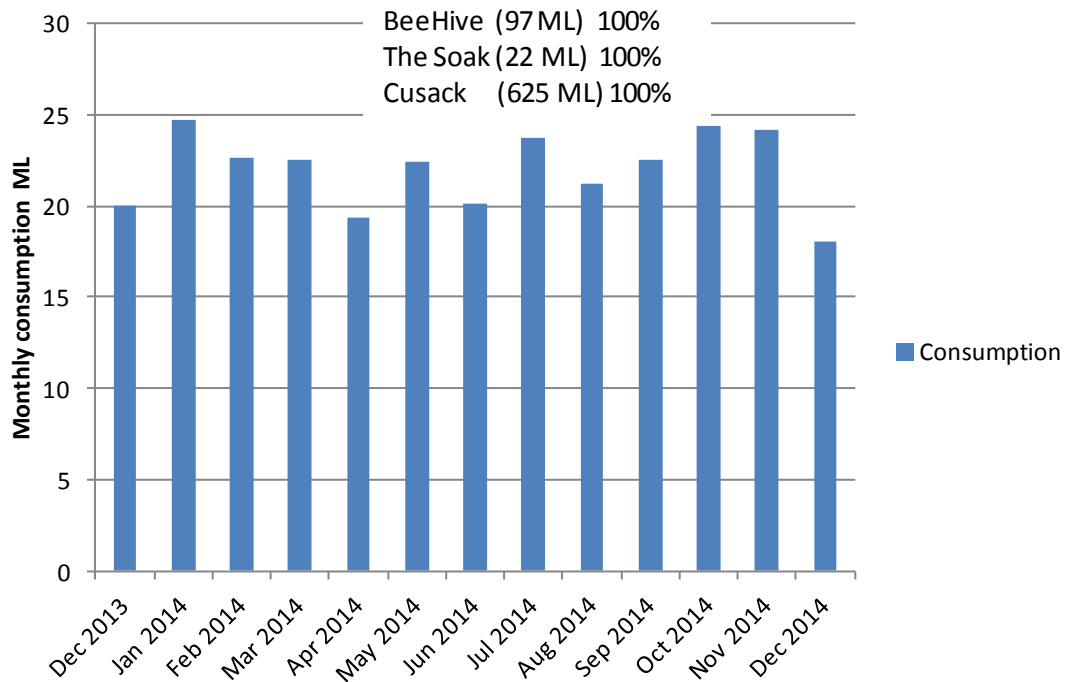
Monthly Water Consumptions

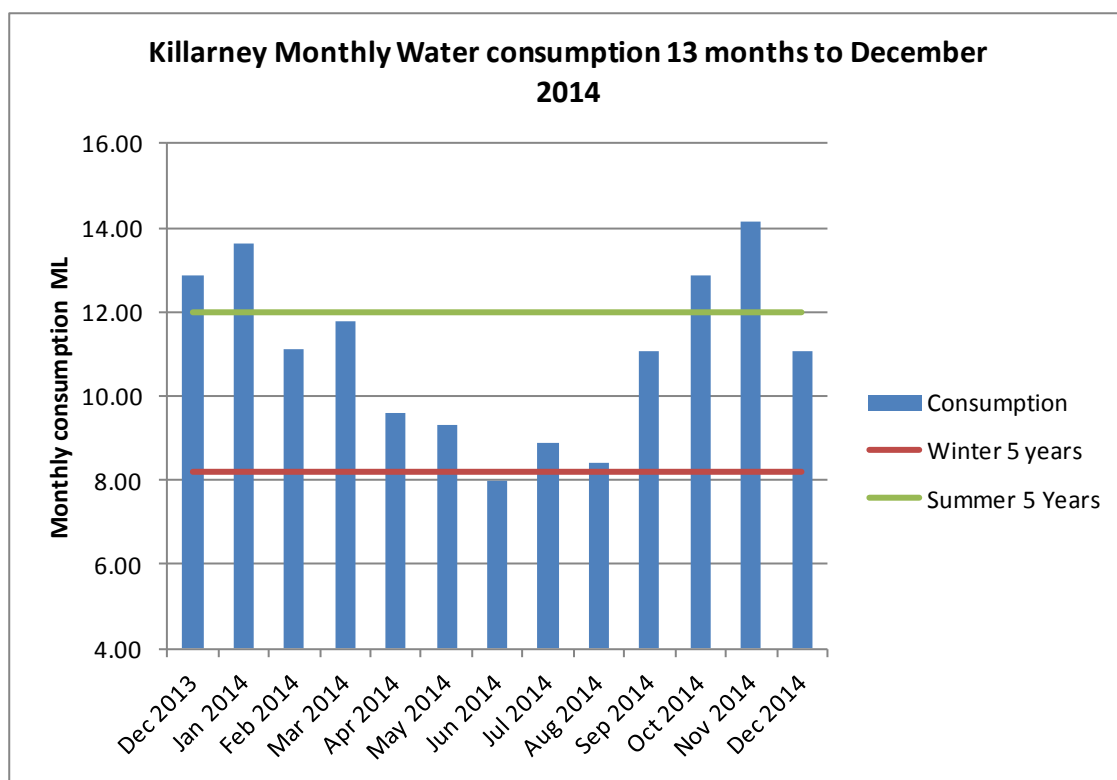


Stanthorpe Monthly Water consumption 13 months to December 2014



Wallangarra Monthly Water consumption 13 months to December 2014





Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Nil

Options


Nil

Attachments

Nil

9.2 Direction from Council on Coal Exploration Drilling

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Director Engineering Services	File Ref: 08.01.04/10.02.04

Recommendation

THAT Council provide direction to staff regarding applications to carry out exploration drilling on road reserves.

Report

Council has received a letter from Sarah Moles on behalf of the Southern Downs Protection Group Inc. A copy of the letter is attached.

The letter requests that Council should deny access for drilling. It further requests that Council change any delegations so that decisions regarding coal mines and related access are removed from staff.

Council staff currently would grant either a minor works permit or an operational works permit to anyone wishing to carry out an activity in a road reserve. Council has previously issued permits for exploration in road reserves. If Council wishes to acknowledge and accept the requests of the Southern Downs Protection Group Inc, Council needs to provide direction to staff.

Budget Implications

Nil

Policy Consideration

Drilling within road reserves can be dealt with as minor works or as operational works.

Community Engagement

Nil to date with the community. APEC Coal Pty Ltd addressed the Briefing Session of Council held on 8 December 2014.

Legislation/Local Law

Nil

Options

1. Council can provide direction to staff as per the request from the Southern Downs Protection Group Inc. or;
2. Allow Council staff to deal with the application when it is received by normal methods.

Attachments

1. Letter from Southern Downs Protection Group Inc. [View](#)

Southern Downs Protection Group Inc
PO Box 83,
Warwick,
Qld 4370

The Chief Executive Officer,
Southern Downs Regional Council
PO Box 26
Warwick,
Qld 4370

20th December 2014

By email: mail@sdrc.qld.gov.au

Re: APEC Coal Pty Ltd and EPC 1506

Dear sir,

I write on behalf of the Southern Downs Protection Group Inc (SDPG) to advise of a meeting we convened at Goomburra on the night of Wednesday 17th December 2014.

About 120 people met at the Goomburra Hall to discuss APEC Coal Pty Ltd's proposal to test drill for coal on some 15 properties located within EPC1506.

The meeting unanimously opposed coal mining in the Goomburra Valley.

Landholders who have been approached directly by APEC Coal have indicated that they will not allow the company access to their farms to drill test cores. Several of these landholders have met with APEC representatives and advised the meeting that the company indicated that if they were refused access to private property they would seek clearance to undertake drilling on Council road reserves or easements.

Cr Jamie Mackenzie advised the meeting that the authority to grant such permission may be delegated to Council's engineer.

The meeting resolved that SDPG write to Council advising of the unanimous opposition to coal mining in the Goomburra Valley and requesting that should APEC Coal Pty Ltd approach Council for permission to drill on Council lands that this be denied.

It logically follows that Council must change any delegations so that decisions regarding coal mines and related access is removed from staff immediately and that decisions about coal mining and access are denied forthwith by council.

There is intense interest and concern about the issue of inappropriate coal mining and unconventional gas development in the local and indeed the wider SDRC area.

SDPG understands that our neighbouring shire, Scenic Rim Regional Council has taken a very strong position on these issues and will not support resource projects within its jurisdiction. With a

similar mix of agricultural and commercial activities and scenic values at stake, SDPG advocates that Southern Downs Regional Council take a similarly strong stand by resolution.

Meeting attendees are most interested in SDRC's position and have asked to be kept informed of your response. I therefore look forward to your reply.


Yours sincerely,

A handwritten signature in dark ink, appearing to read 'S. Moles', with a horizontal line underneath.

Sarah Moles
President
Southern Downs Protection Group Inc

9.3 Future Development of Village Streets

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Director Engineering Services	File Ref: 28.78

Recommendation

THAT Council not consider the capital expense of the sealing of the Region's village streets until the 2019/2020 budget process.

Report

The Southern Downs region has many small villages and historical subdivisions. Most of the villages are only partially developed with some long term buildings/houses existing but with many vacant lots of land available. The attachments to this report show the current development states of the villages. The attachments indicate sealed, gravel and unconstructed roads as well as existing buildings.

Council receives many complaints or requests to upgrade roads to bitumen sealed standard in these villages. In particular, Glen Aplin, Mt Colliery and Maryvale are most common in requesting sealing of roads.

As Council is aware, sealing of roads is deemed to be capital works as a financial category. Council's Roads to Recovery (R2R) and Transport Infrastructure Delivery (TIDS) Funds cannot be used to construct new sealed roads as R2R and TIDS have specific guidelines which means this work cannot be carried out.

A examination of the Asset Management System indicates the following lengths of constructed gravel road in each village.

Village	Length (m)
Maryvale	5,727
Leyburn	1,443
Pratten	2,730
Karara	199
Hendon	4,728
Ellinthorp	21
Mount Colliery	1,556
Tannymorel	0
Dalveen	0
Cottonvale	0
Glen Aplin	1,313
Ballandean	0
Total	17,717

An indicative cost to upgrade the formation and two coat bitumen seal 6 metres width for village streets is \$200/metre length. The current projected cost to seal the existing gravel roads in the

villages listed is \$3,543,400. This figure does not include construction and sealing of any formed or unformed roads and does not include drainage or kerb and channel.

Council is currently seeking to develop the Emu Swamp Dam and Irrigation Project as well as other major capital works such as the Stanthorpe and Allora Streetscapes. Council is also determining strategies to deal with our ageing assets. Based on these issues, it is proposed to place a moratorium on sealing of roads in villages for a period of four years to enable certainty when dealing with requests for capital works in villages.

Budget Implications

The estimated cost to seal all existing gravel roads in the villages listed is \$3,543,400. If the works were to proceed, the costs will need to be built into the 10 Year Financial Plan.

Policy Consideration

There is currently no clear policy on requests for sealing of gravel roads in villages.

Community Engagement

There has been no specific engagement to date.

Legislation/Local Law

Nil

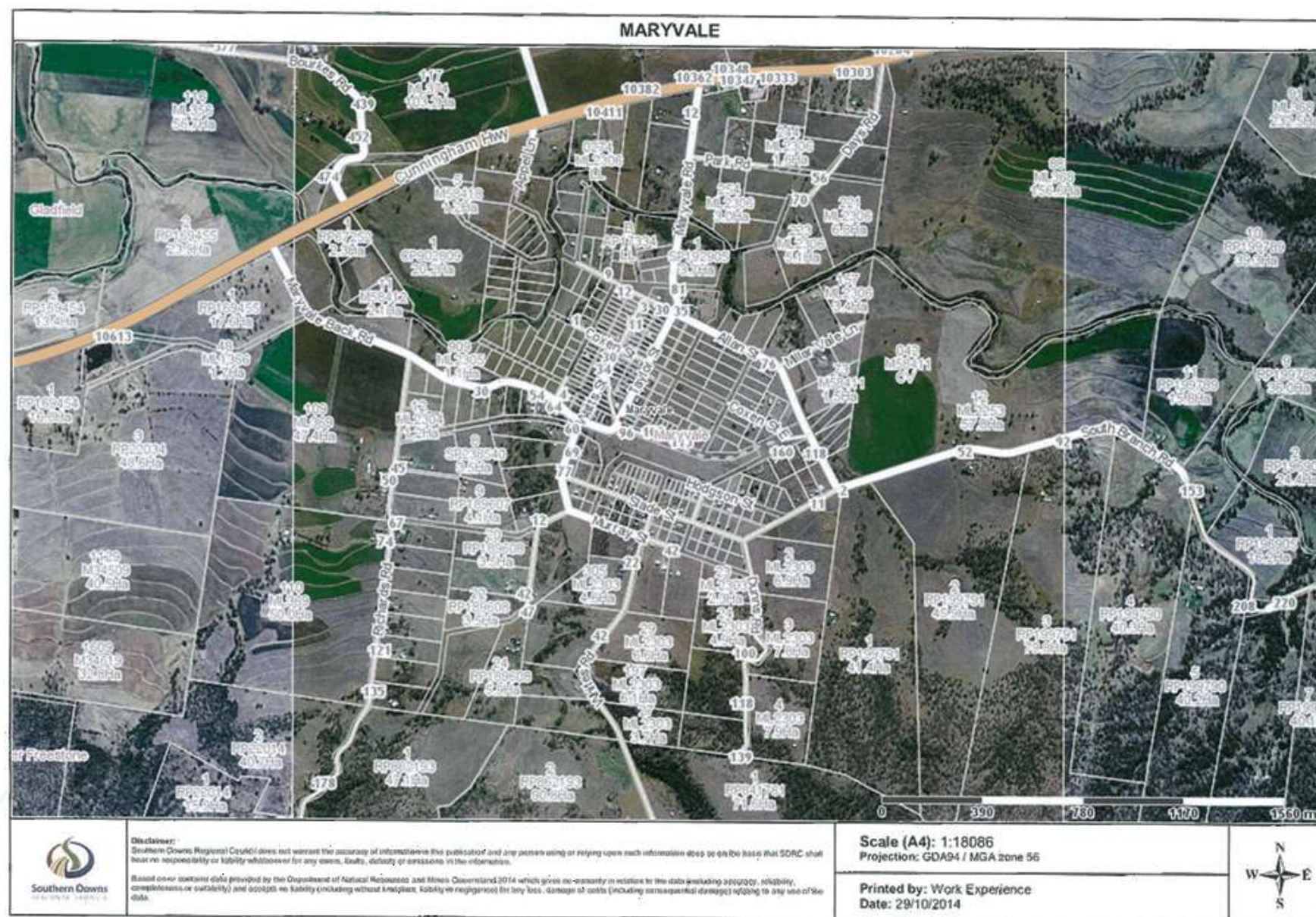
Options

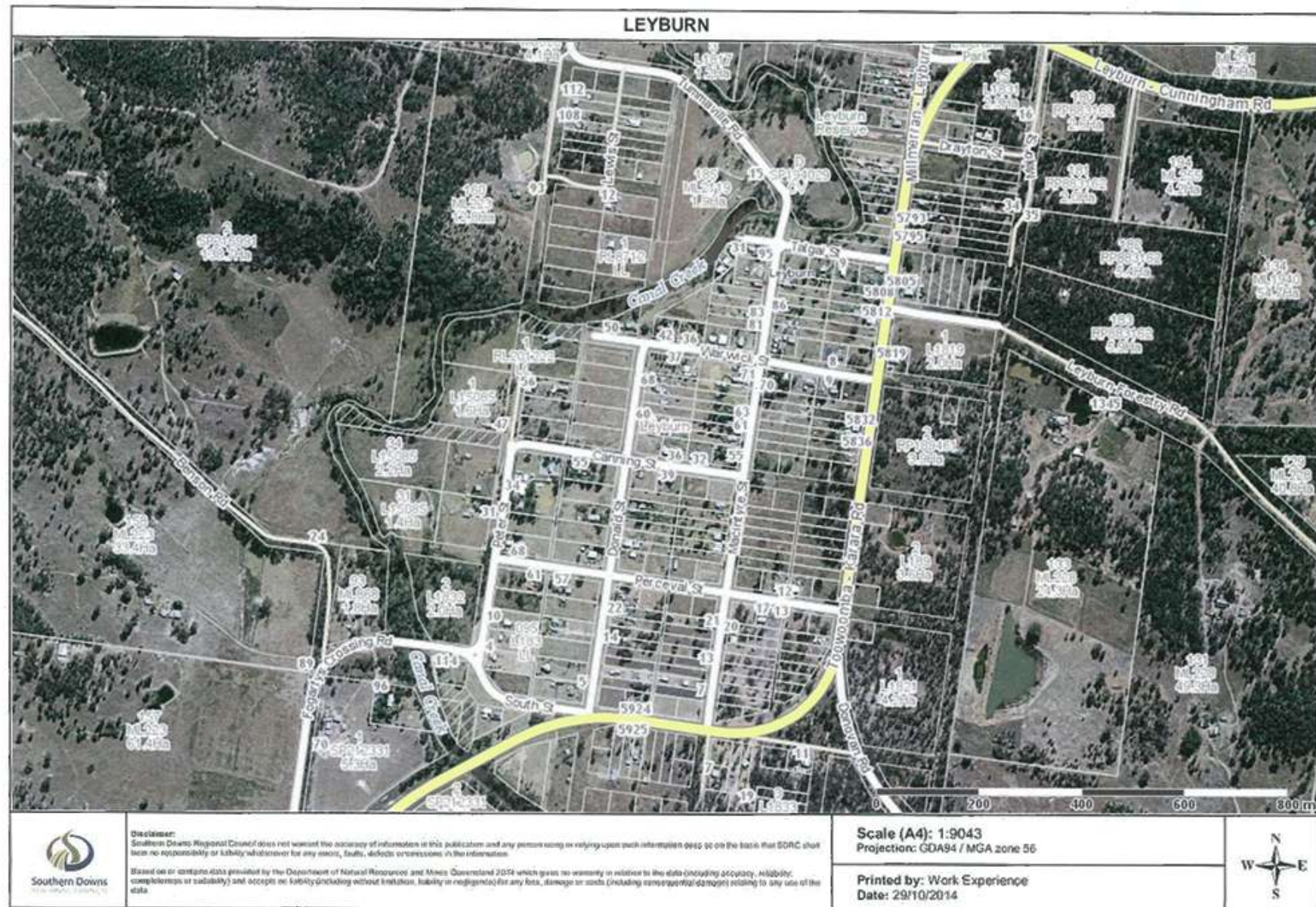
1. Council can implement a moratorium for a period of four years so that certainty in dealing with requests can occur. or;
2. Consider individual requests as per the normal capital considerations.

Attachments

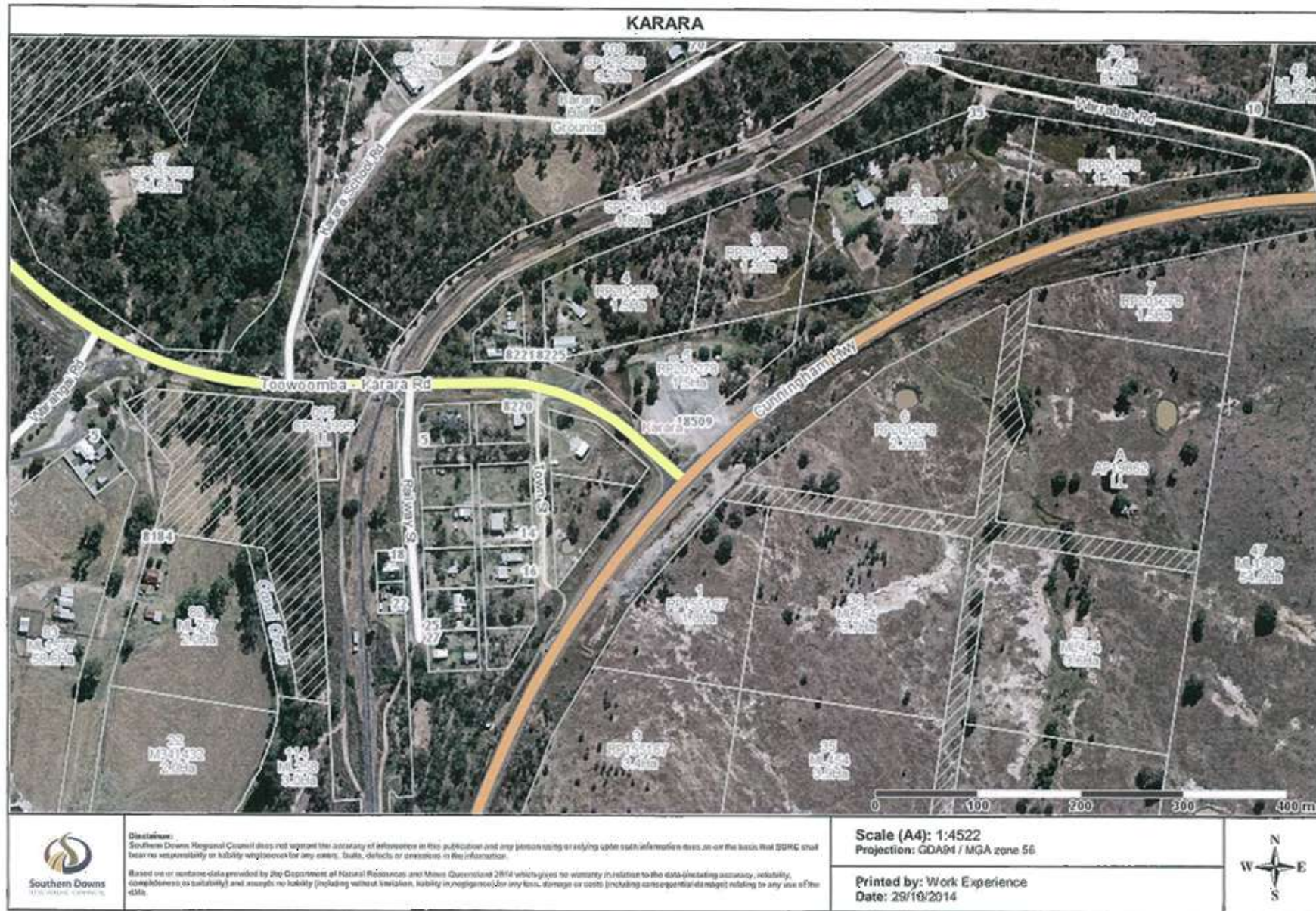
1. Aerial Photos of Village Streets in the Southern Downs Regional Council Region [View](#)

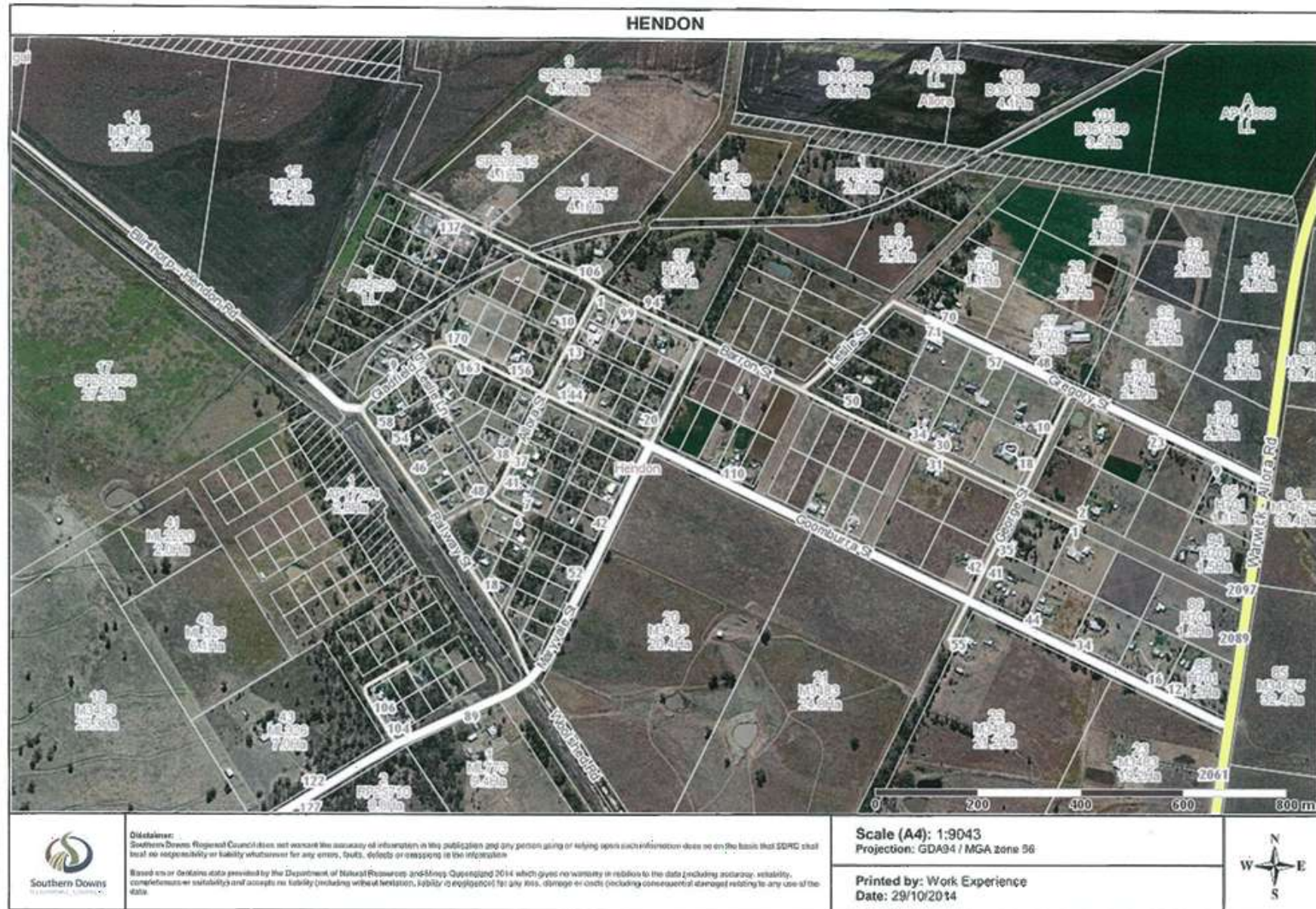
Item 9.3 Future Development of Village Streets
 Attachment 1: Aerial Photos of Village Streets in the Southern Downs Regional Council Region

