



SOUTHERN DOWNS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

Dear Councillors

Your attendance is hereby requested at the General Meeting of Council to be held in the Council Chambers, Southern Downs Regional Council, 64 Fitzroy Street, Warwick on **Wednesday, 25 February 2015** at **9.00AM**.

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

David Keenan

CHIEF EXECUTIVE OFFICER

19 February 2015

Attendance

2.00pm Presentation from John Thomas from Department of Natural Resources & Mines on Revaluations.

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WEDNESDAY, 25 FEBRUARY 2015 General Meeting of Council


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- 1. ATTENDANCE**
- 2. APOLOGIES**
- 3. CONDOLENCES**
- 4. READING AND CONFIRMATION OF MINUTES**
 - 4.1 General Council Meeting - 28 January 2015**
 - 4.2 Special Council Meeting - 2 February 2015**

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous General Council Meeting

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Chief Executive Officer	File Ref:

Recommendation

THAT Council receive the report and note the contents.


Report


The purpose of this report is to provide a summary of Actions resulting from resolutions from the January General Council Meeting.


A copy of the Actions report is attached.


Attachments


1. Actions from January General Council Meeting [View](#)

<div style="display: flex; justify-content: space-between; align-items: center;">  <div style="text-align: center;"> ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING </div> <div style="text-align: right;"> Date From: 28/01/2015 Date To: 28/01/2015 </div> </div>					
MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
28 January 2015	6.1.1	Local Government Election 2016	Marion Seymour	18 Feb 2015 - 12:35 PM - Marion Seymour Letters being sent to Minister for Local Government, DeSBAC, LGAQ and Lawrence Springborg - waited on outcome of State Government Election.	18/02/2015
28 January 2015	6.1.2	Grazing Permits on Road Reserves	Tim O'Brien	30 Jan 2015 - 10:33 AM - Charles Noble Memo to Manager Environmental Services. Matter will be presented to future Council Briefing Session and letter will be sent following this workshop.	30/01/2015
28 January 2015	6.1	Correspondence	Marion Seymour	4 Feb 2015 - 11:08 AM - Marion Seymour Noted	4/02/2015
28 January 2015	6.1	BCS - Financial Report as at 31 December 2014	James Overstone	18 Feb 2015 - 11:27 AM - See Harold No further action required.	18/02/2015
28 January 2015	6.2	BCS - SDRC Operational Plan Quarterly Review - October to December 2014	Kelth Clarke	18 Feb 2015 - 4:34 PM - See Harold No further action required. It has been submitted to go onto the website.	18/02/2015
28 January 2015	6.3	BCS - Proposed Trustee Lease to Allons Men's Shed	Kelth Clarke	18 Feb 2015 - 11:08 AM - See Harold Letter sent advising of the next steps needing to be completed by Allons Men's Shed.	18/02/2015
28 January 2015	6.4	BCS - Executive Performance Report	Peter Gribbin	18 Feb 2015 - 11:28 AM - See Harold No Further Action Required.	18/02/2015
28 January 2015	9.1	Engineering Department Monthly Reply	Peter See	03 Feb 2015 - 12:39 PM - Barb Fagan Noted	3/02/2015
28 January 2015	9.3	Future Development of Village Streets	Peter See	03 Feb 2015 - 12:40 PM - Barb Fagan Noted	3/02/2015
28 January 2015	9.4	Proposed Capital Budget Amendment Roads (Anemone Street Postponement)	Eric Kneek	03 Feb 2015 - 12:41 PM - Barb Fagan Memo sent to the Manager Works Construction for his action	3/02/2015
28 January 2015	9.2	Direction from Council on Coal Exploration Drilling	Chris Whitaker	11 Feb 2015 - 12:41 PM - Marion Seymour Memo sent to the Governance Officer advising that all delegations be given to the CEO with regards to approval in	3/02/2015

 ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING					Date From: 28/01/2015 Date To: 28/01/2015
				road reserves	
28 January 2015	9.2.1	Community Engagement - Mining Exploration	Shelle Stebbings	18 Feb 2015 - 11:01 AM - See Harold An engagement strategy for engagement with the broader community in relation to all forms of mining in the region will be prepared and brought back to Council before the end of this financial year.	19/02/2015
28 January 2015	9.5	Dam Safety - Emergency Action Plans for Connolly Dam and Storm King Dam	Tendekai Mapeza	03 Feb 2015 - 12:43 PM - Barb Fagan Noted	3/02/2015
28 January 2015	9.8	Funding Request to Provide a Water Service Connection	Tendekai Mapeza	03 Feb 2015 - 12:43 PM - Barb Fagan Noted	3/02/2015
28 January 2015	10.1	Negotiated Decision - Hutchinson Quarries Pty Ltd, 608 Mountain Mead Road, Graymear	Cheree Noble	28 Jan 2015 - 10:35 AM - Cheree Noble Negotiated Decision Notice sent to applicant. Submitters notified of decision and sent copy of Negotiated Decision Notice.	29/01/2015
28 January 2015	10.2	Material Change of Use - S Widen, Donald Street, Leyburn	Cheree Noble	03 Feb 2015 - 11:01 AM - Cheree Noble MCU application approved by CED as per Council resolution. Decision Notice issued 3 February 2015.	3/02/2015
28 January 2015	10.3	Request for Negotiated Decision, Material Change of Use - Imperial Sapphire Pty Ltd & Bredline Pty Ltd, 2081 Invernessay Road, Gooburne	Cheree Noble	28 Jan 2015 - 10:38 AM - Cheree Noble Negotiated Decision Notice sent to applicant. Submitters notified of decision and sent copy of Negotiated Decision Notice.	29/01/2015
28 January 2015	10.4	Material Change of Use and Reconfiguring a Lot - Christian Education Services Ltd, 45-51 & 62 Canningsvale Road and 476 East Street, Warwick	Cheree Noble	28 Jan 2015 - 10:41 AM - Cheree Noble Decision Notice sent to applicant. Copy sent to DSDIP as a referral agency. Memo sent to Planning Services staff, Director Engineering Services, Manager Works (Maintenance) & Manager Works (Construction) advising "Please ensure that the final layout for the abovementioned application, includes a roundabout at the intersection of the internal roads. All further approvals for this development will need to ensure this roundabout is included."	29/01/2015
28 January 2015	13.2	Christmas Street Decorations	Michael Bell	18 Feb 2015 - 4:35 PM - See Harold This item will be discussed at the BCS Managers Meeting on 27 February 2015.	
28 January 2015	13.3	Hire of Stanthorpe Civic Centre for Leukaemia Concert	David Tuxford	18 Feb 2015 - 11:02 AM - See Harold	19/02/2015

				ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING		Date From: 28/01/2015 Date To: 28/01/2015
				Some funds have been identified that will reduce the cost of the function for the fund raiser for leukaemia. Process is continuing.		
28 January 2015	14.1	BCS - Stanthorpe Sculpture Symposium and Sculpture Trail	Shelia Stebbings	18 Feb 2015 - 12:08 PM - See Harrold	Further report going to the February Council Meeting.	
28 January 2015	14.2	BCS - Rating Consultation Group (RCG)	Sue Harrold	18 Feb 2015 - 11:12 AM - See Harrold	Stanthorpe Regional Art Gallery request with a letter to Stanthorpe Art Gallery (ECM Doc No: 2475798) and Warwick Art Gallery (ECM Doc No: 2475800) as per the resolution.	18/02/2015
28 January 2015	14.3	BCS - Freehold Leases at Mt Marley, Stanthorpe	Keith Clarke	18 Feb 2015 - 3:31 PM - See Harrold	Freehold lease documents for Crown Castle have been signed by the Chief Executive Officer and returned to Council's Solicitors to forward to Crown Castle's Solicitors.	18/02/2015
28 January 2015	14.4	BCS - Tenders Received for Land for Lease by Tender 15035	Keith Clarke	18 Feb 2015 - 11:09 AM - See Harrold	Letters have been sent to unsuccessful and successful tenderers and lease documents drawn up.	18/02/2015
28 January 2015	14.5	BCS - Tenders Received for Land for Lease by Tender 15037	Keith Clarke	18 Feb 2015 - 11:10 AM - See Harrold	Letters have been sent to unsuccessful and successful tenderers and lease documents drawn up.	18/02/2015
28 January 2015	14.6	BCS - Tenders Received for Land for Lease by Tender 15038	Keith Clarke	18 Feb 2015 - 11:10 AM - See Harrold	Letters have been sent to unsuccessful and successful tenderers and lease documents drawn up.	18/02/2015
28 January 2015	14.7	BCS - Tenders Received for Land for Lease by Tender 15039	Keith Clarke	18 Feb 2015 - 11:10 AM - See Harrold	Letters have been sent to unsuccessful and successful tenderers and lease documents drawn up.	18/02/2015
28 January 2015	14.8	BCS - Tenders Received for Land for Lease by Tender 15040	Keith Clarke	18 Feb 2015 - 11:11 AM - See Harrold	Letters have been sent to unsuccessful and successful tenderers and lease documents drawn up.	18/02/2015
28 January 2015	14.9	BCS - Tenders Received for Land for Lease by Tender 15041	Keith Clarke	18 Feb 2015 - 11:11 AM - See Harrold	Letters have been sent to unsuccessful and successful tenderers and lease documents drawn up.	18/02/2015
28 January 2015	14.10	Affects of Bridge Railings During Flood Flows	Chris Whitaker	08 Feb 2015 - 12:45 PM - Barb Fager	Letter sent to the DT&MR attaching a copy of Russell Kilpe report and a letter sent to Russell Kilpe commending him on	3/02/2015

 ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING <div> Date From: 28/01/2015 Date To: 28/01/2015 </div>				
				the effort he had put into the report
28 January 2015	14.11	Fencing, Disposed Materials and Planting in a Road Reserve	Chris Whitaker	09 Feb 2015 - 12:48 PM - Barb Fagan Letter sent to DNR requesting details of the process for a landowner to obtain a lease over adjacent road reserve to allow farming activity on the verge area 3/02/2015
28 January 2015	14.12	Tender for Constructing the Clear Water Reservoir Roof at the Warwick Water Treatment Plant	Tendekai Mapasa	09 Feb 2015 - 12:48 PM - Barb Fagan Noted 3/02/2015
28 January 2015	14.13	Goomburn Valley Animal Management	Tim O'Brien	04 Feb 2015 - 11:05 AM - Cheree Noble Letter sent to CBP Lawyers advising Council resolution and requesting CBP Lawyers to advise Spauldin McCartney on behalf of Emerald Pty Ltd & Imperial Sapphire Pty Ltd, of the need to obtain a permit under Subordinate Local Law No. 1.16 for installation of grid in Council road reserve. 4/02/2015
28 January 2015	14.14	Request to consider the ancillary use of the Stanthorpe Showgrounds, from the Stanthorpe Agricultural Society	Cheree Noble	30 Jan 2015 - 3:21 PM - Cheree Noble Letter sent to Stanthorpe Agricultural Society advising Council resolution to obtain further legal advice & that a further report will then be presented to a General Council Meeting. 30/01/2015
28 January 2015	14.17	Emu Swamp Dam Project Affected Landholders	Cedil Bernard	13 Feb 2015 - 10:40 AM - Cheree Noble Report on Emu Swamp Dam Community Infrastructure Designation will be presented to February General Council Meeting. Manager Planning & Development has advised all submitters that meetings will take place in next 2-3 weeks. 13/02/2015
28 January 2015	9.2	Decision from Council on Coal Exploration Drilling	Marion Seymour	18 Feb 2015 - 12:41 PM - Marion Seymour Letters sent to Premier, Opposition Leader, Member for Southern Downs, Deputy Premier, Minister for Natural Resources & Mines and Directors-General. Letter also sent to ASX Group to advise of Council decision. 30/01/2015
28 January 2015	13.1	Review of Council's Score Gun Policy	Tim O'Brien	30 Jan 2015 - 10:55 AM - Cheree Noble Memo to Manager Environmental Services. Report on review will be presented to February General Council Meeting. 30/01/2015
28 January 2015	10.2	Material Change of Use - 8 Wieden, Donald Street, Leyburn	Annette Doherty	30 Jan 2015 - 11:01 AM - Cheree Noble Memo to Principal Town Planner. Draft amendments to Flood hazard overlay code in SORC Planning Scheme will be presented to briefing session on 2 March 2015. 30/01/2015


		ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING			Date From: 28/01/2015 Date To: 28/01/2015
28 January 2015	14.14	Request to consider the ancillary use of the Stanthorpe Showgrounds, from the Stanthorpe Agricultural Society	Angela O'Mara	28 Jan 2015 - 3:22 PM - Cllr. Angela O'Mara Noted by Senior Planning Officer. A further report on this matter will be presented to Council once the additional legal advice received. (Report will possibly be presented to February General Meeting if legal advice is received in time)	28/01/2015

6. DECLARATIONS OF CONFLICTS OF INTEREST

7. READING AND CONSIDERATION OF CORRESPONDENCE

7.1 Correspondence

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Chief Executive Officer	File Ref: N/A

Recommendation

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

Report

1. **Director-General, Department of Transport and Main Roads** in response to Council's letter regarding the operation and impacts of the Heavy Vehicle National Law (copy attached).

Action: Refer to Department of Engineering Services.

2. **Department of Natural Resources and Mines** in response to Council's request for advice on fencing, disposal of materials and planting in road reserves (copy attached).

Action: Council approval is sought to forward a copy of the advice received to any property owner or person conducting agricultural activity, fencing or disposal of material in road reserves.

3. **Hon Lawrence Springborg MP Minister for Health** in response to Council's letter regarding investigation of alternative options for water fluoridation (copy attached).

Action: Noted.

Attachments

1. Director-General, Dept of Transport and Main Roads [View](#)
2. Department of Natural Resources and Mines [View](#)
3. Hon Lawrence Springborg MP Minister for Health [View](#)

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SOUTHERN DOWNS REGIONAL COUNCIL WARWICK BRANCH	
RECEIVED	
27 JAN 2015	
Action Officer	<input checked="" type="checkbox"/> LJR
Tsk	
Dst	
Envd	

Our ref: MC79298

Your ref: DT:MES:LJK

23 JAN 2015

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



Office of the
Director-General

Department of
Transport and Main Roads

Dear Mr Tuxford

Thank you for your letter to the Honourable Scott Emerson MP, Minister for Transport and Main Roads, about the operation and impacts of the Heavy Vehicle National Law (HVNL). I have been requested to reply to you on the Minister's behalf.

As you are aware, a state election has been called for 31 January 2015 and the government is now in a caretaker period.

I understand that the implementation of the HVNL has had an impact on how local councils manage heavy vehicle access, but for the first time in Queensland, the role of local governments as road managers is expressly recognised in legislation. Prior to the introduction of the HVNL, the process by which local government road managers consented to heavy vehicle access on their infrastructure was ad-hoc and consent was often not obtained at all.

The requirement for all relevant road managers to provide their consent for heavy vehicle access prior to a permit being issued, will provide greater certainty for road managers to effectively manage and maintain their infrastructure, as Queensland's freight task increases over the coming decades.

As you are aware, under the HVNL the NHVR is responsible for receiving applications for, and deciding and issuing, heavy vehicle access permits. The HVNL requires that the NHVR obtain the consent of each of the relevant road managers for the proposed journey before issuing a permit.

The HVNL makes provision for the NHVR to charge a fee for heavy vehicle access permits. It also provides that a road manager may impose a separate fee for conducting a route assessment. The route assessment fee can be determined on a case by case basis, depending on the reasonable costs of undertaking the assessment.

I understand that the NHVR is presently undertaking a cost recovery study project to ensure that its fees for services including permit fees, better reflect the actual cost of delivery. I recommend that you raise your concerns about standard fees for road managers directly with the NHVR for consideration as part of this project.

85 George Street Brisbane
GPO Box 1549 Brisbane
Queensland 4001 Australia

Southern Downs Regional Council



DOC0179567

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To help reduce the administrative burden on local governments and reduce access approval turnaround times, the NHVR is working closely with local government road managers to gain pre-approved consent for a range of routes. Initiatives such as this will help streamline the permit issuing process and reduce costs and improve efficiency for both the NHVR and road managers over time.

If you require further information, I encourage you to contact Mr Mark Mitchell, Director, Compliance and Heavy Vehicle Reform, on 3066 1249 or by email at mark.m.mitchell@tmr.qld.gov.au.

Yours sincerely



Neil Scales
Director-General
Department of Transport and Main Roads



Department of
Natural Resources and Mines

Author: Julie Douglas
File / Ref number: BOR931021
Your Ref: CW:BJF/28.115.018
Directorate / Unit: State Land Asset Management
Phone 07 46610218

16 February 2015

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

Attn: Chris Whitaker

Dear Mr Whitaker

Request for advice on fencing, disposal of materials and planting in road reserves.

I refer to your letter dated 3 February 2014.

A dedicated road spans from property boundary to property boundary including any footpath or any area between a 'formed road' and the property boundary. Although the State owns the land in a dedicated road, a local government is responsible for the day to day management of dedicated roads in its area, including construction and maintenance.

A road licence is the most appropriate tenure to allow an adjoining landowner to undertake the planting of seasonal crops on the road reserve (ie. planted and harvested in the same or following year). A road licence can only be issued if the road has been temporarily closed under the *Land Act 1994* and tied by covenant to the licensee's adjacent land. If a road licence is issued it will include any conditions considered necessary to the protection and maintenance of the land.

A road licence provides a right to exclusive occupation of the road area covered by the licence (within the conditions of the licence), but the licence may be cancelled by the Minister at short notice (generally three months) with no compensation payable to the licensee for improvements.

Part of the assessment process for any application to temporarily close a road includes giving appropriate public notice of the application and making appropriate enquiries about the effect the closure would have. The applicant will also be instructed to place a notice in a conspicuous place on or near the road and place a public notice in the local newspaper. This will allow any interested parties to comment or object to the proposal. An assessment of each objection will need to be

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PO Box 2
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completed to determine if the objection is valid. An objection based on personal differences or neighbourhood disputes is not considered a valid objection. The Minister must consider all objections made to the proposed road closure.

The forms required to make an application for a temporary road closure are available on the Queensland Government website: www.qld.gov.au/environment/land/state/forms/. The current application fee is \$244.40.

If you wish to discuss this matter please contact Julie Douglas on 46610218.

Yours sincerely



Julie Douglas
Senior Land Officer

2476292



Hon Lawrence Springborg MP
Minister for Health

MI201306

Level 19
147-163 Charlotte Street Brisbane 4000
GPO Box 48 Brisbane
Queensland 4001 Australia
Telephone +61 7 3234 1191
Facsimile +61 7 3229 4731
Email health@ministerial.qld.gov.au

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

2 FEB 2015

Dear Mr Tuxford

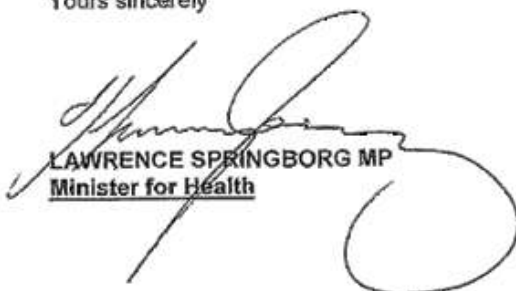
Thank you for your letter dated 11 December 2014, in relation to the Council's decision to cease the addition of fluoride to the Warwick and Stanthorpe Water Treatment Plants.

I very much appreciate you taking the time to write. In relation to your suggestion to investigate alternative options to water fluoridation, there are a number of known alternative strategies that can improve access to fluoride. It should be noted that the Department of Health does not recommend the use of fluoride supplements in the form of tablets or drops.

I encourage you to work with the Darling Downs Hospital and Health Board in the first instance to explore opportunities to improve the oral health of community members in the absence of water fluoridation. Ms Katrina Mathies, Board Secretariat can be contacted on telephone 4699 8402 or via email at DDHHS_Board@health.qld.gov.au.

Should you require any further information in relation to this matter, I have arranged for Dr Mark Brown, Chief Dental Officer, Department of Health, on telephone 3328 9297, to be available to assist you.

Yours sincerely


LAWRENCE SPRINGBORG MP
Minister for Health

SOUTHERN DOWNS REGIONAL COUNCIL WARWICK BRANCH	
RECEIVED	
- 4 FEB 2015	
Action Officer	<input checked="" type="checkbox"/> F.R.
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Southern Downs Regional Council

DOC0180848

8. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil


9. EXECUTIVE

Nil

10. BUSINESS & COMMUNITY SERVICES DEPARTMENT REPORTS

10.1 BCS - Quarterly Budget Review to 31 December 2014

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Director Business & Community Services Manager Finance	File Ref: 12.13

Recommendation

THAT Council approve the proposed amended budget as per Attachment 1.