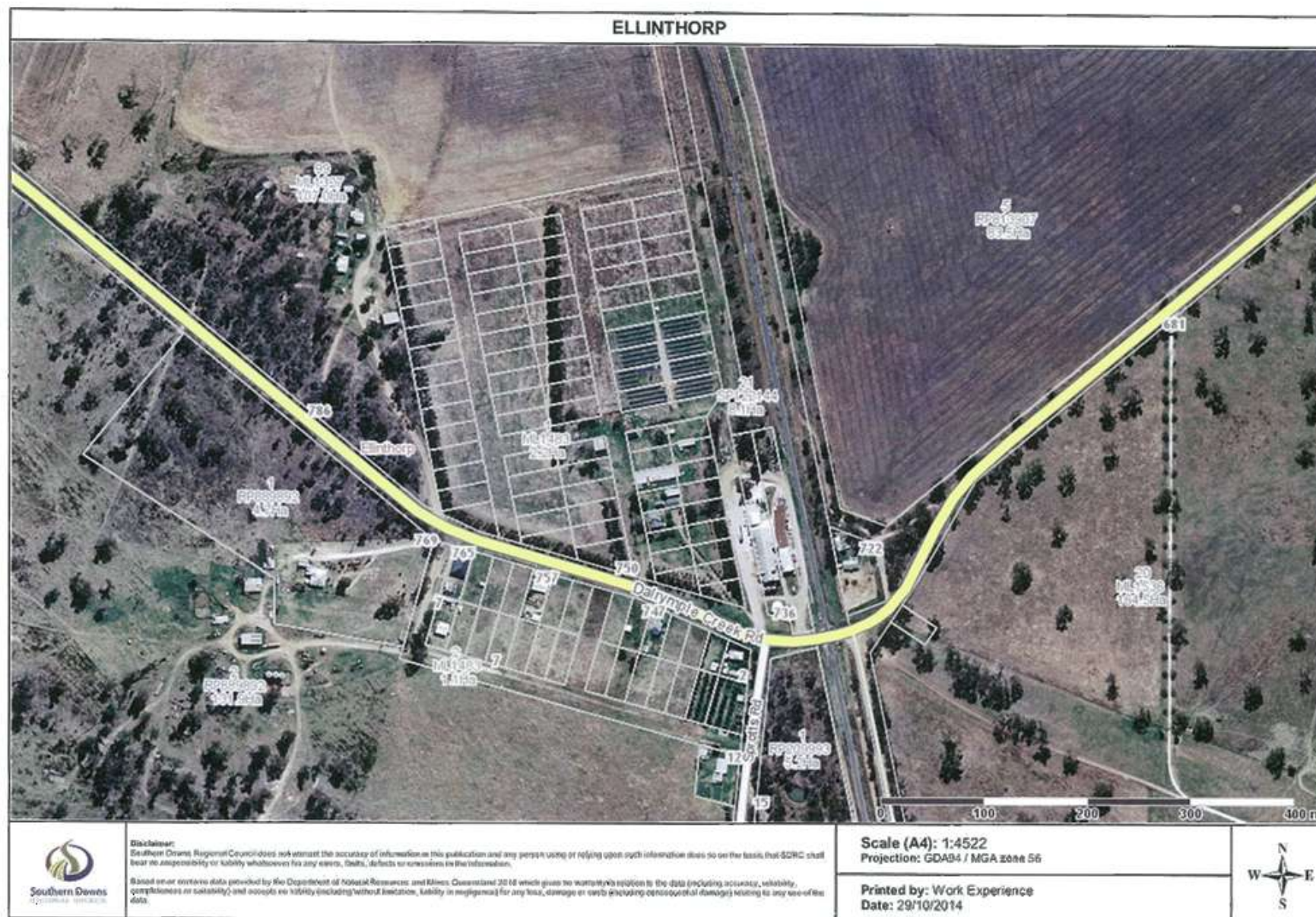


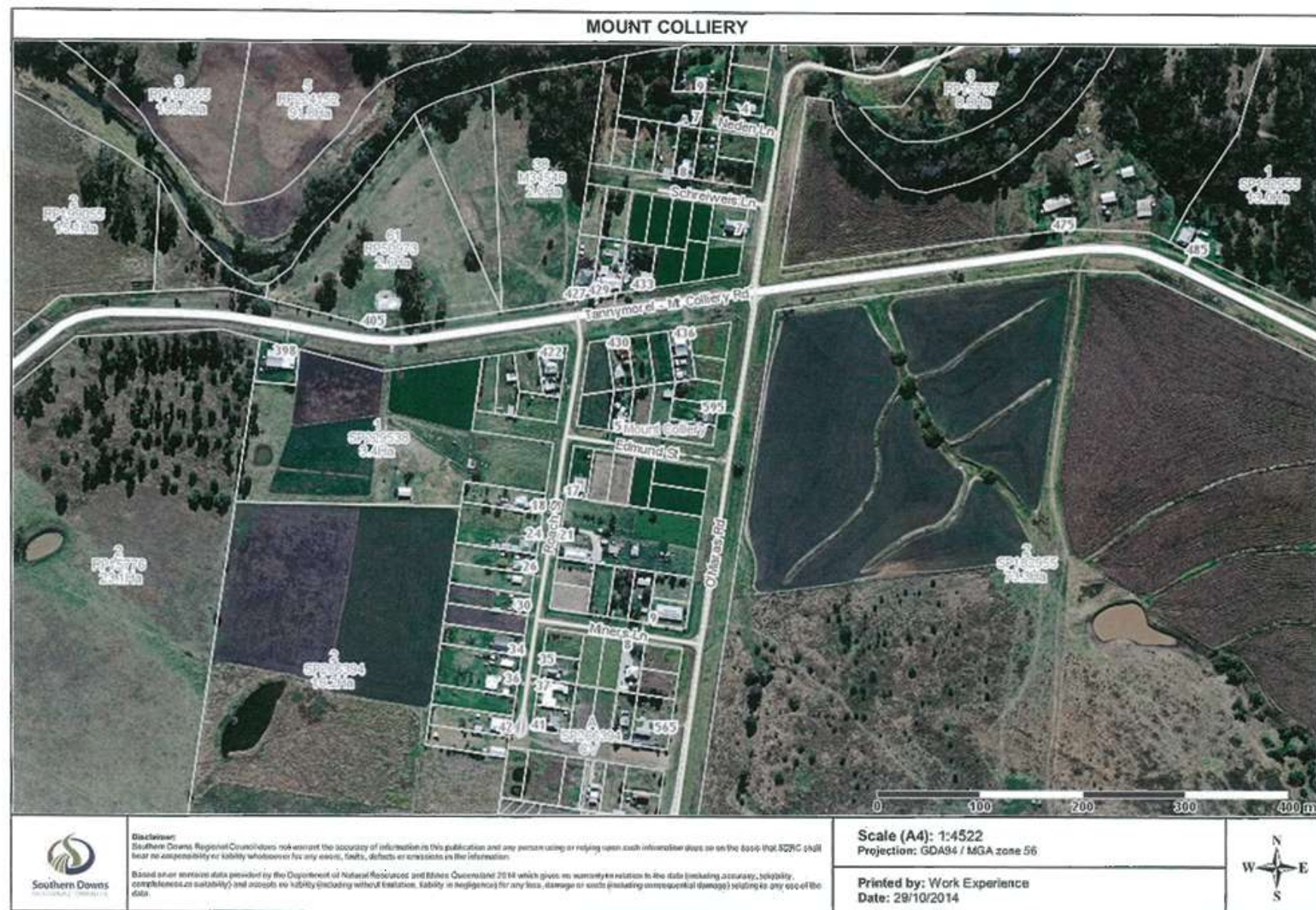


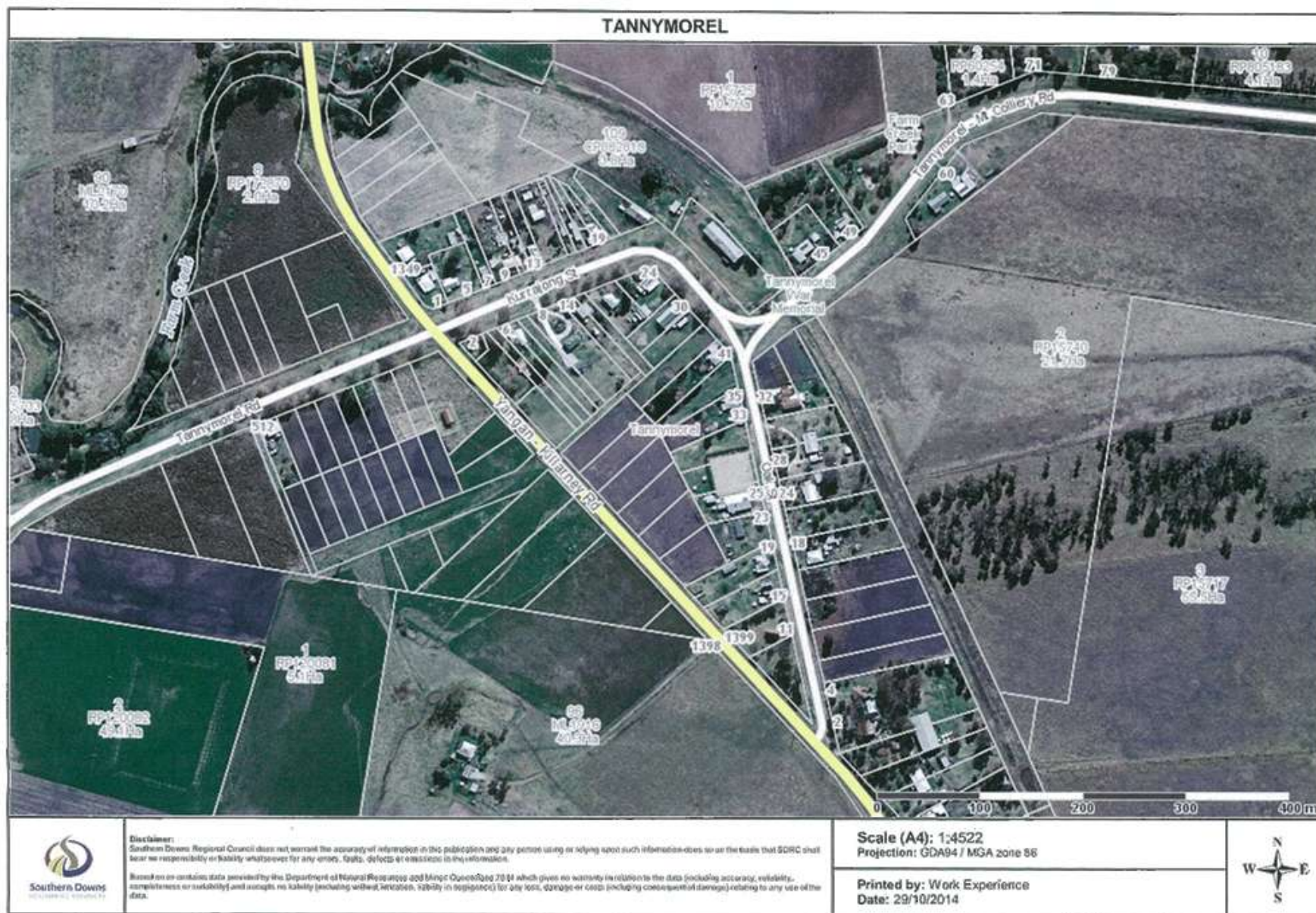


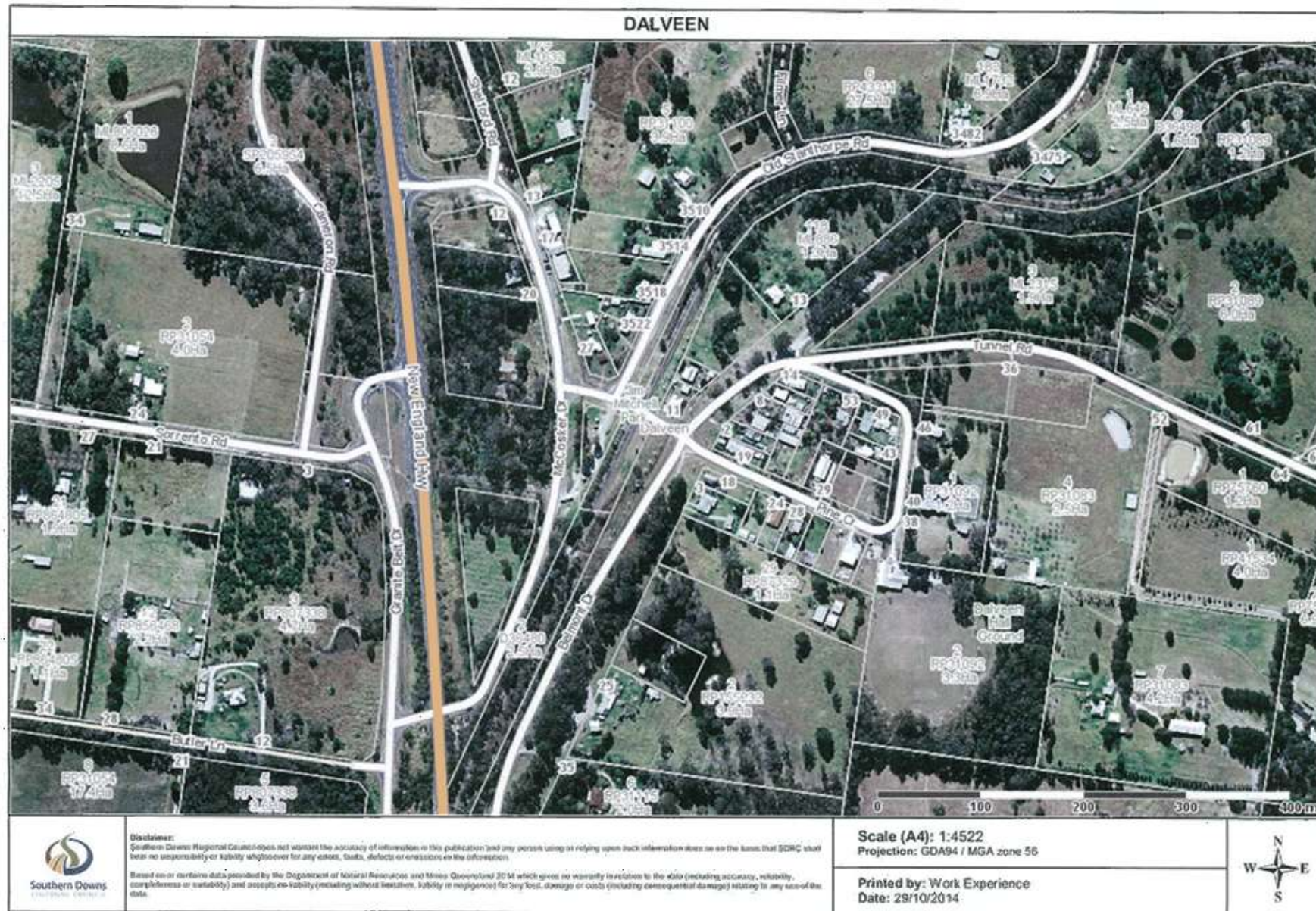




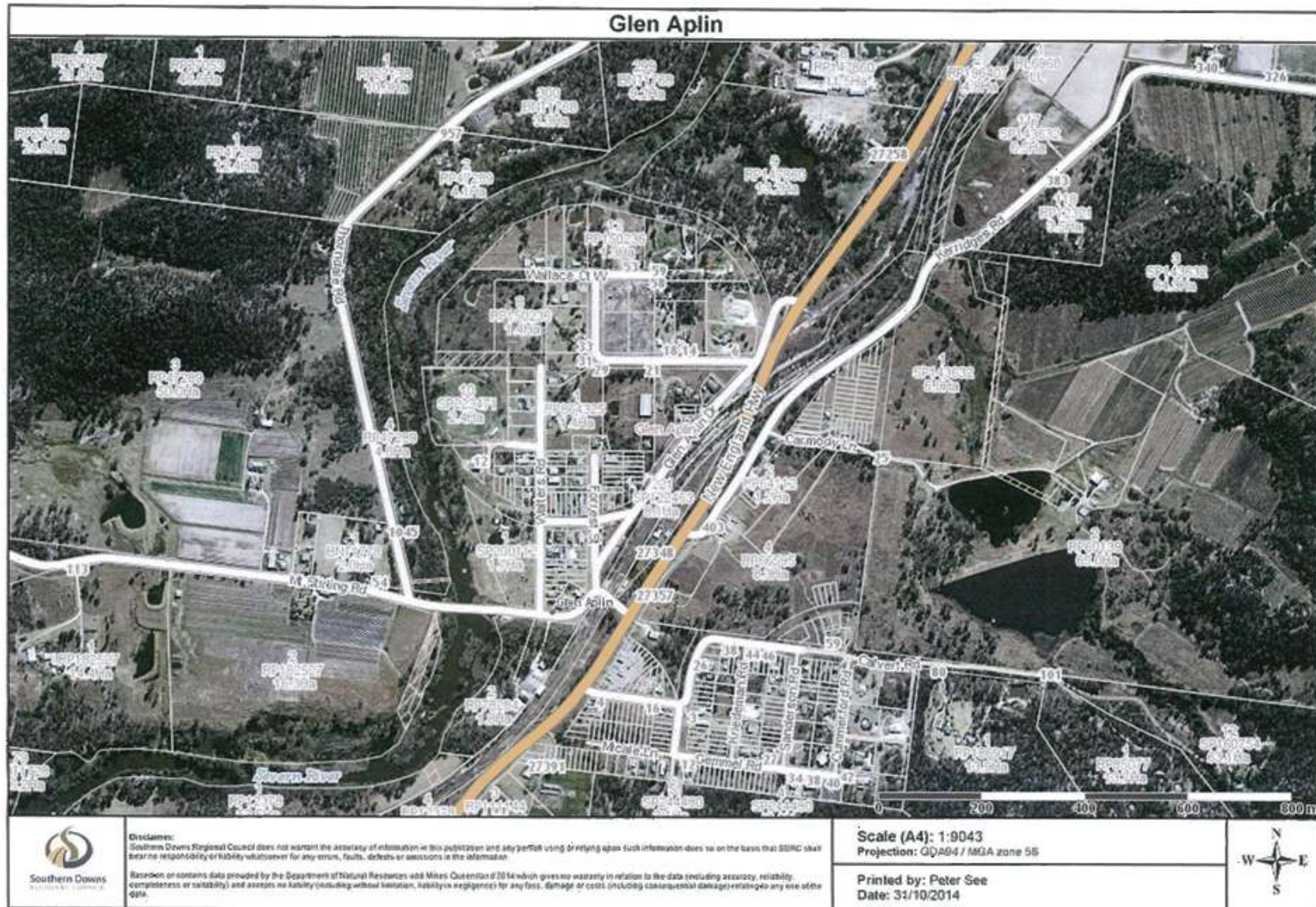


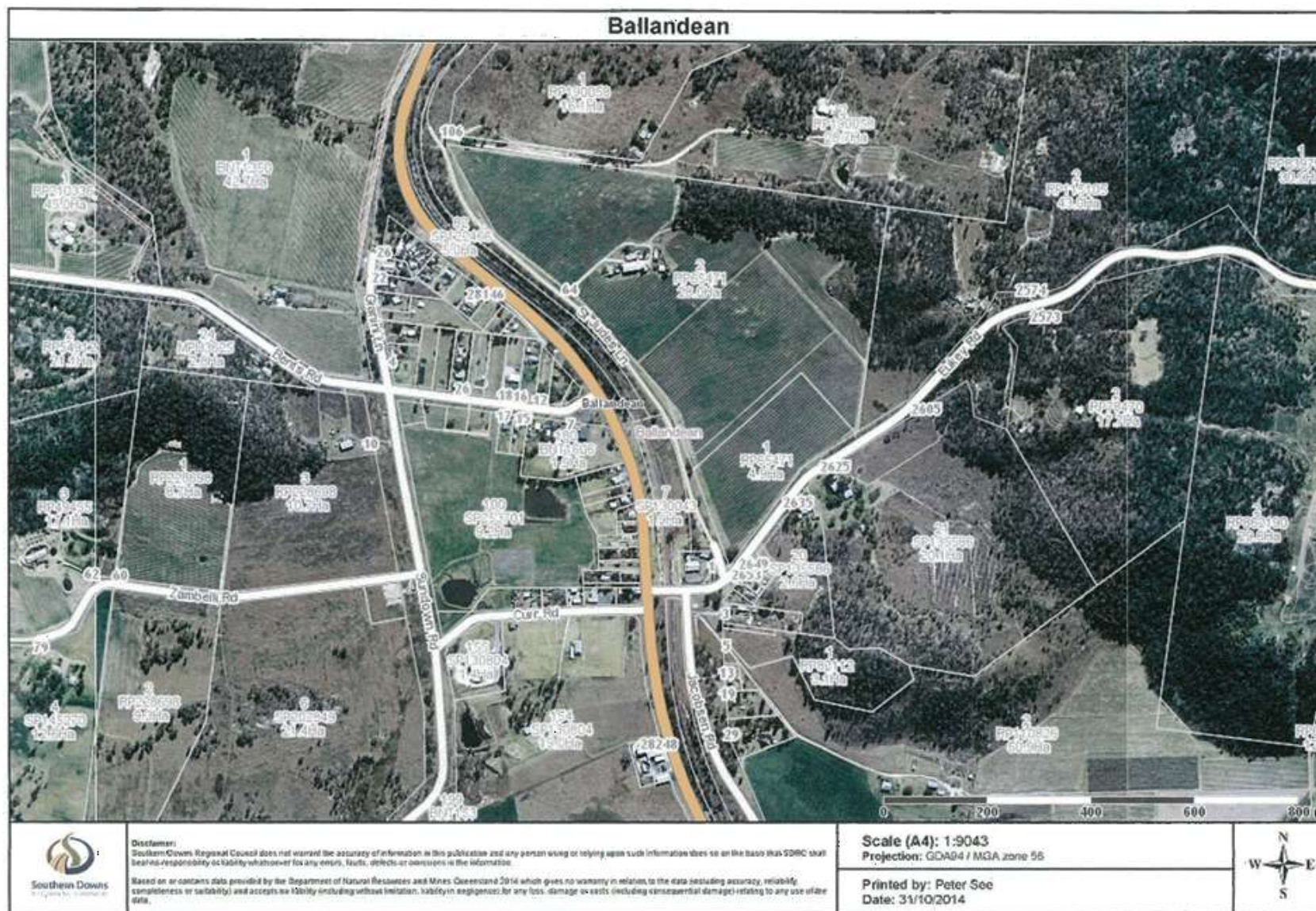













9.4 Proposed Capital Budget Amendment Roads (Anemone Street Postponement)

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Manager Works - Construction	File Ref: 28.78

Recommendation

THAT Council resolve to postpone the physical construction for the capital project “Anemone Street Stage 2 Western End” until the 2015/16 financial year and approve the proposed capital budget amendment as set out in the table below.

Project	Current 2014/15 Budget Allocation	Proposed 2014/15 Budget Allocation
Anemone Street Stage 2 Western End	\$650,000	\$150,000
Inverramsay Road Widening	\$0	\$250,000
Killarney Barlows Gate Road – Major Pavement Repairs/Rehabilitation of failed sections	\$0	\$115,000
Roach Street Bitumen Sealing	0	\$135,000
TOTAL	\$650,000	\$650,000

Report

The purpose of this report is to seek approval from Council to amend the Works Capital Budget. “Anemone Street Stage 2 Western End” was a project that was included in the 2014/15 Capital Budget with a budget allocation of \$650,000. It is likely that the main construction of the “Anemone Street Stage 2 Western End” project will not be able to be constructed in the current financial year due to the length of time required to finalise necessary resumptions associated with the project. It is proposed to postpone the major construction until the 2015/16 financial year and to reallocate the majority of the current financial year’s budget for the Anemone Street project to other projects. This will enable the Works Construction crews to continue working on approved capital projects for the remainder of the financial year.

The Anemone Street project was to upgrade the western end of Anemone Street from Hibiscus Street. The existing road is in poor condition and does not have kerb and channel or underground stormwater. The new construction will be a 7.5m wide bitumen seal with kerb and channel. The project will also include installation of underground stormwater pipes in Anemone Street and an open drain through easements/reserves to discharge the stormwater at a legal point of discharge. Detailed design has progressed through the 14/15 year and the resumption process for resuming easements through private property for drainage purposes is progressing. Given the length of time the resumption process may take there is a risk that the Works Construction Department run out of work before Anemone Street is ready to commence. The existing capital budget allocation for the Anemone Street Project would not be able to be spent before the end of the 2014/15 financial year.

It is proposed to reallocate a significant portion of the 2014/15 Anemone Street Budget to new projects to allow the resumption process to be finalised and to postpone the major construction and expenditure for the Anemone Street Project until the 2015/16 financial year. If the project is to be completed in the 2015/16 financial year a capital budget allocation of approx \$600,000 will have to

be made to complete the project when formulating the 15/16 Budget. The following table shows the proposed budget amendments with the proposed projects in order of the officer's priority. A brief description of each of the proposed projects follows.

Project	Current 2014/15 Budget Allocation	Proposed 2014/15 Budget Allocation
Anemone Street Stage 2 Western End	\$650,000	\$150,000
Inverramsay Road Widening	\$0	\$250,000
Killarney Barlows Gate Road – Major Pavement Repairs/Rehabilitation of failed sections	\$0	\$115,000
Roach Street Bitumen Sealing	0	\$135,000
TOTAL	\$650,000	\$650,000

Anemone Street Stage 2 Western End (Proposed Budget \$150,000) (refer Attachment 1 for location)

This allocation is to complete the resumption process including compensation to affected landowners and also undertake some preliminary works such as service relocations (CED, Water, Telstra) etc for the project. The major road and stormwater construction will take place in the 2015/16 financial year provided it is included in the upcoming budget.

Inverramsay Road Widening 2.85 km to 3.70km (Proposed Budget Allocation \$250,000) (refer Attachment 2 for location)

The proposed project is to undertake road widening from chainage 2.85km to 3.7 km. Inverramsay Road is a collector road and is a local road of regional significance which services the farming community in the Goomburra Valley and also leads to the Goomburra Forest and National Park. The existing road has a single lane bitumen seal width which is too narrow. The widened pavement will have a seal width of 7m. Council commenced widening the narrow bitumen seal in late 2014. The project did not extend as far as originally planned due to additional costs associated with poor subgrade etc. The proposed project would allow the completion of the original scope. It is planned to continue this work progressively in future years utilising under the TIDS program.

Killarney-Barlows Gate Road Major Pavement Repairs/Rehabilitation (Proposed Budget Allocation \$115,000) (refer Attachment 3 for location)

Sections of the bitumen sealed section of Killarney Barlows Gate Road have rutted to such an extent that it is now becoming dangerous for a small car to drive on. The ruts are so deep that there is a risk of scraping the sump of a small car. It is proposed to undertake major pavement repairs to the failed sections maintaining the existing seal width and reinstating appropriate drainage. If this work is not undertaken the failed sections will have to be returned to a gravel road surface to make it safe. The worst sections are in the vicinity of Chainage 3.0-3.5km.

Roach Street Bitumen Sealing (Proposed Budget Allocation \$135,000) (refer Attachment 4 for location)

Roach Street is a gravel road in the village of Mt Colliery. It is considered by the officers to be the next highest priority for sealing village streets. Roach Street in Mt Colliery is a gravel road with access from one end only. It is approximately 400 m long and has 15 existing houses fronting this road with new houses continuing to be built in this area on vacant allotments.

Budget Implications

There will be no net impact on the capital budget if the funds are reallocated to other projects. If the budget is not reallocated there is a high risk that work will not be able to commence on Anemone Street until late in the financial year and the construction crews will not have sufficient work to keep them fully engaged. The majority of the Anemone Street budget would not be spent in the current financial year. To remain eligible for Roads to Recovery funding Council is obligated

to ensure that its spending on roads is maintained at its previously benchmarked levels. Given that the roads capital budget was reduced slightly in the 2014/15 budget it is important that Council expend its entire roads capital budget this year.

If the Anemone Street project is postponed until next financial year it will be necessary for the 2015/16 capital budget to include an allocation for the Anemone Street project.

Policy Consideration

Corporate Plan

4.13 Investigate strategies for the provision of infrastructure for villages

7.6 Facilitate a transport infrastructure network that provides adequate accessibility across the region

7.8 Provide well maintained sealed and unsealed roads, including footpaths and stormwater drainage, to determined levels of service as defined in the asset management plan.

Operational Plan

Deliver the 2014/15 Works Construction Capital Works Budget

Community Engagement

Resumption negotiations have been progressing with the affected landowners. The timeframes associated with the legal/planning process is high risk area for delaying the start of the Anemone Street project.

Legislation/Local Law

To remain eligible for Roads to Recovery funding Council is obligated to ensure that its Council sourced spending on roads is maintained at its previously benchmarked levels. Given that the roads capital budget was reduced slightly in the 2014/15 budget it is important that Council expend its entire roads capital budget this year or alternatively Council would have to increase its capital roads expenditure in future years to make up the shortfall, however this would not resolve the risk of the construction crews running out of work.

Options

If the Council does not wish to proceed with some of the proposed new projects, the following are other possible projects that the Council may select from to fully utilize the current allocation. All of these projects are such that the final scope could be matched to an available budget ie the projects would be able to be stopped at any point when the budget allocation was expended. The projects are primarily in the northern area as the Warwick Depot crews are the crews which will be short of work because Anemone Street is not ready to proceed.

Possible Alternative Projects	Description of projects (final length of project would be
Upper Wheatvale Road Widening (refer Attachment 5 for location)	Upper Wheatvale Road is a collector road which currently has a narrow bitumen seal. The proposal would be to continue widening the road from chainage 1.5km to the west. This would be extending the widening work which was done approximately 3 years ago. (Budget unit rate approximately \$300,00/km length dependent upon available budget)
Canningvale Road Widening (refer Attachment 6 for location)	The proposed project would be to widen an existing narrow seal on Canningvale Road from chainage 0.48km to the east. (Budget unit rate approximately \$300,00/km length dependent upon available budget)
Increase the gravel resheeting allocation	Another option would be to further increase the gravel resheeting budget. gravel resheeting would be done at various locations

Attachments

1. Anemone Street Stage 2 Project [View](#)
2. Proposed Inverramsay Road Widening [View](#)
3. Proposed Killarney Barlows Gate Road major pavement repairs/rehab [View](#)
4. Proposed Roach Street Bitumen Sealing [View](#)
5. Proposed Upper Wheatvale Road Widening [View](#)
6. Proposed Canningvale Road Widening [View](#)

Attachment 1 Anemone St Project



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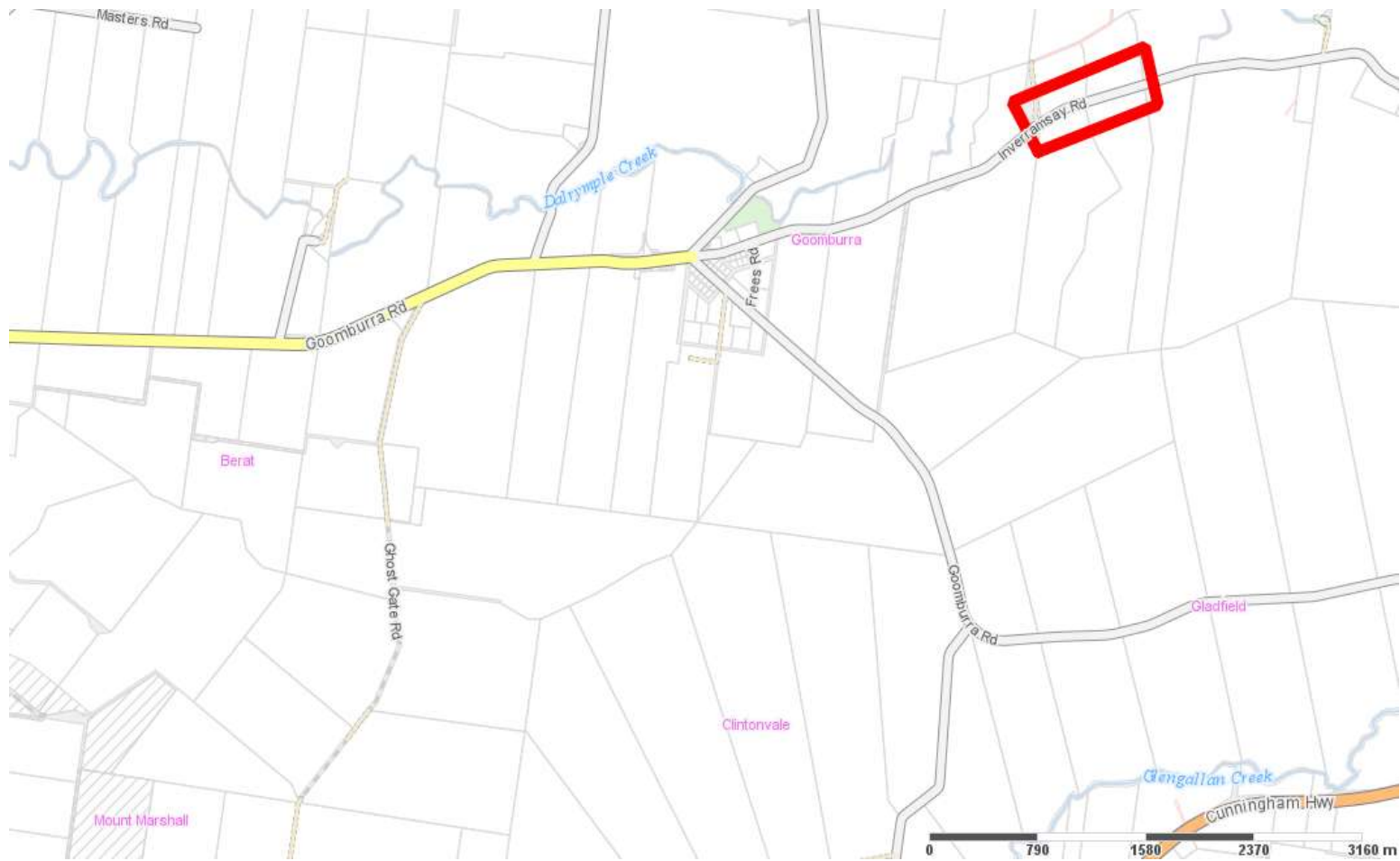
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Scale (A4): 1:4520
Projection: GDA94 / MGA zone 56

Printed by: Eric Kraak
Date: 12/01/2015



Attachment 2 - Proposed Inverramsay Rd Widening



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Scale (A4): 1:36160
Projection: GDA94 / MGA zone 56

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Attachment 3 – Proposed Killarney Barlows Gate Rd Major Pavement Repairs/Rehab



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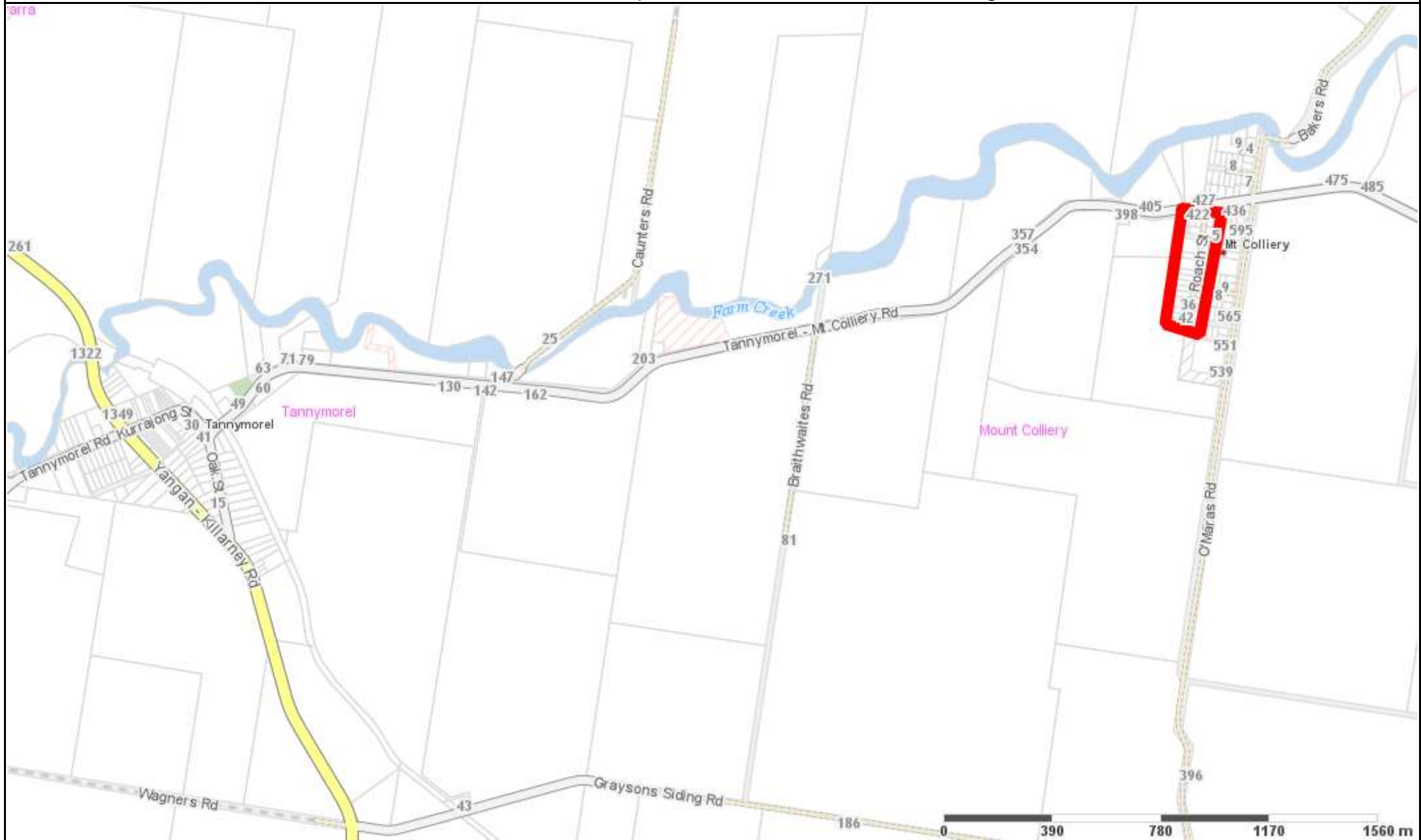
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Scale (A4): 1:18080
Projection: GDA94 / MGA zone 56

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Date: 12/01/2015



Attachment 4 – Proposed Roach St Bitumen Sealing



Southern Downs
REGIONAL COUNCIL

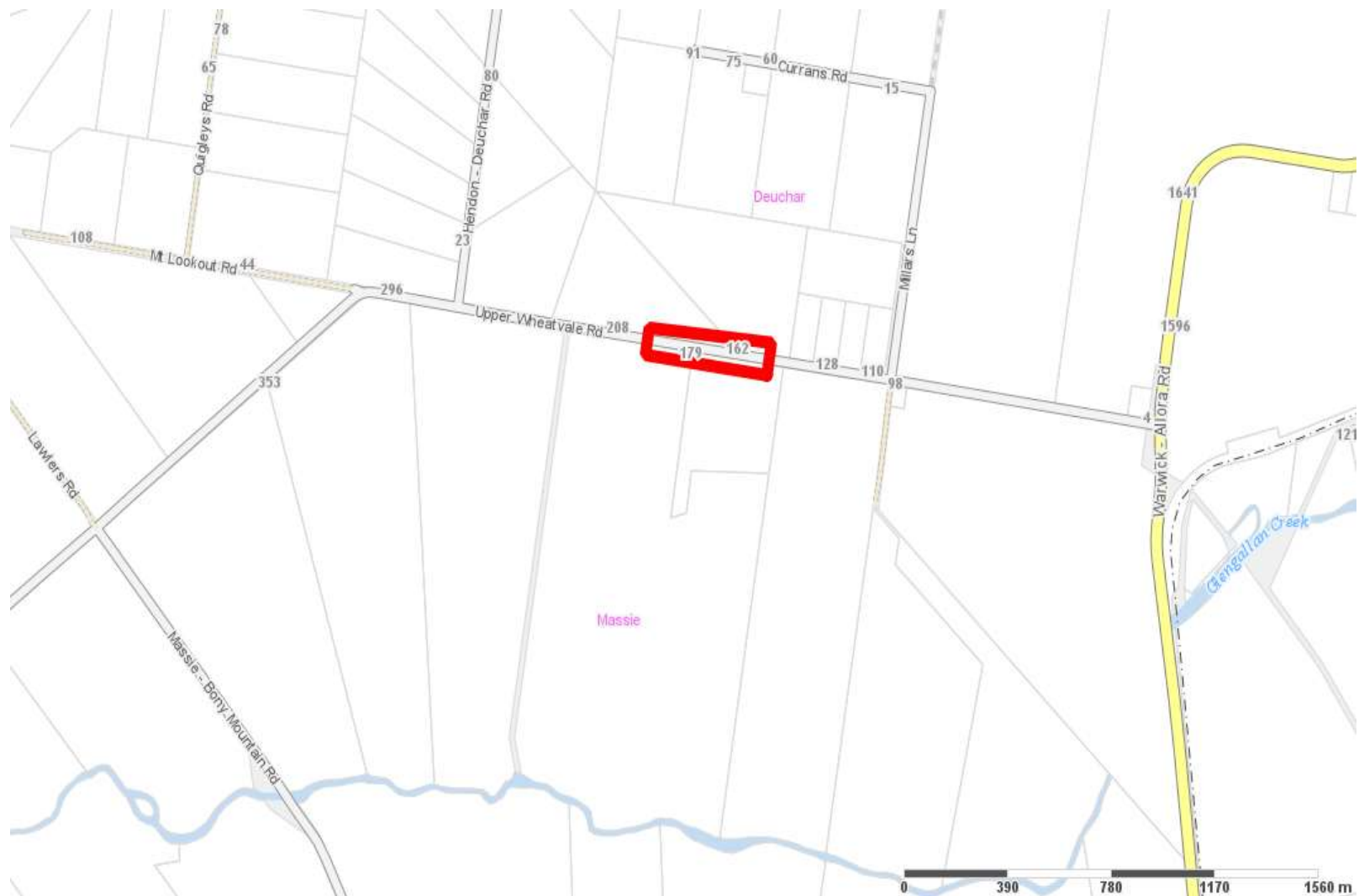
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Scale (A4): 1:18080
 Projection: GDA94 / MGA zone 56



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Attachment 5 - Upper Wheatvale Rd Widening



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Scale (A4): 1:18080
Projection: GDA94 / MGA zone 56

Printed by: Eric Kraak
Date: 12/01/2015



9.5 Dam Safety - Emergency Action Plans for Connolly Dam and Storm King Dam

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Manager Water & Waste Water	File Ref: 32.19/32.25

Recommendation

THAT Council note that it has engaged Jacobs Group (Australia) Pty Ltd to complete the Dam Failure Impact Rating and total Population At Risk of Connolly Dam and Storm King Dam for a total cost of \$49,798.00 excluding GST.

Report

This report provides an update to Council regarding the ongoing consultancy to undertake a Failure Impact Assessment and determination of the total Population at Risk of both Connolly Dam and Storm King Dam for an estimated total cost of \$49,798.00 excluding GST.

Southern Downs Regional Council is responsible for managing, maintaining and operating Connolly Dam and Storm King Dam located within the Council area. These are referable dams. Connolly Dam supplies 30% of the raw water to the Warwick Water Supply Scheme which provides drinking water to Warwick, Yangan, Allora townships and surrounding urban areas. Storm King Dam supplies raw water to Stanthorpe Water treatment plant which supplies drinking water to Stanthorpe town and Applethorpe area.

The Department of Energy and Water Supply (the water regulator) has a mandatory requirement stipulating that water providers (Council) must submit, each year, a comprehensive Emergency Action Plan (EAP) of each dam as a part of Dam Management Plan. Council prepared EAPs for both dams and submitted them in early 2014 to the water regulator. Upon review, the water regulator advised Council to resubmit the reports and incorporate some additional information as required by the recent updates of the Water Supply (safety and Regulatory) Act 2008. This information is all required by end of February 2015.

The EAPs have now been updated but are still incomplete. The remaining information can only be updated after a comprehensive flood analysis undertaken to assess the following:

- Dam failure impact rating of Connolly Dam, the rating shall be for various flooding conditions including sunny day failure.
- Dam failure impact of Storm King Dam, the rating shall be for various flooding conditions including sunny day failure.
- The total population at risk (PAR) affected by each of the flooding condition.

Council has no capability to undertake the above activities and requires help of a subject matter expert.

Jacobs Group (Australia) Pty Ltd (Jacobs), previously known as SKM, recently completed flood studies in Rosenthal Creek, Condamine River and Quart Pot Creek. As the consultant has completed flood modeling and basic surveying details, it was considered expedient and cost effective to engage Jacobs to perform the remaining key tasks. Therefore, on 10th December 2014, Council requested Jacobs to supply a quotation for consultancy services to complete the outstanding tasks.

Jacobs submitted the quotations, copies of which are attached to this report. After negotiations with Council staff, Jacobs submitted a reduced fee on the 18 December 2014. Refer to the attached email.

The reduced cost of this work is summarised in the following table:

	Amount	GST	Total Incl. GST
Connolly Dam	\$ 28,228.00	\$ 2,822.80	\$ 31,050.80
Storm King Dam	\$ 21,570.00	\$ 2,157.00	\$ 23,727.00
Total	\$49,798.00	\$ 4,979.80	\$ 54,777.80

Budget Implications

This activity will cost \$49,798 excluding GST. Funds can in part be sourced for Asset Management Hardware \$5,000, the Stanthorpe Streetscape Masterplan \$10,000, and Rosenthal Reservoir and Pumps \$19,320 (project deferred). This totals \$34,320.00. The remaining funds of \$15,478 excluding GST will be sourced from various maintenance votes contained in the Water and Wastewater Budget.

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

It is a mandatory requirement to submit annual EAP of all critical dams to the Water Supply Regulator according to Water Act 2009. Council faces a financial penalty if we do not comply.

Options

Options considered include:

- Do nothing - If the EAPs are not submitted by the Council as advised by the regulator, the regulator may apply a maximum penalty of \$56,925 for each report amounting to \$113,850.00
- Complete the studies and submit updated EAPs

Attachments

1. Jacobs Group Submission for Failure Impact Assessment Connolly Dam [View](#)
2. Jacobs Group Submission for Failure Impact Assessment Storm King Dam [View](#)
3. Advice from the Water Supply Regulator - EAP Connolly Dam [View](#)
4. Advice from the Water Supply Regulator - EAP Storm King Dam [View](#)
5. E-mail - Revised Fee Quotation from Jacobs Group - FIA Studies Connolly Dam & Storm King Dam [View](#)

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www.jacobs.com



Menik Menikdiweia
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

18 December 2014

JOTS002416

Dear Menik,

Failure Impact Assessment - Connolly Dam

Thank you for the opportunity to provide a proposal for the Failure Impact Assessment (FIA) of Connolly Dam, Silverwood. This proposal is based on the Consultancy Brief provided dated the 10th December 2014.

The objective of this assessment is to provide a revised Population at Risk and Failure Impact Rating for the dam as part of the update of the Emergency Action Plan by the Southern Downs Regional Council (SDRC). It is understood that the previous FIA was undertaken by Parsons Brinkerhoff in 2005 and that there may have been some development of the downstream floodplain since then.

1. Scope of Works

The following details the proposed scope of works to be undertaken to provide a Failure Impact Assessment in accordance with the *Guidelines for Failure Impact Assessment of Water Dams* (DEWS, 2012). A comprehensive assessment including dambreak analysis will be undertaken.

1.1 Data Collation

A review of all available data for each dam will be undertaken prior to the site inspection. Jacobs currently holds much of the required data (URBS and TUFLOW models). It is assumed that any additional available data will be provided upon award of the project.

The required data will include:

- dam safety databook
- best available stage-storage and spillway rating curves for the reservoir;
- type of spillway;
- physical or numerical model studies for the spillways (if available, typically undertaken during the design of the dam);
- surveyed dam crest level;
- general arrangement drawings of dams;

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Filename: P02-SDRC-JOTS002416-FIA-Connolly-REV0_141216.docx
Document no.: JOTS002416-P02

Southern Downs Regional Council
Failure Impact Assessment - Connolly Dam
18 December 2014



- comments on design, foundations and any unusual conditions;
- previous design studies or reports;
- previous failure impact assessment reports;
- previous hydrologic modelling reports;
- Rosenthal Creek URBS model (developed by Jacobs for SDRC);
- Rosenthal Creek TUFLOW model (developed by Jacobs for SDRC)
- recent aerial photography of the storage, catchment and the downstream flow path;
- GIS layer of critical infrastructure across the study area; and
- best available terrain (preferably LIDAR) for the storage catchments and the downstream flow paths.

1.2 Site Visit

A site visit incorporating the dam itself and the downstream failure path is required as part of a Failure Impact Assessment.

It is anticipated that the site visit will be undertaken with a representative of SDRC and can be combined with the Project Kickoff Meeting. No other meetings have been included in the scope. It is assumed that all other interaction with SDRC's project manager will be undertaken via phone and/or email.

Jacobs has also prepared a proposal to undertake a Failure Impact Assessment of Storm King Dam. If the site visits for both assessments can be combined to occur in one day, a cost saving can be achieved across both projects.

1.3 Hydrology

As part of the Condamine and Tributaries Flood Study, Jacobs developed an URBS model of the Condamine catchment to Pratten. The representation of Rosenthal Creek in this model was further refined as part of the Rosenthal Creek Flood Study. This model will be adopted to represent both dam inflows and coincident tributary inflows downstream of the dam.

The representation of Connolly Dam within the URBS model will be reviewed and updated as required to model extreme events such as the Probable Maximum Flood (PMF). Revised dam inflow and outflow hydrographs will be produced for scenarios to be modelled in the hydraulic model. Downstream coincident inflows for the 1% AEP event will be adopted from the existing model without modification.

1.4 Dambreak Modelling

Jacobs developed a TUFLOW model of Rosenthal Creek extending from the intersection of Connolly Dam Road and Rosenthal Road downstream to McEvoy Road just upstream of the confluence with the Condamine River in Warwick as part of the Rosenthal Creek Flood Study. The upstream extent of this model is located approximately 8 km downstream of Connolly Dam.

Filename: P02-SDRC-JOTS002416-FIA-Connolly-REV0_141218.docx
Document no.: JOTS002416-P02

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Southern Downs Regional Council
Failure Impact Assessment - Connolly Dam
15 December 2014



This model will be adopted and extended to the toe of the dam embankment for use in this assessment. It is assumed that the Failure Impact Zone will be confined within Rosenthal Creek and no modelling of the Condamine River will be required. Should modelling identify that the Failure Impact Zone extends into the Condamine River downstream of the Rosenthal Creek model boundary, a variation would be required to extend the dambreak modelling along the Condamine River. It is not anticipated that this will be required.

Based on a review of the previous failure impact assessment and the requirements of the DEWS guidelines, it has been identified that there is a high likelihood that a flood with an AEP between the AEP of the Dam Crest Flood (DCF) and PMF could produce a higher estimated Population at Risk.

Based on this assessment, the following scenarios will be modelled:

- Sunny Day Failure (SDF)
- Probable Maximum Flood Failure (PMFF)
- Probable Maximum Flood No Failure (PMFNF)
- Dam Crest Flood Failure (DCFF)
- Dam Crest Flood No Failure (DCFNF)
- Interim AEP 1 Flood Failure
- Interim AEP 1 Flood No Failure

The most likely failure modes leading to failure for each of these scenarios will be identified based on previous dam safety reports and in consultation with SDRC. No dam structural analysis will be undertaken to identify failure triggers not identified in previous reports. Failure modes may include piping, earthquake induced failure and flood-induced failure.

Results of the dambreak modelling will be analysed to produce outputs required for the Failure Impact Assessment Report including the definition of both total and incremental Population at Risk and Failure Impact Zone. Based on these outputs, a Failure Impact Rating will be identified for the dam.

No determination of the Acceptable Flood Capacity of the dam has been included in this scope. However, should the Dam Safety Regulator request this of SDRC, this could be estimated as a variation to this scope of works based on data generated as part of this assessment.

1.5 Reporting

The report will be structured to meet the requirements of the DEWS Guidelines. The report structure will be agreed with SDRC at the Project Kickoff Meeting. A proposed report structure is provided in Table 1.1.

Following provision of SDRC's collated comments on the draft report, Jacobs will finalise the documentation. It is assumed that SDRC will provide one (1) collated set of comments for each draft report. Once the documents are finalised, RPEQ certification will be completed by Samantha Watt (RPEQ: 10596).

Filename: P02-SDRC-JOTS002416-FIA-Connolly-REV0_141216.docx
Document no.: JOTS002416-P02

3

Southern Downs Regional Council
Failure Impact Assessment - Connolly Dam
18 December 2014



Table 1.1 : Proposed Report Structure

Section		Information included
	Executive Summary	Summary of the following information: <ul style="list-style-type: none"> Type of dam General location of dam Height & storage capacity of dam Description of critical failure event Population at Risk Recommended Failure Impact Assessment Category
1	Introduction	Overview of assessment including structure of document
2	Principle Characteristics of Dam & Spillway	Summary of the following information: <ul style="list-style-type: none"> Catchment description Dam description Spillway description
3	Available data	Summary of data collected for analysis Summary of site visit
4	Hydrology	Summary of: <ul style="list-style-type: none"> Hydrologic modelling undertaken Hydrographs used in hydraulic model
5	Dambreak Modelling	Details of modelling including: <ul style="list-style-type: none"> Model/s used in the analysis Details of model development Adopted model parameters Sensitivity analyses Breach parameters adopted Failure events modelled
6	Consequence Assessment	Details of consequence assessment: <ul style="list-style-type: none"> Summary of methodology Best estimate of Population at Risk Recommended Failure Impact Rating Mapping of failure impact zone

Southern Downs Regional Council
Failure Impact Assessment - Connolly Dam
18 December 2014



Section		Information included
7	RPEQ Certification	Certifying statement including: <ul style="list-style-type: none"> • Name • Registration No • Contact Details • Statement • Signature
8	References	
Appendices		Mapping will be presented in Appendices. Hydraulic model outputs (flood levels / hydrographs) for a range of key locations will be provided in Appendices.

1.6 Mapping & Appendices

A full set of maps will be produced detailing the outcomes of the 2D modelling for each dam. These maps will be full-page A3 maps and included in the report Appendices.

These maps will use colour-coding to clearly demonstrate variations in depth or velocity. Contours will be used to identify water surface levels.

The following maps will be produced for each modelled no-failure scenario:

- 1 map showing the peak flood depth and water surface level contours
- 1 map showing the peak velocity.

The following maps will be produced for each modelled failure scenario:

- 1 map showing the peak flood depth and water surface level contours
- 1 map showing the peak velocity.
- 1 map showing the failure impact zone and identifying the incremental Population at Risk
- 1 map showing the failure wave travel time downstream of the dam
- 1 map identifying critical infrastructure impacted

Should SDRC desire additional mapping outputs, such as Flood Severity, these can be prepared as a variation to this scope of works.

Flood level and flow hydrographs will be extracted from the 2D model at up to five (5) key downstream locations for each of the scenarios. The key locations may include immediately downstream of each of the breach locations, immediately downstream of the spillway, at key bridges, at or near existing houses.

The extracted time-series will be provided in tabular format in the Appendices of the report for each dam:

Filename: P02-SDRC-JOTS002416-FIA-Connolly-REV0_141218.docx
Document no.: JOTS002416-P02

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Southern Downs Regional Council
Failure Impact Assessment - Connolly Dam
18 December 2014



2. Deliverables

The following deliverables will be provided as part of this commission:

- Draft report (1 X PDF electronic copy)
- Final report with RPEQ certification (1 X PDF electronic copy)

3. Personnel

The proposed project team and their nominated roles for this project are:

- Samantha Watt – Project Manager, Nominated Contact, RPEQ
- Shannon Dooland – Project Director & Technical Review
- Greg Rogencamp – Technical Review – Hydraulic Model

Samantha Watt will act as the project manager and provide RPEQ certification of the assessment.

Samantha is a senior civil engineer with over 9 years experience. Samantha is an RPEQ with an in-depth understanding of the Queensland legislation and guidelines pertaining to Referable Dams. She has completed several Failure Impact Assessments including for Borumba, Bill Gunn, Clarendon, Little Nerang and Nindoinbah Dams. Samantha is familiar with the SDRC area including Stanthorpe. She has had an ongoing role in the Condamine and Tributaries Flood Study for SDRC over the past 3 years.

Shannon Dooland will act as Project Director for this study and provide an alternative point of contact.

Shannon is a senior water resources engineer and RPEQ with 14 years experience in flood modelling and dam projects. Shannon has undertaken dam failure impact assessments in South Australia, Victoria, New South Wales and Queensland and has strong experience in extreme event hydrologic assessment and hydraulic modelling (including dam break assessment). Shannon is also very familiar with dam operational requirements through his role seconded to Seqwater as a Senior Flood Engineer from March 2012 to present.

Greg Rogencamp led the recent Stanthorpe Flood Risk Assessment including development of the TUFLOW hydraulic model. Greg will provide oversight of the hydraulic model development to maintain consistency with previous modelling.

Samantha will be supported by a qualified hydraulic modelling engineer.

4. Costs

It is proposed to undertake this project on a lump sum basis for \$ 25,664 excluding GST. This comprises 165 hours in fees and an additional \$300 in expenses. A detailed breakdown of this cost is provided in the estimating sheet accompanying this proposal.

Jacobs has also submitted a proposal to SDRC to undertake a Failure Impact Assessment of Connolly Dam near Warwick. If the site visits for the two assessments can be undertaken on the same day, Jacobs can provide a total saving of \$3,530 excl GST.

Southern Downs Regional Council
Failure Impact Assessment - Connolly Dam
18 December 2014



5. Timing

Jacobs confirms that we can provide the draft report within 4 weeks of the date of commissioning and provision of data.

Jacobs has also submitted a proposal to undertake a Failure Impact Assessment of Storm King Dam. It is understood that these projects will not occur concurrently. However, as noted previously there would be benefit in undertaking the site visits for the two dams at the same time.

6. Terms and Conditions

It is assumed that Jacobs would be commissioned by SDRC under the LocalBuy contract.

Yours sincerely

A handwritten signature in black ink that reads "Swatt".

Samantha Watt

Proposal Manager
+61 7 3026 7986
+61 408 153 987

Southern Downs Regional Council
Failure Impact Assessment - Connolly Dam
18 December 2014



Total				25,664				Hours			
Estimated Fee (Revenue)				Hours	Labour at Sell Rates	Expenses + Markup	Subs As-Sold	Quantity (Share+1)	Expenses and Subcontracts	Markup (Share)	Contractor (Share+Sub)
Level 1 WBS	Level 2 WBS	Level 3 WBS	Level 4 WBS	165	25,364	300	0	43	112	1	3
Connolly Dam				165 hrs	25,364	300					
1.1	Project Management	10 hrs	1,945								
1.1.1	1.1.1 Project Management	10 hrs	1,945								
1.2	Data Collection	8 hrs	1,312								
1.2.1	1.2.1 Collect Data	8 hrs	811								
1.2.2	1.2.2 Assess failure modes	2 hrs	401								
1.3	Site Visit	22 hrs	3,631	300							
1.3.1	1.3.1 Kickoff Meeting	2 hrs	401								
1.3.2	1.3.2 Site Visit	20 hrs	3,230	300							
1.4	Hydrology	14 hrs	2,688								
1.4.1	1.4.1 Review existing LRSS model	2 hrs	381								
1.4.2	1.4.2 Update dam representation	3 hrs	456								
1.4.3	1.4.3 Estimate FIFR inflows to dam	9 hrs	1,251								
1.5	Dam break modelling	62 hrs	7,432								
1.5.1	1.5.1 Extend existing Rosebud On RUFLOW model to Connolly Dam	11 hrs	1,707								
1.5.2	1.5.2 Develop dam break inputs to RUFLOW model	9 hrs	1,251								
1.5.3	1.5.3 Dam break scenarios	18 hrs	2,502								
1.5.4	1.5.4 Analyse results	9 hrs	1,251								
1.5.5	1.5.5 Estimate Population at Risk	5 hrs	721								
1.6	Reporting & Mapping	59 hrs	8,558								
1.6.1	1.6.1 Mapping	24 hrs	3,182								
1.6.2	1.6.2 Draft Failure Impact Assessment Report	27 hrs	4,380								
1.6.3	1.6.3 Final Failure Impact Assessment Report with RPEQ Certification	8 hrs	1,587								

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Menik Menikdiwela
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

18 December 2014

JOTS002416

Dear Menik,

Failure Impact Assessment - Storm King Dam

Thank you for the opportunity to provide a proposal for the Failure Impact Assessment (FIA) of Storm King Dam, Stanthorpe. This proposal is based on the Consultancy Brief provided on Request for Proposal dated the 10th December 2014.

The objective of this assessment is to provide a revised Population at Risk and Failure Impact Rating for the dam as part of the update of the Emergency Action Plan by the Southern Downs Regional Council (SDRC). It is understood that some dam upgrade works have been undertaken since the previous FIA, undertaken by SMEC in 2009, which will influence the assessment.

1. Scope of Works

The following details the proposed scope of works to be undertaken to provide a Failure Impact Assessment in accordance with the *Guidelines for Failure Impact Assessment of Water Dams* (DEWS, 2012). A comprehensive assessment including dambreak analysis will be undertaken.

1.1 Data Collation

A review of all available data for each dam will be undertaken prior to the site inspection. Jacobs currently holds much of the required data (RAFTS and TUFLOW models). It is assumed that any additional available data will be provided upon award of the project.

The required data will include:

- dam safety databook
- best available stage-storage and spillway rating curves for the reservoir;
- type of spillway;
- physical or numerical model studies for the spillways (if available, typically undertaken during the design of the dam);
- surveyed dam crest level;
- general arrangement drawings of dams;

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Filename: P01-SDRC-JOTS002416-FIA-StormKing-REV0_141218.docx
Document no.: JOTS002416-P01

Southern Downs Regional Council
Failure Impact Assessment - Storm King Dam
18 December 2014



- comments on design, foundations and any unusual conditions;
- previous design studies or reports;
- details of recent dam upgrade works;
- previous failure impact assessment reports;
- previous hydrologic modelling reports;
- Storm King Dam URBS model (SMEC, 2009)
- Quart Pot Creek RAFTS model (developed by Jacobs for SDRC);
- Stanthorpe TUFLOW model of Quart Pot Creek (developed by Jacobs for SDRC)
- recent aerial photography of the storage, catchment and the downstream flow path;
- GIS layer of critical infrastructure across the study area; and
- best available terrain (preferably LIDAR) for the storage catchments and the downstream flow paths.

1.2 Site Visit

A site visit incorporating the dam itself and the downstream failure path is required as part of a Failure Impact Assessment.

It is anticipated that the site visit will be undertaken with a representative of SDRC and can be combined with the Project Kickoff Meeting. No other meetings have been included in the scope. It is assumed that all other interaction with SDRC's project manager will be undertaken via phone and/or email.

Jacobs has also prepared a proposal to undertake a Failure Impact Assessment of Connolly Dam. If the site visits for both assessments can be combined to occur in one day, a cost saving can be achieved across both projects.

1.3 Hydrology

Jacobs developed a RAFTS hydrologic model for the Quart Pot Creek catchment as part of the Stanthorpe Floodplain Risk Study. This model will be adopted to represent coincident tributary inflows downstream of the dam.

The RAFTS software package has some limitations when modelling detailed dam hydrology especially for extreme events such as the Probable Maximum Flood (PMF).

As part of the previous Failure Impact Assessment in 2009, SMEC updated an URBS model of the dam catchment previously developed by GHD (2003). If this model is available for use in this study, it is proposed to review the model, update the dam representation consistent with recent dam upgrades, and use it to simulate dam inflows and outflows.

If this previous URBS model is not available, it is proposed to develop a simple URBS hydrologic model for the Storm King Dam catchment to simulate dam inflows and outflows for large and extreme events.

Filename: P01-SDRC-JQTS002416-FIA-StormKing-REV0_141218.docx
Document no.: JQTS002416-P01

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Southern Downs Regional Council
Failure Impact Assessment - Storm King Dam
18 December 2014



1.4 Dambreak Modelling

Jacobs developed a TUFLOW model of Quart Pot Creek through Stanthorpe as part of the Stanthorpe Floodplain Risk Study. The upstream extent of this model is located approximately 700 m downstream of Storm King Dam.

This model will be adopted and extended to the toe of the dam embankment for use in this assessment. It is assumed that the Failure Impact Zone will be confined within the limits of this model and no extension of the model downstream will be required.

Based on a review of the previous failure impact assessments and the requirements of the DEWS guidelines, it has been identified that there is a high likelihood that a flood with an AEP between the AEP of the Dam Crest Flood (DCF) and PMF could produce a higher estimated Population at Risk.

Based on this assessment, the following scenarios will be modelled:

- Sunny Day Failure (SDF)
- Probable Maximum Flood Failure (PMFF)
- Probable Maximum Flood No Failure (PMFNF)
- Dam Crest Flood Failure (DCFF)
- Dam Crest Flood No Failure (DCFNF)
- Interim AEP 1 Flood Failure
- Interim AEP 1 Flood No Failure
- Interim AEP 2 Flood Failure
- Interim AEP 2 Flood No Failure

The most likely failure modes leading to failure for each of these scenarios will be identified based on previous dam safety reports and in consultation with SDRC. No dam structural analysis will be undertaken to identify failure triggers not identified in previous reports. Failure modes for Storm King Dam may include sliding, overturning, earthquake induced failure and flood-induced failure.

Results of the dambreak modelling will be analysed to produce outputs required for the Failure Impact Assessment Report including the definition of both total and incremental Population at Risk and Failure Impact Zone. Based on these outputs, a Failure Impact Rating will be identified for the dam.

No determination of the Acceptable Flood Capacity of the dam has been included in this scope. However, should the Dam Safety Regulator request this of SDRC, this could be estimated as a variation to this scope of works based on data generated as part of this assessment.

Southern Downs Regional Council
Failure Impact Assessment - Storm King Dam
18 December 2014



1.5 Reporting

The report will be structured to meet the requirements of the DEWS Guidelines. The report structure will be agreed with SDRC at the Project Kickoff Meeting. A proposed report structure is provided in Table 1.1.

Following provision of SDRC's collated comments on the draft report, Jacobs will finalise the documentation. It is assumed that SDRC will provide one (1) collated set of comments for each draft report. Once the documents are finalised, RPEQ certification will be completed by Samantha Watt (RPEQ: 10596).

Table 1.1 : Proposed Report Structure

Section		Information included
	Executive Summary	Summary of the following information: <ul style="list-style-type: none"> Type of dam General location of dam Height & storage capacity of dam Description of critical failure event Population at Risk Recommended Failure Impact Assessment Category
1	Introduction	Overview of assessment including structure of document
2	Principle Characteristics of Dam & Spillway	Summary of the following information: <ul style="list-style-type: none"> Catchment description Dam description Spillway description
3	Available data	Summary of data collected for analysis Summary of site visit
4	Hydrology	Summary of: <ul style="list-style-type: none"> Hydrologic modelling undertaken Hydrographs used in hydraulic model
5	Dambreak Modelling	Details of modelling including: <ul style="list-style-type: none"> Model/s used in the analysis Details of model development Adopted model parameters Sensitivity analyses Breach parameters adopted Failure events modelled

Filename: P01-SDRC-JOTS002416-FIA-StormKing-REV0_141218.docx
Document no.: JOTS002416-P01

4

Southern Downs Regional Council
Failure Impact Assessment - Storm King Dam
18 December 2014



Section		Information included
6	Consequence Assessment	Details of consequence assessment: <ul style="list-style-type: none"> • Summary of methodology • Best estimate of Population at Risk • Recommended Failure Impact Rating • Mapping of failure impact zone
7	RPEQ Certification	Certifying statement including: <ul style="list-style-type: none"> • Name • Registration No • Contact Details • Statement • Signature
8	References	
Appendices		Mapping will be presented in Appendices. Hydraulic model outputs (flood levels / hydrographs) for a range of key locations will be provided in Appendices.

1.6 Mapping & Appendices

A full set of maps will be produced detailing the outcomes of the 2D modelling for each dam. These maps will be full-page A3 maps and included in the report Appendices.

These maps will use colour-coding to clearly demonstrate variations in depth or velocity. Contours will be used to identify water surface levels.

The following maps will be produced for each modelled no-failure scenario:

- 1 map showing the peak flood depth and water surface level contours
- 1 map showing the peak velocity.

The following maps will be produced for each modelled failure scenario:

- 1 map showing the peak flood depth and water surface level contours
- 1 map showing the peak velocity
- 1 map showing the failure impact zone and identifying the incremental Population at Risk
- 1 map showing the failure wave travel time downstream of the dam
- 1 map identifying critical infrastructure impacted

Should SDRC desire additional mapping outputs, such as Flood Severity, these can be prepared as a variation to this scope of works.

Filename: P01-SDRC-JOTS002416-FIA-StormKing-REV0_141218.docx
Document no.: JOTS002416-P01

5

Southern Downs Regional Council
Failure Impact Assessment - Storm King Dam
18 December 2014



Flood level and flow hydrographs will be extracted from the 2D model at up to five (5) key downstream locations for each of the scenarios. The key locations may include immediately downstream of each of the breach locations, immediately downstream of the spillway, at key bridges, at or near existing houses.

The extracted time-series will be provided in tabular format in the Appendices of the report for each dam.

2. Deliverables

The following deliverables will be provided as part of this commission:

- Draft report (1 X PDF electronic copy)
- Final report with RPEQ certification (1 X PDF electronic copy)

3. Personnel

The proposed project team and their nominated roles for this project are:

- Samantha Watt – Project Manager, Nominated Contact, RPEQ
- Shannon Dooland – Project Director & Technical Review
- Greg Rogencamp – Technical Review – Hydraulic Model

Samantha Watt will act as the project manager and provide RPEQ certification of the assessment.

Samantha is a senior civil engineer with over 9 years experience. Samantha is an RPEQ with an in-depth understanding of the Queensland legislation and guidelines pertaining to Referable Dams. She has completed several Failure Impact Assessments including for Borumba, Bill Gunn, Clarendon, Little Nerang and Nindooibah Dams. Samantha is familiar with the SDRC area including Stanthorpe. She has had an ongoing role in the Condamine and Tributaries Flood Study for SDRC over the past 3 years.

Shannon Dooland will act as Project Director for this study and provide an alternative point of contact.

Shannon is a senior water resources engineer and RPEQ with 14 years experience in flood modelling and dam projects. Shannon has undertaken dam failure impact assessments in South Australia, Victoria, New South Wales and Queensland and has strong experience in extreme event hydrologic assessment and hydraulic modelling (including dam break assessment). Shannon is also very familiar with dam operational requirements through his role seconded to Seqwater as a Senior Flood Engineer from March 2012 to present.

Greg Rogencamp led the recent Stanthorpe Flood Risk Assessment including development of the TUFLOW hydraulic model. Greg will provide oversight of the hydraulic model development to maintain consistency with previous modelling.

Samantha will be supported by a qualified hydraulic modelling engineer.

Southern Downs Regional Council
Failure Impact Assessment - Storm King Dam
18 December 2014



4. Costs

It is proposed to undertake this project on a lump sum basis for \$ 28,391 excluding GST. This comprises 186 hours in fees and an additional \$300 in expenses. A detailed breakdown of this cost is provided in the estimating sheet accompanying this proposal.

Jacobs has also submitted a proposal to SDRC to undertake a Failure Impact Assessment of Connolly Dam near Warwick. If the site visits for the two assessments can be undertaken on the same day, Jacobs can provide a total saving of \$3,530 excl GST.

5. Timing

Jacobs confirms that we can provide the draft report within 4 weeks of the date of commissioning and provision of data.

Jacobs has also submitted a proposal to undertake a Failure Impact Assessment of Connolly Dam. It is understood that these projects will not occur concurrently. However, as noted previously there would be benefit in undertaking the site visits for the two dams at the same time.

6. Terms and Conditions

It is assumed that Jacobs would be commissioned by SDRC under the LocalBuy contract.

Yours sincerely

A handwritten signature in black ink that reads "S Watt".

Samantha Watt

Proposal Manager
+61 7 3026 7986
+61 408 153 987



File number CBD/024060 (Pt1)

26 February 2014

Chief Executive Officer
Southern Downs Regional Council
PO Box 26 Warwick Qld 4370

Attention: Ken Hale

Dear Sir

**Information notice refusing approval of emergency action plan for Connolly Dam
Dam Number: 252**

I refer to the above dam located on Lot 1 & Lot 2 on Registered Plan 47924 in the Local Government Area administered by the Southern Downs Regional Council.

Enclosed is an information notice issued under section 352L of the *Water Supply (Safety and Reliability) Act 2008* (the Act) concerning the decision to refuse approval of the emergency action plan (EAP) submitted by you for Connolly Dam.

Information regarding your right under the Act to apply for an internal review of the decision is set out in the enclosed information notice.

Pursuant to section 352L(b) of the Act, you are required to prepare a new EAP and submit it to the chief executive of the department at the address below by the 14th of May 2014:

Director, Dam Safety
Queensland Water Supply Regulator
Department of Energy and Water Supply
PO Box 15456
City East Qld 4002

It is an offence under section 352L(2) of the Act if a dam owner fails to comply with a direction to prepare and submit a new EAP to the chief executive unless the owner has a reasonable excuse. There are significant penalties for that offence. A maximum penalty of 500 penalty units (\$55,000.00) applies and, if a corporation is found guilty of the offence, the court may impose a maximum fine of an amount equal to 5 times this maximum penalty.

The reasons for the decision to refuse the EAP are given in section 9 of the attached information notice. Please ensure the matters raised in these reasons are addressed in the new EAP that you are required to prepare and submit to the chief executive.

Street Address
Floor 3 Mineral House, 41 George Street, Brisbane Qld 4000

Postal Address
PO Box 15456, City East Qld 4002

Telephone + 61 7 32247836
Facsimile + 61 7 3224 7999

Website www.dews.qld.gov.au

ABN 91 416 908 913

Southern Downs Regional Council



DOC0141664

As well as these matters set out in Section 9 the information notice of the decision notice, you should consider the following matters in any future submission:

- The dam owner should satisfy themselves that all dwellings (including those in the urban area and further downstream) that may be subject to impact on dam failure associated with larger flood events are identified and included in mapping and contact tables.
- Any new developments (including houses opposite Smelter Road and the TAFE lecture rooms) located in close proximity to Rosenthal Creek should be checked to determine whether they are impacted.
- A statement regarding monitoring instrumentation present at or associated with the dam and should be included in the EAP.
- The "Dam Technical Data sheet" should include the dam's locational coordinates, failure impact rating, total PAR affected by all events and PAR count for critical events, description of the outlet works, the dam's capacity and maximum historic flood level.
- Drawings of the dam (at least general arrangement, cross section, and locational context) should be included somewhere in the EAP.
- The EAP should amend triggers for each emergency stage for flood events to make it clearer that lake level triggers are relative to FSL or embankment crest and may be based on predicted levels from modelling (if that is the case). Also, clarify how catchment average rainfall greater than 150 mm is to be treated for all stages.
- A Dam Inspection checklist should be included in the EAP to cover relevant aspects of inspections associated with potential early signs of affecting dam safety.
- Policies should be included on the controlled copy distribution and notification lists.
- The EAP should establish consistency of operation with the Local Disaster Management Plan (LDMP).
- To ensure consistency with emergency plans in Queensland, it would be preferable if the QDMG activation levels (Alert, Lean Forward, Stand up and Stand-down) were used in both the EAP and the LDMP.
- The EAP submitted to DEWS for approval should be endorsed by the dam owner's representative.

Should you have any questions about this matter, please do not hesitate to contact Gary Hargraves of the department on 3199 3190.

Yours sincerely



Peter Allen
Director, Dam Safety (Water Supply)
Delegate of the Chief Executive
Queensland Water Supply Regulator
Delegate of the Chief Executive
under the *Water Supply (Safety and Reliability) Act 2008*

Attachment

- Section 352L information notice



Queensland Government

DEPARTMENT OF ENERGY AND WATER SUPPLY

INFORMATION NOTICE

Water Supply (Safety and Reliability) Act 2008, section 352L

NOTICE OF REFUSAL TO APPROVE AN EMERGENCY ACTION PLAN FOR CONNOLLY DAM (DAM ID 252) LOCATED ON LOT 1 & LOT 2 ON REGISTERED PLAN 47924

1.0 Citation

- 1.1 This notice may be cited as the notice to refuse approval of an emergency action plan (EAP) for Connolly Dam (Dam id 252) located on Lot 1 & Lot 2 on Registered Plan 47924.

2.0 Power to Give Notice

- 2.1 This notice is given under section 352L of the *Water Supply (Safety and Reliability) Act 2008 (Qld)* (the Act).

3.0 Reference to Person

- 3.1 A reference to the person in this notice is a reference to the person specified in section 4 of the notice.

4.0 Person to whom this Notice is given

- 4.1 This notice is given to:

Name: Southern Downs Regional Council (SDRC)
Address: PO Box 26
WARWICK QLD 4370

5.0 Reason for Notice

- 5.1 Pursuant to section 352L of the Act, when the delegate of the chief executive of the Department of Energy and Water Supply (DEWS) has decided to refuse approval of an EAP, the chief executive must give the dam owner an information notice about the refusal decision.
- 5.2 The delegate of the chief executive who has issued this notice believes that the person is the owner of the Connolly Dam (Dam ID 252)

6.0 Decision made

- 6.1 On the 24 February 2014, pursuant to a delegation of authority by the chief executive, the delegate of the chief executive decided, in accordance with section 352I of the Act, to refuse approval of the EAP submitted by the owner of Connolly Dam.

7.0 Evidence or other material on which findings of fact were based (material considered)

7.1 The delegate of the chief executive in making the decision mentioned in 6.1 above, had regard to the following material:

- *Water Supply (Safety and Reliability) Act 2008* and in particular Chapter 4, Part 1, Division 2A.
- Provisional EAP Guidelines as published on the DEWS web site 18 September 2013.
- The failure impact assessment report by Parsons Brinkerhoff dated November 2005.
- The proposed EAP dated October 2013 and received 1 October 2013.
- Email questionnaire 21 November 2013 by consultants employed by DEWS to relevant disaster management group to ascertain nature of contact and collaboration by Southern Downs Regional Council (SDRC).
- A departmental checklist finalised by DEWS officers and consultants 16 January 2013, including record of phone conversation with Peter See, Local Disaster Coordinator for the relevant disaster management group.

8.0 Findings on material questions of fact

8.1 The delegate of the chief executive in making the decision mentioned in 6.1 above, made the following findings of fact:

- Connolly Dam is a referable dam within the meaning of section 341 of the Act, with a failure impact rating determined as 1.
- Southern Downs Regional Council (SDRC) is the owner of that dam and was required to prepare an EAP for Connolly Dam pursuant to section 645 of the Act (existing referable dam).
- Before submitting an EAP for approval, a copy of the plan must be given to the relevant disaster management group as per section 352G of the Act.
- An EAP submitted for approval must comply with the content requirements of section 352H of the Act.
- To be approved, an EAP must meet the requirements of section 352J of the Act including meeting the content requirements of 352H and effectively dealing with each emergency condition (as defined in the Act).
- An EAP for Connolly Dam was submitted to the department on 1 October 2013.
- The SDRC also manages the Local Disaster Management Group (LDMG).
- Peter See received a copy of the EAP prior to its submission to DEWS in his role as Disaster Coordinator.
- No formal disaster management review report provided by the relevant disaster management group has been submitted to the department.
- The EAP does not indicate who authorised the overall EAP for SDRC.
- The EAP does not adequately set out basic engineering details and locational context for the dam.
- The total population at risk (PAR) - their location and the basis for their identification, are not adequately set out within the EAP.
- The mapping provided indicates that some additional urban areas not identified may be affected in flood events associated with dam failure.

- As the contributing catchment to the dam is similar to the main Condamine watercourse, there may be some PAR in urban areas below the junction.
- It is therefore not clear within the EAP how close to the dam are all relevant PAR and what special notification provisions may be required or provided.
- For flood based events, the EAP does not fully set out what constitutes regular routine (manual) monitoring of lake levels and, in the absence of automatic lake level alerts to SDRC, it is not clear how timely detection and actions can be achieved for situations rapidly developing outside normal working hours.
- For potential dam breach arising from developing seepage or cracking whether associated with flooding or a 'sunny day', routine monitoring is not fully set out and it is therefore not clear whether timely notification and other actions will follow.
- Downstream release hazards have not been addressed in the EAP. There is no indication as to how this interacts with the local disaster management plan.
- For stages of flood based events, triggers of estimated lake level and catchment incident rainfall are not precisely defined to avoid potential operational confusion. In particular interaction of those triggers in Stage 1 and between stages.
- The roles and responsibilities within SDRC are not clearly set out in regard to activation, escalation and demobilisation under the EAP.
- The nature, content and frequency of notifications are not addressed.
- The EAP does not use the standard emergency management terminology for stages of 'alert', 'lean forward', 'stand up', 'stand down'.