Report

A review of actual to budget results has been undertaken in order to identify potential budget adjustments arising out of events and activities for the six months of the financial year ending 31 December 2014. The impact of the operating result from this review is summarised in the following table:

2014-15 Income Statement Budget	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget
Revenue from ordinary activities			
Rates & utility charges	\$45.32 M	-	\$45.32 M
Fees and charges	\$4.31 M	-	\$4.31 M
Interest	\$0.83 M	-	\$0.83 M
Contract and sales revenue	\$2.59 M	-	\$2.59 M
Rent and other income	\$0.6 M	(\$0.05) M	\$0.55 M
Government Grants and Subsidies	\$7.78 M	\$1.71 M	\$9.49 M
Total operating revenue	\$61.43 M	\$1.66 M	\$63.09 M
Expenses from ordinary activities			
Employee Costs	\$25.03 M	\$0.01 M	\$25.04 M
Materials and services	\$19.25 M	\$1.57 M	\$20.82 M
Depreciation and amortisation	\$14.99 M	-	\$14.99 M
Finance costs	\$2.15 M	-	\$2.15 M
Total operating expenses	\$61.42 M	\$1.58 M	\$63.01 M
Capital amounts			
Capital grants, contributions and donations	\$1.95 M	\$0.78 M	\$2.74 M
Other capital income and (expenses)	\$0.2 M	-	\$0.2 M
Net result surplus (deficit)	\$2.15 M	\$0.86 M	\$3.01 M

Budget Implications

The budget net surplus will increase from \$2.16m to \$3.01m.

This increase is due to a net change to the operating surplus of \$72k and an increase in capital grants and contributions of \$785.6k.

Material changes in balance sheet items are a reduction in cash and investments of \$949k and an increase in receivables of \$1.71m.

The two main changes to the budget are:

1. The inclusion of additional January 2013 flood works of \$1.71m and the corresponding NDRRA operating grant income, also expected to be \$1.71m; and
2. Capital grants and subsidies increases by \$785.6k to \$2.74m from the inclusion in the budget of grants and subsidies (\$688.1k) identified as part of the capital works projects carried forward from the 2013-14 program as approved at Council's General Meeting on the 27 August 2014 and an additional \$97.5k from the Blackspot program.

Expected grants and subsidies from carried forward capital works:

- Bus stop disability upgrades: \$100k from the Department of Transport and Main Roads
- Flood warning systems: \$387.1k from the Department of Local Government
- Roads to Recovery Teal Rd: \$72k from the Department of Local Government
- Roads to Recovery Nundubbermere Rd: \$45k from the Department of Local Government
- CEEP Weeroona Park: \$21k from the Department of Climate Change and Energy Efficiency
- CEEP Leslie Park: \$8.4k from the Department of Climate Change and Energy Efficiency
- CEEP Acacia Ave Carpark: \$54.6k from the Department of Climate Change and Energy Efficiency

The \$97.5k from the Department of Transport and Main Roads' Blackspot program is offset with the inclusion of a project in the 2014-15 capital works program to provide for this work to be undertaken.

Policy Consideration

Nil.

Community Engagement

Nil.

Legislation/Local Law

Local Government Act 2009 and Local Government Regulation 2012.

Options

1. Council approve the amended Budget as per Attachment 1.
2. Council not approve the amended Budget as per Attachment 1.

Attachments

1. Revised 2014-2015 Income Statement and Balance Sheet from the December 2014 quarterly budget review.[View](#)
2. Operating budget summary for each department containing notes on budget adjustments arising from the quarterly review.[View](#)

Southern Downs Regional Council **Revised 2014-15 Budget** **Income Statement**

Quarter 2 revision: 6 months to 31 December 2014

	Adopted Budget (Amend) \$	Proposed Amended Budget \$	Increase / (Decrease) \$
Revenue from ordinary activities			
General Rates	27,232,058	27,232,058	-
Utility Rates and Charges	20,975,700	20,975,700	-
Less Discounts	(2,886,566)	(2,886,566)	-
	45,321,192	45,321,192	-
Fees and Charges	4,310,489	4,310,489	-
Interest	828,000	828,000	-
Contract & Sales Revenue	2,590,000	2,590,000	-
Rent and Other Income	602,067	553,067	(49,000)
Government Grants and Subsidies	7,776,067	9,488,067	1,710,000
Total Operating Revenue	61,429,855	63,094,855	1,661,000
Expenses from ordinary activities			
Employee Costs	25,027,173	25,045,115	17,942
Materials and Services	19,249,145	20,819,518	1,570,373
Depreciation and Amortisation	14,999,433	14,999,433	-
Finance Costs	2,148,896	2,148,896	-
Total Operating Expenses	61,424,647	63,012,962	1,588,315
Operating Surplus/(Deficit) before capital items	5,207	77,893	72,685
Other Capital Amounts			
Capital Grants, Contributions and Donations	1,951,162	2,736,806	785,644
Other capital income and (expenses)	200,000	200,000	-
Net Result Surplus/(Deficit)	2,356,369	3,014,699	658,329

Southern Downs Regional Council Revised 2014-15 Budget Balance Sheet

Quarter 2 revision: 6 months to 31 December 2014

	Adopted Budget (Annual) \$	Proposed Amended Budget \$	Increase / (Decrease) \$
Current Assets			
Cash assets & Investments	5,049,362	4,100,191	(949,171)
Receivables (Includes Rates & Utilities receivable)	8,118,906	9,828,906	1,710,000
Assets held for sale	304,181	304,181	
Inventories	245,732	245,732	
	<u>13,718,181</u>	<u>14,479,010</u>	<u>760,829</u>
Non-Current Assets			
Trade & Other Receivables			
Investment Property	946,000	946,000	
Property, plant and equipment	760,119,306	760,216,806	97,500
Other Financial Assets	468,107	468,107	
Capital works in progress	6,979,689	6,979,689	
Intangible Assets	855,220	855,220	
	<u>769,368,322</u>	<u>769,465,822</u>	<u>97,500</u>
TOTAL ASSETS	<u>783,086,503</u>	<u>783,944,832</u>	<u>858,329</u>
Current Liabilities			
Creditors and other payables	4,863,866	4,863,866	
Provisions	1,606,273	1,606,273	
Interest bearing liabilities	2,222,149	2,222,149	
	<u>8,692,288</u>	<u>8,692,288</u>	<u>-</u>
Non-Current Liabilities			
Interest bearing liabilities	27,697,990	27,697,990	
Provisions	6,574,724	6,574,724	
Other Payables	907,316	907,316	
	<u>35,180,030</u>	<u>35,180,030</u>	<u>-</u>
TOTAL LIABILITIES	<u>43,872,320</u>	<u>43,872,320</u>	<u>-</u>
NET COMMUNITY ASSETS	<u>739,214,183</u>	<u>740,072,512</u>	<u>858,329</u>
Community Equity			
General Reserves	3,375,511	3,375,511	
Asset Revaluation Reserve	201,677,996	201,677,996	
Retained surplus	534,160,676	535,019,005	858,329
TOTAL COMMUNITY EQUITY	<u>739,214,183</u>	<u>740,072,512</u>	<u>858,329</u>

QUARTERLY BUDGET REVIEW - December 2014

Business and Community Services - David Tuxford

OPERATING BUDGET

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Total revenue:	0		0	
Expenses				
Contracts & Services	14,700		14,700	
Employee Costs	217,800		217,800	
Internal Charges	(631,000)		(631,000)	
Materials	12,000		12,000	
Plant Hire	21,760		21,760	
Total expenses:	(364,740)		(364,740)	
Net Surplus (Deficit)	364,740		364,740	

Note: No amendments

QUARTERLY BUDGET REVIEW - December 2014**CEO Office - David Keenan****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Total revenue:	0	0	0	
Expenses				
Contracts & Services	34,800	(14,000)	20,800	1
Employee Costs	318,520		318,520	
Internal Charges	162,100	(26,400)	135,700	1
Materials	70,768	(27,060)	43,708	1
Other Expenses	755,000		755,000	
Total expenses:	1,341,188	(67,460)	1,273,728	
Net Surplus (Deficit)	(1,341,188)		(1,273,728)	

Note:

1 Festivals and Carnivals budget (Cost Centre 1111) transferred to Community Services Department

QUARTERLY BUDGET REVIEW - December 2014

Community Facilities - Michael Bell

OPERATING BUDGET

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Fees and Charges	1,532,739		1,532,739	
Interest Received	185,000		185,000	
Leasing Income	155,000		155,000	
Sundry Revenue	135,632		135,632	
Total revenue:	2,008,370	0	2,008,370	
Expenses				
Asset Disposal (Profit)/ Loss	(200,000)		(200,000)	
Contracts & Services	719,605	60,509	780,114	1
Depreciation	961,192		961,192	
Employee Costs	3,250,666		3,250,666	
Finance Costs	193,327		193,327	
Internal Charges	1,985,981	14,600	2,000,581	2
Materials	1,945,629	(46,232)	1,899,397	3
Other Expenses	109,700		109,700	
Plant Hire	920,679		920,679	
Total expenses:	9,886,779	28,877	9,915,656	
Net Surplus (Deficit)	(7,878,409)		(7,907,286)	

Note:

- 1 * Budget Transfer from Contractors to Staff Training to cover Staff training costs for Augas tank facility fuel handling (1,731)
- * Footpath budget transferred from Maintenance Operations Department 62,240
- Total 60,509**
- 2 * Amount budgeted to a Project (Stanthorpe Civic Centre) coded in the system as a Balance Sheet Account (Cost Centre 1000) transferred to a Project created and coded as Property Maintenance
- 3 * Footpath Contracts and Services inadvertently reflected in September Budget Review Papers as Materials (62,240)
- * Amount budgeted to a Project (Stanthorpe Civic Centre) coded in the system as a Balance Sheet Account (Cost Centre 1000) transferred to a Project created and coded as Property Maintenance Program (Cost Centre 1280) 16,008
- Total (46,232)**

QUARTERLY BUDGET REVIEW - December 2014**Community Services - Sheila Stebbings****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Fees and Charges	302,250		302,250	
Operating Grants and Subsidies	301,137		301,137	
Total revenue:	603,387	0	603,387	
Expenses				
Contracts & Services	50,460		50,460	
Depreciation	113,226		113,226	
Employee Costs	1,096,776		1,096,776	
Finance Costs	38,010		38,010	
Internal Charges	1,509,990		1,509,990	
Materials	661,649	1,000	662,649	1
Other Expenses	658,260	(17,578)	640,682	2
Plant Hire	119,942	16,578	136,420	3
Total expenses:	4,248,213	0	4,248,213	
Net Surplus (Deficit)	(3,644,826)		(3,644,826)	

Note:

1 Transfer of \$1,000 from Other Expenses, redistribution of budgets within Community Services

2 Transfer of \$1,000 to Materials, redistribution of budgets within Community Services

Transfer of \$16,578 to Plant Hire, redistribution of budgets within Community Services

3 Transfer of \$16,578 from Other Expenses, redistribution of budgets within Community Services

QUARTERLY BUDGET REVIEW - December 2014**Corporate Services - Peter Gribbin****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Leasing Income		53,000	53,000	1
Recoverable Works	2,000		2,000	
Sundry Revenue		(53,000)		2
Total revenue:	2,000	0	55,000	
Expenses				
Contracts & Services	195,000		195,000	
Depreciation	16,297		16,297	
Employee Costs	1,177,952		1,177,952	
Finance Costs	60,205		60,205	
Internal Charges	1,072,010		1,072,010	
Materials	778,560		778,560	
Plant Hire	79,102		79,102	
Total expenses:	3,379,126	0	3,379,126	
Net Surplus (Deficit)	(3,377,126)		(3,324,126)	

Note:

1. Leasing revenue incorrectly included as sundry revenue in previous quarter report

2. Leasing revenue incorrectly included as sundry revenue in previous quarter report

QUARTERLY BUDGET REVIEW - December 2014**Engineering Services Directorate - Peter See****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Fees and Charges	12,500		12,500	
Operating Grants and Subsidies	275,700		275,700	
Sundry Revenue	4,000		4,000	
Total revenue:	292,200		292,200	
Expenses				
Contracts & Services	133,800		133,800	
Depreciation	16,614		16,614	
Employee Costs	335,300		335,300	
Internal Charges	(515,700)		(515,700)	
Materials	51,706		51,706	
Plant Hire	113,174		113,174	
Total expenses:	134,894		134,894	
Net Surplus (Deficit)	157,306		157,306	

Note: No amendments

QUARTERLY BUDGET REVIEW - December 2014**Environmental Services - Tim O'Brien****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Fees and Charges	842,500		842,500	
Rates & Utility Charges	3,269,700		3,269,700	
Sundry Revenue	150,000		150,000	
Total revenue:	4,262,200	0	4,262,200	
Expense				
Contracts & Services	3,622,375	6,000	3,628,375	1
Depreciation	166,854		166,854	
Employee Costs	1,103,476		1,103,476	
Finance Costs	147,324		147,324	
Internal Charges	1,172,970		1,172,970	
Materials	612,568	(6,000)	606,568	1
Plant Hire	361,952		361,952	
Total expenses:	7,187,519	0	7,187,519	
Net Surplus (Deficit)	(2,925,319)		(2,925,319)	

Note:

1. Budget transfer within Environmental Services as a result of cancellation of "Clean up Week"

QUARTERLY BUDGET REVIEW - December 2014

Finance - James Owenstone

OPERATING BUDGET

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Capital Revenue	1,951,162	785,644	2,736,806	1
Fees and Charges	207,000		207,000	
Operating Grants and Subsidies	5,109,000		5,109,000	
Interest Received	643,000		643,000	
Rates & Utility Charges	25,603,892		25,603,892	
Recoverable Works	8,000		8,000	
Sundry Revenue	6,000		6,000	
Total revenue:	83,528,054	785,644	84,313,698	
Expenses				
Contracts & Services	491,400	(299,840)	191,560	2
Employee Costs	8,061,381		8,061,381	
Finance Costs	56,900	300,000	356,900	2
Internal Charges	(10,871,300)		(10,871,300)	
Materials	459,324	(150)	459,154	2
Plant Hire	67,560		67,560	
Total expenses:	(1,734,735)	0	(1,734,735)	
Net Surplus (Deficit)	85,282,789		86,048,433	

Note:

1 * Grants and subsidies from capital works carried forward and black spot funding.

2 * Amendment of error \$ 150,000 Budget Amendment reflected as Transfer FROM Finance Costs to Contracts & Services in the September Budget Papers instead of the other way around.

(300,000)

*Budget transfer between Contracts and Services and Materials within Finance Department to fund for unbudgeted Loan Preparation Costs (Warwick Cowboys Additional Loan)

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QUARTERLY BUDGET REVIEW - December 2014**Human Resources and Organisational Development - Brook March****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Operating Grants and Subsidies	4,250		4,250	
Total revenue:	4,250	0	4,250	
Expenses				
Contracts & Services	108,079	(8,619)	99,460	1
Employee Costs	894,633	17,942	912,575	2
Internal Charges	(149,600)		(149,600)	
Materials	158,746	(4,600)	154,146	3
Plant Hire	11,518		11,518	
Total expenses:	983,576	4,723	988,299	
Net Surplus (Deficit)	(939,126)		(983,849)	

Note:

- 1 Transfer of \$8,619 to Employee Costs for staff recruitment
- 2 Transfer of \$8,619 from Contracts & Services for staff recruitment
Transfer of \$5,000 from Materials for HELP debt subsidisation for staff
Transfer of \$400 to Materials for freight costs
Transfer of \$3,923 from Water and Wastewater Dept to cover staff training
- 3 Transfer of \$5,000 to Employee Costs for HELP debt subsidisation for staff
Transfer of \$400 from Employee Costs for freight costs

QUARTERLY BUDGET REVIEW - December 2014**Information Technology - Cassie Martinez****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Sundry Revenue	1,000		1,000	
Total revenue:	1,000	0	1,000	
Expenses				
Contracts & Services	187,350		187,350	
Depreciation	607,341		607,341	
Employee Costs	678,988		678,988	
Internal Charges	(2,441,900)		(2,441,900)	
Materials	1,671,612		1,671,612	
Plant Hire	21,136		21,136	
Total expenses:	724,527	0	724,527	
Net Surplus (Deficit)	(724,527)		(724,527)	

Note: No amendments

QUARTERLY BUDGET REVIEW - December 2014**Infrastructure Services - Peter See****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Fees and Charges	7,000		7,000	
Operating Grants and Subsidies	134,000		134,000	
Total revenue:	141,000		141,000	
Expenses				
Contracts & Services	322,000		322,000	
Depreciation	1,613,962		1,613,962	
Employee Costs	1,318,250		1,318,250	
Finance Costs	52,836		52,836	
Internal Charges	756,950		756,950	
Materials	2,964,900		2,964,900	
Other Expenses	118,000		118,000	
Plant Hire	(8,591,790)		(8,591,790)	
Total expenses:	(1,444,892)		(1,444,892)	
Net Surplus (Deficit)	1,565,892		1,565,892	

Note: No adjustments

QUARTERLY BUDGET REVIEW - December 2014**Maintenance Operations - Chris Whittaker****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Fees and Charges	2,000		2,000	
Operating Grants and Subsidies	1,954,000		1,954,000	
Recoverable Works	2,080,000		2,080,000	
Sundry Revenue	45,000		45,000	
Total revenue:	4,081,000		4,081,000	
Expenses				
Contracts & Services	1,094,760		1,094,760	
Depreciation	6,822,140		6,822,140	
Employee Costs	3,301,850		3,301,850	
Finance Costs	393,566		393,566	
Internal Charges	2,946,390		2,946,390	
Materials	1,590,772		1,590,772	
Plant Hire	3,201,082		3,201,082	
Total expenses:	19,350,560		19,350,560	
Net Surplus (Deficit)	(15,269,560)		(15,269,560)	

Note: No amendments

QUARTERLY BUDGET REVIEW - December 2014**Planning and Development - Cedl Barnard****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Fees and Charges	1,155,500		1,155,500	
Sundry Revenue	3,455		3,455	
Total revenue:	1,158,955		1,158,955	
Expenses				
Contracts & Services	229,700		229,700	
Depreciation	13,373		13,373	
Employee Costs	1,050,209		1,050,209	
Internal Charges	1,438,830		1,438,830	
Materials	168,192		168,192	
Other Expenses	499,500		499,500	
Plant Hire	135,442		135,442	
Total expenses:	3,535,246		3,535,246	
Net Surplus (Deficit)	(2,376,291)		(2,376,291)	

Note: No amendments

QUARTERLY BUDGET REVIEW - December 2014

Planning and Environment Directorate - Ken Harris

OPERATING BUDGET

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Total revenue:	0		0	
Expenses				
Contracts & Services	700		700	
Employee Costs	225,272		225,272	
Internal Charges	(200,700)		(200,700)	
Materials	44,000		44,000	
Plant Hire	4,000		4,000	
Total expenses:	78,272		78,272	
Net Surplus (Deficit)	(78,272)		(78,272)	

Note: No Amendments

QUARTERLY BUDGET REVIEW - December 2014**Water and Wastewater - Tendekai Mapeza****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Fees and Charges	249,000		249,000	
Rates & Utility Charges	16,447,600		16,447,600	
Total revenue:	16,696,600	0	16,696,600	
Expenses				
Contracts & Services	661,121	(45,413)	615,708	1
Depreciation	4,668,434		4,668,434	
Employee Costs	2,028,400		2,028,400	
Finance Costs	906,728		906,728	
Internal Charges	2,292,520		2,292,520	
Materials	2,579,160	(24,076)	2,555,084	2
Plant Hire	430,814	(7,119)	423,695	3
Total expenses:	13,567,177	(76,608)	13,490,569	
Net Surplus (Deficit)	3,129,423		3,206,031	

Note:

1. Transfer of \$2,507 to Human Resources Dept to cover employee training cost

Transfer of \$42,266.01 from operating budget to capital works budget to offset 2013/14 capital works expenditure incurred after July 1 2014 but subsequently not approved by Council in the carry over capital works budget

Transfer of \$540 to Human Resources Dept to cover employee training cost

2. Transfer \$776 to Human Resources Dept to cover employee training cost

Transfer of \$23,300 from operating budget to capital works budget to offset 2013/14 capital works expenditure incurred after July 1 2014 but subsequently not approved by Council in the carry over capital works budget

3. Transfer of \$7,119 from operating budget to capital works budget to offset 2013/14 capital works expenditure incurred after July 1 2014 but subsequently not approved by Council in the carry over capital works budget


QUARTERLY BUDGET REVIEW - December 2014**Works Construction - Eric Kraak****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
Recoverable Works	500,000		500,000	
Operating Grants and Subsidies		1,710,000	1,710,000	1
Total revenue:	500,000	1,710,000	2,210,000	
Expenses				
Contracts & Services	24,400	1,710,000	1,734,400	1
Employee Costs	27,700		27,700	
Internal Charges	11,700		11,700	
Materials	207,000		207,000	
Plant Hire	87,620		87,620	
Total expenses:	958,420	1,710,000	2,068,420	
Net Surplus (Deficit)	141,580	0	141,580	

Note: 1. January 2013 flood event works, NDRRA funding

10.2 BCS - Financial Report as at 31 January 2015

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Manager Finance Revenue Accountant	File Ref: 12.13

Recommendation

THAT Council receive and note the Financial Report as at 31 January 2015.