9.0 Reasons for the decision

- 9.1 The delegate of the chief executive made the decision to refuse approval for the EAP submitted for Connolly Dam for the following reasons:

I consider the EAP is deficient in several areas which do not enable me to approve this version of the Connolly Dam EAP. My review of the different facets of the EAP against the requirements of the Act are detailed below:

Minimum Content of EAPs

352H (a) Identification of Emergency Conditions

- The EAP provides for four stages of flood event activation and two Sunny Day (one for seepage and one for earthquake) activation.
- The flood stages should be more precisely defined to avoid confusion. For example, in addition to average catchment rainfall less than 150 millimetres, Stage One should clearly specify to storage levels at or below FSL and lake level not expected to rise more than 1 metre above FSL. Also, what happens if the rainfall criterion for Stage 1 is exceeded but the other criteria are met - and should a rainfall criterion apply to the other stages? Is the rainfall criteria useful and appropriate separate from an estimate of resulting lake level.
- There would seem to be room for confusion between the trigger for Stage 3 of the EAP at Dam Crest Level of 540.5 mAHD (2.9 metres above FSL) and that for Stage 4 of the EAP which is triggered at Top of Embankment at 541.4 mAHD (>3.9 metres above FSL). By the description, these could be notionally the same and a diagram is needed to enable the difference between 'Dam Crest Level' [540.5 m AHD] and 'Top of Embankment' [541.4 m AHD] to be more readily understood.
- It is noted that the standard Queensland Disaster Management levels of activation (Alert, Lean Forward, Stand-up and Stand down) are not applied. On the 16 January 2014 Peter See (SDRC) advised G. Hargraves that the Local Disaster Management Plan uses conventional DM activation levels (eg Stand up

etc) and that this is consistent with Local Disaster Management Plans at the moment.

- Downstream release hazards (critical storage levels/releases that may cause flooding of the infrastructure road crossings, highways, etc) do not appear to have been considered.

352H (b) (i) Identification of areas likely to be affected by emergency events

- The Failure Impact Assessment (FIA) conducted by consultants Parson Brinkerhoff (PB) in November 2005 identified a total population at risk (PAR) of 29 (10 dwellings) for the critical failure case and a number of other dwellings were identified for other failure scenarios.
- The downstream limit for the modelling used in this FIA was effectively the junction of Rosenthal Creek and the Condamine River. The incremental depth due to the failure of Connolly Dam for the Dam Crest Flood (DCF) at Pratten Street was +0.9 metres and for the PMF flood was +0.6 metres.
- Despite this, there are only six dwellings listed in the EAP. Their location and the basis for their identification, are not adequately set out within the EAP.
- While it is noted that there may not be any dwellings identified in the PB FIA for the Sunny Day Failure case, a significant number of crossings of Rosenthal Creek and the Condamine River further downstream would be inundated.
- If any new development has occurred close to Rosenthal Creek (i.e. houses opposite Smelter Road and the TAFE lecture rooms) since the last FIA which could be affected by the floods, these should be also included in the PAR.
- The inundation maps provided only indicate the inundations for the 1 in 100 AEP flood events and 1 in 1000 AEP flood events. Maps should be included that reasonably define PAR consequences involving dam break relevant to the emergency events listed in the EAP. The inundation maps are available for the dam failure events and they should be presented in the EAP.
- It is noted that no inundation areas are indicated for any downstream release hazards.

352H (b)(ii) State when and how the dam owner must notify relevant entities of emergency condition

- There is no reference in the EAP as to who will be contacting the impacted residents. This seems to be assigned to the Local Disaster Management Group (LDMG). The Director Engineering Services is assigned the role of keeping in constant contact with the LDMG.
- There is no stated agreement reached with the relevant LDMG on the trigger levels and frequency of notifications. However, given the dam owner and the Council are the one entity and the EAP has gone to the LDMG and the Dam Manager report to the Director of Engineering who is also the Local Disaster Coordinator, close collaboration is expected.
- There is no priority list – just contact lists for D/S residents and for those on the LDMG.
- If it is the role of the LDMG to notify/warn those who may be impacted by emergency conditions at the dam, it should be clearly stated in the EAP that the LDMG is responsible for making such contact.

352H (b)(iii) State Action by dam owner during each emergency condition

- The roles and responsibilities of the various parties in the dam owner's organisation appear to be clearly specified.

352J (b) Effectiveness of EAPs

- The "Dam Technical Data sheet" should also include locational coordinates, failure Impact rating, total PAR affected by all events and PAR count for critical

events, description of the outlet works, the dam's capacity and maximum historic level.

- The EAP lists a range of emergency events including flood (4 stages), sunny day failure and earthquake. However, it is not clear if the routine monitoring program (not clearly specified) will ensure early detection of the possible 'sunny day' dam breach resulting from structural changes such as developing seepage and cracking.
- It is noted that an Emergency Event Report is triggered for a Stage 2 event and that 'THE RESIDENTS DOWNSTREAM OF THE DAM SHOULD BE EVACUATED' once Stage 3 is activated.
- It is also noted that the contact number for Director Dam Safety (DEWS) needs to be updated along with references to NRM&W being updated to DEWS (for a Stage 2 level of activation).
- There are no drawings of the dam included in the EAP to enable users to refer to particular parts of the dam with consistency.
- It is noted that Flood Event Stage 3 of the EAP is triggered at Dam Crest Level of 540.5 mAHD (2.9 metres above FSL) and Flood Event Stage 4 of the EAP is triggered at Top of Embankment at 541.4 mAHD (>3.9 metres above FSL). A diagram is needed to enable the difference between 'Dam Crest Level' [540.5 m AHD] and 'Top of Embankment' [541.4 m AHD] to be more readily understood.
- There is no drawing showing location of the monitoring instrumentation (rain gauge, lake level recorder, surface movement points and seepage monitoring wells).
- While it may not be an explicit requirement of the Act, it is recommended that (unless one it is already in place) the dam owner:
 - o Develops and implements a training program for dam staff regarding EAP arrangements and actions.
 - o Develops and implements an education program for relevant entities in the plan including RDMG
 - o Regularly exercises the EAP to ensure the effectiveness of the EAP is maximised.

10.0 Name and address of other person/s given this notice

No one other than the person has been given this notice

11.0 Internal review of decision

11.1 Sub-sections 512(1) and 512(2)(a) of the Act provide that a person who has been given an information notice by the Chief Executive of the Department of the Energy and Water Supply may apply for an internal review of the decision in the notice.

11.2 An internal review application must be

- in the approved form – (Internal review of decision application) which can be obtained at <www.dews.qld.gov.au>
- accompanied by a statement of the grounds on which the applicant seeks review of the decision
- supported by sufficient information to enable the reviewer to make a decision
- made to the chief executive at the address below within 30 business days after the day of your receipt of the information notice:

Director, Dam Safety
Queensland Water Supply Regulator
Department of Energy and Water Supply
PO Box 15456
City East Qld 4002

- 11.3 Making the application for review does not delay the person's obligation to comply with the notice. A person who has been given an information notice by the chief executive under the Act may wish to seek legal advice on the person's right, if any, to apply to a Court with appropriate jurisdiction for a stay of the decision in this notice.
- 11.4 An extract from the Act detailing the internal review rights regarding this decision is attached. This process may not be the only right of review. You should seek legal advice about other possible review rights.

This decision was made on the 24th February 2014.



Peter Allen
Director, Dam Safety (Water Supply)
Delegate of the Chief Executive
Queensland Water Supply Regulator
Delegate of the Chief Executive
under the *Water Supply (Safety and Reliability) Act 2008*

ATTACHMENT 1

Chapter 7 – Reviews, appeals and arbitration

Part 1 – Preliminary

510 Who is an interested person

- (1) An interested person for this chapter is—
 - (a) a person who has been given an information notice or a compliance notice by the chief executive, or an authorised officer appointed by the chief executive; or
 - (b) a person who has been given an information notice or a compliance notice by the regulator, or an authorised officer appointed by the regulator; or
 - (c) a person who has been given an information notice by a service provider.
- (2) The decision or action for which a notice was given under subsection (1) is an original decision.

Part 2 –Review of decisions

511 Appeal or external review process starts with internal review

Every appeal or application for external review of an original decision must be, in the first instance, by way of an application for internal review.

512 Who may apply for review

- (1) An interested person for an original decision may apply for an internal review of the decision (an *internal review application*).
- (2) An internal review application may be made only to the following person (the reviewer)—
 - (a) for a decision mentioned in section 510(1)(a)—the chief executive;
 - (b) for a decision mentioned in section 510(1)(b)—the regulator;
 - (c) for a decision mentioned in section 510(1)(c)—the chief executive officer of the service provider.

513 Requirements for making internal review application

- (1) An internal review application must be—
 - (a) in the approved form; and
 - (b) accompanied by a statement of the grounds on which the applicant seeks the review of the decision; and
 - (c) supported by enough information to enable the reviewer to decide the application; and
 - (d) made within 30 business days after the day the applicant is given an information notice about the decision to which the application relates or a compliance notice.
- (2) However, the reviewer may, at any time, extend the time for making an internal review application.
- (3) On or before making the internal review application, the applicant must send the following documents to any other person who was given an information notice about the original decision—
 - (a) notice of the application (the submitter notice);
 - (b) a copy of the application and supporting documents.
- (4) The submitter notice must inform the recipient of the notice that written submissions on the internal review application may be made to the reviewer within 5 business days after the application is made to the reviewer.

514 Review decision

- (1) The reviewer must, within 20 business days after receiving an internal review application—
 - (a) review the original decision the subject of the application; and
 - (b) consider any properly made submissions by a recipient of the submitter notice; and
 - (c) make a decision (the review decision) to—

- (i) confirm the original decision; or
 - (ii) amend the original decision; or
 - (iii) substitute another decision for the original decision.
- (2) The reviewer may, by notice to the applicant and before the period mentioned in subsection (1) has expired, extend the period by not more than 30 business days.
- (3) Only 1 notice may be given under subsection (2) for each internal review.
- (3A) For an application about a safety condition or a development condition applying to a referable dam and for which a notice has been given under subsection (2), the reviewer may, before the extended period under that subsection expires and with the agreement of the applicant, further extend the period for deciding the application.
- (4) The application must not be dealt with by—
- (a) the person who made the original decision; or
 - (b) a person in a less senior office than the person who made the original decision.
- (5) Subsection (4)—
- (a) applies despite the *Acts Interpretation Act 1954*, section 27A; and
- Editor's note—*
Acts Interpretation Act 1954, section 27A (Delegation of functions or powers)
- (b) does not apply to an original decision made by the chief executive.
- (6) If the review decision confirms the original decision, for the purpose of arbitration, external review or an appeal, the original decision is taken to be the review decision.
- (7) If the review decision amends the original decision, for the purpose of arbitration, external review or an appeal, the original decision as amended is taken to be the review decision.

515 Notice of review decision

- (1) The reviewer must, within 10 business days after making a review decision, give each of the following notice of the review decision (a review notice)—
- (a) the applicant;
 - (b) any person who was given notice of the original decision.
- (2) The review notice must state—
- (a) the reasons for the review decision; and
 - (b) if the review decision is not the decision sought by the applicant, that the applicant may, within 30 business days after the review notice is given—
 - (i) for a decision or action mentioned in section 351, 352, 354, 356 or 359—appeal against the decision to the Planning and Environment Court; or
 - (ii) for a decision or action mentioned in section 510(1)(b) that is a decision or action relating to a matter involving drinking water or recycled water—appeal against the decision to the Planning and Environment Court; or
 - (iii) for a decision or action mentioned in section 510(1)(b), other than a decision or action mentioned in subparagraph (ii)—apply for arbitration on the decision under part 4; and
 - (c) if the notice states under paragraph (b)(iii) that the applicant may apply for arbitration—that the applicant may apply to a court with jurisdiction to hear the proceeding for a stay of the review decision; and
 - (d) if the notice states under paragraph (b)(i) or (ii) that the applicant may appeal to the Planning and Environment Court—that the applicant may apply to the court for a stay of the review decision.
- (2A) For the following decisions, the review notice must comply with the QCAT Act, section 157(2)—
- (a) a decision or action mentioned in section 510(1)(a) for which a compliance notice was given, other than a decision or action mentioned in subsection (2)(b)(i);

- (b) a decision or action mentioned in section 510(1)(c).
- (3) A copy of the relevant appeal or arbitration provisions of this Act, or the provisions of the QCAT Act about external review, must also be given with each review notice or copy of a review notice.
- (4) If the reviewer does not give the review notice within the 10 days, the reviewer is taken to have made a decision confirming the original decision.



File number CBD/024090 (Pt1)

Department of
Energy and Water Supply

11 July 2014

Chief Executive Officer
Southern Downs Regional Council
PO Box 26 Warwick Qld 4370

Attention: Tendekai Mapeza

Dear Sir

**Information notice refusing approval of emergency action plan for Storm King Dam
Dam Number: 356**

I refer to the above dam located on Lots 1 & 4 on Plans RP79023 & RP79024 in the Local Government Area administered by the Southern Downs Regional Council.

Enclosed is an information notice issued under section 352L of the *Water Supply (Safety and Reliability) Act 2008* (the Act) concerning the decision to refuse approval of the emergency action plan (EAP) submitted by you for Storm King Dam.

Information regarding your right under the Act to apply for an internal review of the decision is set out in the enclosed information notice.

Pursuant to section 352L(1)(b) of the Act, you are required to prepare a new EAP and submit it to the chief executive of the department at the address below by the **1st of September 2014**.

Director, Dam Safety
Queensland Water Supply Regulator
Department of Energy and Water Supply
PO Box 15456
City East Qld 4002

It is an offence under section 352L(2) of the Act if a dam owner fails to comply with a direction to prepare and submit a new EAP to the chief executive unless the owner has a reasonable excuse. There are significant penalties for that offence. A maximum penalty of 500 penalty units (\$56,925.00) applies and, if a corporation is found guilty of the offence, the court may impose a maximum fine of an amount equal to 5 times this maximum penalty.

The reasons for the decision to refuse the EAP are given in section 9 of the attached information notice. Please ensure the matters raised in these reasons are addressed in the new EAP that you are required to prepare and submit to the chief executive.

Street Address
Floor 3 Mineral House, 41 George Street, Brisbane Qld 4000

Postal Address
PO Box 15456, City East Qld 4002

Telephone + 61 7 3199 4848
Facsimile + 61 7 3405 3156

Website www.dews.qld.gov.au

ABN 81 416 908 913

As well as these matters set out in Section 9 the information notice of the decision notice, you should consider the following matters in any subsequent submission:

- The "Dam Technical Data sheet" should include locational coordinates, failure Impact rating, total PAR affected by all events and PAR count for critical events, physical characteristics of the dam and maximum historic flood level.
- Drawings of the dam (at least general arrangement, cross section, and locational context) should be included somewhere in the EAP.
- Details of the monitoring instrumentation present at or associated with the dam (including availability of automatic monitoring system) should be provided.
- Monitoring procedures for dam condition (routine and emergency, automatic and manual) should be included in the EAP.
- Frequency of monitoring and reporting should be specified in the EAP for all stages of the flood event. The term 'regular intervals' is not specific enough.
- Dam inspection checklist should be included in the EAP to cover relevant aspects of inspections associated with potential early signs of failure affecting dam safety.
- Local Police should be included on the distribution list and provided with the controlled copy of the EAP.
- Consideration needs to be given as to whether it might be appropriate to use the National Emergency Alert system through the Department of Fire and Emergency Services (DFES) for dam failure scenarios.
- To ensure consistency with emergency plans in Queensland, it would be preferable if the QDMG activation levels (Alert, Lean Forward, Stand up and Stand-down) were used in both the EAP and the LDMP.
- While this is not currently a requirement of the legislation, the EAP should articulate a regular exercise and review program.
- Please note that DEWS has put in place an initial point of call 1300 number for all dam safety emergency events: 1300 596 709
- Also note that Peter Allen's (Director Dam Safety, DEWS) new business phone number is 07 3199 4848.
- References throughout the document should be checked for internal consistency.
- The EAP submitted to DEWS for approval should identify the primary author, any review conducted and be endorsed by the dam owner's representative.

Should you have any questions about this matter, please do not hesitate to contact Gary Hargraves of the department on 3199 4838.

Yours sincerely

Peter Allen
Director, Dam Safety (Water Supply)

**Delegate of the Chief Executive
Queensland Water Supply Regulator
Delegate of the Chief Executive
under the *Water Supply (Safety and Reliability) Act 2008***

Attachment

- Section 352L information notice



Department of Energy and Water Supply

INFORMATION NOTICE

Water Supply (Safety and Reliability) Act 2008, section 352L

**NOTICE OF REFUSAL TO APPROVE AN EMERGENCY ACTION PLAN FOR
STORM KING DAM (DAM ID 356) LOCATED ON LOT 1 & LOT 4 ON
REGISTERED PLANS 79023 & 79024**

1.0 Citation

- 1.1 This notice may be cited as the notice to refuse approval of an emergency action plan (EAP) for Storm King Dam (Dam id 356) located on Lots 1 & 4 on Plans RP79023 & RP79024.

2.0 Power to Give Notice

- 2.1 This notice is given under section 352L of the *Water Supply (Safety and Reliability) Act 2008 (Qld)* (the Act).

3.0 Reference to Person

- 3.1 A reference to the person in this notice is a reference to the person specified in section 4 of the notice.

4.0 Person to whom this Notice is given

- 4.1 This notice is given to:

Name: Southern Downs Regional Council (SDRC)
Address: PO Box 26
WARWICK QLD 4370

5.0 Reason for Notice

- 5.1 Pursuant to section 352L of the Act, when the delegate of the chief executive of the Department of Energy and Water Supply (DEWS) has decided to refuse approval of an EAP, the chief executive must give the dam owner an information notice about the refusal decision.
- 5.2 The delegate of the chief executive who has issued this notice believes that the person is the owner of the Storm King Dam (Dam ID 356)

6.0 Decision made

- 6.1 On the 2 July 2014, pursuant to a delegation of authority by the chief executive, the delegate of the chief executive decided, in accordance with section 352L of the Act, to refuse approval of the EAP submitted by the owner of Storm King Dam.

7.0 Evidence or other material on which findings of fact were based (material considered)

- 7.1 The delegate of the chief executive in making the decision mentioned in 6.1 above,

had regard to the following material:

- *Water Supply (Safety and Reliability) Act 2008* and in particular Chapter 4, Part 1, Division 2A.
- Provisional EAP Guidelines as published on the DEWS web site 18 September 2013
- Storm King Dam Failure Impact Assessment, Stanthorpe Shire Council, December 2003.
- Storm King Dam Acceptable Spillway Capacity Assessment, SMEC, December 2009.
- The proposed Emergency Action Plan (EAP) for Storm King Dam, submitted by Southern Downs Regional Council on 1 October 2013.
- Email from Chris Gray, Water and Wastewater Technical Officer to DEWS on 1 October 2013 with subject – EAPs.
- Email from Mark Saunders, Disaster Management Coordinator SDRC to DEWS on 21 February 2014.
- A departmental checklist prepared by DEWS officers and consultants 16 December 2013 and finalised 30 May 2014.

8.0 Findings on material questions of fact

8.1 The delegate of the chief executive in making the decision mentioned in 6.1 above, made the following findings of fact:

- Storm King Dam is a referable dam within the meaning of section 341 of the Act, with a failure impact rating determined as 2.
- Southern Downs Regional Council (SDRC) is the owner of that dam and was required to prepare an EAP for Storm King Dam pursuant to section 645 of the Act (existing referable dam).
- Before submitting an EAP for approval, a copy of the plan must be given to the relevant disaster management group as per section 352G of the Act.
- Before submitting an EAP for approval, a copy of the plan must be given to the relevant disaster management group as per section 352G of the Act.
- An EAP submitted for approval must comply with the content requirements of section 352H of the Act.
- To be approved, an EAP must meet the requirements of section 352J of the Act including meeting the content requirements of 352H and effectively dealing with each emergency condition (as defined in the Act).
- An EAP for Storm King Dam was submitted to the department on 1 October 2013.
- Southern Downs Regional Council also manages the Local Disaster Management Group.
- Peter See received a copy of the EAP prior to its submission to DEWS in his role as Disaster Coordinator.
- No formal disaster management review report provided by the relevant disaster management group has been submitted to the department.
- The EAP does not indicate the author or who authorised the overall EAP for SDRC.
- The EAP does not adequately set out basic engineering details and locational context for the dam.

- Sliding, overturning or any significant movement of the dam wall have not been identified specifically as emergency conditions Downstream release hazards have not been specifically addressed in the EAP.
- For this concrete gravity dam, it has not been stated how overtopping or high event loads, increased seepage or earthquake could develop and lead to potential failure.
- Consequently, there is no proper identification of emergency conditions, criteria for escalation as emergency events proceed, and when evacuation might be initiated.
- No details of remote monitoring on site are provided, and it is not stated what manual monitoring is able to be provided or sustained during emergency events.
- The total population at risk (PAR), their location and the basis for their identification, are not adequately set out within the EAP.
- The mapping provided does not indicate location of the dam and covers only middle section of the inundation area.
- The nature, content and frequency of notifications to PAR are not addressed, when exactly evacuations are contemplated and how they are dealt with. With the exception of post event in one category, all notifications discussed are internal.
- The roles and responsibilities within SDRC are not clearly set out in regard to activation, escalation and demobilisation under the EAP.
- The EAP does not use the standard emergency management terminology for stages of 'alert', 'lean forward', 'stand up', 'stand down'.
- SDRC advice is that the Local Disaster Management Plan (LDMP) uses conventional DM activation levels, but is incomplete and under review.

9.0 Reasons for the decision

- 9.1 The delegate of the chief executive made the decision to refuse approval for the EAP submitted for Storm King Dam for the following reasons:

General Comment

The following general comment is made:

- I note that the Population At Risk (PAR) for a Sunny Day Failure could be up to 160 but that the incremental flood PAR is nominated as 98 in GHD/SMEC's Acceptable Flood Capacity documentation. This needs to be clarified in the EAP and the total PAR needs identified to enable warning notifications.
- The EAP would be more effective if a general arrangement drawing of the dam was included in the EAP with its principal features marked/named so that those using the EAP are able refer to particular parts of the dam without any confusion.
- There are a number of 'editorials' which should be addressed. For example, reference is made to 'Sheets 1, 2 and 3' in Section 4 but they are also referred to by name in the same Section. There is no reference to Sheets 1, 2 and 3 in Section 5. There needs to be consistency in the references to these reporting sheets.

Minimum Content of EAPs

352H (1) (a) Identification of Emergency Conditions

- Section 4 of the EAP details the emergency responses for:

- Three different levels of spillway overtopping (Flood Event Stages 1 to 3) The significance of the nominated Flood Triggers is not unambiguously defined.
 - Sunny Day Failure Event – Seepage
 - Earthquake Event
- Not all relevant emergency conditions have been identified for the dam. For instance, those that need to be considered as emergency conditions include:
 - Sliding, overturning or any significant movement of the dam spillway and abutment monoliths
 - Damage to the spillway dissipator or abutments due to overflows
- I note that no downstream release hazards have been included in the EAP. This is not necessarily a reason for refusal if none have been identified.
- Only the dam lake level is available remotely through the BoM website. As I understand it, there is no other remote monitoring of the dam. Identification of potential problems associated with other failure paths relies on 'on-site' inspections and monitoring. I also note that the Dam Operator (who has the responsibility of monitoring and recording the conditions at the dam during an event) is not normally located at the dam. There is no indication as to whether there are any access restrictions to the dam during flood events or whether a dam operator needs to be mobilised to the site early in an event before (say) 'Flood Event – Stage 2' is activated.
- The definitions of the triggers for each flood event Stage are potentially ambiguous. They are defined in terms of both lake levels and rainfalls and it is not clear whether either or both criteria are needed to activate the Flood Stage level. The primary indicator of Flood Stages should probably be the lake level in the dam. The rainfalls are primarily an indicator of what might happen further into the event although there is no indication as to where these rainfalls are measured.
- The risk of 'dam failure' under Flood Event Stages 1 and 2 does not seem to be recognised and there seems to be no room to escalate the response should problems be recognised during these lower flood stages. There will be a small but finite risk of dam failure for low flows which will escalate as the lake level increases. This needs to be recognised in the EAP and a mechanism provided to escalate to appropriate actions if early signs of failure are identified during a lower level of Flood Event.
- There is no mention of the recent upgrade work at the dam. This will have increased the capacity to pass floods and will have increased the resistance of the dam spillway rock to scouring. Will these upgrade works affect the trigger levels for emergency events?
- The highest level of flood activation occurs at the lake level of 0.9 metres above the spillway achieved during the January 2011 flood event. While this is reasonable, the other levels chosen and the reasoning, could stand review and explanation.

352H (1) (b) (i) Identification of areas likely to be affected by emergency events

- The amount of information regarding the impact downstream of the dam from downstream releases or dam failure hazards is not adequate.
 - The number of PAR has not been mentioned
 - The single inundation map provided does not make it possible to identify the properties affected throughout the area impacted by emergency events. It needs to be extended both upstream and downstream so that all PAR and road crossings etc. can be identified.
 - Multiple maps will require a legend to indicate how they fit in with adjacent maps.

- There is no indication of travel times for dam failure events.

352H (1) (b)(ii) State when and how the dam owner must notify relevant entities of emergency condition

- There is no indication of where the Population at Risk (PAR) are located.
- There is no Schedule or contact listing in the EAP detailing who the PAR are to be contacted. There is nothing to link them with the inundation mapping.
- The EAP does not clearly state how and when downstream residents are to be notified during each emergency condition. The EAP needs to state:
 - Who is responsible for triggering such notifications?
 - What means will be used to undertake such communications?
 - Who is to carry out such communications?
 - If such notifications are to be organised through other (e.g. the LDMG or the Police), this needs to be indicated.
 - Whether these communications be prioritised so that those closest to the dam receive the earliest warnings?
 - Will the same processes be used for all scenarios?
- Given the potentially short warning times available, the total PAR (rather than incremental PAR) should be identified.
- There is some indication that the State Emergency Service are responsible for 'provision of communications' but it is not stated what type of 'communications' this refers to.
- Consideration needs to be given as to whether it might be appropriate to use the National Emergency Alert system through the Department of Fire and Emergency Services (DFES) for dam failure scenarios. This should be done by the dam owner in consultation with the Southern Downs Regional Council Disaster Management Group (SDRCDMG). If it is decided to implement such a system, polygons should be pre-prepared and tested by DFES to ensure they can be deployed rapidly if necessary.

352H (1) (b)(iii) State the actions the owner of the dam must take in response to the emergency condition

- The EAP doesn't define all necessary roles or responsibilities of the relevant entities. No mention was made of critical responsibilities such as who activates and/or stands down the EAP.
- There is no mention of any need to mobilise to the dam when flood events occur.
- There is no mention as to who will undertake notifications of PAR or who will arrange any necessary evacuations. Evacuations are typically arranged through the Police and the LDMG but this should be explicitly stated so that PAR know who to look to for advice.

352J (b) Effectiveness of EAPs

On the basis of what is presented in the submitted EAP, I have significant doubts over the probable effectiveness of the EAP. As discussed above, these concerns include:

- There seems to be no planned escalation of the emergency response if incidents are identified during Flood States 1, 2 or 3. There is no indication as to whether these are consistent with the LDMG's levels of activation.
- No one is assigned the responsibility to notify downstream residents of impending events.

- There is no PAR identified and there is no schedule of contacts for the PAR.
- This needs to be nominated even if the LDMG are to undertake such notifications.
- While it may not be an explicit requirement of the Act, it is recommended that (unless one it is already in place) the dam owner:
 - Develops and implements a training program for dam staff regarding EAP arrangements and actions.
 - Develops and implements an education program for relevant entities in the plan including RDMG
 - Regularly exercises the EAP to ensure the effectiveness of the EAP is maximised.

10.0 Name and address of other person/s given this notice

No one other than the person has been given this notice

11.0 Internal review of decision

- 11.1 Sub-sections 512(1) and 512(2)(a) of the Act provide that a person who has been given an information notice by the Chief Executive of the Department of the Energy and Water Supply may apply for an internal review of the decision in the notice.
- 11.2 An internal review application must be
- in the approved form – (Internal review of decision application) which can be obtained at <www.dews.qld.gov.au>
 - accompanied by a statement of the grounds on which the applicant seeks review of the decision
 - supported by sufficient information to enable the reviewer to make a decision
 - made to the chief executive at the address below within 30 business days after the day of your receipt of the information notice:
- Director, Dam Safety
Queensland Water Supply Regulator
Department of Energy and Water Supply
PO Box 15456
City East Qld 4002
- 11.3 Making the application for review does not delay the person's obligation to comply with the notice. A person who has been given an information notice by the chief executive under the Act may wish to seek legal advice on the person's right, if any, to apply to a Court with appropriate jurisdiction for a stay of the decision in this notice.
- 11.4 An extract from the Act detailing the internal review rights regarding this decision is attached. This process may not be the only right of review. You should seek legal advice about other possible review rights.

This decision was made on 2 July 2014.

Peter Allen
Director, Dam Safety (Water Supply)
Delegate of the Chief Executive
Queensland Water Supply Regulator
Delegate of the Chief Executive
under the *Water Supply (Safety and Reliability) Act 2008*

ATTACHMENT 1

Chapter 7 – Reviews, appeals and arbitration

Part 1 – Preliminary

510 Who is an interested person

- (1) An interested person for this chapter is—
 - (a) a person who has been given an information notice or a compliance notice by the chief executive, or an authorised officer appointed by the chief executive; or
 - (b) a person who has been given an information notice or a compliance notice by the regulator, or an authorised officer appointed by the regulator; or
 - (c) a person who has been given an information notice by a service provider.
- (2) The decision or action for which a notice was given under subsection (1) is an original decision.

Part 2 – Review of decisions

511 Appeal, arbitration or external review process starts with internal review

Every appeal, application for external review of an original decision, or application for arbitration on a review decision, must be, in the first instance, by way of an application for internal review.

512 Who may apply for review

- (1) An interested person for an original decision may apply for an internal review of the decision (*an internal review application*).
- (2) An internal review application may be made only to the following person (the reviewer)—
 - (a) for a decision mentioned in section 510(1)(a)—the chief executive;
 - (b) for a decision mentioned in section 510(1)(b)—the regulator;
 - (c) for a decision mentioned in section 510(1)(c)—the chief executive officer of the service provider.

513 Requirements for making internal review application

- (1) An internal review application must be—
 - (a) in the approved form; and
 - (b) accompanied by a statement of the grounds on which the applicant seeks the review of the decision; and
 - (c) supported by enough information to enable the reviewer to decide the application; and
 - (d) made within 30 business days after the day the applicant is given an information notice about the decision to which the application relates or a compliance notice.
- (2) However, the reviewer may, at any time, extend the time for making an internal review application.
- (3) On or before making the internal review application, the applicant must send the following documents to any other person who was given an information notice about the original decision—
 - (a) notice of the application (the submitter notice);
 - (b) a copy of the application and supporting documents.
- (4) The submitter notice must inform the recipient of the notice that written submissions on the internal review application may be made to the reviewer within 5 business days after the application is made to the reviewer.

514 Review decision

- (1) The reviewer must, within 20 business days after receiving an internal review application—
 - (a) review the original decision the subject of the application; and
 - (b) consider any properly made submissions by a recipient of the submitter notice;

and

 - (c) make a decision (the review decision) to—
 - (i) confirm the original decision; or
 - (ii) amend the original decision; or
 - (iii) substitute another decision for the original decision.
- (2) The reviewer may, by notice to the applicant and before the period mentioned in subsection (1) has expired, extend the period by not more than 30 business days.
- (3) Only 1 notice may be given under subsection (2) for each internal review.
- (3A) For an application about a safety condition or a development condition applying to a referable dam and for which a notice has been given under subsection (2), the reviewer may, before the extended period under that subsection expires and with the agreement of the applicant, further extend the period for deciding the application.
- (4) The application must not be dealt with by—
 - (a) the person who made the original decision; or
 - (b) a person in a less senior office than the person who made the original decision.
- (5) Subsection (4)—
 - (a) applies despite the *Acts Interpretation Act 1954*, section 27A; and

Editor's note—
Acts Interpretation Act 1954, section 27A (Delegation of functions or powers)

 - (b) does not apply to an original decision made by the chief executive.
- (6) If the review decision confirms the original decision, for the purpose of arbitration, external review or an appeal, the original decision is taken to be the review decision.
- (7) If the review decision amends the original decision, for the purpose of arbitration, external review or an appeal, the original decision as amended is taken to be the review decision.

515 Notice of review decision

- (1) The reviewer must, within 10 business days after making a review decision, give each of the following notice of the review decision (a review notice)—
 - (a) the applicant;
 - (b) any person who was given notice of the original decision.
- (2) The review notice must state—
 - (a) the reasons for the review decision; and
 - (b) if the applicant may appeal against the review decision to the Planning and Environment Court under part 3—
 - (i) that the applicant may apply to the Planning and Environment Court for a stay of the decision; and
 - (ii) how, and by when, the person may appeal; and
 - (c) if the applicant may apply to QCAT for an external review of the review decision under part 3—the matters stated in the QCAT Act, section 157(2); and
 - (d) if the applicant may apply for arbitration on the review decision under part 4—
 - (i) how the applicant applies for arbitration on the decision under part 4; and

- (ii) that the applicant may apply to a court with jurisdiction to hear the proceeding for a stay of the decision.
- (3) A copy of the relevant appeal or arbitration provisions of this Act, or the provisions of the QCAT Act about external review, must also be given with each review notice or copy of a review notice.
- (4) If the reviewer does not give the review notice within the 10 days, the reviewer is taken to have made a decision confirming the original decision.

516 Stay of operation of original decision

- (1) An internal review application does not stay the original decision the subject of the application.
- (2) However, the applicant may immediately apply for a stay of the original decision to—
 - (a) if, under Part 3 the applicant would be able to appeal to the Planning and Environment Court—the Planning and Environment Court; or
 - (b) if, under Part 3, the applicant would be able to apply to QCAT for an external review—QCAT; or
 - (c) if, under Part 4, the applicant would be able to apply for arbitration—a court with jurisdiction to hear the proceeding.
- (2A) An application to QCAT under subsection (2)(b) must be made as provided under the QCAT Act.
- (3) The court or QCAT may stay the original decision to secure the effectiveness of the internal review and a later arbitration, appeal to the court or external review by QCAT.
- (4) The stay—
 - (a) may be given on conditions the court or QCAT considers appropriate; and
 - (b) operates for the period fixed by the court or QCAT; and
 - (c) may be revoked or amended by the court or QCAT.
- (5) The period of the stay must not extend past the day when the reviewer makes a review decision about the original decision and any later period the court or QCAT allows the applicant to enable the applicant to—
 - (a) seek arbitration on the review decision; or
 - (b) appeal against or apply for external review of the review decision.
- (6) A review application affects the original decision, or carrying out of the decision, only if the decision is stayed.

Part 3—Appeals and external reviews

517 Who may appeal or apply for an external review

- (1) If an interested person has applied for an internal review of an original decision, any interested person for the original decision may appeal against or apply for an external review of the review decision under this section.
- (2) For the following decisions, the appeal must be made to the Planning and Environment Court—
 - (a) a decision by the chief executive to give an information notice under chapter 4;
 - (b) a decision by the chief executive to give a compliance notice under section 359(1);
 - (c) a decision by the chief executive, or an authorised officer appointed by the chief executive, to give a compliance notice relating to a dam safety and flood mitigation contravention;

- (d) a decision by the regulator, or an authorised officer appointed by the regulator, to give an information notice or compliance notice relating to a matter involving drinking water or recycled water.
- (3) The appeal must be started within 30 business days after the review notice is given for the review decision under section 515.
- (4) For the following decisions, the external review must be to QCAT as provided under the QCAT Act—
 - (a) a decision by the chief executive, or an authorised officer appointed by the chief executive, to give a compliance notice relating to a contravention, other than a dam safety and flood mitigation contravention;
 - (b) a decision by a service provider to give an information notice.
- (5) In this section—
dam safety and flood mitigation contravention means a contravention of a provision of chapter 4 or section 645.

518 Starting an appeal to Planning and Environment Court

- (1) An appeal is started by—
 - (a) filing a notice of appeal with the court; and
 - (b) if the review decision being appealed against was about an original decision of the chief executive—serving a copy of the notice on the chief executive; and
 - (c) if the review decision being appealed against was about an original decision of the regulator—serving a copy of the notice on the regulator; and
 - (d) complying with the rules of court applicable to the appeal.
- (2) The notice of appeal must be filed within 30 business days after the day the appellant receives notice of the review decision appealed against.
- (3) However, the court may, at any time, extend the period for filing the notice of appeal.
- (4) The notice of appeal must state fully the grounds of the appeal and the facts relied on.

519 Stay of operation of review decision

- (1) The court may grant a stay of the operation of a review decision appealed against to secure the effectiveness of the appeal.
- (2) A stay—
 - (a) may be given on conditions the court considers appropriate; and
 - (b) operates for the period fixed by the court; and
 - (c) may be revoked or amended by the court.
- (3) The period of the stay stated by the court must not extend past the time when the court decides the appeal.
- (4) An appeal against a review decision affects the decision, or the carrying out of the decision, only if the decision is stayed.

520 Hearing procedures

- (1) The procedure for an appeal must be in accordance with the rules of court applicable to the appeal or, if the rules make no provision or insufficient provision, in accordance with directions of the judge or magistrate.
- (2) An appeal is by way of rehearing, unaffected by the review decision.

521 Assessors

If the judge or magistrate hearing an appeal is satisfied the appeal involves a question of special knowledge and skill, the judge or magistrate may appoint 1 or more assessors to help in deciding the appeal.

522 Powers of court on appeal

- (1) In deciding an appeal, the court may—
 - (a) confirm the review decision appealed against; or
 - (b) set aside the review decision and substitute another decision; or
 - (c) send the matter back to the reviewer and give the directions the court considers appropriate; or
- (2) If the court substitutes another decision, the substituted decision is, for the purposes of this Act, other than this part, taken to be the review decision.

523 Appeal costs

- (1) Each party to the appeal must bear the party's own costs for the appeal.
- (2) However, the court may order a party to an appeal to pay costs to another party if the court considers—
 - (a) the appeal was frivolous or vexatious; or
 - (b) the party has incurred costs because the other party defaulted in the procedural requirements.

PART 2. POST-WORKS ADVICE

Complete and mail / email with a completed copy of the pre-works advice sheet within 15 business days of completion of works

1. Work completion

Date works completed:

Signature:

Attach photographs of completed works at site (see Appendix 4) ☐

2. Notification details

Please provide the name of the Regional Fisheries Facility you have notified.

Regional Fisheries Facility advised:

Date:

OFFICE USE ONLY

Date of entry:

DLS Authority Number:

Please keep a copy of this form for your records

Notes:

1. No acknowledgement/receipt will be given by DAFF.
2. Compliance with the code is the responsibility of the submitter.

Menik Menikdiwela

From: Watt, Samantha L [Samantha.Watt@jacobs.com]
Sent: Thursday, 18 December 2014 5:03 PM
To: Menik Menikdiwela
Cc: Chris Gray; Dooland, Shannon
Subject: RE: JOTS002416 - Failure Impact Assessments - Storm King & Connolly Dams - Proposal

Menik

As per our discussion, I have revised our fee estimate based on undertaking the site visits for both Storm King and Connolly Dam in the one trip.

This brings our total fee estimate for the two FIA studies to \$49,797 excl GST. Please find below a revised (combined) fee breakdown.

Please let me know if you have any further questions.

Cheers

Sam

				Total	49,797		
				Hours	Labour at Sell Rates	Expenses + Markup	Subs As-Sold
Estimated Fee (Revenue)				329	49,497	300	0
Level 1 WBS	Level 2 WBS	Section Heading	Level 3 WBS (unique)				
1		Connolly Dam		143 Hrs	21,570		
1	1.1	Project Management		10 Hrs	1,945		
1	1.1	1.1.1 Project Management		10 Hrs	1,945		
1	1.2	Data Collation		8 Hrs	1,312		
1	1.2	1.2.1 Collate Data		6 Hrs	911		
1	1.2	1.2.3 Agree failure modes		2 Hrs	401		
1	1.3	Site Visit					
1	1.3	1.3.1 Kickoff Meeting					
1	1.3	1.3.2 Site Visit					
1	1.4	Hydrology		14 Hrs	2,088		
1	1.4	1.4.1 Review existing URBS model		2 Hrs	381		
1	1.4	1.4.2 Update dam representation		3 Hrs	456		
1	1.4	1.4.3 Estimate PMF inflows to dam		9 Hrs	1,251		
1	1.5	Dambreak modelling		52 Hrs	7,432		
1	1.5	1.5.1 Extend existing Rosenthal Ck TUFLOW model to Connolly Dam		11 Hrs	1,707		
1	1.5	1.5.2 Develop dambreak inputs to TUFLOW model		9 Hrs	1,251		
1	1.5	1.5.3 Dambreak scenarios		18 Hrs	2,502		
1	1.5	1.5.4 Analyse results		9 Hrs	1,251		
1	1.5	1.5.5 Estimate Population at Risk		5 Hrs	721		
1	1.6	Reporting & Mapping		59 Hrs	8,792		
1	1.6	1.6.1 Mapping		24 Hrs	3,182		
1	1.6	1.6.2 Draft Failure Impact Assessment Report		27 Hrs	4,277		
1	1.6	1.6.3 Final Failure Impact Assessment Report with RPEQ certification		8 Hrs	1,333		
2		Storm King Dam		186 Hrs	27,928	300	
2	2.1	Project Management		10 Hrs	1,945		
2	2.1	2.1.1 Project Management		10 Hrs	1,945		
2	2.2	Data Collation		8 Hrs	1,312		
2	2.2	2.2.1 Collate Data		6 Hrs	911		
2	2.2	2.2.2 Agree failure modes		2 Hrs	401		
2	2.3	Site Visit		22 Hrs	3,631	300	
2	2.3	2.3.1 Kickoff Meeting		2 Hrs	401		

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Jacobs and SKM have combined to form one of the world's largest and most diverse providers of technical professional and construction services across multiple markets and geographies.

From: Watt, Samantha L
Sent: Thursday, 18 December 2014 10:59 AM
To: 'Menik Menikdiwela'
Cc: Chris Gray; Dooland, Shannon
Subject: JOTS002416 - Failure Impact Assessments - Storm King & Connolly Dams - Proposal

Menik

Jacobs are pleased to submit the attached proposals to undertake Failure Impact Assessments for Storm King and Connolly Dams.

Please let me know if you have any questions on these proposals. I will give you a call later today to discuss.

Cheers

Sam


Samantha Watt | Jacobs | Senior Consultant - Water Resources | ANZ Infrastructure & Environment
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9.6 Funding Request to Provide a Water Service Connection

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Manager Water & Waste Water	File Ref: 32.07

Recommendation

THAT Council allocates funding to support the water main extension required to service the property at Lot 1 RP31030 in the 2015/2016 financial year.

Report

An application has been received, dated 4th November 2014, for a water connection to Lot 1 RP31030 (PN 83190). Payment of \$1,200 has been made with the application, in accordance with Council General Fees and Charges for a standard 20mm water service.

The property in question is located on the corner of Bracker Road and North Avenue and has been paying vacant access charges for water, up until 30 June 2014, where they are now exempt from paying vacant access due to receiving primary producer concessions for agricultural land. (See below image for reference to location)



The original design philosophy of the Warwick water scheme is based on a system consisting of:

- Warwick WTP, clear water reservoir and pumping system.
- 3 other major reservoirs at Freestone, Kenilworth and Golf Links.
- Trunk mains connecting the Warwick WTP to the 3 major reservoirs.
- Reticulation mains (and some pump systems) to service customer connections based on the 3 major reservoirs above.

As identified in the image, the nearest water main to the property is the 300mm Glen Rd Pump Station rising main. Although located within the 100m setback from the property, it is not recommended to have domestic water services connected to this trunk main for a number of reasons including:

- It can cause excessive pressure fluctuations (from pumps starting and stopping) leading to numerous levels of service complaints.
- It can weaken the structural integrity of the trunk system.
- It can disrupt an excessive numbers of customers per incident.
- It can result in excessive response and repair times.

Instead, the preferred option is for Council to connect the property on Lot 1 RP31030 to the reticulated water network. That would involve construction / installation of the following,

- 360m of 100mm PVC water main along the southern boundary of North Avenue.
- Under road bored crossing of Queensland Rail corridor, in accordance with Queensland Rail standards.
- 100mm tee into the existing 200mm PVC water main on the western side of Kenilworth Street.
- One (1) 20mm water service connection.

Budget Implications

The preferred reticulation connection requires an additional funding of approximately \$50,000.00. This project was not part of the water program at all. As a result, there is no budget available to complete this project in 2014/15.

Policy Consideration

Council has a policy of charging vacant water access charges for properties within 100m of a water main. By accepting vacant water access charges, Council takes on the obligation to provide a connection on request and payment of the connection fee by a customer.

Community Engagement

Nil

Legislation/Local Law

Water Supply (Safety & Reliability) Act 2008

Vacant Water Access Charges Policy

Options

1. Supply the required funds from alternative sources to construct the works in 2014/15
2. Support the allocation of funds for this project as part of the 2015/16 budget
3. Refund the applicant the amount paid (for the water connection and the vacant water access charges).


Attachments

Nil

10. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

10.1 Negotiated Decision - Hutchison Quarries Pty Ltd, 608 Mountain Maid Road, Greymare

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	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 a Negotiated Decision, in relation to the Development Permit dated 18 December 2014 for a Material Change of Use for the purpose of Extractive industry (Decomposed granite and sand extraction) on land at 608 Mountain Maid Road, Greymare, described as Lot 22 ML659, Parish of Palgrave, County of Merivale, be approved.

Report

On 18 December 2014 a Development Permit was issued for a Material Change of Use for the purpose of Extractive industry (Decomposed granite and sand extraction). A request has been received for a Negotiated Decision in relation to this approval.



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 request Council to review Conditions 1, 2, 4, 5, 11, 28, 32, and 38, relating to the approved plans, the relevant period, the designed area for excavation and stockpiling, the area of the extraction site to be open at any one time, the machinery to be used on site, details of rehabilitation, access works, and roadworks on Leonard Road.

Condition 1

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.*

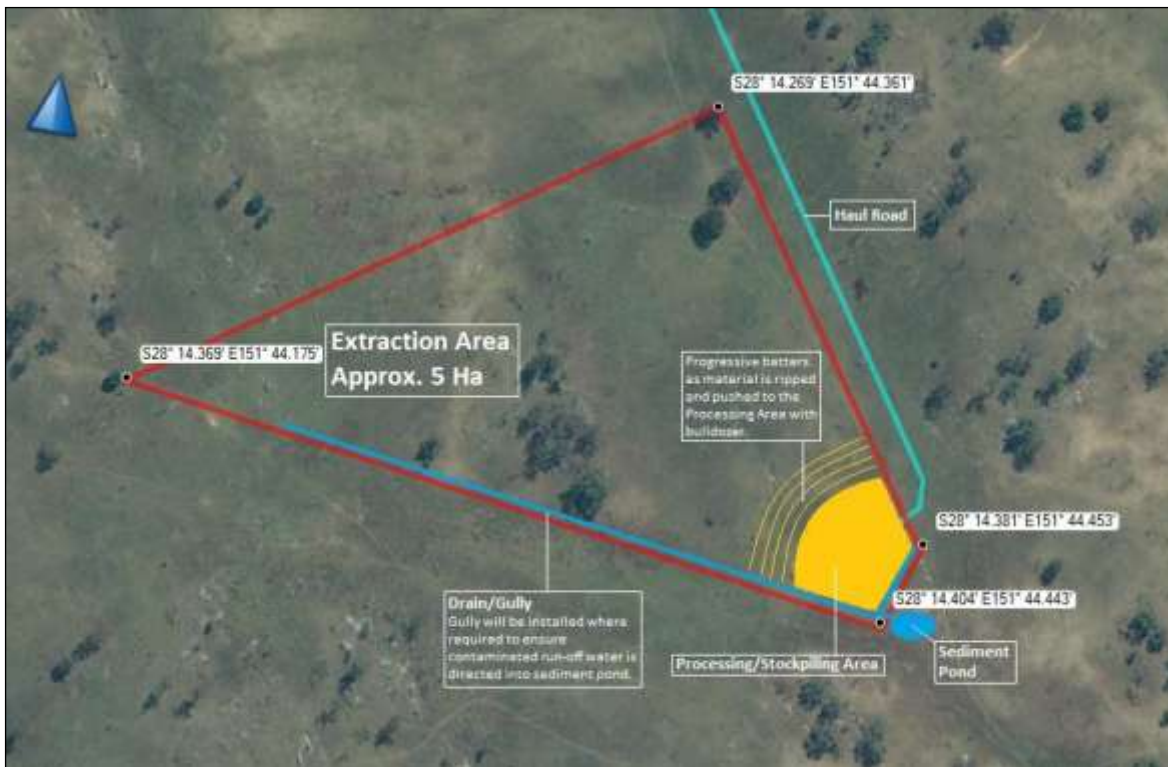
- *Plan Titled: Site Location Map, showing proposed extraction area, dated 26 October 2014, prepared by Yarramine Environmental.*

The applicant has provided the following representation:

Yarramine Environmental have confirmed that the map referred to in this condition formed part of the Noise Impact Assessment which was provided to council as part of the information request period of the application process. This map was not intended by Yarramine Environmental to be utilised as a map to provide the exact location or dimensions of the proposed extractive area; it was included in the Noise Impact Assessment to display where the sensitive receptors were located in relation to the general vicinity of the proposed extraction area.

Two maps of the proposed location of the haul road, extraction area, sediment controls along with associated measurements and illustrated extraction methodologies have been attached to this letter for council's perusal.





The two plans provided as part of the application are considered appropriate. The applicant has provided an addendum to the Environmental Noise Impact Assessment which indicates that the predicted noise impact levels at sensitive receptors would not increase and compliance with the adopted noise criteria can be achieved. Council's Senior Environmental Health Officer has confirmed these calculations and detail.

It is considered appropriate that Condition 1 be amended as follows:

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 Greymare Site Map, revision 2, submitted to Council on 15 January 2015.*
 - *Plan titled Greymare Detailed Site Map, revision 1, submitted to Council on 15 January 2015.*
 - ~~*Plan Titled: Site Location Map, showing proposed extraction area, dated 26 October 2014, prepared by Yarramine Environmental.*~~

Condition 2

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.*

The applicant has provided the following representation:

Given the amount of improvements to existing infrastructure that need to be conducted, new infrastructure to be installed and the associated costs; Hutchison Quarries P/L request that the life of the Development Approval be increased to allow sufficient time to recuperate the above mentioned costs.

It is a standard condition for extractive industries of this size and nature to have a relevant period of 15 years, however the applicant's justification is noted.

It is considered appropriate that the relevant period be extended to 20 years, given the infrastructure, including road upgrades, that are required as part of the development.

Condition 2 should be amended as follows:

2. *This approval is limited to a period of ~~twenty fifteen~~ (20 15) years and will expire on 31 December ~~2030~~ 2035. 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.*

Condition 4

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.*

The applicant has provided the following representation:

Yarramine Environmental have confirmed that the map referred to in this condition formed part of the Noise Impact Assessment which was provided to council as part of the information request period of the application process. This map was not intended by Yarramine Environmental to be utilised as a map to provide the exact location or dimensions of the proposed extractive area; it was included in the Noise Impact Assessment to display where the sensitive receptors were located in relation to the general vicinity of the proposed extraction area.

Two maps of the proposed location of the haul road, extraction area, sediment controls along with associated measurements and illustrated extraction methodologies have been attached to this letter for council's perusal.

A 3.0 hectare designated area for the excavation and stockpiling of overburden may not be enough area depending on the quality and depths of the material to be extracted from the hill. Hutchison Quarries believes that 5 to 10 hectares would satisfy a 15 to 25 year life of the Development Approval. Hutchison Quarries P/L do not anticipate that the material will vary in quality or depth and therefore may not need to disturb as much area as mentioned above; although would like to ensure that in the event of this occurring, the extraction area is large enough to allow the maximum volume of material to be extracted for the life of the DA.

The extraction area shown in the maps provided as part of the negotiated decision request indicates a 5 hectare extraction area. The increase from 3.0 hectares to 5.0 hectares is considered reasonable. As previously detailed, the applicant has provided an addendum to the Environmental Noise Impact Assessment which indicates that the predicted noise impact levels at sensitive receptors would not increase and compliance with the adopted noise criteria can be achieved. Council's Senior Environmental Health Officer has confirmed these calculations and detail.

Condition 4 should be amended as follows:

4. *The excavation and stockpiling of overburden, is to be conducted wholly within the ~~5.0~~ ~~3.0~~ hectare designated area, shown on ~~the Plan titled Greymare Site Map, revision 2, submitted to Council on 15 January 2015 and the Plan titled Greymare Detailed Site Map, revision 1, submitted to Council on 15 January 2015~~ ~~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.*

Condition 5

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.***

The applicant has provided the following representation:

Yarramine Environmental have confirmed that the map referred to in this condition formed part of the Noise Impact Assessment which was provided to council as part of the information request period of the application process. This map was not intended by Yarramine Environmental to be utilised as a map to provide the exact location or dimensions of the proposed extractive area; it was included in the Noise Impact Assessment to display where the sensitive receptors were located in relation to the general vicinity of the proposed extraction area.

Given the area required to progressively rip and win the material from the hill using a battered approach to increase safety and minimise future slips or slumps of land, the area required to stockpile overburden and processed products within the extraction area and the area required for movement and loading out of the products; Hutchison Quarries P/L request that the maximum area to be open and excavated at any one time be increased to 10,000 square metres.

As the batter moves progressively back into the hill so will the processing and stockpiling area to allow for the processing and stockpiling area no longer used to be rehabilitated.

The justification provided by the applicant is noted. It is considered that the increase in open and excavated area, from 5,000 square metres to 10,000 square metres will have minimal additional environmental and visual impact.

Condition 5 should be amended as follows:

5. **No more than 10,000 5,000 square metres** of the proposed excavation site, as shown on the Plan titled *Greymare Site Map, revision 2, submitted to Council on 15 January 2015 and the Plan titled Greymare Detailed Site Map, revision 1, submitted to Council on 15 January 2015* ~~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.**

Condition 11

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.*

The applicant has provided the following representation:

In the Mandatory Supporting Information document prepared by Hutchison Quarries and submitted as part of the application under the heading "Proposed Method of Extraction/Processing:" it stated that an excavator or front end loader may be used to load material at the site. Although it was not mentioned under the heading "Machinery:" Hutchison Quarries P/L request that condition 11 may also mention (1) excavator along with all other items of plant listed in the condition.

Given that the Noise Impact Assessment for this application included an excavator being used Hutchison Quarries P/L assumes there should be no reason as to why an excavator could not be added to the condition wording.

Council's Senior Environmental Health Officer has reviewed the proposed change and has provided the following comment:

The use of all equipment at the same time (bulldozer, loader, truck, mobile screening plant and excavator) does not result in an increase in the combined noise level produced from the operation. Calculations undertaken in the initial report, of the three loudest pieces of equipment and the haul truck, found the combined noise level to be 112 LAeq dB(A). The revised calculations with the addition of the excavator results in the same combined noise level of 112 LAeq dB(A).

At a distance of 1,000 metres to the nearest sensitive receptor, from calculations undertaken based on the sound power levels of equipment and the measured background noise levels,

both provided from Yarramine Environmental, the noise level will be less than background plus 5 dB(A) at the nearest sensitive receptor. To ensure this is maintained, the condition should remain on any approval that 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.

Based on the review, it is considered appropriate that Condition 11 be amended as follows:

11. *Machinery to be used in the Extractive Industry is generally limited to one (1) bull-dozer, one (1) loader, **one (1) excavator**, and one (1) truck at any one time and one (1) mobile screening plant which shall comply with noise emission standards.*

Condition 28

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.

The applicant has provided the following representation:

This condition states that rehabilitation is to commence once an area of 5,000 square metres has been exhausted and no longer used, it is the same amount of area described in condition 5. If the request by Hutchison Quarries P/L to change condition 5 is granted and therefore condition 5 states a different sized area; it is asked that the area described in condition 28 is also changed to the same sized area as condition 5.

Based on the proposed amendment to Condition 5, Condition 28 should be amended as follows:

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 10,000 5,000 square metres excavation area has been exhausted.

Condition 32

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.*

The applicant has provided the following representation:

After a site meeting with two council representatives at Leonard Road on 08/01/15, it was decided that the gateway in to the property from Leonard Rd will need to min 4.0 metres in width and that the density of traffic on the road did not require the property access gateway to 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. Hutchison Quarries request that this condition be changed to reflect this information.

Condition 38

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.*

The applicant has provided the following representation:

After a site meeting with two council representatives at Leonard Road on 08/01/15, it was decided that the density of traffic on Leonard Road did not require any additional width or re-alignment was required and that only work on areas which were not formed to 4.0 metres or did not have suitable gravel were to be conducted. Hutchison Quarries request that this condition be changed to reflect this information.

In relation to Condition 32 and 38, Council engineering officers confirmed that during the site inspection, it was agreed that the following would be suitable recommendations:

- *Leonard Road can be reduced to a 4.0 metre wide road but no less.*
- *Realignment is not required as it will only be Hutchisons trucks coming in and out of the quarry.*
- *100 millimetre cover of gravel is required for the length of Leonard Road.*
- *Engineering design required for the road entrance to allow for trucks both on entrance and exit off Leonard Road.*
- *Design to be submitted for approval to obtain Operational works.*
- *The gateway could be kept to the same width as the road.*

Based on recommendation by Council's engineering officers, it is considered appropriate that Conditions 32 and 38 be amended as follows:

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.~~*
38. *Leonard Road is to be upgraded to a constructed gravel road standard, ~~to achieve a minimum of 100 millimetre gravel cover,~~ including widening; ~~and~~ 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 ~~4.0 6.0~~ metres.

Recommendation

THAT the application for Negotiated Decision, in relation to the Development Permit dated 18 December 2014 for a Material Change of Use for the purpose of Extractive industry (Decomposed granite and sand extraction) on land at 608 Mountain Maid Road, Greymare, described as Lot 22 ML659, Parish of Palgrave, County of Merivale, be approved and Conditions 1, 2, 4, 5, 11, 28, 32, 38 be amended as follows:

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 Greymare Site Map, revision 2, submitted to Council on 15 January 2015.
 - Plan titled Greymare Detailed Site Map, revision 1, submitted to Council on 15 January 2015.
 - ~~Plan Titled: Site Location Map, showing proposed extraction area, dated 26 October 2014, prepared by Yarramine Environmental.~~
2. This approval is limited to a period of ~~twenty~~ **fifteen** (20 ~~15~~) years and will expire on 31 December ~~2030~~ **2035**. 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.
4. The excavation and stockpiling of overburden, is to be conducted wholly within the ~~5.0~~ **3.0** hectare designated area, shown on the ~~Plan titled Greymare Site Map, revision 2, submitted to Council on 15 January 2015 and the Plan titled Greymare Detailed Site Map, revision 1, submitted to Council on 15 January 2015~~ **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 10,000 5,000 square metres** of the proposed excavation site, as shown on the ~~Plan titled Greymare Site Map, revision 2, submitted to Council on 15 January 2015 and the Plan titled Greymare Detailed Site Map, revision 1, submitted to Council on 15 January 2015~~ **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.**
11. Machinery to be used in the Extractive Industry is generally limited to one (1) bull-dozer, one (1) loader, ~~one~~ **(1) excavator**, and one (1) truck at any one time and one (1) mobile screening plant which shall comply with noise emission standards.
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 ~~10,000~~ 5,000 square metres excavation area has been exhausted.

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.~~
38. Leonard Road is to be upgraded to a constructed gravel road standard, ~~to achieve a minimum of 100 millimetre gravel cover,~~ including widening; ~~and~~ 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 ~~4.0~~ 6.0 metres.

Attachments

Nil

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Planning Officer	File Ref: MCU\01597

APPLICANT:	Sheryle Lesley Wieden
OWNER:	Sheryle Lesley Wieden
ADDRESS:	Donald Street, Leyburn
RPD:	Lot 22 L184, Parish of Leyburn, County of Merivale
ZONE:	Rural
PROPOSAL:	Dwelling house (not in accordance with building setbacks and within the Flood hazard overlay)
LEVEL OF ASSESSMENT:	Code
REFERRALS:	Nil

Recommendation Summary

THAT the application for Material Change of Use for the purpose of a Dwelling house (not in accordance with building setbacks and within the Flood hazard overlay), on land at Donald Street, Leyburn, described as Lot 22 L184, Parish of Leyburn, County of Merivale, be approved subject to conditions.

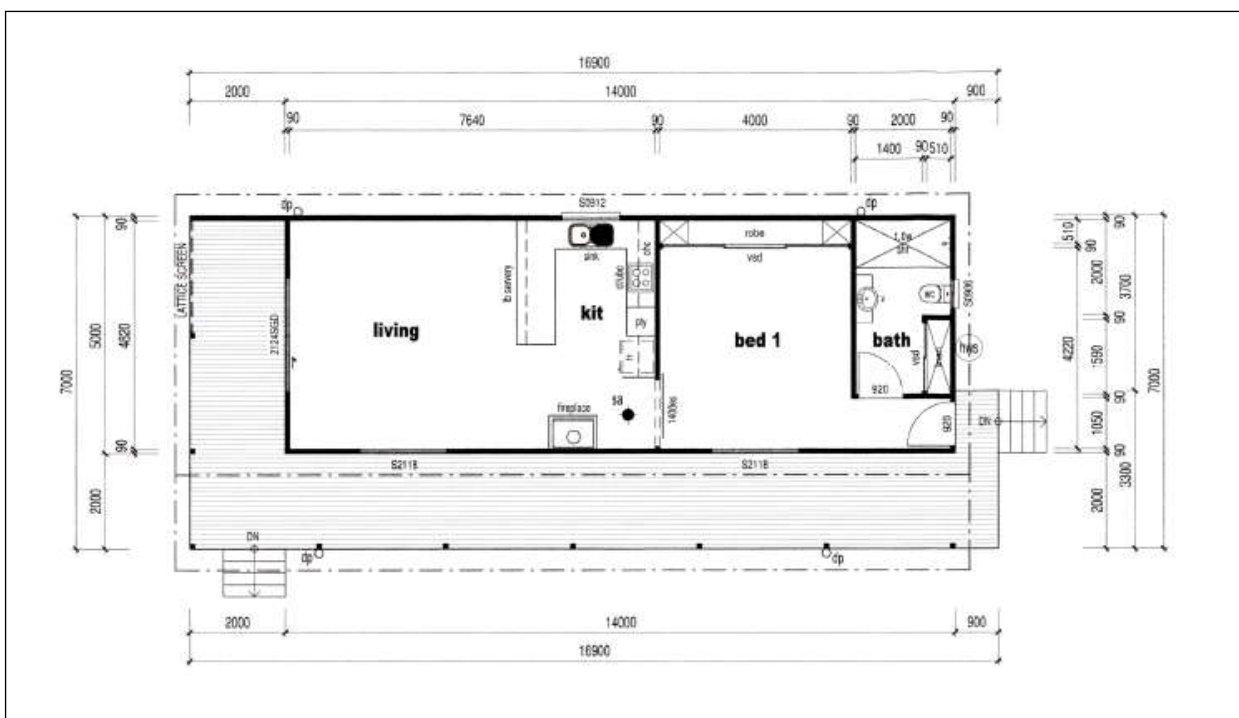
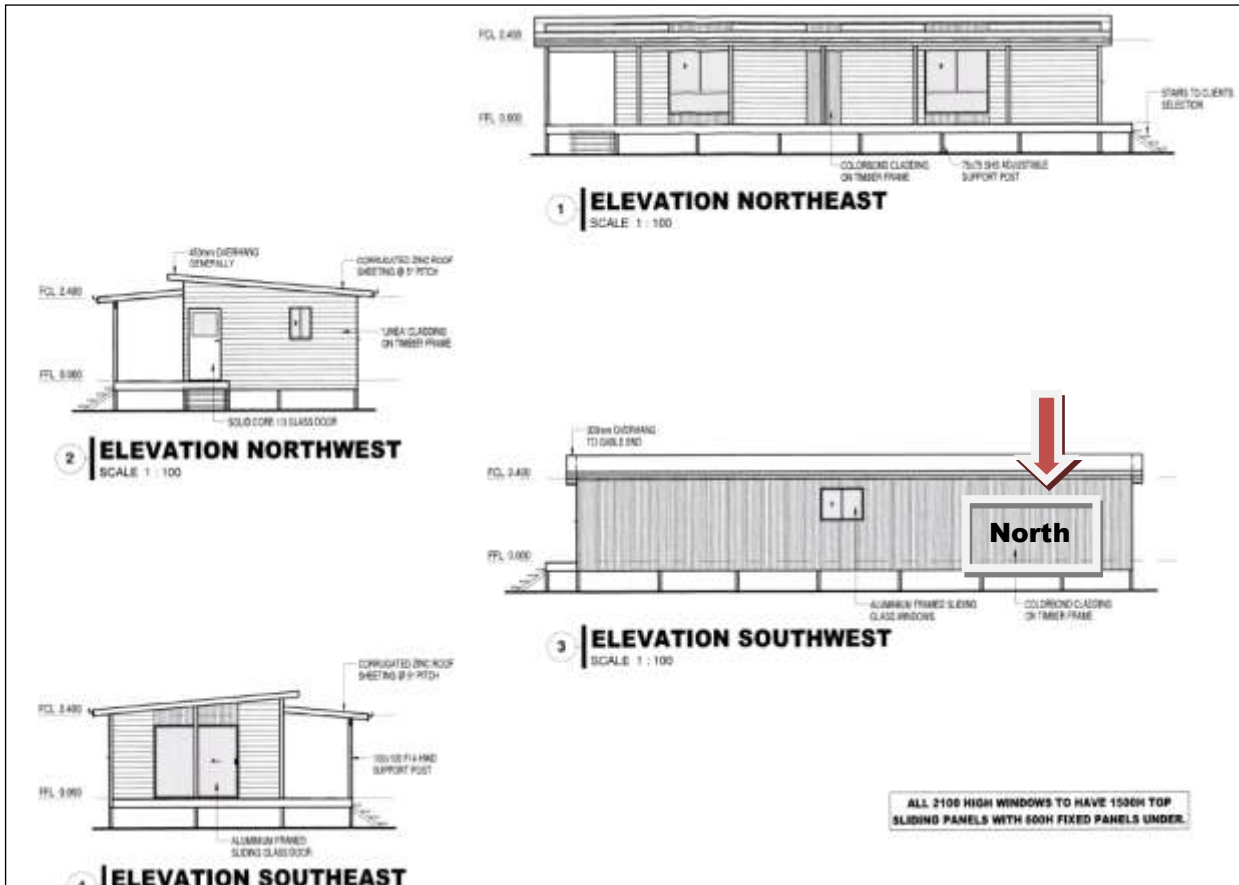
Report

Lot 22 L184 is 2,023 square metres within the Rural zone, and has frontage to Donald Street. There is currently a shed and tank on the site.



The adjoining land to the north and west is vacant. Contrary to the above image, Lewis Street along the southern boundary of subject lot, is a sealed road, complying with the engineering requirements.

The applicant proposes to construct a new dwelling house on the land within the required 60 metre setback from all boundaries and within the Flood hazard overlay. The applicant provided the proposed site plans as below:



Assessment against the Planning Scheme

This application required assessment against the Residential uses code and Flood hazard overlay code.

Residential uses code

Due to the size of the property, the required setbacks of 60 metres from side and rear lot boundaries are not achievable. The proposed dwelling is to be setback 6.0 metres from the southern boundary, 16.2 metres from the eastern boundary, 24.0 metres from the northern boundary, and 16.2 metres from the western boundary. The development must meet the applicable Performance outcomes which are as follows:

PO6 Dwelling houses and dual occupancy are located, designed, oriented and constructed to minimise noise and dust nuisance from traffic on the road network that is not part of the State controlled road network.

PO7 Dwelling houses and dual occupancy are located, designed and constructed to minimise the potential for conflict with existing or potential uses on adjoining land. This includes the potential of odour, spray drift, noise and dust associated with horticulture.

The adjoining lots are of similar size and not used for rural purposes. None of these lots are used, or likely to be used, for purposes other than residential. No conflicts are expected due to dust, odour or noise associated with rural uses. Therefore, the setbacks to the north and west property boundaries can be considered acceptable.

Lewis Street is a gravel constructed road. There are very few lots that have utilise this section of Lewis Street for access, and it is expected that the dust impacts will be minimal. The 6 metre setback from Lewis Street can be considered acceptable.

Donald Street is not constructed. The dwelling is setback 17.86 metres from the property boundary with Donald Street. If Donald Street was to be constructed in the future, there would be very few lots utilising this section of Donald Street for access. The setback from Donald Street can be considered acceptable.

The proposed development will not be able to comply with AO1, which requires that a dwelling house is to be erected on a site where a flood free area of at 17 metres x 17 metres is available. As the majority of the lot is shown as being flood prone, this Acceptable outcome cannot be achieved. The associated Performance outcome states as follows:

PO1 Development siting and layout responds to flooding potential and maintains personal safety at all times

The issue of flooding will be discussed later in this report.

Flood hazard overlay code

Council has recently adopted an updated Flood hazard overlay mapping for the Leyburn area, which extends to this property.



The applicant has provided the following supporting statement in regards to the placement of the proposed dwelling:

Doing levels with other blocks in the area and considering the level from across the creek on town level, we were very aware of what level "the flood" had come up to in all areas. After much consideration on both the possibilities of "the flood" happening again and just been aware of big rain which effects the back block, the decision to build at a respectable height a home on the lighter blue side of block 22 was the most favourable place to put our home. As you will see from our plans the home will be build on adjustable steel stumps at 3 or more times higher off ground to floor level then any water ever seen in this area.

Our development exit address could be either Donald Street or Lewis Street, as we have planned to have 3 exits in mind for any need to escape flood waters or emergency having to enter. We currently have exits at the 1 front on Donald St and the 2nd is on the side street of Lewis St, shortly we will have a 3rd exit at the back block of Lewis St. In regards to the back block been sold off separately from the front we see that as near impossible, as the SDRC request when our water tanks and sewerage design was put into place the design has our irrigation sprinklers and hoses on the back block. And further to that we have turned that area into just landscaping with no plans of building on this block 21 at all. It is also the area that catches big rain runoff from the hills behind that is why there is a dam on this block, to catch water before reaching front block.

In regards to the matters in question I believe we have done everything possible to keep ourselves and our property at a high level of safety in the event of another 1 in a 100 year flood events happening again. I do hope that your assessment managers will take this information into account when considering our development.

The updated Flood hazard overlay mapping indicates that the location of the proposed dwelling house will be wholly contained within the hazard area. Therefore there could be a risk to the safety of persons or property. The proposed dwelling house is to be built on adjustable steel stumps with a ground to floor height of 870 millimetres.

Both Lots 21 & 22 L184 are in the applicant's ownership. The possibility of conditioning the applicant to amalgamate both lots and effectively using the laneway to the west of Lot 21 L184 for the exit point was considered. After investigating the contours of the subject lots, it was determined that the exit route with the lowest flood depth is to take access directly along Lewis Street, along the southern boundary of Lot 22 L184.

The applicant states that the sewage treatment has been designed with irrigation sprinklers and hoses on the black block, Lot 21 L184. Therefore, it is considered reasonable for the applicant to either amalgamate both lots, or wholly contain all infrastructures associated with the proposed dwelling house to within Lot 22 L184.

The Director Engineering Services has indicated that the subject lot and evacuation route to flood free ground along Lewis Street has a minimal flood velocity rate. It has also been indicated in the event of a 1 in 100 year Flood event the subject lot would have a 2 hour evacuation time before being flooded after heavy rainfall.

The Leyburn area has flood sirens installed that provide advanced warning of major flooding in the area. These sirens emit verbal instructions for people to evacuate low lying areas. The flood siren is located at the Leyburn police station and has audible distance between 915 metres and 1,280 metres depending on weather conditions. The subject lot is located 560 metres from the flood siren.

As discussed, the subject lot has existing mitigation processes against major flood events and the proposed dwelling house has proposed alternatives to a standard dwelling design that contributes to this mitigation. The Performance outcome has been achieved by using relevant and reasonable mitigation means that contribute to ensuring the safety of habitants of the proposed development at all times against a flood event.

The proposed dwelling house will also be assessed against the relevant building codes to ensure the permanence of the structure during the building certification process.

State Planning Policy

One of the themes addressed in the State Planning Policy (SPP) is *Safety and resilience to hazards*. A policy area that is outlined within this theme is *Natural hazards, risk and resilience*. The relevant policy is as follows:

The risks associated with natural hazards are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.