Report

A review of Council's operating performance against forecast shows that the net operating position of \$19.0m is \$1.011m above the estimated position for the financial year to date.

Income Statement

Total operating revenue of \$52.2m is in line with the expected year to date estimate of \$51.9m. Capital revenue of \$2.2m is slightly under the year to date estimate of \$2.6m (\$466k).

Overall operating expenditure of \$35.4m is \$1.1m below the year to date estimate of \$36.5m with employee costs being around 7.7% (\$1.2m) under budget and materials and services being around 12% (\$1.4m) over the year to date estimate.

Capital Works in Progress

Capital works expenditure to 31 January 2015 is \$6.1m which is 36.7% of the capital works budget of \$16.6m.

Year to date capital expenditure by area is as follows:

	Approved Annual Budget	Carryover & Amendments	Total Budget	YTD Expenditure	% Spent
Land & Land Improvements	-	110,000	110,000	27,130	24.7%
Buildings	193,000	16,491	209,491	173,282	82.7%
Plant & Equipment	4,400,000	(326,328)	4,073,672	340,521	8.4%
Roads, Drains & Bridges	6,845,000	373,623	7,218,623	3,347,498	46.4%
Water	2,610,000	64,555	2,674,555	1,245,153	46.6%
Wastewater	240,000	(37,000)	203,000	69,763	34.4%
Other Assets	1,450,000	689,465	2,139,465	895,219	41.8%
Total	15,738,000	890,805	16,628,805	6,098,565	36.7%

Budget Implications

The quarterly budget review has been presented in another report to the February meeting.

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.

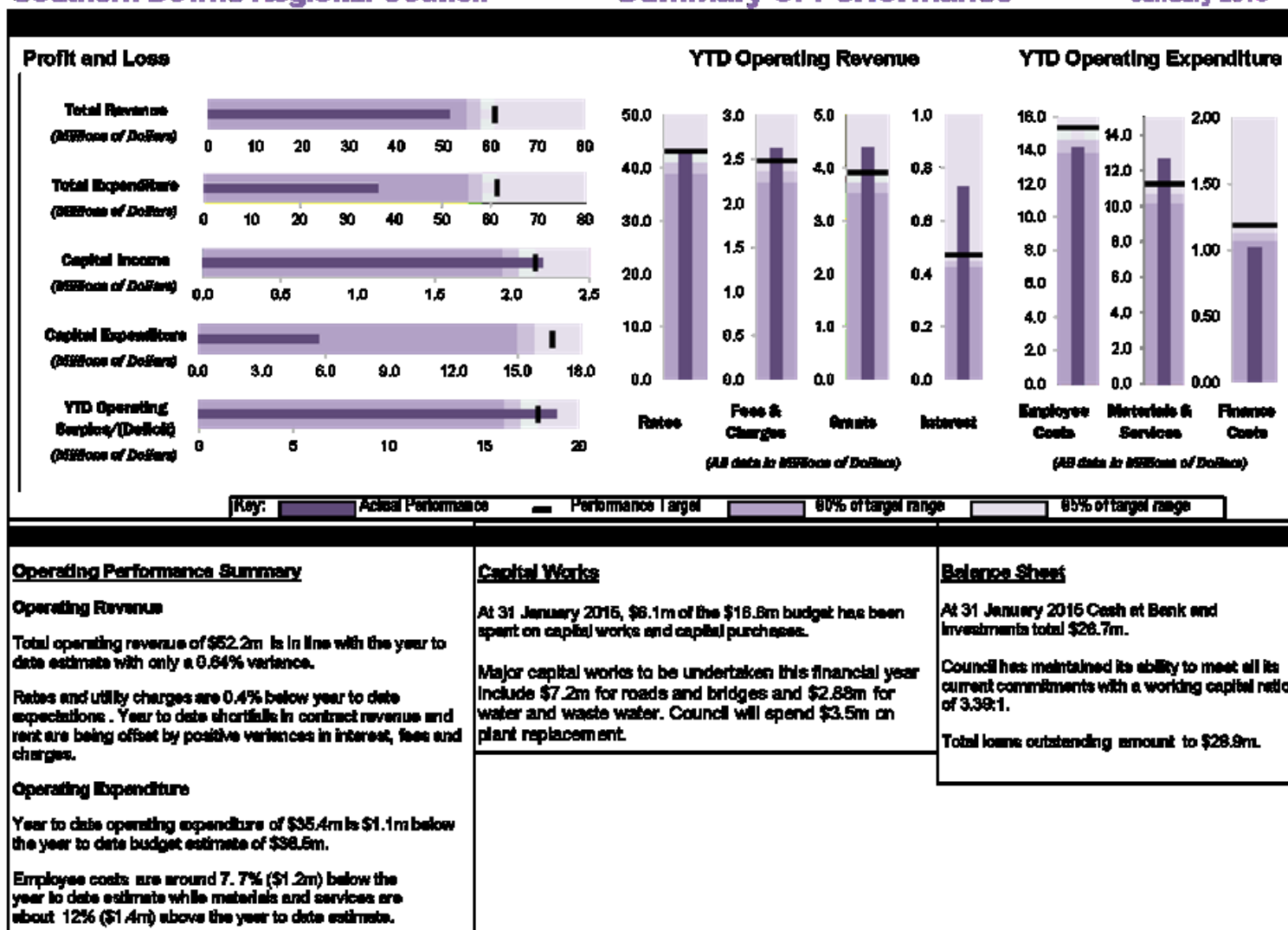
Attachments

1. Finance Report as at 31 January 2015 [View](#)
2. Investment Register for January 2015 [View](#)

Southern Downs Regional Council

Summary of Performance

January 2015



Southern Downs Regional Council Income Statement January 2015

2014 Actual \$		Annual 2015 Budget \$	Planned 2015 YTD Budget \$	Planned 2015 YTD Actual \$
Revenue from ordinary activities				
26,320,000	General Rates	27,232,038	27,232,038	27,209,280
20,092,000	Utility Rates and Charges	20,973,700	18,753,700	18,646,432
(3,953,000)	Less Discounts	(2,886,566)	(2,741,056)	(2,775,966)
42,459,000		45,321,192	43,246,782	43,079,746
4,623,000	Fees and Charges	4,310,489	2,487,612	2,631,441
1,051,000	Interest	828,000	472,830	731,506
2,219,000	Contract & Sales Revenue	2,590,000	1,450,400	1,092,433
805,000	Rent and Other Income	602,087	321,407	294,305
19,008,000	Government Grants and Subsidies	7,778,087	3,922,092	4,403,867
78,165,000	Total Operating Revenue	61,429,855	51,981,042	52,233,310
Expenses from ordinary activities				
27,476,000	Employee Costs	25,027,173	13,374,418	14,195,739
35,411,000	Materials and Services	19,249,145	11,253,382	12,702,428
15,322,000	Depreciation and Amortisation	14,999,433	8,749,916	7,500,259
1,854,000	Finance Costs	2,148,896	1,185,738	1,019,478
60,063,000	Total Operating Expenses	61,424,647	34,563,454	35,417,905
(9,898,000)	Operating Surplus/(Deficit) before capital items	5,207	15,357,609	16,815,415
Other Capital Amounts				
14,004,000	Capital Grants, Contributions and Donations	1,951,162	2,671,806	2,205,437
(7,611,000)	Other capital income and (expenses)	200,000	-	-
(3,585,000)	Net Result Surplus/(Deficit)	2,156,369	18,009,415	19,020,851

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 January 2015

2014 Actual \$		Annual 2013 Budget \$	Planned 2013 YTD Actual \$
Current Assets			
6,541,000	Cash assets & Investments	5,049,362	26,693,926
10,589,000	Receivables (includes Rates & Utilities receivable)	8,118,906	10,334,772
916,000	Assets held for sale	304,181	915,300
321,000	Inventories	245,732	310,607
18,367,000		13,718,181	38,454,604
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	777,790,038
3,700,000	Other Financial Assets	468,107	378,580
9,851,000	Capital works in progress	6,979,689	14,401,330
970,000	Intangible Assets	855,220	970,006
799,565,000		769,368,322	794,485,975
817,932,000	TOTAL ASSETS	783,086,503	832,940,579
Current Liabilities			
8,212,000	Creditors and other payables	4,863,866	3,216,116
3,914,000	Provisions	1,606,275	6,230,422
1,905,000	Interest bearing liabilities	2,222,149	1,904,798
14,031,000		8,692,290	21,351,335
Non-Current Liabilities			
29,958,000	Interest bearing liabilities	27,697,990	28,968,922
4,139,000	Provisions	6,574,724	3,797,287
-	Other Payables	907,316	-
34,097,000		35,180,030	32,766,208
48,128,000	TOTAL LIABILITIES	43,872,320	44,117,544
769,804,000	NET COMMUNITY ASSETS	739,214,183	788,823,235
NET COMMUNITY ASSETS			
-	General Reserves	3,375,511	-
237,022,000	Asset Revaluation Reserve	201,677,996	237,018,434
532,782,000	Retained surplus	534,160,676	551,804,781
769,804,000	Retained surplus	739,214,183	788,823,235

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	Budget	YTD Actual	On Target?	Key Ratios	Budget	YTD Actual	On Target?
Working Capital Ratio (Current Assets / Current Liabilities)	1.58 : 1	3.39 : 1	✓	Interest Coverage Ratio (Net Interest Expense / Total Operating Revenue) (%)	2.15%	0.55%	✓
Target Ratio > 1:1		> 1:1		Target Ratio Upper Limit (%) 10.0%		10.0%	
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.				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.			
Operating Surplus Ratio (Net Operating Surplus / Total Operating Revenue) (%)	3.5%	36.4%	✓	Asset Sustainability Ratio (Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)	110.9%	75.9%	✗
Target Ratio 0.0% to 15.0%		0.0% to 15.0%		Target Ratio Lower Limit (%) > 00%		> 00%	
This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes. 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.				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.			
Net Financial Liabilities Ratio ((Total Liabilities - Current Assets) / Total Operating Revenue)	57.7%	10.8%	✓	Comments on Ratio Results. 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. Whilst changes to the legislation have amended the required ratios, the ratios listed will continue to be reported on. For the year to date, all ratios are within expected guidelines.			
Target Ratio Upper Limit (%) <=60%		<=60%					
This is an indicator of the extent to which the net financial liabilities of a Council can be serviced by its operating revenues. 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. A ratio less than zero (negative) indicates that current assets exceed total liabilities and; therefore, Council has the capacity to increase its loan borrowings.							