The interim development assessment requirements of the SPP as they relate to this application are as follows:

Development:

- (1) *avoids natural hazard areas or mitigates the risks of the natural hazard; and*
- (2) *supports, and does not unduly burden, disaster management response or recovery capacity and capabilities; and*
- (3) *directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.*

The SPP includes a model Flood hazard overlay code. The provisions of the model code include the following:

New buildings are:

- (a) *not located within the overlay area; or*
- (b) *located on the highest part of the lot to minimise entrance of floodwaters;*
- (c) *provided with clear and direct pedestrian and vehicle evacuation routes off the site.*

Editor's note: Council may set appropriate water depth, distances and velocities deemed to allow for safe and clear access.

The SPP includes the following table which provide degrees of flood hazard.

Figure 1 – Model Flood hazard overlay code

Criteria	Degree of Flood Hazard			
	Low	Medium	High	Extreme
Wading ability	If necessary children and the elderly could wade. (Generally, safe wading velocity depth product is less than 0.25.)	Fit adults can wade. (Generally, safe wading velocity depth product is less than 0.4.)	Fit adults would have difficulty wading. (Generally, where wading velocity depth product is less than 0.6.)	Wading is not an option.
Evacuation distances	< 200 metres	200 – 400 metres	400 – 600 metres	> 600 metres
Maximum flood depths	< 0.3 metres	< 0.6 metres	< 1.2 metres	> 1.2 metres
Maximum flood velocity	< 0.4 metres per second	< 0.8 metres	< 1.5 metres	> 1.5 metres
Typical means of egress	Sedan	Sedan early, but 4WD or trucks later	4WD or trucks only in early stages, boats or helicopters	Large trucks, boats or helicopters
Timing Note: This category cannot be implemented until evacuation times have been established in the Counter Disaster Plan (flooding).	Ample for flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.	Evacuation routes remain trafficable for 1.5 times as long as the evacuation time.	Evacuation routes remain trafficable for only up to minimum evacuation time.	There is insufficient evacuation time.
Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan (flooding). Generally, safe wading conditions assume even walking surfaces with no obstructions, steps, soft underfoot, etc.				

Source: Department of State Development, Infrastructure and Planning (DSDIP), State Planning Policy – state interest guidelines, Natural hazards, risk and resilience.

In conjunction with Figure 1, it is reasonable to suggest the proposed development is of a tolerable risk, being acceptable, providing appropriate mitigation methods are implemented.

Although the access/evacuation route of the subject site has a high degree of flood hazard in regards to depth, between 0.5 metres to 1 metre, the evacuation distance of 100 metres and the indicated low velocity of the flood water indicate a low degree of flood hazard.

The proposed design of the building mitigates against worsening of a flood hazard and would not disrupt the natural flow of the flood event.

The early warning systems, already in place, provide advanced notice to any residents residing in floodable areas.

With the combination of the early warning systems, building design and tolerable risk it is considered that the outcomes of the State Planning Policy have been achieved.

Review of the Planning Scheme

The Flood hazard overlay code is being reviewed as part of the larger review of the Southern Downs Planning Scheme. Councillors had indicated at briefing meetings regarding the review of the planning scheme that they are prepared to review the Flood hazard overlay code to allow dwellings on flood prone lots in circumstance where the flood depth and velocity make evacuation during a flood event possible.

Draft amendments to the Flood hazard overlay code have been prepared, and it is recommended that these draft amendments be presented to a Council briefing meeting for discussion.

Conclusion

The proposed development involves the use of land for a Dwelling house (not in accordance with building setbacks and within the Flood hazard overlay). The proposal can be considered acceptable, subject to appropriate conditions. The application is recommended for approval subject to conditions.

Recommendation

- A. THAT the draft amendments to the Flood hazard overlay code be presented to a Council briefing meeting for discussion; and
- B. THAT the application for a Material Change of Use Dwelling house (not in accordance with building setbacks and within the Flood hazard overlay) on Lot 22 L184, Parish of Leyburn, County of Merivale, located at Donald Street, Leyburn, be approved subject to the following 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
Amended Site Plan	10	28 November 2014
Elevations	03	9 October 2014
Floor Plan	2	9 October 2014

Land Use and Building Controls

2. The existing allotments are to be amalgamated into one allotment and a new Certificate of Title issued to cover the newly created allotment prior to the use of the site commencing. Alternatively Condition 4 may be completed to satisfy this condition.

Building and Site Design

3. The floor level of the dwelling is to be at least 300 millimetres above the height of the Defined Flood Event (DFE).
4. In relation to Condition 2, all infrastructure associated with the proposed dwelling is to be wholly contained within the lot boundaries.

Car Parking and Vehicle Access

5. 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.)

Water Supply and Sewerage

6. On-site sewerage disposal is to be provide, complying with *Australian Standard 1547:2000 On site domestic waste water management* and the *Queensland Plumbing and Wastewater Code*.
7. On-site water storage of at least 45,000 litres is to be provided for the proposed new dwelling.

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) An application must be submitted and approved by Council for a permit under Southern Downs Regional Council's Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its operation).
- (iii) The Flood hazard overlay is based on a 1% flood event and therefore doesn't guarantee flood immunity.
- (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 21 (Final Inspection Certificate) must be issued for the building works prior to the use commencing.**

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

Nil

10.3 Request for Negotiated Decision, 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: 28 January 2015
	Planning Officer	File Ref: MCU01581

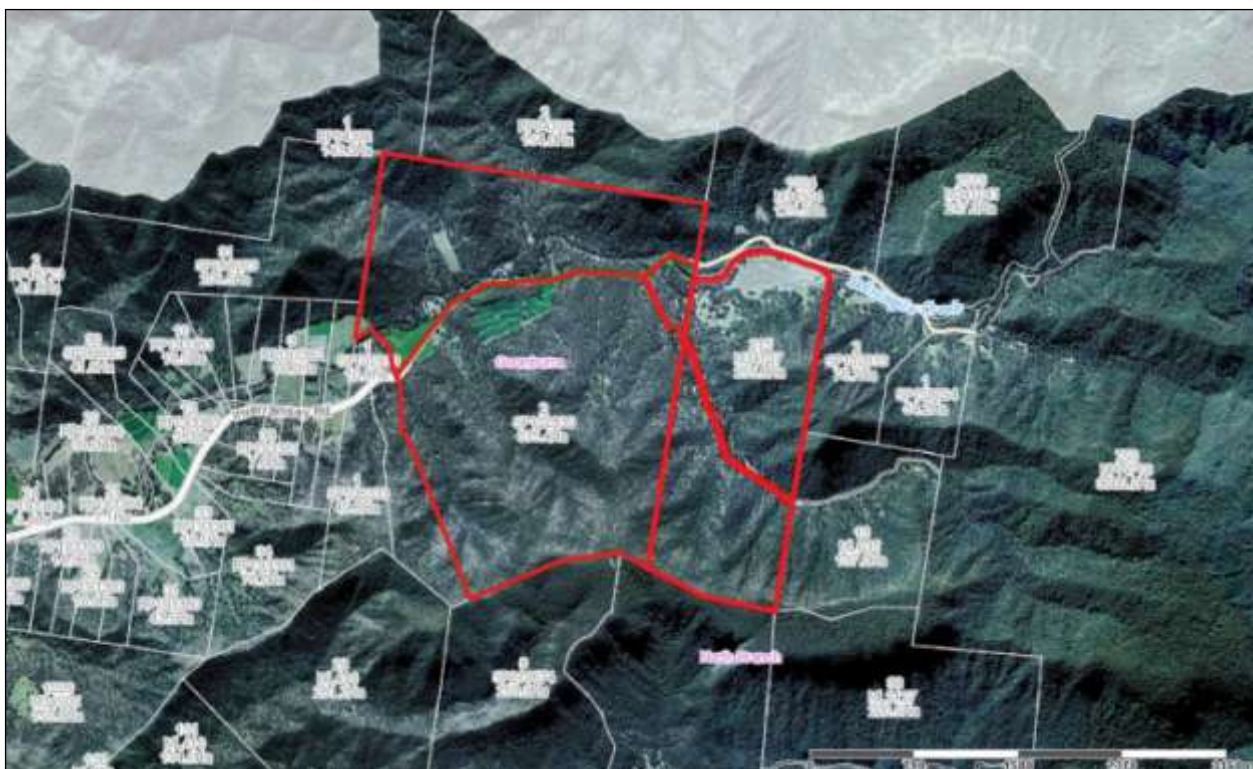
APPLICANT:	Imperial Sapphire Pty Ltd & Brexline P/L
OWNER:	Imperial Sapphire Pty Ltd & Brexline P/L
ADDRESS:	2081 Inverramsay Road, Goomburra
RPD:	Lot 215 M34107 and Lot 2 SP102830, Parish of Gladfield, County of Merivale
ZONE:	Rural
PROPOSAL:	Function facility (Wedding venue)
LEVEL OF ASSESSMENT:	Impact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

Recommendation Summary

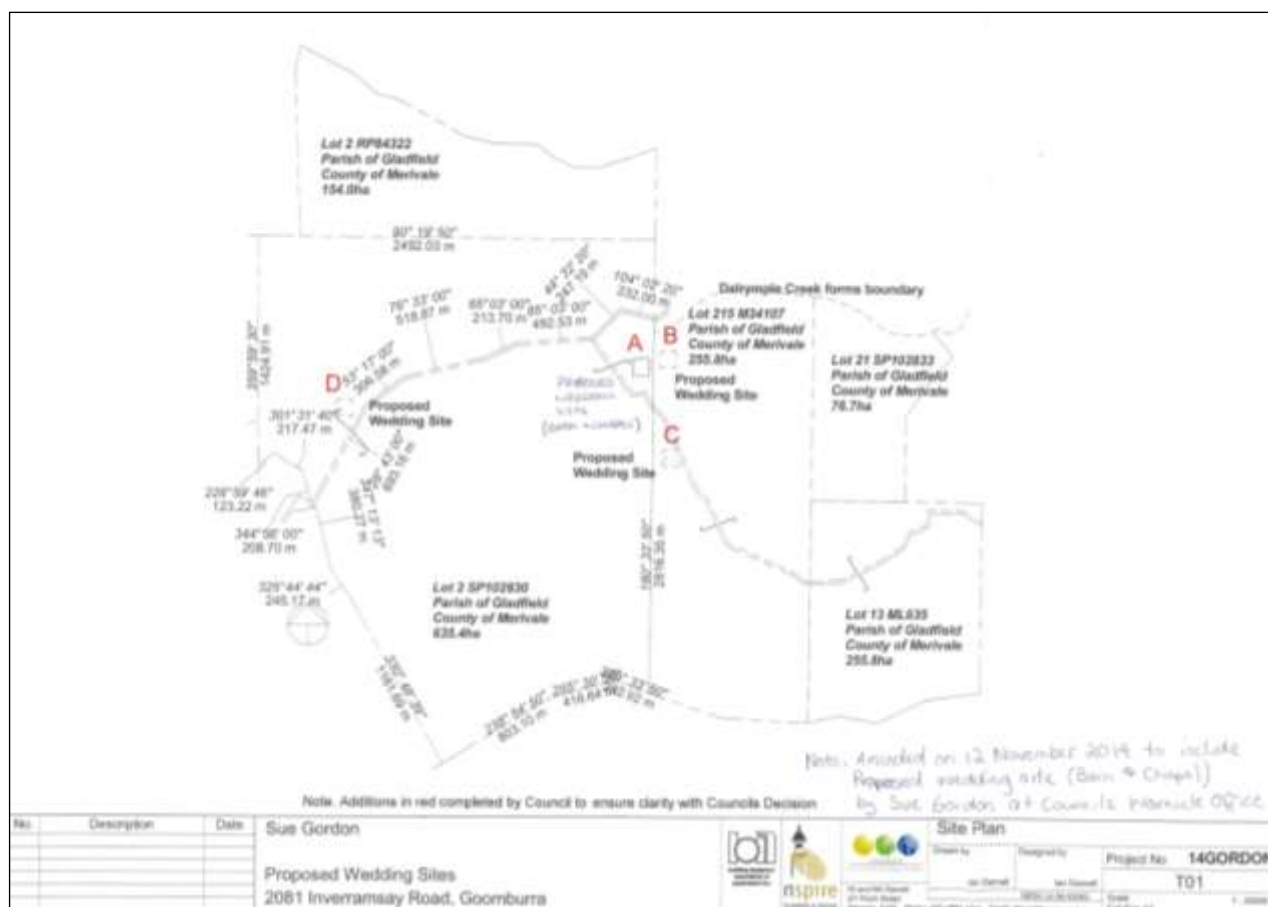
THAT the application for a Negotiated Decision, in relation to the Development Permit dated 17 December 2014 for a Material Change of Use for the purpose of Function facility (Wedding venue) on land at 2081 Inverramsay Road, Goomburra, described as Lot 215 M34107 and Lot 2 SP102830, Parish of Gladfield, County of Merivale, be approved in part only.

Report

On 17 December 2014 a Development Permit was issued for a 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. A request has been received for a Negotiated Decision in relation to this approval.



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.



The applicant has requested Council review Conditions 4, 6, 9, 10, 12, 13, 16, 23, 25, 26, 27, relating to an the proposed use, site usage, number of events, marquee size, camping on wedding function sites, amended building plans, operating hours and amplified noise .

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 applicant has proposed a new building design for the building on Site A. The size of the building has increased and this is reflected in the amended Adopted Infrastructure Charges.

The Adopted Infrastructure Charges should be amended as follows:

Development Type	Network	Rate	Proposed	Charge
Places of assembly	Other	\$35/m ² GFA	30% of \$35 x 451.5 509.2 m ²	\$4,740.75 \$5,346.81
TOTAL:				\$4,740.75 \$5,346.81

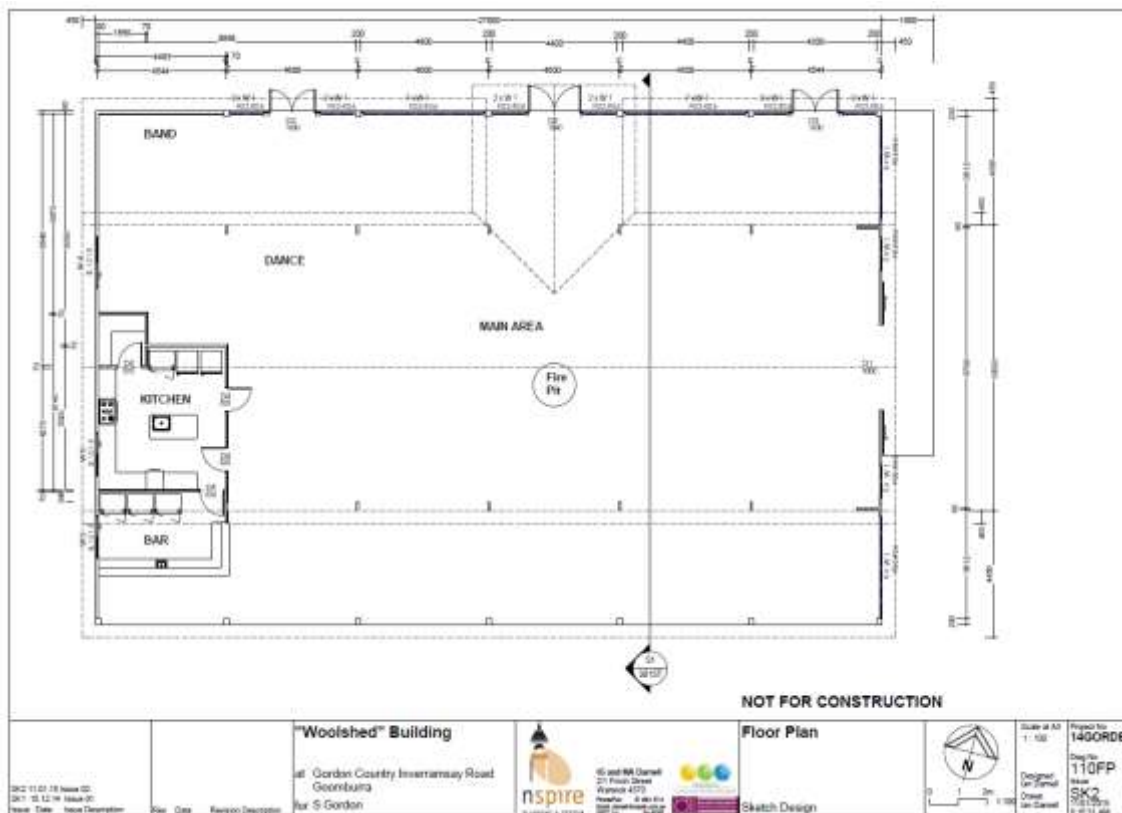
Condition 1:

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

The approved Site Plan was incorrectly referenced on the Decision Notice and has been changed to include the amended date.

Although the applicant has not requested the change of Condition 1 in writing, the applicant has sent through new plans of the proposed permanent building at Site A, due to a design change, and verbally requested their inclusion. The proposed plans are as follows:





The following condition should be amended as follows:

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 as <i>amended on 12 November 2014</i>	14GORDON	28 October 2014
<i>Floor Plan</i>	<i>110FP</i>	<i>11 January 2015</i>
<i>Sections Cross</i>	<i>301ST</i>	<i>11 January 2015</i>
<i>External Perspectives</i>	<i>423PD</i>	<i>11 January 2015</i>

Condition 4:

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.*

The applicant has provided the following representation:

While we have no objection per say to the above condition, we wish to make it clear that the permanent building on Site A will be used to hold more than just weddings. We envisage it will be used to hold such things as (including but not limited to):

- a) engagement parties;*
- b) corporate retreats;*
- c) birthday parties;*
- d) club retreats;*
- e) awards nights;*
- f) theme nights.*

We assure you however no events on the scale of a music festival will be held without a temporary use application being made.

Council's decision to condition the use as a *Wedding function facility* was based upon the supporting documents provided to Council. IDAS Form 1, Site Plan, Building Documents and the Acknowledgement Notice all refer to the use as specifically and solely being associated with a wedding and associated uses. No indication was given to Council at any stage leading up to the Decision Notice being issued that information was incorrect.

To alter this condition, it would be effectively changing the proposal of a Function Facility (Wedding Venue) use to a Function Facility.

Section 351 of the Sustainable Planning Act 2009 states that:

(1) Before an application is decided, the applicant may change the application by giving the assessment manager written notice of the change.

The applicant is unable to change details of the application as the application has been assessed and decided; however the applicant may negotiate conditions of the approval, as part of the IDAS process, and the subject of this report.

Condition 4 of the Decision Notice clarifies the use applied for, and the approved use of a Function facility (Wedding venue) as notified. This approved use cannot be changed this late in the IDAS planning process, therefore condition 4 of the approval, can only be altered to amend or add clarity to the approved use and cannot add additional uses.

Once the applicants appeal period ends, another avenue of change is a Permissible Change under section 367 of the Sustainable Planning Act 2009. Section 367 states as follows:

*(1) A **permissible change**, for a development approval, is a change to the approval that would not, because of the change—*

(a) result in a substantially different development; or

(b) if the application for the approval were remade including the change—

(i) require referral to additional concurrence agencies; or

(ii) for an approval for assessable development that previously did not require impact assessment—require impact assessment; or

(c) for an approval for assessable development that previously required impact assessment—be likely, in the responsible entity's opinion, to cause a person to make a properly made submission objecting to the proposed change, if the circumstances allowed; or

(d) cause development to which the approval relates to include any prohibited development.

As discussed previously, the use that was applied for in the application cannot be changed under section 351 and similarly this applies under section 367. Section 367 does not allow a Permissible Change if the change results in a substantially different development or is likely to cause a submitter to object to a proposed change. Changing the use from a Function facility (Wedding venue) to a Function facility is a substantially different development as it would allow for all types of functions without being limited to a specific function type, in this case weddings. Also, if the use was changed, it is the opinion of the Planning Officer that the previous submitters would submit against any proposed change.

Once the appeal period ends, a request for a change of use may be submitted, however changing the use from a Function facility (Wedding venues) to a Function facility would not be in accordance with the requirements under section 367 of the Sustainable Planning Act 2009.

Condition 4 should remain unchanged.

Condition 6:

6. *Only one of the four sites is to be used at a time for the use of a Wedding function facility.*

The applicant has provided the following representation:

We submit this condition is unreasonable given the size and facilities on the property. We would seek a condition that contemplates two sites being used for weddings/events contemporaneously.

Weddings occur during peak seasons and it would not be unusual to have a Friday/Saturday and a Saturday/Sunday wedding on the one weekend.

To avoid any potential breaches of the conditions, we therefore seek that that the condition be amended to read:

“Only two of the four sites are to be used at a time for the use of a wedding function facility.”

The condition was included based on the information provided to the Planning officer during a meeting with Sue Gordon at the Council's offices prior to the decision stage. This information, that only one site was to be used at a time, was confirmed during a site visit with the applicant, a Council Environmental Officer and the assessing Planning officer 4 December 2014.

Furthermore, supporting information accompanying the application indicated that only one site would be used at one time for the intended purpose. The request for a Negotiated Decision for condition 6 requires a minor change to the application, however a minor change is not possible at this stage of the IDAS planning process as section 351 of the Sustainable Planning Act also applies in this case.

Condition 6 should remain unchanged.

Condition 9:

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.*

The applicant has provided the following representation:

We submit that this is again unreasonable given the size and the commercial nature of the proposed business. A restriction of 35 events per year is a restraint of trade and does not even allow one wedding per weekend. Further it is common for people to select weekday weddings as a price saving option and so it would not be unusual to potentially have two weddings in any seven day period.

To limit us to 35 events per year would greatly impact the commercial viability of the business.

We would seek a condition that permits at least 77 events over the course of a calendar year, being 1.5 events each week.

The requirement of limiting the number of events to 35 each year was intended to void the need for the applicant to bitumen seal Inverramsay Road from where the existing bitumen sealed road ends and the gravel road starts up to and including where the site entrances are located for the proposed Wedding function facility.

A requirement, as stipulated by Council's Engineering Department, that any increase in the number of events from 35 events per year, leading to more than an Average Annual Daily Traffic (AADT) of 175, would require the applicant to upgrade Inverramsay Road to a sealed bitumen standard. The AADT is calculated on the average daily traffic over a two week period. The last

AADT count that was completed by Council was 24 November 2011 and the AADT then was an average of 121 cars per day. By allowing an increase to the number of events it is expected that the AADT would exceed the requirements recommended by the Engineering Department and, in turn, require the applicant to bitumen sealed Inverramsay Road up to the proposed Wedding function facilities.

As the proposed Wedding function facility is a new commercial venture, it is recommended that the 35 event per year remains; however with an additional condition that allows for a Request to Change an Existing Approval with no application fee. The applicant could apply for the Request to Change once the use is established and impacts can be clearly determined. The need for sealing of Inverramsay Road can be revisited at that future time.

The following condition should be amended as follows:

9. *The Wedding function facility shall provide for a maximum of 35 events in any calendar year.*
- 9A. *The applicant can apply to Council to change this number of events to allow an increase in Wedding function facility events per year after 12 months after the first Wedding function. In deciding this future request, and reviewing conditions of approval, Council will consider the level of compliance with the conditions of this approval.*
- 9B *In relation to condition 9A, any approval to increase event numbers above 35 per year may require the sealing of the Inverramsay Road as determined Council at the time of the request.*

Condition 10:

10. *The Wedding function facility shall provide for a maximum of 1 event per month on Site D.*

The applicant has provided the following representation:

We submit that this is unreasonable and there should be no restrictions on Site D. We rely on the submissions regarding Condition 9 and 6 above to support our position and consider that if there is a limit on the number of events it is unnecessary to then restrict the number of events at any one site. Further Site D is our only powered site and will be a very important option and site for our guests.

Accordingly, we seek this condition be removed altogether.

Site D is particularly close to adjoining other camping uses and it is of concern regarding the possible nuisance that could be caused by having more than one event per month on Site D.

Condition 10 should remain unchanged.

Condition 12:

12. *There is to be a maximum of 132 guests at any function involving the proposed marquee submitted with this application.*

The applicant has provided the following representation:

We submit that any marquee we hire will be of an appropriate size to support guests of 150. If the proposed marquee is not large enough for 150 guests, the marquee will be increased in size.

Given that it is not unlikely we will hire marquees in for weddings, we seek a more generic condition along the lines of:

“Guest numbers will be limited to appropriate numbers dependent on the size of any particular marquee.”

It is considered that the number of people is dependent on the size of marquee the applicant hires and should be conditioned likewise.

The following condition should be amended as follows:

12. ~~There is to be a maximum of 132 guests at any function involving the proposed marquee submitted with this application.~~ If a marquee used for the Wedding 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.

Condition 13:

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.*

The applicant has provided the following representation:

We submit this is unnecessary given the size of the property. There is no justification for such a condition and we submit guests should be permitted to camp at any recognised camping site on the property.

The above condition could well lead to overcrowding and insufficient parking and facilities for guests if they are all required to stay on Site B.

Accordingly, we ask that this condition be removed in its entirety.

The applicant has advised Site B will be used solely for the use of camping only associated with a Wedding function facility, when a wedding is taking place. The conditions intent was not to stop persons associated with the Wedding function facility camping on alternate sites, but to stop camping from persons not associated with the Wedding function facility on site B. It is considered that the condition could be amended to allow camping at any approved site.

The following condition should be amended as follows:

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.~~ Camping associated with the Wedding function facility can only occur at approved camping sites in accordance with Subordinate Local Law No. 1.6 (Operation of Camping Grounds).

The following advisory note should be added as follows:

- (x) ~~Camping associated with the Wedding function facility is only permitted at camping sites approved in accordance with Subordinate Local Law No. 1.6 (Operation of Camping Grounds).~~

Condition 16:

16. *The Barn of Site A is not to be used for any other purposes other than the approved Wedding function facility.*

The applicant has provided the following representation:

*As stated at point number 1 in relation to Condition 4, we are building a large commercial building (amended plans **attached**) that should not be limited to weddings only. As we advertised on our signs, we envisage the change of use as "Wedding and Function Facility," meaning that we anticipate holding other functions aside from just weddings.*

The cost associated with developing and building a structure of this kind is substantial and we cannot imagine such a structure only being permitted for weddings. Indeed, other similar structures such as town halls, and function rooms are just that – “function facilities” implying a broader use than just weddings.

Given the size and nature of the building we submit it is unreasonable to restrict it wedding functions only and would substantially impact on the commercial viability of the business. As contemplated by the Application, we seek it to be permitted to be used as a broader function facility.

Accordingly, we would ask that this condition be removed in its entirety, particularly noting Condition 4 which is to remain.

As previously discussed, after reviewing the supporting documents, the application described the intent of gaining planning approval for a Wedding Function Facility and was notified, and assessed on this basis. Furthermore, the Public Notification signs stated *Wedding Facility and Functions*, whereas the newspaper advertisement reads *Wedding function-Facility*. The discrepancy of the Public Notification was highlighted by a submitter against the proposal, and was addressed in the previous report to Council. It was then concluded that discrepancy was minor and the intent of the original application, for Wedding Function Facility was clear, and it was considered reasonable that it had not affected the Community and Relevant stakeholders becoming aware of the application.

Condition 16 should remain unchanged.

Condition 23, 26 and 27:

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*
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.*

The applicant has provided the following representation:

As a wedding venue it is completely unreasonable that a 10pm amplified music curfew be imposed and will essentially render those sites unusable as a wedding site. A 10pm curfew is inconsistent with the nature of the approval. No wedding party can nor should be required to turn of music at 10pm. A facility in the CBD has more leniency than this.

We note the submitters made submissions stating that 10pm was imposed on them, however with respect, if they have an approval for a general function facility, 10 pm is simply inconsistent with this. We would have no objection to their curfew being increased.

In addition, we note that the existing business run by Imperial Sapphire Pty Ltd has no such restrictions and so campers are likely to exceed the 10 pm curfew.

We further note the distance between respective commercial and residential neighbours (being .5km from Site D and nearly 2km from site B)and submit that the following is more reasonable and appropriate given the nature of the approval and surrounding conditions:

Site D: Amplified Music to 12 pm up to 115dB (Standard) and then 95dB till 2am.

The proposed decibel limits have been taken from the publication on the Qld Government Website: <https://www.business.qld.gov.au/industry/liquor-gaming/liquor/compliance-licensees/noise-restrictions/entertainment>

We also note that Site D is our powered site and so it is critical to the business that this can operate as a wedding site.

We further note that there is a natural alcove at Site D which will inhibit sound travelling to any great extent to Mr Woodford's property. As per condition 24, speakers can also be directed away from the neighboring property. Further protection can be provided by the use of directional speakers.

Sites A, B and C: Amplified Music to 2am up to 120dB and 95dB thereafter, on the basis such noise is directed away from neighbouring properties.

The proposed decibel limits have been taken from the publication on the Qld Government Website: <https://www.business.qld.gov.au/industry/liquor-gaming/liquor/compliance-licensees/noise-restrictions/entertainment>

These sites are again kilometres from the nearest neighbours with a number of natural barriers limiting sound.

We reiterate that this is no more or less than a pub or wedding facility would be permitted in a CBD or town area. We are a vast rural property and an outright 12pm curfew on amplified music on all sites cannot be justified. Extended hours such as proposed above should be allowed to occur on a property our size and location and it is indeed a point of difference to our competitors and an important marketing tool. Imposing a 12pm curfew for amplified music will affect the commercial viability of the business.

5dB(A) is almost nothing –a whisper is 5dB(A). Accordingly, this condition is impossible to comply with and would always cause us to be in breach of the approval and will cause more problems than it assists with.

We do not consider this condition reasonable nor appropriate given the nature of the approval.

If our submissions are accepted in relation to Condition 23, then Condition 26 is unnecessary and may only create an inconsistency in the approval conditions.

We submit it should be removed in its entirety.

Again if our submissions are accepted in relation to Condition 23, then Condition 27 is unnecessary and may only create an inconsistency in the approval conditions.

We cannot imagine such conditions have been imposed on nightclubs or hotels in the CBD district and trust that council will see this application as a legitimate and positive development for the entire region. The mere fact that there were submitters (known to the council to be vexatious in their complaints) should not result in conditions being imposed that can neither be justified or considered reasonable.

We again seek that this condition be removed in its entirety.

The proposed development is within the Rural zone and as such assessed against the Rural zone code. If the development was within the Warwick Principle centre, the application would be assessed accordingly.

The amplified music time frames were imposed based on individual site investigations and determined as to minimise the potential for conflicting land uses with established adjacent landholdings. The adjoining existing uses, such as camping grounds and dwelling houses, were taken into consideration and appropriate amplified music times conditioned. The imposed

conditions are aimed at ensuring the existing character of the area is maintained. Existing approvals for similar uses in the area were addressed as to provide a consistent approach.

Loud music is inconsistent with a rural setting. While camping is permitted in this area, this activity is generally associated with “peace and quiet” and amplified music outside the times specified would impact negatively on the amenity of the area. Imperial Sapphire Pty Ltd is governed by Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011 and is permitted as per the use requires.

Noise limits in condition 26 relate to the dB(A) reading above the background noise from the nearest boundary of an affected residential dwelling. This condition does not imply that noise cannot be above 5 dB(A), but implies noise cannot be 5dB(A) above the background noise. Background noise differs depending on the area and site conditions. This condition helps ensure the character of the area is maintained. If a particular dB(A) reading is conditioned without regard to background noise, the character of the area can be compromised and conflicts can arise with adjoining land uses.

The applicant has not demonstrated that the natural alcove located at Site D would absorb sound rather than rebound the sound towards the adjoining land.

The applicant wishes to amend condition 27 so that a standard reading of 95dB(A) applies after 2am on Sites A, B and C, and from 12am to 2am on Site D. As previously discussed, providing a standard dB(A) reading without factoring in the background noise level can cause excessive noise depending on the location. As the proposed Wedding function facility is located within the Rural zone, it is considered inappropriate to allow the proposed dB(A) levels.

Condition 23, 26 and 27 should remain unchanged.

Condition 25:

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.*

The applicant has provided the following representation:

We submit that we should be able to have two sides up on the marquee. Guests attend our property because of the views and in any event, music can be regulated through other means such as decibel limits and directional sound.

Accordingly, we ask this condition be removed in its entirety.

The applicant has requested that condition 25 is removed and they should be allowed to have 2 sides of the marquee to take advantage of the scenery. As there are conditions that limit the amount sound, it is reasonable to removed the condition for Site A, B and C, however at least two sides of the any marquee are to be enclosed at Site D. The two sides facing the adjoining property to the west as to screen any light shining from within the marquees so that no nuisance is caused to the adjoining land use.

The following condition should be amended as follows:

25. *The marquee at sites ~~B & D~~ shall be positioned with ~~three~~ two sides towards the west enclosed; to be clear, the sides facing towards the neighbouring ~~properties~~ property to the west will be enclosed.*

Recommendation

THAT the application for a Negotiated Decision, in relation to the Development Permit dated 17 December 2014 for a Material Change of Use for the purpose of 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 in part only, for the following reasons:

Condition 4

The request to change the Condition would result in a change in the proposed use of Function Facility (Wedding venue) to Function Facility. It is reasonable to suggest that this change would result in a substantially different development. Council would assess a Function Facility differently to a Function Facility (Wedding venues) and could result in different conditions as part of any approval.

A change of this sort could have new issues that submitters may have concerns about and may not accord with a Permissible Change as defined under the Sustainable Planning Act 2009.

Condition 4 should remain unchanged

Condition 6

The information that supported that application indicated that only one site would be used at one time for the purpose of the Wedding function facility. The request for a Negotiated Decision for condition 6 requires a minor change to the application, however a minor change is not possible at this stage of the IDAS planning process as section 367 of the Sustainable Planning Act also applies in this case.

Condition 6 should remain unchanged.

Condition 10:

Site D is particularly close to adjoining camping uses and is of concern regarding the possible nuisance that could be caused by having more than one event per month on Site D.

Condition 10 should remain unchanged.

Condition 16:

The supporting documents of the application showed the intent of gaining planning approval for a Wedding Function Facility and was advertised and assessed on this basis. The Public Notification signs read *Wedding Facility and Functions* whereas the newspaper advertisement reads *Wedding function-Facility*. The discrepancy of the Public Notification was indicated by a submitter against the proposal and was addressed in the previous report to Council. It was concluded that discrepancy was minor and considered reasonable that it had not affected the Community and Relevant stakeholders becoming aware of the application.

Condition 16 should remain unchanged.

Condition 23, 26 and 27

Loud music is inconsistent with a rural setting. While camping is permitted in this area, this activity is generally associated with "peace and quiet" and amplified music outside the times specified would impact negatively on the amenity of the area.

Noise limits in condition 26 relate to the dB(A) reading above the background noise from the nearest boundary of an affected residential dwelling. This condition does not imply that noise cannot be above 5 dB(A), but implies noise cannot be 5dB(A) above the background noise. Background noise differs depending on the area and site conditions. This condition helps ensure the character of the area is maintained.

Providing a condition with a standard dB(A) reading without factoring in the background noise level can cause excessive noise depending on the location. As the proposed Wedding function facility is located within the Rural zone, it is considered inappropriate to allow the proposed dB(A) levels.

Conditions 23, 26 and 27 should remain unchanged.

THAT Adopted Infrastructure Charges, Conditions 1, 9, 12, 13 and 25 be amended, conditions 9A and 9B be included and Advisory Note (x) be included, as follows:

Adopted Infrastructure Charges

Development Type	Network	Rate	Proposed	Charge
Places of assembly	Other	\$35/m ² GFA	30% of \$35 x 451.5 509.2 m ²	\$4,740.75 \$5,346.81
TOTAL:				\$4,740.75 \$5,346.81

- 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 as amended on 12 November 2014	14GORDON	28 October 2014
Floor Plan	110FP	11 January 2015
Sections Cross	301ST	11 January 2015
External Perspectives	423PD	11 January 2015


- The Wedding function facility shall provide for a maximum of 35 events in any calendar year.
 - The applicant can apply to Council to change this number of events to allow an increase in Wedding function facility events per year after 12 months after the first Wedding function. In deciding this future request, and reviewing conditions of approval, Council will consider the level of compliance with the conditions of this approval.
 - In relation to condition 9A, any approval to increase event numbers above 35 per year may require the sealing of the Inverramsay Road as determined Council at the time of the request.
- ~~There is to be a maximum of 132 guests at any function involving the proposed marquee submitted with this application. If a marquee used for the Wedding 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.~~
- ~~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. Camping associated with the Wedding function facility can only occur at approved camping sites in accordance with Subordinate Local Law No. 1.6 (Operation of Camping Grounds).~~
- The marquee at sites ~~B & D~~ shall be positioned with ~~three~~ two sides towards the west enclosed; to be clear, the sides facing towards the neighbouring ~~properties~~ property to the west will be enclosed.
- (x) Camping associated with the Wedding function facility is only permitted at camping sites approved in accordance with Subordinate Local Law No. 1.6 (Operation of Camping Grounds).

Attachments

Nil

10.4 Material Change of Use and Reconfiguring a Lot - Christian Education Services Ltd, 45-51 & 62 Canningvale Road and 476 East Street, Warwick

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 January 2015
	Senior Planning Officer	File Ref: MCU\01569 & RC\01494

APPLICANT:	Christian Education Services Limited
OWNER:	Christian Education Services Limited
ADDRESS:	45-51 & 62 Canningvale Road and 476 East Street, Warwick
RPD:	Lot 3 CP867702, Lots 1 & 2 SP196278 and Lot 1 RP36194, Parish of Warwick, County of Merivale
ZONE:	Lot 3 CP867702: Industry Lot 1 SP196278: Low density residential Lot 2 SP196278: Part Community facilities, Part Low density residential Lot 1 RP36194: Rural
LAND AREA:	Lot 3 CP867702: 23.3 hectares Lot 1 SP196278: 3.7 hectares Lot 2 SP196278: 13.2 hectares Lot 1 RP36194: 1.3 hectares
PROPOSAL:	Reconfiguring a lot (4 lots into 75 lots), including 22 residential lots within Community facilities zone and park; and Educational establishment
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	Seven (7)
REFERRALS:	Department of State Development, Infrastructure and Planning

Recommendation Summary

THAT the application for a Reconfiguring a lot (4 lots into 75 lots), including 22 residential lots within Community facilities zone and park, and Educational establishment on land at 45-51 & 62 Canningvale Road and 476 East Street, Warwick, described as Lot 3 CP867702, Lots 1 & 2 SP196278 and Lot 1 RP36194, Parish of Warwick, County of Merivale, be approved in part only.

Report

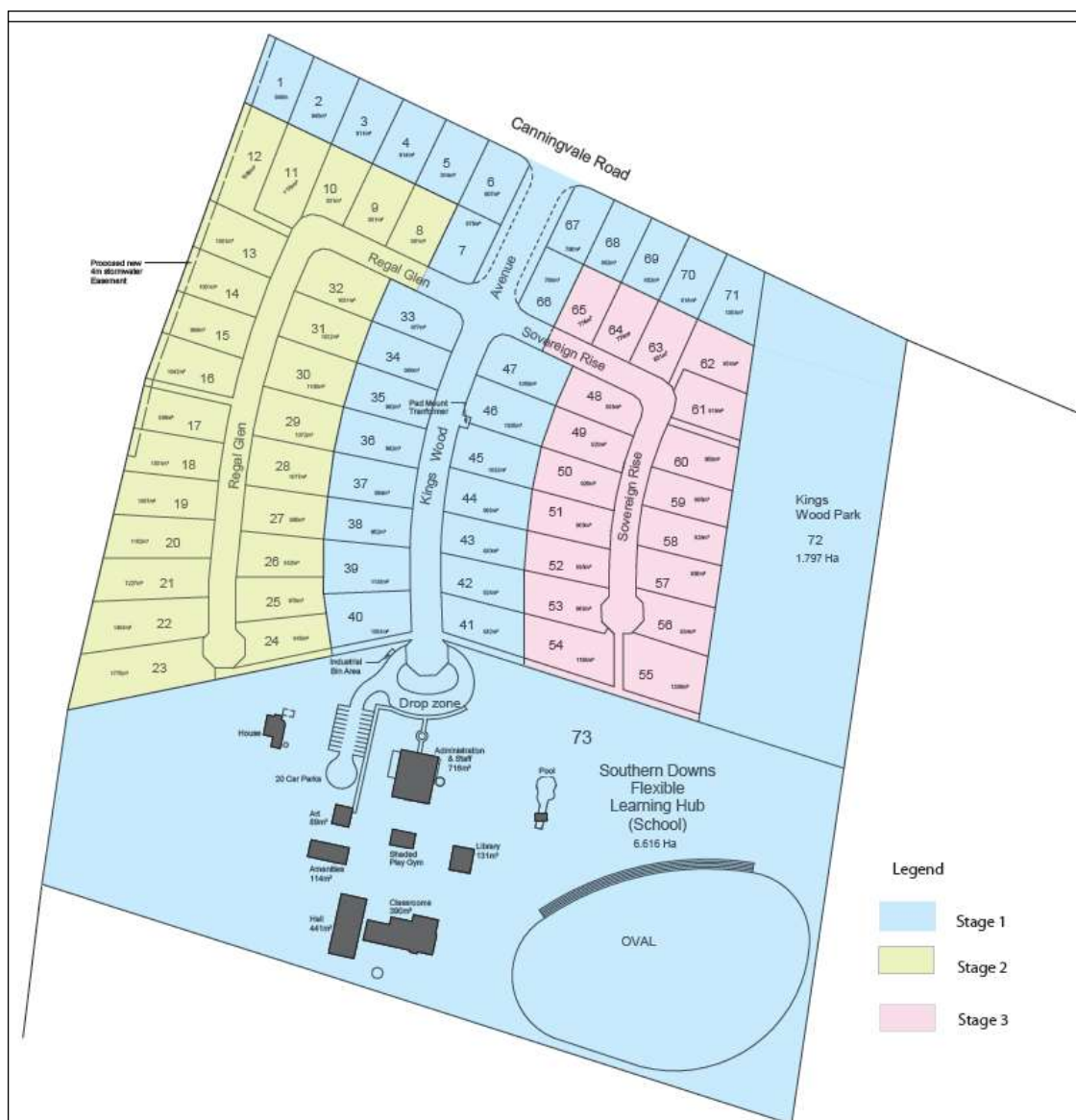
Currently the lots are as follows:

Lot	Frontage	Existing use
Lot 3 CP867702	East Street	Big W Distribution centre
Lot 1 SP196278	Canningvale Road	Vacant
Lot 2 SP196278	Canningvale Road	School
Lot 1 RP36194	Canningvale Road	Dwelling



The applicant proposes to subdivide Lots 1 & 2 SP196278 into 73 lots, allowing for 71 residential allotments, one recreational park and one lot containing the existing school infrastructure. It is proposed that the development will be completed in three stages:

- Stage 1: Lots 1 to 7, 33 to 47, 66 to 71, Southern Downs Flexible Learning Hub (School) (Proposed Lot 73) and Kings Wood Park (Proposed Lot 72).
- Stage 2: Lots 8 to 32.
- Stage 3: Lots 48 to 65.



Lot 1 RP36194 and Lot 3 CP867702 are proposed to be used for stormwater drainage purposes only.

The 71 residential allotments are proposed to range in size from 768 square metres to 1,775 square metres. Forty-nine (49) of the lots will be within the Low density residential zone, however the remaining 22 lots will be within the Community facilities zone. A Material change of use application was required for the use of the land within the Community facilities zone for residential purposes.

Council officers have raised concerns regarding the use of the land within the Community facilities zone for residential purposes, particularly given the potential impacts from the adjacent warehouse, within Industry zoned land where Big W is located. As a response to Council's concerns, the applicant submitted a Noise and Light Impact Assessment report. The Noise and Light Impact Assessment report will be assessed later in this report.

The applicant has provided the following information with regards to the existing school:

The existing school is the site of the Warwick Christian College and has been granted temporary planning approval until 30 June 2016. The Warwick Christian College has since relocated to another site, with this site now being utilised as a facility for educating and training "at risk" young people, shown as Southern Downs Flexible Learning Hub. At present for school accreditation purposes, this site is still a campus of Warwick Christian College, but the intention is that it will be accredited as a school in its own right by the Non-State Schools

Accreditation Board. No new buildings are proposed on the site, with the only proposed changes being:

- *The addition of an oval in the south-east of the site; and*
- *The addition of a car parking facility with car and bus drop zone.*

The school's maximum enrolment capacity will be 100 students with a maximum of 15 full time equivalent staff. This application proposes a car park of 20 spaces which is contended is a suitable allocation.

Submissions

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

The matters raised by the submitters are as follows:

Stormwater, flooding and impact on the Condamine River

- There is concern that the meteorological data that has been used to estimate stormwater management is from the 1980s. Why is such old information used in this modelling?
- There are already a stormwater issues in this area that Council has been unable to resolve. The flooding could reach dwellings on Canningvale Road if the issue isn't addressed properly.
- The stormwater drainage from Big W Distribution Centre, through the development site across Canningvale Road and toward the Condamine River needs to be improved to ensure it alleviates the existing issue. The size of the Big W Distribution Centre (over 20 acres) means that rainwater is not able to soak into the ground. The original water retention facilities provided by Big W were grossly inadequate, and because the buildings has been extended over the years, this has created even more flooding as the water flows down the hill into properties on the northern side of Canningvale Road. Although the subject application includes consent for the construction of the detention basin on Lot 3 CP867702 to 'manage distribution of stormwater from the Big W Distribution Centre,' it is not believed that this will solve the problem. The plans are unclear and deficient in allowing me to assess the impact of what appears to be a minimal easement for the stormwater from the proposed development.

There are concerns regarding the potential impact of the underground pipeline, which may be located in close proximity to adjoining boundaries and may impact on existing vegetation.

- The stormwater drain shown in the application will release the water directly into the Condamine River at a low-lying bank on the property at 45-51 Canningvale Road. The release of stormwater needs to be shifted much higher up on the property to prevent the banks of the river being washed away and silting up occurring.
- What measures are proposed to ensure that there is no potential for mosquitoes to breed within the retention basins.
- The retention basins should be fenced, given their proximity to the school.

Comment: The assessment of the stormwater proposal will be completed as part of the Operational works application that will follow the development application if approved. The applicant will be required to provide engineer designed stormwater infrastructure of such capacity that stormwater flows from the site are not increased about that of the pre-development state.

With regards to the detention basins, in terms of mosquito control, they are not dissimilar to any other farm dams or water course, which are located within this area. Therefore any complaints regarding potentially mosquito breeding will be investigated by Council.

The fencing of detention basins is not generally a requirement, and Council has numerous unfenced detention basins, i.e. Barnes Park, Mulberry Ridge, and Willi Street. In recent times, Stonewood Park has provided a fence around the retention basin constructed as part of the subdivision. It is considered appropriate that a condition be imposed to ensure a fence and appropriate signage is erected.

Sewerage (waste water)

- There is very little information about the discharge of sewerage from the proposed estate of 73 houses. There are no drawings that show where the sewerage pipe from Kings Wood estate meets the main sewer or to even indicate its placement within the easement. A Local plumber has informed me that the main sewer that will take the sewerage from the proposed estate has a diameter of 150mm, which is clearly inadequate. The main sewer runs behind the houses on the northern side of Canningvale Road and across East Street, behind houses in Conrad Street, to a pumping station at McEvoy Street. Is the pumping station adequate to deal with sewerage from another 73 houses? The development report has not addressed these issues.

Comment: It will be a condition of any approval that any new lots will be connected to Council's reticulated waste water system. The connection will need to be to Council's standard, including the specified pipe diameter. The assessment of the waste water connections will be completed as part of the Operational works application that will follow the development application if approved.

Water

- The size of the water main for the new development is believed to be only 50mm and then into a spaghetti line. This is not sufficient if this development goes ahead. Are the developers going to be required to upgrade the water supply?

Comment: It will be a condition of any approval that any new lots will be connected to Council's reticulated water supply. The connection will need to be to Council's standard, including the specified pipe diameter. The assessment of the water connections will be completed as part of the Operational works application that will follow the development application if approved.

Roadworks

- The applicant lists the development needs to go ahead because the school requires a sealed road from Canningvale Road to the school boundary in order to obtain permanent approval for the school. Surely a Government grant could help finance this project, negating the need for the development.
- The proposed road widening of Canningvale Road to the entry road is concerning. Currently, many drivers ignore the speed limits on this road and widening it will only encourage speeding drivers along Canningvale Road where houses already exist.
- Speed bumps on Canningvale Road are imperative to reduce speeding vehicles, and this needs to be addressed by Southern Downs Regional Council.
- The access from Canningvale Road should be a double vehicle width given the increase in traffic to the site and along Canningvale Road.
- There are concerns regarding the single access point, particularly in the case of an emergency in the estate, i.e. bushfire. Surely another entrance would be beneficial.

Comment: Council's Engineering Services department recommend that Canningvale Road be widened, including kerb and channel. It is also recommended that a Traffic Management review of Canningvale Road be undertaken. This review will look at the current use and formation of Canningvale Road and provide recommendations regarding any required treatments.

Electricity

- The developers have previously stated to use that all the power poles in this part of Canningvale Road would be removed and all power would be underground. Out power is currently fed from the above ground service to a property pole. The developers should be responsible for any costs incurred with any change required.

Comment: It should be a condition of any approval that the development be provided with underground electricity connections. The provision of such infrastructure will be at the developers cost.

Residential streetscape, parkland and wildlife

- The proposed estate resembles a gated community with one road entering the estate. A gated estate is unfriendly to the local community. Although a park is proposed for the eastern side of the estate, this is not accessible to local residents because it is much further away. It appears that the park is designed for residents of Kings Wood estate and no one else. There is no path shown on the plan for local residents to walk directly into the estate from Moncrieffe Street.
- A more inclusive approach to the local residents would be to include a second park or move the proposed park to the western boundary of the estate. Wildlife such as kangaroos and wallabies already use this route to cross Canningvale Road from Kingswood to properties on the northern side of Canningvale Road to reach the Condamine River. There are many wallabies and kangaroos living at Kingswood and behind it on Council owned land. There is no mention in the application of the fate of these animals.
- If there were fewer houses, and better access and more accessible parkland provided for existing residents and wildlife, the proposed estate would be acceptable.

Comment: The land along the Canningvale Road frontage is within the Low density residential zone and is there intended for residential development, including subdivision. The proposed development is consistent with the purpose of the zone.

The applicant has provided no indication that the development will be gated, in fact there is a pathway from Moncrieffe Street into the proposed development.

Whilst the submitters concerns regarding the location of the parkland are noted Council officers consider the location reasonable. However, based on Council's recent parks rationalisation project, it is considered reasonable that no park dedication should be provided, and this area be included as part of the Educational establishment.

The subject land is not within the Biodiversity areas overlay, which identifies habitat linkages.

Impact on surrounding rural uses

- If this development is approved, will the conditions be such that the proposed estate will be a safe and pleasant place for people to live, side by side with nearby residents of the area who pursue rural activities involving the use of farm machinery and the movement of livestock and whose work is conducted at various times of the day and night.
- Properties on Cannningvale Road are used for farming and grazing and this means that agricultural practices will be carried out at any time, day or night. Including the operation of noisy agricultural machinery and the noises and smells of livestock, as there are stock yards within close proximity to the proposed development. At weaning time this could be particularly noisy.

Recent past history (e.g. Meadowbank and the dairy) has shown that although the farm was in existence long before the residential development, but the residents still believe they have a right to continually complain about the farming activities and associated noise and odours. The Council should learn from the past issues and not be putting Council of the existing farmers in this predicament.

Comment: The land along the Canningvale Road frontage is within the Low density residential zone and is there intended for residential development, including the proposed subdivision. The proposed development is therefore consistent with the purpose of the zone.

The land bordering the Industry zone is included with the Community facilities zone, to provide a buffer to the residential land. The adjoining land to the east is included within the Industry zone.

Impact on Morgan Park

- This development contradicts Council's own policy. This is a quote directly from a letter sent in June 2007 to an adjoining resident, regarding a realignment of boundaries. The letter specifically stated that this related to land within 3.0 kilometres of the Morgan Park Recreational Grounds:

Subdivisions of land for rural or rural residential purposes and more intensive forms of residential uses that may individually or cumulatively increase the number of people residing in the vicinity of Morgan Park will be strongly opposed.

Comment: The area of the site proposed to be used for residential purposes is not located within the Morgan Park overlay.

Some of the classroom buildings associated with the Educational establishment are within the overlay area. Given the hours of operation of both Morgan Park and the proposed school there will be minimal conflicts in operation and it is therefore deemed that there will be minimal impact on Morgan Park from the proposed school. It is considered appropriate that an advisory note be included to notify the developers that if impacts are felt from Morgan Park that mitigation measures are to be undertaken at the school.

Light impact

- The lights of cars turning out of the development site onto Canningvale Road, will impact on the houses opposite the entrance.

Comment: As previously detailed, part of the land is within the Low density residential zone and is therefore intended for residential development, including subdivision. The proposed development is consistent with the purpose of the zone.

The potential impact from car and street lights is not dissimilar to any other new residential subdivision.

Compliance with the Southern Downs Planning Scheme

- Community facilities zoning: Surely the establishment of 71 extra residential lots within an already flooded market reflect very minimal community use.

Comment: A detailed assessment against the planning scheme is included later in this report.

Need

- Council has already approved approximately 1,700 approved, but undeveloped residential lots within our township. Add to these the many unsold, developed blocks within the town, then surely the market has reached saturation point as evidenced by the many failed estate that are currently becoming unkempt eyesores within our town.

We would like to argue that Council should withhold their permission for any further development within our town, until there is a growth in the market to justify and ensure the success of the already approved lots.

Comment: The subdivision of the land within the Low density residential zone is consistent with the planning scheme and therefore the need for additional lots is not a consideration for Council. However, the need for additional residential lots is to be considered regarding the proposal to utilise the Community facilities zone for residential subdivision.

The applicant has provided the following justification regarding the need of the proposed development:

The landowners and joint developers of the Kings Wood Estate, Christian Education Services Ltd. (CESL) and Christian Community Developments Pty Ltd (CCD), exist for the advancement of Christian schooling within Australia. The primary function of CESL, a not-for-profit company, is to buy property in future growth areas for the establishment of Christian schools. CCD, a for-profit company, is an architectural and development consultancy, whose main work is in Christian schooling. The profit from CCD's operations is distributed under Trust to Christian Community Ministries Ltd. (CCM), which is a not-for-profit company that is the owner and operator of a network of Christian schools including Warwick Christian College. The purposes of these companies is mentioned because the primary motivation for this development application is to offset the costs of establishing and developing the Southern Downs Flexible Learning Hub and Warwick Christian College Slade Campus, which are not-for-profit endeavours. The additional residential lots in the Community Facilities zone potentially provide more saleable resources for these schools in Warwick, which provide an important community service.

It is contended that there are also good planning grounds for supporting the proposal. As mentioned in the submitted Development Proposal Report, the extra land is surplus to the needs of the Southern Downs Flexible Learning Hub, which is a 'consistent' use in the Community Facilities zone. The 6.616 Ha of land allocated for the school for 'at risk' students will more than comfortably accommodate the maximum of 100 students. When this was to be the sole campus of Warwick Christian College (before the Slade Campus was a viable option) this additional land may have been required or at least have been advantageous for the effective operation of the school. But with the securing of the Slade site, the intensity of proposed operation on this school site dramatically reduced and thus the allotted land in the development proposal is appropriate.

As also mentioned in the application, the provision of infrastructure and services to these additional lots is efficient, cost effective and in-sequence and there is no expansion of the urban footprint that will compromise the future industrial land uses proposed around the site (see response to Information Request item (b) below). Further, the applicant is not aware of any viable alternative use for the Community Use zoning other than an expansion of the school, which as contended above is not required.

In terms of the residential market activity in Warwick, it is understood from conversation with Council that there is approximately 1,700 approved but undeveloped residential lots within the township. This evidently shows that developers are waiting for growth in the market before investing further. The applicant's situation is different however, because the school requires a sealed road from Canningvale Road to the school boundary in order to obtain permanent approval for the school, and thus the applicant will proceed with Stage 1 as soon as required approvals are obtained (see attached Staging Plan). The development has been designed and staged to be flexible in the timing for the delivery of Stages 2 and 3, which means that if the market is flat, the development can be put on hold without disruption to Stage 1 residents. In saying this, the applicant is optimistic about the growth potential of Warwick and certainly intends to progressively develop Stages 1 to 3.

Council officers do not consider that there are sufficient reasons to allow for the subdivision of the land within the Community facilities zone for residential purposes. As discussed later in this report, the subdivision of the Community facilities land for residential purposes is not consistent with the Southern Downs Planning Scheme.

Existing vegetation

- There are two old, large pine trees on the estate which enhance the area. These trees should be retained, along with many other trees, to lessen the damage to the environment. This should be a stipulated requirement.

Comment: Part of the proposed development is within the low-density residential zone. It is not a requirement to retain existing trees within this zone.

Assessment against the Planning Scheme for the Educational establishment

The Educational establishment aspect of this application required assessment against the Community facilities zone code, the Carparking and loading code, the Landscaping code, the Outdoor lighting code, the Physical infrastructure code, and the Morgan Park overlay code.

The infrastructure associated with the Educational establishment is located wholly on the land within the Community facilities zone. Although the lot also includes land within the Low density residential zone, it is considered appropriate that only the Community facilities zone is applicable.

Community facilities zone code

The purpose of the Community facilities zone code is to provide for community related activities and facilities whether under public or private ownership.

These may include the provision of schools.

The Local government purpose of the zone code is to:

- (a) Provide for the continued operation of a range of organised activities which includes sporting, cultural and educational activities where the activity is generally reliant on built and formed structures.
- (c) To manage impacts from uses within the zone on adjacent areas through buffering of adjacent sensitive land uses and through sensitive design and siting of facilities and infrastructure.
- (d) Ensure that any development proposed on land included in this zone is compatible with the existing community use. Due to the significance of Morgan Park as a community, sport and recreation facility of regional, state and national significance, development which could prejudice, restrict or limit the use of the grounds will not be permitted unless the use is developed in a manner that ensure that it will not affect the use of Morgan Park.

The Warwick Christian College has operated on this site since 2007. The school campus exists and there are no new buildings proposed for the school. Therefore there will be no additional impacts regarding the visual quality of the area and the amenity of the location.

The proposal is within 3.0 kilometres of Morgan Park. The facilities at Morgan Park generally operate on weekends. The proposed school will only operate weekdays and will not run for school holidays. Given the hours of operation of both Morgan Park and the proposed school there will be minimal conflicts in operation and it is therefore considered that there will be minimal impact on Morgan Park from the proposed school. It is considered appropriate that an advisory note be included to notify the developers that if impacts are felt from Morgan Park that mitigation measures are to be undertaken at the school.

The continued use of the site for an educational establishment is in keeping with the purpose of the zone.

The proposed development complies with the Code with regards to Use, Traffic and transport networks, Privacy and safety, Visual amenity, Amenity, Refuse management and storage, Environment, Natural hazards, and Parking and access.

Morgan Park overlay code

The Morgan Park overlay only covers the southern section of the land, which includes the classroom buildings. The potential impacts associated with Morgan Park have been addressed previously in this report.

Carparking and loading code

The applicant proposes to construct an appropriate car parking facility with car and bus drop zone, and have provided the following car parking calculations:

- 1 space per full-time equivalent staff member of which there will be a maximum of 15.
- 1 space per 20 students of which there will be a maximum of 100.

Additionally there will be a drop zone, with the eastern end of this zone being constructed with mountable kerbing to allow for additional parking on the site's grassed area. The applicant has indicated that due to the nature of many of the students' situations that it is likely that a significant number will be transported via a private bus to the school.

It is considered that the assumed car parking calculations are reasonable and therefore 20 spaces should be provided, along with the drop zone. It will be a condition of any approval that the car parking and drop zone be sealed, drained and line marked.

Landscaping code

There is currently landscaping throughout the development.

The applicant has submitted a landscaping intent plan which shows an entry garden to the school area. It is considered appropriate that a Landscaping plan be submitted.

Outdoor lighting code

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

Physical infrastructure code

The school is already connected to Council's reticulated water supply.

The school is not currently connected to Council's reticulated wastewater system; however it will be a condition of any approval that it be connected as part of the overall proposed development.

All other urban services are available to the school.

Assessment against the Planning Scheme for the Subdivision

The subdivision aspect of this application required assessment against the Community facilities zone code, the Industry zone code, the Low density residential zone code, the Rural zone code, the Residential uses code, the Reconfiguring a lot code, the Healthy waters code, the Flood hazard overlay code, and the Morgan Park overlay code.

Community facilities zone code

The purpose of the Community facilities zone code is to provide for community related activities and facilities whether under public or private ownership.

Specifically, the Local government purpose of the zone code is to:

- (c) To manage impacts from uses within the zone on adjacent areas through buffering of adjacent sensitive land uses and through sensitive design and siting of facilities and infrastructure.
- (d) Ensure that any development proposed on land included in this zone is compatible with the existing community use. Due to the significance of Morgan Park as a community, sport and recreation facility of regional, state and national significance, development which could prejudice, restrict or limit the use of the grounds will not be permitted unless the use is developed in a manner that ensure that it will not affect the use of Morgan Park.

The applicant proposes to utilise part of the land which is within the Community facilities zone for residential purposes; 22 lots (see following plan). The residential use of the land is not in conjunction with the community use of the land, and therefore is not consistent with the purpose of the Community facilities zone.



The proposed development complies with a the Code with regards to Traffic and transport networks, Visual amenity, Amenity, Refuse management and storage, Environment, Natural hazards, and Parking and access.

The proposed development cannot comply with the following Performance outcomes:

- PO1 All uses are located, designed and operated to be compatible with other existing uses on the site.
- PO6 All uses are located and designed and operated to be compatible with other existing uses and to preserve or improve -
 - (a) the physical conditions of the adjoining area including noise, light, odour, air quality and traffic generation; and
 - (b) the character of the adjoining area including privacy, built form and safety.
- PO16 Uses other than those specifically for community purposes are either associated with, or provide services to people using the community facility or employed on the site or have similar characteristics to the particular community purpose existing on the site.
- PO17 The proposed use meets demonstrated existing and future community needs.

The applicant has not provided any justification in relation to the non-compliance of the above-mentioned Performance outcomes. The applicant has tried to justify the subdivision based on need, as set out earlier in the report. The attempt to use need is not based on planning need, but is more about trying to justify the subdivision of land to help provide infrastructure for the Educational establishment and the funding of the provision of such infrastructure. The applicant has acknowledged that there are approximately 1,700 residential lots approved, but undeveloped within the township.

It is to be noted that the applicant for the subject application approached Council in 2006 to amend the then Warwick Shire Planning Scheme to include the subject land partially in the Residential Land Use Area and partially in the Major Community Facilities Land Use Area.

A report was presented to the January 2007 Planning and Development Committee meeting, in relation to two requests that had been made to Council (by Mr Trevor Rees and the Christian Education Services Ltd) to change the Land Use Area of land associated with Kingswood Country Retreat located 62 Canningvale Road, Warwick, described as Lot 1 RP89850 & Lot 1 RP81667.

The report concluded as follows:

Requests have been received to change the Land Use Area of land associated with Kingswood Country Retreat located 62 Canningvale Road, Warwick, described as Lot 1 RP89850 & Lot 1 RP81667. This land is currently included in the Rural Land Use Area.

The requested amendments relate to the inclusion of the northern section of the land and the existing residence in the Residential Land Use Area, and the remainder of the site in the Major Community Facilities Land Use Area. The applicants state that these amendments will allow the residential subdivision of the northern section of the land, and the use of the balance area of land for a School. Council has approved the temporary use of the land for a School for a period of five years. The Warwick Christian College Ltd has indicated that they intend establishing permanently on the site.

The change to Major Community Facilities Land Use Area for the southern part of the site which includes the Kingswood Country Retreat facilities and future school facilities is considered unnecessary. Although this land is unlikely to be used for rural purposes, a change to the Land Use Area will not affect the use of the land for a Recreational Camp, nor will it simplify the process associated with using the land permanently for a School.

The inclusion of the Kingswood residence in the Residential Land Use Area is not considered appropriate. This residence is located in very close proximity to a number of buildings and facilities associated with the Recreational Camp/School. Therefore, it is not considered appropriate that this dwelling be included in a different Land Use Area than the other buildings/facilities on this land.

*As the northern part of the land can be provided with urban services, and appropriate buffers can be provided to the Industry Land Use Area, the inclusion of this area of the site in the Residential Land Use Area is considered to be reasonable subject to Council being satisfied that the Morgan Park Recreational Grounds will have minimal impact on the future residents of this area. The Senior Environmental Health Officer states that under certain weather conditions or later in the evening, noise emissions from drag racing activities will be clearly audible at the proposed residential subdivision. These noise levels are expected to be similar in volume to traffic noise and will not constitute environmental harm or be deemed unreasonable, although **they may result in complaints**.*

Before council can be satisfied that the amendment to the Planning Scheme is justified, the need for additional residential land must be demonstrated. The DLGP has advised that as part of the whole of Government review, the need for additional residential land in Warwick city will be questioned, as will issues relating to Good Quality Agricultural Land. It is therefore, recommended that prior to Council further considering amending the Planning Scheme, the applicants be required to demonstrate that there is a need for additional residential land, and to provide advice from the Department of Natural Resources, Mines & Water regarding the proposed amendment.

If, in the future, Council is prepared to propose to amend the Land Use Areas for the northern section of the land, it is considered appropriate that the residential allotments on Canningvale Road, east of the intersection with East Street, also be included in the Residential Land Use Area (see attached plan Existing Land Use Areas and Suggested Possible Amendments).

1. Existing Land Use Areas and Recommended Amendments



The applicant has been aware of Council's concerns regarding proximity to the industrial land and Morgan Park since 2007, and Council's approach to this matter has not changed.

Under the Southern Downs Planning Scheme, the land is within the Community facilities zone due to the use of the land for an Educational establishment and its ability to provide a buffer to the land within the Industry zone. Operations within the Industry zone could operate 24 hours a day, seven days a week.

As previously detailed, Council officers have raised their concerns with the applicant regarding the potential impacts from the adjacent warehouse, and Industry zoned land, as there are concerns that there may be reverse amenity impacts on the industrial uses.

To address Council's concerns, the applicant submitted a Noise and Light Impact Assessment. Council's Senior Environmental Officer has conducted a review of the report, and has provided the following comments:

Noise

Unattended noise measurements were undertaken from Thursday 23rd October to Wednesday 29th October with results provided in Section 2.1.4 and Appendix C of the Noise and Light Impact Assessment ("the NLIA").

Attended noise measurements were undertaken on Thursday 23rd October in the evening and night with results provided in Section 2.1.5 and Appendix C of the NLIA.

The NLIA states that the background data is considered representative of typical noise amenity in residential areas in Australia with negligible to low density transportation (noise area categories R1/2 from AS1055.2-1997). However, according to AS1055.2-1997 where the measured background values are obtainable, they should be used. The assessment has done this.

The acoustic quality objectives used in the noise assessment is from Schedule 1 of the Environmental Protection (Noise) Policy 2008 (EPP (Noise)) for dwellings (outdoors and indoors) which is acceptable. These objectives are as follows:

Sensitive receptor	Time of day	Acoustic quality objectives (measured at the receptor) dB(A)	Environmental value
		$L_{Aeq,adj,1hr}$	
dwelling (for outdoors)	daytime and evening	50	health and wellbeing
dwelling (for indoors)	daytime and evening	35	health and wellbeing
	night-time	30	health and wellbeing, in relation to the ability to sleep

Section 10 of the EPP (Noise) makes allowances for maximum allowable additional noise over the existing background noise level (background creep). The additional noise over the background noise level is 5 dB(A). The criterion used in the assessment is the average background readings + 5 dB(A) as shown below. It is assumed the background averages used were those from unattended noise measurements as this appears to correlate.

Period	Objective	Criteria ($L_{Aeq,adj,T}$)
Day 7:00 am to 6:00 pm	Background noise level + 5 dB(A)	47 (42 + 5)
Evening 6:00 am to 10:00 pm	Background noise level + 5 dB(A)	43 (38 + 5)
Night 10:00 pm to 7:00 am	Background noise level + 5 dB(A)	40 (35 + 5)

However, there is concern with using the average figure. For example, the background average of 42 dB(A) for the 7:00 am to 6:00 pm period, there are a number of results that are lower than this, such as a measurement of 38 dB(A) taken on 26 October. It may be possible for background readings to be at this level more often than what was recorded.

Modelling was developed using an industrial model from SoundPLAN software which is acceptable. Noise sources from the Big W Distribution Centre include truck and forklift movement, mechanical fan, truck and trailer parking areas and personal. The NLIA does not state whether topography details were included in the modelling. This could have an impact on the results.

Calculated Noise Level results (calculated background creep) were presented in Section 4.5 of the NLIA for noise from proposed Lots 17 to 23 and for both ground and first floors. The noise results provided were for the day, evening and night periods. Using the criterion above (47/43/40), results for all time periods and all lots (both ground and first floor) are able to comply with the noise limits. However, as stated above, average background readings were used to determine the criterion. This is a concern as there may be a possibility for background noise to be lower than the average at times, resulting in non compliance with the noise level criteria.

Calculated Noise Level results (calculated for the 1-hour period of maximum continuous noise emissions) were presented in Section 4.6 of the NLIA for noise from proposed Lots 17 to 23, for both ground and first floors and indoors. The noise results provided were for the

day, evening and night periods. The NLIA states that the criteria used was 50/45/40 as per the EPP Noise. However, 50 cannot be used as the EPP Noise states the day and evening periods inside is 35. Also, the 45 and 40 criteria used is 10 dB(A) higher than stated in the EPP Noise. The assumed justification for adding 10 dB(A) is that a building envelope with windows open reduces external noise by 10 dB(A) (there has been no clear clarification as to why this has been added). I would disagree with this method as the EPP Noise acoustic quality objectives clearly state the limits of 35 and 30 for dwellings indoors.

The NLIA states that the majority of time periods and lots comply with the criterion used by ATP, with proposed Lots 20 to 23 unable to comply during the night periods.

However, using the EPP Noise Criteria for indoor dwellings of 35 and 30 for daytime/evening and night time periods respectively, proposed Lots 17 to 23 can comply, but only for evening periods. Proposed Lots 17 to 23 would exceed EPP Noise criteria for day and night time periods. Reviewing all results provided in Appendix D of the NLIA, proposed Lot 16 would also be unable to comply.

The NLIA concludes that the Big W Distribution Centre has the potential to impact on the noise amenity of proposed Lots 20 to 23. To provide noise attenuation, it is recommended to construct a 1.8 metre high noise barrier fence along the western boundary of proposed Lots 20 to 23 and along the southern boundary of proposed Lot 23. As upper floors of high-set dwellings will be noise impacted, it is recommended that proposed Lots 20 to 23 be designed and constructed as per the requirements from AS3671-1989 and AS 2107-2000. No further recommendations have been provided.

It is important to note that currently the Big W Distribution Centre's operation hours are 6.00 am to 6.00 pm. There is always a possibility for operations to increase to 24 hours per day and it is noted that Big W has operated for longer hours in the past. This could in-turn result in increased noise generation from all noise sources. Also, there is also the possibility for the use to change completely (e.g. from a warehouse to a high impact manufacturing operation). This would have the potential to exceed recommended acoustic objectives. **The assessment is based on the current level of impact only. It does not take into account possible increased activity at the Big W Distribution Centre.** Based on this information and the above information where proposed Lots 16 to 23 cannot comply with the EPP Noise acoustic quality objectives, it is recommended that proposed Lots 18 to 23 remain vacant, and that an acoustic fence be erected along the southern and western boundaries of proposed lot 16 and 17.