INVESTMENTS REGISTER

as at 31 January 2015

CASH MANAGEMENT

10.30am CALL ACCOUNT

		<u>PRINCIPAL</u>	<u>INTEREST RATE</u>
GENERAL	QTC SDRC Acct	\$ 2,905,416.92	3.70%
TOTAL	QTC	\$ 2,905,416.92	

BANK BILLS AND BDO

<u>DATE</u>	<u>DESCRIPTION</u>	<u>PRINCIPAL</u>	<u>INTEREST RATE</u>	<u>MATURITY DATE</u>
15-Oct-14	BANK OF QLD	\$ 804,789.32	3.45%	12-Feb-15
18-Oct-14	WCU	\$ 804,888.71	3.60%	15-Apr-15
30-Oct-14	WCU	\$ 805,188.44	3.35%	4-Feb-15
30-Oct-14	QCCU	\$ 804,788.18	3.55%	29-Apr-15
6-Nov-14	WCU	\$ 805,440.88	3.85%	5-Feb-15
12-Nov-14	BENDIGO	\$ 807,057.69	3.40%	12-Feb-15
13-Nov-14	QCCU	\$ 807,380.00	3.45%	12-Mar-15
19-Nov-14	BANK WEST	\$ 800,000.00	3.40%	18-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	3.48%	19-Mar-15
26-Nov-14	NAB	\$ 807,441.10	3.45%	28-Feb-15
26-Nov-14	NAB	\$ 807,057.54	3.45%	28-Feb-15
27-Nov-14	BENDIGO	\$ 806,708.85	3.40%	4-Mar-15
27-Nov-14	QCCU	\$ 807,440.00	3.45%	28-Mar-15
27-Nov-14	SUNCORP	\$ 806,708.85	3.60%	1-Apr-15
27-Nov-14	SUNCORP	\$ 806,890.41	3.60%	2-Apr-15
27-Nov-14	BANK OF QLD	\$ 806,890.41	3.60%	29-Apr-15
4-Dec-14	NAB	\$ 807,441.10	3.45%	4-Mar-15
4-Dec-14	BANK OF QLD	\$ 807,226.48	3.60%	4-Jun-15
10-Dec-14	WCU	\$ 809,577.89	3.40%	10-Mar-15
11-Dec-14	BANK WEST	\$ 807,583.19	3.40%	11-Mar-15
23-Dec-14	QCCU	\$ 809,440.00	3.35%	23-Apr-15
23-Dec-15	QCCU	\$ 809,152.88	3.35%	27-May-15
7-Jan-15	WCU	\$ 810,775.87	3.40%	9-Apr-15
8-Jan-15	WCU	\$ 810,218.74	3.40%	16-Apr-15
15-Jan-15	QCCU	\$ 811,509.59	3.50%	18-Jul-15
21-Jan-15	BANK WEST	\$ 811,519.48	3.40%	30-Apr-15
26-Jan-15	BANK WEST	\$ 811,594.48	3.40%	30-Apr-15
18-Nov-14	SUNCORP	\$ 300,000.00	3.40%	17-Feb-15
TOTAL		\$ 28,709,517.81		
GRAND TOTAL				\$ 28,914,934.73

FUNDS BREAKDOWN

<u>FUND</u>	<u>PRINCIPAL</u>
GENERAL	\$ 28,914,934.73
RESERVE	\$ -
TRUST	\$ 300,000.00
GRAND TOTAL	\$ 28,914,934.73


INSTITUTION BREAKDOWN

[30% MAXIMUM AT ANY ONE INSTITUTION]

<u>INSTITUTION</u>	<u>PRINCIPAL</u>
CSA	0%
BENDIGO	6%
WCU	18%
SUNCORP	10%
QCCU	22%
HERITAGE	0%
BANK OF QLD	9%
QTC	11%
NAB	12%
CITIBANK	0%
BANK WEST	12%
	100%
GRAND TOTAL	\$ 28,914,934.73

10.3 BCS - Executive Performance Report - January 2015

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Manager Corporate Services Senior Community Contact Co-Ordinator	File Ref: 06.01; 06.03.01

Recommendation

THAT Council receive and note the attached Executive Performance Statistics for January 2015.

Report

Attached to this report are the Executive Performance Statistics for January 2015.

These statistics provide an overview of performance from a number of business units within Council's three Directorates.

These statistics are generated on a monthly basis and provide information such as Community Contact Centre performance indicators, Merit Request data, the breakdown of that data by directorate, the number of visitors the libraries have received for the month, CCTV requests received by Council, Bang the Table updates when applicable, Right to Information and Information Privacy application progression data and any economic development movements within the region.

Budget Implications

Nil.

Policy Consideration

Operational Plan 2014/15

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

Community Engagement

Nil.

Legislation/Local Law

Nil.

Options

Nil.

Attachments

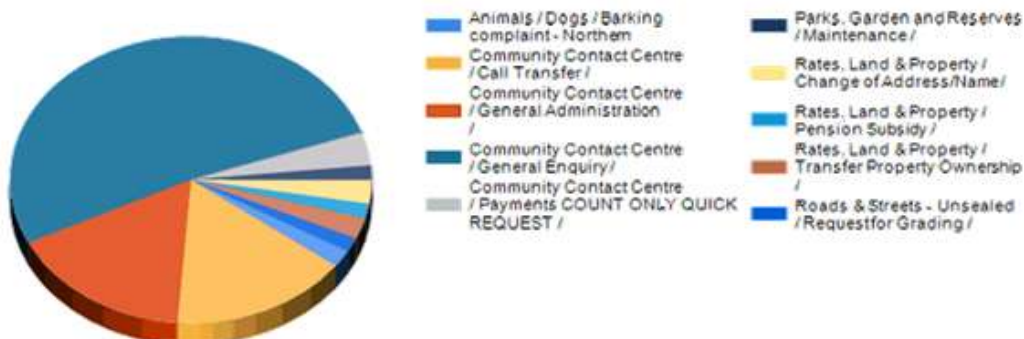
1. Executive Performance Statistics [View](#)



Executive Performance Statistics

January 2015

Top 10 Merit Customer Requests:



Request Type	Resolved	Finalised	In Time
OCC - General Enquiry	1,034	1,034	1,034
OCC - General Administration	330	330	329
OCC - Call Transfer	318	318	318
OCC - Payments (count only quick request)	75	75	75
Rates, Land & Property - Change of Address/Name	53	26	53
Rates, Land & Property - Transfer Property Ownership	48	34	48
Roads & Streets – General, Slashing Roads, Rural & Road Reserves	46	32	44
Animals, Dogs, Barking Complaint – Northern	38	31	38
Roads & Streets – General, Slashing Roads, Urban	34	28	34
Parks, Garden & Reserves - Maintenance	33	28	31

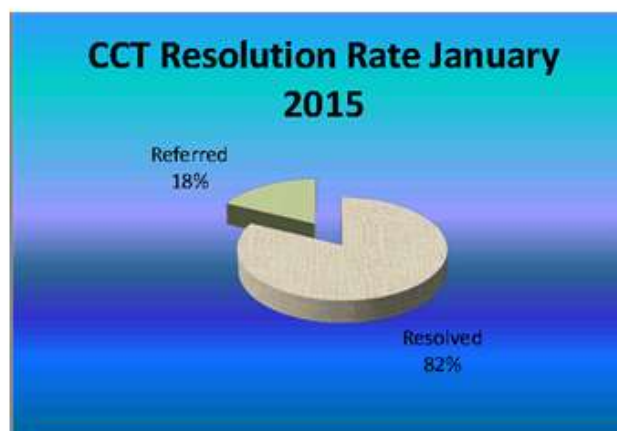
How Received	Count
Telephone	2,254
Document Management	331
Walk In	169
Web	39
Internal	25
Traveller	20
APP	19
E-Mail	6
Total	2,863



Directorate Breakdown				
Directorate	Total	Open	Closed	Escalated
Business & Community Services				
Community Facility Services	131	45	86	1
Community Services	3	1	2	0
Corporate Services	1,706	7	1,699	0
Finance	174	63	111	0
Information Services	105	2	103	0
Total	2,119	118	2,001	1
Engineering Services				
Engineering Services	22	12	10	2
Infrastructure Services	120	20	100	15
Works	221	62	159	4
Total	363	94	269	21
Executive				
Executive	3	0	3	0
Human Resources and Organisational Development	1	0	1	0
Total	4	0	4	0
Planning and Environment				
Environmental Services	65	15	50	0
Local Laws Dept	182	40	142	0
Planning and Development	130	25	105	3
Total	377	80	297	3
SDRC Total	2,863	292	2,571	25

Community Contact Resolution Rate:

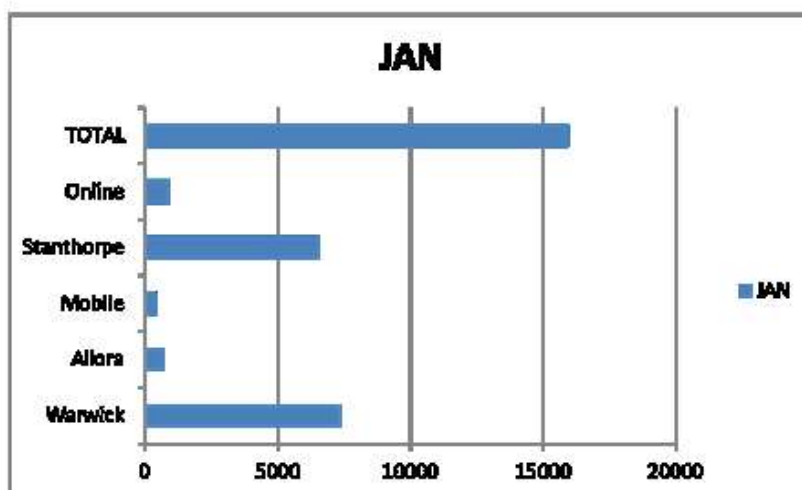
Total Customer Contacts	Resolved at Contact	Referred On
4,234	3,479	755





Library Visitors – January 2015:

Warwick	Allora	Mobile	Stanthorpe	Online	Total
7,401	656	379	8,604	910	15,950



CCTV Requests:

Received 8 and closed 9 requests between 12 January and 12 February 2015.

Bang The Table:

NII for January 2015.

Right To Information (RTI) and Information Privacy (IP) Applications:

On Hand 1 January 2015		Received January 2015		Completed January 2015		On hand 31 January 2015	
RTI – 3	IP – NII	RTI – 1	IP – NI	RTI – 3	IP – NI	RTI – 1	IP – NII


Economic Development:

Two major developments have commenced:
ALDI and Woolworths Service station in Stanthorpe

Sub-Project in Warwick:
Restoration of the Plumb's Chambers Building as part of Rose City is underway.

10.4 BCS - Policy Reviews - February 2015

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Manager Corporate Services Governance Officer	File Ref: 04.12

Recommendation

THAT Council :

1. Adopt the proposed policy amendments as attached.
2. Adopt the PL-FS014 Supplementary Rates Policy.

Report

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

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

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

2 February 2015 Briefing Session

PL – HR052 Code of Conduct Policy
PL – FS018 Investment Policy
PL – FS035 Partial Relief from the Payment of Water Consumption Charges Policy
PL – FS014 Supplementary Rates Policy – Proposed *Policy*

The proposed policy is attached, and all proposed changes to policies are highlighted in the attachments.

Budget Implications

Nil.

Policy Consideration

Corporate Plan 2014-2019

Direction 8: The Well-Governed Southern Downs

Operational Plan 2014-15

- 4.5.1 Maintain compliance with legislation and manage the corporate governance functions of Council

Community Engagement

Nil.

Legislation/Local Law

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

Options

1. Adopt the proposed policy amendments as attached; or
2. Do not adopt the proposed policy amendments as attached and make other amendments; and
3. Adopt the proposed new policy as attached; or
4. Do not adopt the proposed new policy as attached and make other amendments.

Attachments

1. PL - HR052 Code of Conduct [View](#)
2. PL - FS018 Investment Policy [View](#)
3. PL - FS035 Partial Relief from the Payment of Water Consumption Charges Policy [View](#)
4. PL - FS014 Supplementary Rates [View](#)



Code of Conduct Policy

Policy Number:	PL-HR052
Department:	Executive
Section:	Human Resources
Responsible Manager:	Human Resources Manager
Date Adopted:	23 February 2011
Date to be Reviewed:	<u>Within 6 months of the quadrennial election</u>
Date Reviewed:	2 February 2015
Date Rescinded:	n/a

REVISION RECORD

Date	Version	Revision description
09.2012		Annual Review
02.2015		Annual Review

Code of Conduct Policy

Policy no: PL-HR052

Updated: 25 February 2015

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1 Policy Background

Code of Conduct Statement

Council conducts its business with integrity, honesty and fairness and complies with all relevant laws, regulations, codes and corporate standards.

Everyone working for Council must follow the highest standards of behaviour when dealing with customers and each other. Our leaders must encourage a culture where ethical conduct is recognised, valued and followed at all levels.

Council actively supports, encourages and develops its employees to work safely, be customer focused, use technology and Council assets effectively, adapt to changes and improve their own capabilities and contribute to Council's Community, Corporate and Operational Plans.

2 Purpose

Legislative Principles

The Public Sector Ethics Act 1994 identifies four fundamental ethical principles that guide our behaviour as public officials. The four principles are

- a) *integrity and impartiality;*
- b) *promoting the public good;*
- c) *commitment to the system of government; and*
- d) *accountability and transparency.*

These principles form the basis of this Code of Conduct. The purpose of the Code is to provide standards of conduct for Council and Council employees consistent with the ethics principles and values. It applies to all employees and guides our thinking, actions and decision-making.

Each principle creates mandatory obligations for employees. The Code expands on these obligations by establishing standards of conduct that are applicable to Southern Downs Regional Council. The Code aims to be clear and concise in its standard setting to avoid confusion or misunderstanding about Council expectations.

Given the diverse range of activities in which Council employees are involved on a day-to-day basis, the Code does not attempt to provide a detailed and exhaustive list of what should be done in every work situation. It puts responsibility on each of us to use sound judgement and to take responsibility for ethical conduct.

By upholding the obligations under the Code, public trust and confidence in the integrity and professionalism of Council and its employees are maintained.

A "Guide for Ethical Decision-Making" is included to help you in situations not covered by the Code.

3 Scope

The Code is binding on all Council employees including contract, permanent, temporary, casual, work experience and volunteers.

4 Legislative Context

- *Local Government Act 2009*
- *Public Sector Ethics Act 1994*
- *Public Interest Disclosure Act 2010*
- *Crime and ~~Corruption Misconduct~~ Act 2001*
- *Work Health and Safety Act*
- *Information Privacy Act 2009*
- SDRC Policies

5 Policy Details

5.1 Principle 1: Integrity and Impartiality

5.1.1 Ethics Value

In recognition that public office involves a public trust, public sector entities and public officials seek to promote public confidence in the integrity of the public sector and:

- are committed to the highest ethical standards; and
- accept and value their duty to provide advice which is objective, independent, apolitical and impartial; and
- show respect towards all persons, including employees, clients and the general public; and
- acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest; and
- are committed to honest, fair, and respectful engagement with the community.

5.1.2 Standards of Conduct

5.1.2.1 Behaviour towards each other

Employees should treat other employees with respect, honesty, courtesy, fairness, and sensitivity, regardless of their employment status within the Council. This includes being tolerant of, and not dismissing the views held by others which may be different from the employee's own view.

Effective teamwork is an essential part of a productive workplace culture. Each team member needs to work cooperatively with fellow staff and actively and willingly take part in team activities such as meetings and training activities.

5.1.2.2 Discrimination and Harassment

Council is committed to creating and maintaining a workplace free from discrimination and harassment. Employees must not discriminate against, harass (including sexual, racial and ageist), bully, insult, intimidate or mistreat customers,

employees or members of the public. (Refer to Council's *Equal Employment Opportunity and Anti-Discrimination [Act Policy](#)*.)

5.1.2.3 Equal Employment Opportunity

Council is strongly committed to ensuring that the principles of Equal Employment Opportunities (EEO) and equity are integral to all management processes, working conditions and to all aspects of service delivery. Employees must ensure that they have a thorough understanding of EEO and anti-discrimination obligations. (Refer to Council's *Equal Employment Opportunity and Anti-Discrimination [Act Policy](#)*.)

5.1.2.4 Conflicts of Interest

When making decisions, you must declare any conflicts of interests.

Conflicts of Interest arise where there is a conflict between your duty to Council and a personal interest or belief. When a conflict of interest arises over a particular matter, you should advise your Manager or supervisor immediately. If you consider that a potential conflict of interest cannot be satisfactorily resolved, a request can be made that another employee deals with the matter.

If you have an interest or a potential interest in a firm which is seeking to contract with Council for the provision of goods or services, you must declare this a declaration to this effect. In the event that such a declaration is not made, the contract may be declared void.

5.1.2.5 Public Comment on Council Business

Council business can be topical, sensitive and controversial and there is a process to be followed when making public comments. If you are asked to comment on any Council matter by the media, it should be referred to the Communications Officer or your Director.

However, the rights of employees to free speech are acknowledged. Where you feel the need to speak out in public on a political or social matter, it should be made clear that they are your personal views being expressed and that these do not represent the views of the Council. The comments should not lead to a breach of confidentiality.

This clause also applies to employees using social media including social networks, blogs, video/photo posting sites, forums and online chat services. Examples of Social Media include Facebook, YouTube and Twitter. Council recognises that employees may wish to use social media in a personal capacity, however they should be aware they are personally responsible for content they publish on any ~~own form~~ of social media, and should take measures to ensure their personal comments cannot be mistaken for the official view of Council.

Furthermore, employees also need to be aware that insulting and threatening comments about Council or another employee sent from the employees home computer and out of work hours may constitute serious misconduct and lead to dismissal.

5.1.2.6 Secondary Employment

Employees must seek written approval from the Chief Executive Officer prior to undertaking secondary work outside of Council. (A proforma letter is attached to this Code). Generally, employees are able to undertake secondary employment outside their normal working hours provided:

- that no conflict of interest exists, or has the potential to develop, between private employment and official Council duties; and
- It does not affect your capacity to perform your normal duties with Council. E.g. Regularly working night shift in another job and reporting to the Council position with little or no sleep.

In considering requests to undertake secondary employment, a balance must be sought between the legitimate interests of Council to protect its integrity and the rights of Council employees to lead their private lives free from unnecessary intrusion by the Council.

5.1.2.7 Influences on Decision-making

You must not influence any person in an improper way with the aim to obtain personal advantage or favours.

All decisions need to be, and be seen to be, fair and transparent. This can be achieved in a number of ways, including clear record-keeping and showing how decisions were made.

You must not in any way misrepresent your qualifications, experience or expertise in any recruitment and selection process.

5.1.2.8 Acceptance of Gifts and Rewards

The Local Government Act 2009 requires that employees must not ask for or accept benefits other than their official remuneration in return for performing their duties. This includes offers of travel and accommodation, meals and entertainment.

Employees must not seek or accept a bribe or other improper inducement, nor use their official position to gain advantage or to improperly influence others in the performance of their duties.

Occasionally you could be offered gifts or benefits from people with whom you do business. You can accept gifts or benefits in certain circumstances, however you must not accept any gifts or benefits if there is a possibility that in doing so, you could create a real or perceived conflict of interest. For example, ask yourself if accepting the gift or benefit could suggest that the giver may or would receive favourable treatment.

In the event that a gift is made to an employee where:

- It has nominal value (less than \$100)
- It would be impolite to refuse it; and
- The acceptance of the gift would not raise any public concern that favours were expected in return

The employee will be allowed to keep it, however they must declare it to their Director and it will be recorded in the Gift Register.