Light

The NLIA states that the light assessment has been undertaken in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting and information in the assessment supports this. However, the NLIA states that when illuminance recordings were undertaken and calculated in accordance with Section 5 of the AS, they were carried out at the geometric centre of the window located along the western façade of the future proposed houses of proposed Lots 22 and 23 as there are no houses currently located in this area. According to AS 4282-1997, it is acceptable to undertake an assessment of illuminance in the absence of development. Table 2.1, page 17 states: Limits apply in the plane of the windows of habitable rooms of dwellings on nearby residential properties. In the absence of development (ie vacant allotment), the limits apply on the potentially affected property, in a vertical plane parallel to the relevant boundary, at the minimum setback permitted for a dwelling, to a height commensurate with land use zoning provisions. Values given are for the direct component of illuminance. However, this must be undertaken incorporating the minimum required setback of 3.0 metres from the rear boundary. The distances used for proposed Lots 22 and 23 are 19.15 metres and 20.26 metres respectively.

Measurements were taken directly east of the Big W Distribution Shed. Calculations used were in accordance with AS 4282-1997 and incorporated lux reading results and the locations of proposed Lots 22 and 23.

Attended light measurements were taken on Thursday 23rd October between 10.41 pm and 10.53 pm (pre-curfew hours) and between 11.14 pm and 11.21 pm (curfew hours) with results recording 0 lux, as per section 2.2.4 of the NLIA. As per the Australian Standard 4282-1997 pre-curfew hours are between 6am to 11pm and curfew hours are between 11pm and 6am. The recommended light criteria is reduced for the period between 11pm and 6am.

Unattended light measurements were taken from Thursday 23rd October to Wednesday 29th October, as per section 2.2.1 of the NLIA. It is not clearly stated what these results were.

Light monitoring results are stated in Appendix F of the NLIA, however it does not state whether the results are from attended or unattended light recordings. These recordings were undertaken on Friday 24th October, Saturday 25th October, Sunday 26th October, Monday 27th October, Tuesday 28th October, Wednesday 29th October so it could be assumed these are unattended light measurements. The NLIA states that the unattended light measurements were programmed to record light levels at an interval of one minute. The results presented in Appendix F of the NLIA are for intervals of one minute between 10.00 pm and 1.00 am, 5.00 am and 7.00 am and 10.00 pm and 7.00 am (in this period results jump to 10 minute intervals in parts). The majority of results presented are 0 lux. Where lux readings are recorded, these results are presented for the periods of 5.00 am to 7.00 am and 10.00 pm and 7.00 am. This is indicative of light readings from sunlight, not light sources from the Big W Distribution Centre. However, there is no information presented to explain this, and this has had to be assumed.

Furthermore, Section 5.4 of the NLIA states that the attended measurements were carried out near the security fence of the Big W Distribution Centre to record the illuminance for the northern most floodlight. The result from this measurement is 8 lux. This is contradictory to section 2.2.4 of the NLIA where results state that attended light measurements recorded 0 lux.

The lighting criteria used are derived from Table 2.1 of AS 4282-1997 using a limit of 1 lux. This is a reasonable limit used and Table 2.1 states the 1 lux limit in residential areas for dark surrounds for curfewed hours (11.00 pm – 6.00 am).

The NLIA concludes that luminaries attached to the building of the Big W Depot and the vehicle head lights are negligible light sources and are unlikely to result in light glare at the proposed residential development. However the tall flood lights have the potential for impact at the nearest residential dwellings, therefore the modelling and calculations were concentrated on the flood lights. Results from this calculation were within the 1 lux criterion. For proposed Lots 22 and 23 the results were 0.34 and 0.57 lux, respectively. However, there are concerns that the incorrect measurements were used in relation to setback distances from the rear boundary fence for the future proposed houses, which could potentially result in increased lux readings. The NLIA also recommends that any future proposed houses on Lots 20 to 23, should not have windows along the western and southern facades on the second floor of any two-story dwellings or should be fitted with shading devices to prevent direct line of view to the flood lights at the Big W Distribution Centre, as the tall flood lights may be perceived as illuminance by residents. A 1.8 metre high noise barrier fence will act as a lighting screen for windows on the ground floor of future proposed houses.

It is important to note that currently the Big W Depot's operation hours are 6.00 am to 6.00 pm. There is always a possibility for operations to increase to 24 hours per day. This could in-turn result in increased traffic movement and increased vehicle head lights which could have the potential to exceed recommended lighting criteria as per AS 4282-1997. The assessment is based on the current level of impact only.

This was a difficult assessment to undertake. The NLIA did not clearly distinguish the results of the attended and non attended measurements taken. When a lux reading was registered, and the NLIA did not clearly explain the assumed source of the reading. Incorrect measurements were used in calculations and the assessment is only based on the current level of impact. It does not take into account increased activity at the Big W Distribution Centre. Based on this information, it would be recommended that proposed Lots 20 to 23 remain vacant.

It is noted that the Noise and Light Impact Assessment only considered the existing industrial/warehouses uses within proximity to the subject land. The land to the south and east of the subject land is also included within the Industry zone, but not yet developed. The applicant did not consider future use of this land for industrial uses or the potential expansion of the industrial uses on the Big W site. Council officers have seen plans for additional buildings on the northern part of the Big W site.

Based on the review of the Noise and Light Impact Assessment, it is considered appropriate that proposed Lots 18 to 23 remain part of the school.

Concerns remain regarding the remainder of the residential lots, within the Community facilities zone, as there is no demonstrated need for this land to be used for residential subdivision, when it doesn't comply with the purpose of the zone. Secondly, as it was detailed in 2007, through investigation of the proposed Planning Scheme amendment, there is the potential for impact from Morgan Park Recreational Grounds. The Southern Downs Planning Scheme avidly supports the continued use of Morgan Park and does not permit uses which could prejudice, restrict or limit the use of the grounds.

Low density residential zone code

The proposed subdivision of the land within the Low density residential zone is consistent with the zones purpose.

Industry zone code and Rural zone code

The lots within these zones are included only for stormwater drainage purposes and therefore assessment against the zone purposes is not necessary. Specific details regarding stormwater will be assessed as part of the Operational works application.

Residential uses code

This Code is applicable to the proposed lots within the Community facilities zone only.

The purpose of the Code is to be achieved through the following overall outcomes, in relation to dwelling houses:

- (a) Occur only on land that is suited to the development and occupation of residential buildings;
- (b) are located on land which is not in the vicinity of land uses that would adversely affect the occupation and use of buildings for residential uses and conversely where the residential uses could prevent or inhibit the conduct of existing land uses;
- (g) Provide residents with protection from noise, lighting, odour, dust and other environmental nuisances;
- (j) Are developed at a density and scale that complements and is compatible with the character and residential amenity of the surrounding area;
- (l) Prevent unacceptable environmental and amenity impacts on adjoining developments.

As previously detailed in the Community facilities zone code assessment, Council officers have concerns regarding the potential impact that the residential development of the land within the Community facilities zone could have on the existing and future industrial uses, within the adjoining Industry zone.

In accordance with the recommendation of Council's Senior Environmental Officer, it is considered appropriate that proposed Lots 16 to 23 either remain part of the school (proposed Lot 73), or are amalgamated with proposed Lot 15 and a building envelope established.

The proposed development complies with the Code with regards to Site, Access, and Environmental protection.

Reconfiguring a lot code

It would be a condition of any approval that all lots are connected to Council's reticulated water supply and waste water system, and all other urban services.

It should also be a condition of any approval that road widening, kerb and channel be constructed along the Canningvale Road frontage of the site and internal roadways.

The proposed development complies with the Code with regards to Lot size and dimensions, Roads, access, access link and transport network, Infrastructure, Parks and open space, Electricity and telecommunications, Environment, Crime prevention and safety, Neighbourhood design, and Access.

The proposed development cannot comply with the following Performance outcomes:

PO2 Where a development is for residential purposes and adjoins land that is or could potentially be used for a purpose that is likely to conflict with residential use provision is made to buffer the residential development from the adjoining use in order to minimise the potential for conflict.

The applicant proposes to erect a 1.8 metre high noise barrier fence along the western boundary of proposed Lots 20 to 23 and along the southern boundary of proposed Lot 23. Council's Senior Environmental Officer has reviewed the Noise and Light Impact Assessment and concluded that proposed Lots 16 to 23 remain vacant and the potential noise impact is too great.

Healthy waters code

The outcomes of the Healthy waters code will be assessed as part of the Operational works application.

Flood hazard overlay code

Lot1 RP36194 is within the Flood hazard overlay; however this lot has only been included in the application for stormwater disposal purposes.

Adopted Infrastructure Charges

Development Type	Network	Rate	Proposed	Credit	Charge
Subdivision - residential	All	\$10,000/lot	49 lots	1 Lot	\$480,000
TOTAL:					\$480,000

The adopted infrastructure charge is payable prior to Council approving the plan of subdivision in accordance with Section 648H of the *Sustainable Planning Act 2009*.

Conclusion

The proposed development involves the subdivision of Lots 1 & 2 SP196278 into 73 lots, allowing for 71 residential allotments, one recreational park and one lot containing the existing school infrastructure. It is proposed that the development will be completed in three stages:

Lot 1 RP36194 and Lot 3 CP867702 are proposed to be used for stormwater drainage purposes only.

Council officers consider the location of the proposed park to be reasonable, however based on Council's recent parks rationalisation project, it is considered appropriate that no park dedication be required.

Council officers have raised concerns regarding the use of the land within the Community facilities zone for residential purposes, particularly given the real potential of negative impacts, and reverse amenity issues from the adjacent warehouse and Industry zoned land. As a response to Council's concerns, the applicant submitted a Noise and light impact assessment report.

Council's Senior Environmental Officer has raised concerns regarding the use of some of the proposed lots for residential purposes, as there is a potential for noise and light impacts from the adjoining industry uses.

It is noted that neither the future use of the land to the south and east for industry purposes, nor additional industrial uses on the northern part of the Big W site, has been taken into consideration

as part of the Noise and Light Impact Assessment. The land to the south and east is within the Industry zone.

It is considered appropriate that an acoustic fence be erected along the southern and northern boundaries of proposed Lot 16 and 17

The applicant has provided justification for the need for the residential subdivision in the Community facilities zone. However, the need relates more to the need for infrastructure to be supplied to the Educational establishment and the funding of the provision of such infrastructure, and not to a regional wide need for additional low-density residential lots. The applicant has acknowledged that there are approximately 1,700 residential lots approved, but undeveloped within the township, further diminishing the need to use land in the Community Facilities zone for residential purposes. The subdivision of the land within the Community facilities zone is not considered appropriate and therefore should be refused.

The subdivision of the land within the Low density residential zone and the use of the land for an Educational establishment are considered appropriate and should be approved subject to conditions.

Recommendation

THAT the application for Reconfiguring a lot (4 lots into 75 lots), including 22 residential lots within Community facilities zone and park, and Educational establishment on land at 45-51 & 62 Canningvale Road and 476 East Street, Warwick, described as Lot 3 CP867702, Lots 1 & 2 SP196278 and Lot 1 RP36194, Parish of Warwick, County of Merivale, be approved in part only, and:

A. THAT the Material change of use, relating to the 22 residential lots within the Community facilities zone, i.e. Lots 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 38, 39, 40, 41, 42, 43, 52, 53, 54, 55, 56 and 57 be refused for the following reasons:

1. The proposed subdivision of land within the Community facilities zone, for residential purposes is not consistent with the Southern Downs Planning Scheme, as may potentially compromise the land within the Industry zone and the Morgan Park Recreational Grounds. Therefore, the proposed development cannot comply with the following sections of the Southern Downs Planning Scheme:

- Section 3.2, Strategic framework, Preliminary, Strategic intent, Safe, healthy communities:

The residential areas will provide vibrant, pleasant places to live where there is a mix of highly compatible land uses that all contribute to residential enjoyment.

- Section 3.2, Strategic framework, Preliminary, Strategic intent, Industrial development:

The integrity of the industrial estates will be protected from encroachment from sensitive uses.

- Section 3.3.1 (2)(a)(vi), Strategic framework, Settlement pattern, Strategic outcomes:

The extension of the urban area for housing and rural residential development is limited in the north and east by the presence of strategic cropping land, potential strategic cropping land and good quality agricultural land and in the south by the Warwick Industrial Estate and Morgan Park which both have the potential to conflict with residential development. The extension of residential areas and rural residential areas is therefore encouraged west and south west of the existing built up area.

- Section 3.3.1(6), Strategic framework, Settlement pattern, Strategic outcomes:

... Demand for housing, including the demand for rural residential development, is directed to land included in the residential and rural residential zones in order to support the achievement of other strategic outcomes including natural resources and landscape, community identity and diversity and infrastructure and services, as well as other major planning objectives including sustainability, conservation, recreation and ongoing agricultural land use.

- Section 3.3.1(12), Strategic framework, Settlement pattern, Strategic outcomes:

The Warwick and Stanthorpe Industrial Estates provide serviced industrial land that is separated from residential areas. The industrial areas are protected from encroachment by uses that are sensitive to or are at risk from the impacts of industries and sensitive uses are not located near incompatible uses such as industrial development, railway corridors and State controlled roads.

- Section 3.3.1(13), Strategic framework, Settlement pattern, Strategic outcomes:

The health, wellbeing, amenity and safety of communities and individuals are protected from the impacts of air and noise emissions, as well as hazardous materials.

- Section 3.3.7.1(1), Strategic framework, Settlement pattern, Element: Industrial areas, Specific outcomes:
The interface between industrial development and sensitive uses is managed to protect communities and individuals, and to ensure the long term viability of industrial development. ...
- Section 3.3.7.1(2), Strategic framework, Settlement pattern, Element: Industrial areas, Specific outcomes:
Extensions of the Warwick Industrial Estate to the south east and the Stanthorpe Industrial Estate to the west will occur. The extensions are located and planned to reduce conflict with zones for sensitive land uses as they extend into non-urban areas.
- Section 3.3.7.1(4), Strategic framework, Settlement pattern, Element: Industrial areas, Specific outcomes:
The industrial areas are protected from the development of sensitive land uses, except where sensitive uses are ancillary to and support the industrial nature of the area.
- Section 3.3.10.1(1), Strategic framework, Settlement pattern, Element: Land use impacts, Specific outcomes:
Morgan Park is maintained as a significant sport and recreation facility of regional State and national significance and potential conflict with sensitive uses is reduced by limiting potentially incompatible development in the vicinity.
- Section 3.3.10.1(6), Strategic framework, Settlement pattern, Element: Land use impacts, Specific outcomes:
The location of industry, intensive animal industry operations and sensitive uses, particularly residential activities, are managed to protect the health, well being, amenity and safety of communities and individuals from the impacts of air, noise and odour emissions and from the impacts of hazardous materials and to support and protect industry and rural uses in appropriate locations.
- Section 3.9.3.2(1), Strategic framework, Economic development, Element: Industry, Land use strategies:
Adequate land is provided for all forms of industrial use. Land suitable for industrial development is included in the Industry zone. This land, which includes the existing Industrial Estates and their proposed extensions, is capable of accommodating a diverse range of industrial activities and employment opportunities and will be protected and maintained for industrial use.
- Section 3.9.3.2(5), Strategic framework, Economic development, Element: Industry, Land use strategies:
Activities proposed in areas near the Industry zone which may be sensitive to the impacts of industry will be located, buffered and designed to mitigate the impacts of industry.
- Section 3.9.3.2(6), Strategic framework, Economic development, Element: Industry, Land use strategies:
In the longer term it may be appropriate for the major industrial area located south east of Warwick to expand into the adjoining rural area. Uses which would prejudice this potential such as rural residential development will not be located in this area.
- Section 6.2.1.2(1), Zone codes, Community facilities zone code, Purpose:
The purpose of the Community facilities zone code is to provide for community related activities and facilities whether under public or private ownership.

- Section 6.2.1.2(2), Zone codes, Community facilities zone code, Purpose:

The local government purpose of the zone code is to protect the continued operation of major community facilities in the Region in a manner that meets community needs without resulting in unacceptable adverse impacts on the surrounding localities.

The zone includes passive and active open space and recreational facilities in public and private ownership as well as some areas of bushland, wetlands or waterways when these areas are used for recreation. Therefore the purpose of the zone is also to:

- (d) *Ensure that any development proposed on land included in this zone is compatible with the existing community use. Due to the significance of Morgan Park as a community, sport and recreation facility of regional, state and national significance, development which could prejudice, restrict or limit the use of the grounds will not be permitted unless the use is developed in a manner that ensures that it will not affect the use of Morgan Park.*

- Section 6.2.1.2(3), Zone codes, Community facilities zone code, Purpose:

The purpose of the code will be achieved through the following overall outcomes:

- (e) *The form of the development is specific to the facility in recognition of the particular operational, functional and locational criteria of the community purpose or facility.*

- Section 6.2.1.3, Zone codes, Community facilities zone code, Assessment criteria:

PO1 All uses are located, designed and operated to be compatible with other existing uses on the site.

PO6 All uses are located and designed and operated to be compatible with other existing uses and to preserve or improve –

- (a) *the physical conditions of the adjoining area including noise, light, odour, air quality and traffic generation; and*
- (b) *the character of the adjoining area including privacy, built form and safety.*

PO16 Uses other than those specifically for community purposes are either associated with, or provide services to people using the community facility or employed on the site or have similar characteristics to the particular community purpose existing on the site.

PO17 The proposed use meets demonstrated existing or future community needs.

- Section 9.3.7.2(2), Development codes, Residential uses code, Purpose:

The purpose of the code will be achieved through the following overall outcomes.

All dwelling houses, dual occupancy, hostels, multiple dwellings and retirement facilities:

- (a) *Occur only on land that is suited to the development and occupation of residential buildings;*
- (b) *Are located on land which is not in the vicinity of land uses that would adversely affect the occupation and use of buildings for residential uses and conversely where the residential uses could prevent or inhibit the conduct of existing land uses;*
- (g) *Provide residents with protection from noise, lighting, odour, dust and other environmental nuisances;*
- (j) *Are developed at a density and scale that complements and is compatible with the character and residential amenity of the surrounding area;*
- (l) *Prevent unacceptable environmental and amenity impacts on adjoining developments; and*

2. There is no demonstrated need to utilise land within the Community facilities zone for residential purposes. Therefore, the proposed development cannot comply with the following

sections of the Southern Downs Planning Scheme:

- Section 3.3.1(6), Strategic framework, Settlement pattern, Strategic outcomes:

... Demand for housing, including the demand for rural residential development, is directed to land included in the residential and rural residential zones in order to support the achievement of other strategic outcomes including natural resources and landscape, community identity and diversity and infrastructure and services, as well as other major planning objectives including sustainability, conservation, recreation and ongoing agricultural land use.

- Section 3.3.2.2(1), Strategic framework, Settlement pattern, Element: Towns and villages, Land use strategies:

The regional centres of Warwick and Stanthorpe and the district centres of Allora and Killarney are strengthened by consolidating future population growth within defined growth boundaries identified as the priority infrastructure area and within the urban zones and the rural residential zone. Adequate land is provided within the priority infrastructure area to accommodate more than 15 years demand and includes land for necessary utility installations. Urban and rural residential development that extends beyond the existing urban and rural residential zones will not be supported.

- Section 3.5.2.2(2), Strategic framework, Community identity and diversity, Element: Communities, Land use strategies:

Residential development, including rural residential development, is only located within the area that is currently zoned for residential purposes where there is ready access to services and facilities.

3. A number of submissions were received which contained reasonable grounds that warrant refusal of part of the application.
- B. THAT the Subdivision of the land into Lots 1 to 17, 28 to 37, 44 to 51 and 58 to 71, and the balance lot containing the school, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions for the Subdivision of land within the Low density residential zone

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal plans submitted with the application, EXCEPT:
 - (a) LOTS 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 38, 39, 40, 41, 42, 43, 52, 53, 54, 55, 56 and 57 are not approved;
 - (b) There is no park dedication. This land is to be incorporated with the school;
 - (c) Cul-de-sac's are provided at the end of each No Through Road, i.e. Regal Glen and Sovereign Rise;
 - (d) The pathway within the western portion of the subdivision is to be relocated to approximately between proposed Lot 12 and 13, to provide a direct linkage to Moncrieffe Street;
 - (e) The pathway between proposed Lots 60 and 61 is to be removed;

and subject to the final development being amended in accordance with the conditions of this approval.

Plan Name	Plan No.	Date
Proposed Layout Plan	1.01 - B	26 August 2014
Proposed Staging Plan	1.02 - B	26 August 2014

- 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.

Reconfiguration of a Lot

- A property note is to be included on each title, advising any future owners of the residential allotments that noise attenuation measures, such as insulation, brick construction, double-glazed windows, may be required in the construction of a dwelling to eliminate any noise impacts from the use of the Morgan Park Recreational Grounds. The installation of any mitigation measures is to be at the landowners cost.

Dedications

- A 6.0 metre x 3 chord truncation on the corners of Canningvale Road and Kings Wood Avenue is to be dedicated for road purposes at no cost to Council.
- A 6.0 metre x 3 chord truncation on the corners of Kings Wood Avenue and Regal Glen is to be dedicated for road purposes at no cost to Council.
- A 6.0 metre x 3 chord truncation on the corners of Kings Wood Avenue and Sovereign Rise is to be dedicated for road purposes at no cost to Council.

Amenity and Environmental Controls

- Declared pest plants on **all** the land subject to this application must be destroyed to the satisfaction of the Manager Environmental Services, prior to Council signing the Plan of Subdivision.
- Advertising Devices relating to the sale of the lots may **only** be erected on the subject land, i.e. Lots 1 and 2 SP196278. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the residential 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

- A fence and appropriate signage is to be erected around the perimeter of the retention basins to the satisfaction of the Director Engineering Services and at the full cost to the applicant.
- A 1.8 metre high acoustic fence is to be erected along the southern and western boundaries of both proposed Lots 16 and 17, to minimise the potential noise and light impacts from the adjoining industrial uses.
- 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.
- Landscaped areas are to be provided on the site in accordance with Plan No. 1.04, Issue B, dated 26 August 2014, prepared by Christian Community Developments, subject to compliance with Conditions 13 and 14.
- Crepe Myrtle trees (*Lagerstroemia*) are to be planted within the road reserve of Canningvale Road. The trees are to be planted approximately 20.0 metres apart on the southern side of Canningvale Road. The trees are to be of a minimum height of 1.5 metres at the time of planting.
- Crepe Myrtle trees (*Lagerstroemia*) are to be planted within the road reserve of Kings Wood Avenue, Regal Glen and Sovereign Rise. The trees are to be planted approximately 20.0 metres apart and on both sides of the sealed pavement. The trees are to be of a

minimum height of 1.5 metres at the time of planting.

15. Tree planted buffer strips of 20.0 metres width are to be provided as follows:

- adjacent to the southern boundary of the school land, from the western boundary to the western end of the oval; and
- adjacent to the western boundary of the school land, from the southern boundary to the first residential allotment,

so as to minimise the visual and environmental impacts from the adjoining industrial land.

Within these buffer areas, existing native vegetation is to be retained and allowed to naturally regenerate. Within these buffer areas, random plantings of a variety of native trees and shrubs of differing growth habits are to be provided at spacings of 4-5 metres. The trees and shrubs must be of species that are fast growing, frost resistant and drought hardy. The buffer is to have a mature tree height of at least 3.0 metres. **The trees and shrubs are to be planted prior to the signing of the Plan of Subdivision.** The vegetated buffers are to be maintained so they form an effective buffer.

16. The treed buffer referred to in Condition 15 shall be planted and maintained in accordance with the approved Landscaping Plan. Prior to approval of the Plan of Subdivision, a bond for the amount of \$20,000. shall be submitted to Council for the maintenance of this buffer. The bond must be in the form of cash, bank cheque or irrevocable bank guarantee. The bond shall be returned 12 months after the Plan of Subdivision is registered in the Office of Registrar of Titles subject to the satisfactory establishment and maintenance of the buffer. If the buffer is not maintained in accordance with the conditions of this approval, Council may call up the bond to undertake planting to satisfy the requirements of this approval. The terms and conditions of the bond will include details of its purpose and intended use. Council or its agents must be allowed access to the site to undertake any works required in accordance with this condition.

17. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment prior to the planting of the treed buffers.** 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. Root barriers are to be installed around trees that are located within 3.0 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

Roadworks and Stormwater Drainage

18. 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.
19. A Traffic Management Review is to be conducted for this section of Canningvale Road. The review is to be conducted by an appropriately qualified person, who is a Registered Professional Engineer in Queensland (RPEQ), in consultation with the Director Engineering Services. The recommendations of the review are to be implemented at the developer's cost, subject to approval by the Director Engineering Services. The details of the review are to be submitted as part of the Operational works application.
20. All roads within the development are to be constructed in asphaltic concrete, and such works are to include mountable kerbing and channelling, stormwater drainage, street tree planting and the top dressing of footpaths with good quality top soil. Kings Wood Avenue is to be a minimum of 20.0 metres wide with a minimum sealed carriageway width of 9.0 metres. Regal Glen and Sovereign Rise are to be a minimum of 20.0 metres wide with a minimum sealed carriageway width of 6.0 metres.
21. Cul-de-sacs are to be constructed at the end of the No Through Roads, i.e. Regal Glen and Sovereign Rise.
22. Sealed road widening of Canningvale Road, including mountable kerbing and channeling

and stormwater drainage, is to be constructed along the full frontage of the site, to match the existing alignment directly to the west of the subject lot.

23. The design and construction of roads within the development are to incorporate measures to reduce traffic speeds within the development and to enhance the pedestrian safety and streetscape quality of the development.
 - (a) All intersections within the subdivision are to be designed as right angles, and treated so as to constrict vehicular movements and enhance both the safety and streetscape quality of the intersection, e.g. be incorporating landscaping and pavement treatments.
 - (b) All roads within the subdivision are to be designed to reduce traffic speeds. This may include speed control measures including variations to pavement treatments, road narrowing with appropriate landscape treatments and a reduction in the length of straight sections of road by the incorporation of variations to the alignment of the carriageway.
 - (c) A variation in cul-de-sac head treatment may be incorporated which include the provision of parking bays, landscaping and alternative turning area designs. The design is to allow for a refuse collection truck to manoeuvre within the cul-de-sac. Tee or hammer-head designs are not permitted.
24. Street name signs are to be provided in accordance with Council's standard design for street signs.
25. The design, construction and operation of the stormwater drainage system must comply with *State Planning Policy 4/2010 - Healthy Waters*. Stormwater management must incorporate:
 - measures to achieve relevant design objectives outlined in Chapter 4 of the State Planning Policy Guideline for Healthy Waters; and
 - management of nutrients of concern.A Stormwater Quality Management Plan (SQMP) must be submitted for approval with the application for Operational Works. The SQMP must:
 - (a) be consistent with any local area stormwater water management planning; and
 - (b) provide for achievable stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, and rainfall erosivity.
26. A stormwater drainage system serving the development is to be constructed and the stormwater disposed of to a legal point of discharge, in accordance with the Queensland Urban Drainage Manual (QUDM). Where the finished levels of a proposed allotment are such that stormwater runoff from all or part of the allotment cannot be gravity discharged to the street, an underground drainage line shall be provided to discharge the runoff from the allotment. Where necessary, suitable easements may be required over adjoining properties to provide access to Condamine River. The easements shall be provided to Council, at the developer's cost. All drainage works should meet the requirements of the Queensland Urban Drainage Manual (QUDM).

Water Supply and Sewerage

27. An underground reticulated water supply system, up to and including water meters, is to be provided to service all allotments. This system is to be connected to Council's water supply system.
28. A sewerage reticulation system is to be provided to service all allotments. This system is to be connected to Council's wastewater sewerage system.

Pedestrian Works

29. A 2.0 metre wide concrete footpath is to be constructed within the pathway between proposed Lots 12 and 13 (approximately), to link to Moncrieffe Street. The pathways are to link to the roadway of Moncrieffe Street and Regal Glen and include perambulator ramps. Removable bollards are to be provided at each end of the pathway to restrict vehicle movements along the pathway. Please contact Council's Parks Coordinator to ascertain the

type of bollards to be used. The work is to be completed as part of Stage 2.

Electricity, Street Lighting and Telecommunications

30. Underground reticulated electricity is to be provided to each lot to the requirements of Ergon Energy. Prior to Council signing the Plan of Subdivision, written advice must be provided from Ergon Energy confirming reticulated electricity has been installed to service each lot.
31. 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 Telstra in exchange for the provision of fibre within that pit and pipe network. Prior to Council approving the plan of subdivision, written advice is to be provided from Telstra that the pit and pipe network has been installed in accordance with NBN Co's specifications.
32. Street lighting shall be provided in accordance with AS/NZS 1158.

Operational Works

33. All operational works are to be accepted on-maintenance prior to the Council signing the Plan of Subdivision. (See advisory note below.)

Adopted Infrastructure Charges Notice

34. Payment is to be made to Council in accordance with the Adopted Infrastructure Charges Notice attached to the decision notice.

Advisory Notes

- (i) 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);
 - If the development involves new roads, the proposed names for new roads;
 - A Traffic Management Review of Canningvale Road; 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

- (ii) 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

Approval Times

- (iii) In accordance with the *Sustainable Planning Act 2009*, this approval will lapse two years from the day the approval takes effect, or four years where the reconfiguration involves Operational Works. If an application for a related approval is made within two years of the day this approval takes effect, the relevant period is taken to have started on the day the latest related approval takes effect (*Sustainable Planning Act 2009* s341).

Approval of Plan of Subdivision

- (iv) The Plan of Subdivision for the reconfiguration must be submitted to Council for Compliance Assessment (*Sustainable Planning Regulation 2009* Sch 19). The Plan of Subdivision must be submitted to Council within the relevant period of the approval, and with the appropriate form (IDAS Form 32) and fees. **Council will NOT issue a Compliance Certificate or approve the plan unless all conditions of this approval have been complied with to the satisfaction of Council and within the relevant period of the approval.**
- (v) The approved Plan of Subdivision must be lodged for registration in the Office of the Registrar of Titles within six months of the date of Council's Compliance Certificate and approval of the Plan of Subdivision. If the Plan of Subdivision is not registered within this timeframe, Council's approval of the Plan of Subdivision will lapse. Council may reapprove the Plan of Subdivision subject to payment of the applicable fee.

C. THAT the Educational establishment be approved subject to the following conditions:

Schedule 2 - Southern Downs Regional Council Conditions for an Educational establishment

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal plan 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
Proposed Layout Plan	1.01 - B	26 August 2014

Land Use and Planning Controls

2. The material change of use the subject of this development permit must be completed within a period of four (4) 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 been completed within this period.
3. 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.

Amenity and Environmental Controls

4. Litter bins shall be provided on the site near to the carparking area, recreational areas and proposed classrooms.
5. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
6. Advertising Devices relating to the Educational establishment may only be erected on the subject land, i.e. Lot 2 SP196278. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the 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.
7. All service equipment and refrigeration units are to be positioned and housed so as not to cause nuisance or disturbance to persons or property not connected with the development.
8. Any lighting device is to be so positioned and shielded so as not to cause any glare nuisance to any nearby residential property or passing motorist, or to shine upwards into the night sky.

Fencing, Landscaping and Buffers

9. Tree planted buffer strips of 20.0 metres width are to be provided as follows:
- adjacent to the southern boundary of the school land, from the western boundary to the western end of the oval; and

- adjacent to the western boundary of the school land, from the southern boundary to the first residential allotment,

so as to minimise the visual and environmental impacts from the adjoining industrial land.

Within these buffer areas, existing native vegetation is to be retained and allowed to naturally regenerate. Within these buffer areas, random plantings of a variety of native trees and shrubs of differing growth habits are to be provided at spacings of 4-5 metres. The trees and shrubs must be of species that are fast growing, frost resistant and drought hardy. The buffer is to have a mature tree height of at least 3.0 metres. **The trees and shrubs are to be planted prior to the signing of the Plan of Subdivision.** The vegetated buffers are to be maintained so they form an effective buffer.

10. The treed buffer referred to in Condition 9 shall be planted and maintained in accordance with the approved Landscaping Plan. Prior to approval of the Plan of Subdivision, a bond for the amount of \$20,000. shall be submitted to Council for the maintenance of this buffer. The bond must be in the form of cash, bank cheque or irrevocable bank guarantee. The bond shall be returned 12 months after the Plan of Subdivision is registered in the Office of Registrar of Titles subject to the satisfactory establishment and maintenance of the buffer. If the buffer is not maintained in accordance with the conditions of this approval, Council may call up the bond to undertake planting to satisfy the requirements of this approval. The terms and conditions of the bond will include details of its purpose and intended use. Council or its agents must be allowed access to the site to undertake any works required in accordance with this condition.
11. Landscaping is to be provided within the footprint of the Educational establishment, including the pool.
12. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment prior to the planting of the treed buffers and the use of the site commencing.** 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. Root barriers are to be installed around trees that are located within 3.0 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

Car Parking and Vehicle Access

13. Concrete industrial crossings are to be constructed at the Kings Wood Avenue entrances to the site, in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
14. Car parking shall be provided on site in accordance Plan No. 1.01, Issue B, dated 26 August 2014, prepared by Christian Community Developments. All car parking, driveways, including from Canningvale Road and loading areas shall be constructed, sealed, line marked, drained, laid out and regularly maintained.
15. All loading and unloading related to the school must be carried out within the designated drop zone.

Roadworks and Stormwater Drainage

16. 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.
17. A Traffic Management Review is to be conducted for this section of Canningvale Road. The review is to be conducted by an appropriately qualified person, who is a Registered Professional Engineer in Queensland (RPEQ), in consultation with the Director Engineering Services. The recommendations of the review are to be implemented at the developer's cost, subject to approval by the Director Engineering Services. The details of the review are to be submitted as part of the Operational works application.

18. Sealed road widening of Canningvale Road, including mountable kerbing and channeling and stormwater drainage, is to be constructed along the full frontage of the site, to match the existing alignment directly to the west of the subject lot.
19. A stormwater drainage system serving the development is to be constructed and the stormwater disposed of to a legal point of discharge, in accordance with the Queensland Urban Drainage Manual (QUDM). Where the finished levels of a proposed allotment are such that stormwater runoff from all or part of the allotment cannot be gravity discharged to the street, an underground drainage line shall be provided to discharge the runoff from the allotment. Where necessary, suitable easements may be required over adjoining properties. The easements shall be provided to Council, at the developer's cost. All drainage works should meet the requirements of the Queensland Urban Drainage Manual (QUDM).

Water Supply and Sewerage

20. An underground reticulated water supply system, up to and including water meters, is to be provided to service the school. This system is to be connected to Council's water supply system.
21. A sewerage reticulation system is to be provided to service the school. This system is to be connected to Council's wastewater sewerage system.

Operational Works

22. 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) Noise attenuation measures may be required in the buildings associated with the Educational establishment to eliminate any potential noise impacts from the use of the Morgan Park Recreational Grounds. Such measures may include insulation, the erection of block walls, installation of air conditioning, double glazing windows. The implementation of such measures is at the developers cost.
- (iv) 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;
 - A Traffic Management Review of Canningvale Road; 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

- (v) 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 received to application for Material Change of Use and Reconfiguring a Lot, 45-51 & 62 Canningvale Road and 476 East Street, Warwick (Excluded from agenda - Provided under separate cover)[View](#)

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 BCS - Stanthorpe Sculpture Symposium and Sculpture Trail

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(h) of the *Local Government Regulation 2012*, as it contains information relating to and 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.

14.2 BCS - Rating Consultation Group (RCG)

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(h) of the *Local Government Regulation 2012*, as it contains information relating to and 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.

14.3 BCS - Freehold Leases at Mt Marley, Stanthorpe

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.

14.4 BCS - Tenders Received for Land for Lease by Tender 15/035

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.

14.5 BCS - Tenders Received for Land for Lease by Tender 15/036

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 - Tenders Received for Land for Lease by Tender 15/037

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 BCS - Tenders Received for Land for Lease by Tender 15/038

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.

14.8 BCS - Tenders Received for Land for Lease by Tender 15/039

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 BCS - Tenders Received for Land for Lease by Tender 15/040

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.

14.10 BCS - Tenders Received for Land for Lease by Tender 15/041

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.

14.11 BCS - Tenders Received for Land for Lease by Tender 15/042

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.

14.12 Affects of Bridge Railings During Flood Flows

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.

14.13 Fencing, Disposed Materials and Planting in a Road Reserve

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.

14.14 Tender for Constructing the Clear Water Reservoir Roof at the Warwick Water Treatment Plant

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.

14.15 Goomburra Valley Animal Management

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.

14.16 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.