Gifts and benefits valued at over \$100 should not be accepted. The only exception to this is where it would be impolite to refuse the gift or benefit. Under these circumstances the gift may be accepted on behalf of Council. The gift is to be delivered to the Chief Executive Officer or Mayor who will determine the appropriate action to be taken. This may include;

- Displaying the gift at an appropriate venue
- Donating the gift to a community organisation
- Selling or exchanging the gift
- Allowing the original recipient to keep the gift.

All details regarding the gift will be recorded in the Gift Register.

5.1.2.9 Acting within Corporate Limitations

You must be aware of the extent of your delegated authority for making decisions and authorising budgetary expenditure. You must also be aware of your responsibilities in terms of your employment contract, position description and the policies and practices of Council that are relevant to the performance of your duties.

5.1.2.10 Advice given to Elected Officials

As private citizens all employees have the right to communicate directly with a Councillor on any issue affecting you as a private citizen. However, in your capacity as a Council employee communications with Councillors are restricted to matters which are relevant to your official duties or the affairs of Council, and are in accordance with the Advice Guidelines of Council.

Communication between Councillors and employees must be in accordance with the CEO's Guidelines on requests to employees for advice to help a Councillor make a decision. Council employees must give Councillors advice that is thorough, responsive, objective, independent, apolitical and impartial so that Councillors can make decisions and carry out their community responsibilities.

If you believe there is conflict between a request from a Councillor and Council policies, you must discuss this with your supervisor or manager.

5.2 Principle 2 – Promoting The Public Good

5.2.1 Ethics Value

In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public sector entities and public officials:

- accept and value their duty to be responsive to both the requirements of government and to the public interest; and
- accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions; and
- accept and value their duty to manage public resources effectively, efficiently and economically; and
- value and seek to achieve excellence in service delivery; and
- value and seek to achieve enhanced integration of services to better service clients.

5.2.2 Standards of Conduct

5.2.2.1 Customer Service

All Council employees must strive to provide excellent customer service. They must treat members of the public with honesty, fairness, sensitivity and respect.

If your role in Council involves contact with the public, it is important to know how to deal comfortably and calmly with difficult situations and difficult people. Customers have a right to complain to or criticise Council. While you must make all reasonable efforts to help customers lodge complaints, situations may arise that become abusive, threatening or intimidating. Council does not expect employees to be treated in such an inappropriate manner, nor does it expect employees to resort to such actions themselves. Employees should remain calm and patient and should they judge the situation to be getting out of hand, they should immediately withdraw from the situation and seek the assistance and advice of a senior officer. Council will support employees taking appropriate action.

5.2.2.2 Using Council Resources

Council resources include property, plant, equipment, information systems, computing resources, goods, products and valuables. All resources must be used economically and efficiently and treated with care and given adequate protection to avoid misuse or theft. You must avoid waste and extravagance in the use of resources, and ensure that resources are used for the legitimate activities of Council only.

The following conditions apply to Council resources:

- Council property is not to be borrowed for personal use by employees.
- Where materials are set aside for a particular job and are not completely used up, the remaining material should be returned to stock for future use.
- Email and Internet usage is to be in accordance with Council's *Information Technology Hardware and Systems Security Policy*.
- Officers who have access to Council Purchase Cards should ensure that any expenditure is carefully accounted for in terms of eligible expenditure on Council business and in accordance with Council's *Purchasing Policy*.
- When using Council vehicles, employees must be aware that they are subject to public scrutiny and therefore they must ensure the vehicle is used in a safe and efficient manner at all times.
- Employees with private or commuter use of a Council vehicle must adhere to the requirements of Council's *Motor Vehicle Policy*.
- Officers may make occasional use of Council telephones for personal calls, provided that these calls are essential, and that the time taken is kept to a minimum. ~~Use of Council telephones is to be in accordance with Council's Telephone Usage Policy.~~

5.2.2.3 Corporate Dress Standards

Council strives for excellence in serving the community and seeks to have the professional image of Council reflected at all times. Integral to promoting this image, is the personal presentation of Council employees. Where employees are provided with a uniform, the uniform should be worn complete and in good order.

Employee's personal presentation in the workplace or while on official duty must be clean, tidy, and inoffensive to customers. It should have regard to the type of work being performed, Workplace Health and Safety factors, and consistency across Council with respect to a professional image. Employees must wear personal protective clothing and equipment when required.

Should employees find themselves in a public area and still in uniform when off duty, they must be aware at all times that they may be perceived as representing Council and must act accordingly.

5.2.2.4 Intellectual Property

You must obtain approval before publishing or disclosing any articles or materials produced as part of your official duties. Any original work, invention or product you contributed to in association with your work remains Council property. Any awards or prizes which you receive through Council funded study or training also remains the property of Council.

5.2.2.5 Community Engagement

It is essential that Council has a consistent approach to community engagement and that it uses effective engagement practices. Any engagement undertaken by Council needs to be conducted in a meaningful way so that the community is clear about what it is able to influence and knows that its interests have been considered in the planning process. Community members should also be provided with feedback on how their input has influenced Council's decisions. This will help to increase their trust in Council generally and maintain their involvement in future Council engagement activities.

Council has a *Community Engagement* policy and guidelines for consistent and effective engagement practices. You should comply with these when engaging with the community to augment Council's decision-making processes and to ensure that decisions are made in the public interest.

5.3 Principle 3: Commitment to the System of Government

5.3.1 Ethics Value

In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public sector entities and public officials:

- accept and value their duty to uphold the system of government and the laws of the State, the Commonwealth and local government; and
- are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and
- accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.

This does not limit the responsibility of a public sector entity or public official to act independently of government if the independence of the agency, entity or official is required by legislation or government policy, or is a customary feature of the work of the agency, entity or official.

5.3.2 Standards of Conduct

5.3.2.1 Acting within the Law

As an employee of Council, you are expected to comply with applicable legislation, awards, certified agreements, Council policies and local laws.

You have the right and responsibility to respectfully question how you do your work, particularly if you think there is an imminent risk to the safety of yourself or others, or there is a better way of doing something, or if you think that a direction may be in breach of the law. When you have recorded your suggestion or concern you are required to work as directed by your supervisor, except where there is an imminent risk to safety. If the matter cannot be resolved within the workgroup, it should be immediately referred to your manager.

If you are charged with having committed any indictable offence, are subject to an indictable offence conviction, or are subject to a summary conviction, you should immediately report the circumstances to your Director. Such disclosure shall be treated as confidential.

5.3.2.2 Advice Provided

Employees must provide Supervisors and where appropriate the Council, with advice which is independent, accurate and comprehensive. This includes setting out the identifiable advantages, disadvantages, costs and consequences of the available options and where appropriate, recommending a particular course of action. Advice must not be given without authorisation.

Supervisors must ensure all relevant Policies, Operating Guidelines & Procedures are clearly stated, explained and understood by staff and that they act in accordance with the most recent information. Council accepts responsibility for keeping its employees informed about changes that are relevant to the performance of their duties.

5.4 Principle 4 – Accountability and Transparency

5.4.1 Ethics Value

In recognition that public trust in public office requires high standards of public administration, public sector entities and public officials:

- are committed to exercising proper diligence, care and attention; and
- are committed to using public resources in an effective and accountable way; and
- are committed to managing information as openly as practicable within the legal framework; and
- value and seek to achieve high standards of public administration; and
- value and seek to innovate and continuously improve performance; and
- value and seek to operate within a framework of mutual obligation and shared responsibility between public sector entities and public officials.

5.4.2 Standards of Conduct

5.4.2.1 Diligence Care and Attention

Council aims to conduct its business with integrity, honesty and fairness and to achieve the highest standards in service delivery. You contribute to this aim by carrying out your duties honestly, responsibly, in a conscientious manner and to the best of your ability. This includes:

- maintaining punctuality and not being absent from your work station/location during work time without reason;
- giving priority to official duties over personal activities during work time;
- ensuring you do not undertake personal work during work time;
- not wasting time chatting about personal matters and interrupting other staff;
- helping Council achieve its goals by acting to improve systems and practices;
- conducting yourself in a way so others gain confidence and trust in the way Council does business;
- not allowing your conduct to distract or prevent others from working;
- not exposing Council to a judgment for damages against it, as a result of your negligence or breach of any law or policy.

If you are responsible for managing or supervising others, you must also ensure that

- you model the values and principles outlined in this Code and ensure that employees within your area of responsibility understand and comply with the Code;
- you do not come under a financial obligation to any employee you supervise or manage;
- your work and the work of those you supervise contributes to the achievement of Council's goals;
- employee performance is monitored and individuals are given constructive and regular feedback on their performance in line with procedures;
- where practicable, employees are given training opportunities to assist them in developing their careers;
- employees are provided with information that is vital for effective work performance;
- the opinions of employees are respected and considered;
- workloads are fairly distributed;
- resourcing for a work team is neither excessive nor inadequate for the job;
- employees who collect, handle or disburse public money are properly supervised;
- employee work times, overtime, allowances and absences are correctly recorded on time sheets and pay summary reports;
- appropriate action is taken if breaches of this Code occur.

5.4.2.2 Attendance at and absence from work

You are expected to follow Council employment and working arrangements, agreements and rulings on attendance at work and leave. This includes not being absent without approval and accurately and truthfully recording work and leave periods.

Leave should only be taken for the purposes for which it is intended. If you need leave for a personal reason, talk to your manager about the options available. Seeking approval for planned leave in advance will help your team to make the necessary arrangements to avoid disruptions to work.

5.4.2.3 Privacy

Employees may have access to information of a private or personal nature relating to customers or other employees. They are privy to this information on the understanding it will only be used for a specific work purpose and will remain confidential. Confidential information is to be kept secure and not discussed with anyone who does not have a legitimate right to know.

Unauthorised release of any non-public Council information is a breach of Council policy and may be an offence at law. Employees must preserve the confidentiality of Council's information, including personal information held about Council's customers as a legal obligation under the Local Government Act 2009 and Information Privacy Act 2000.

5.4.2.4 Workplace Health and Safety

We are all committed to Zero Harm in the way we conduct our business and Council activities. You must take reasonable steps to ensure your own safety, health and welfare in the workplace. You also have a duty of care to both fellow employees and members of the public. We must all:

- identify hazards and manage risks to health and safety
- perform all work safely and follow safe work practices
- use personal protective equipment if required
- report any incidents or hazards immediately and support investigations
- take corrective action to 'make safe' and implement improvements.

We must keep the workplace drug and alcohol free if we are to maintain the trust and confidence of customers and the health and safety of all employees. The use of drugs or alcohol adversely affects productivity, attendance and on-the-job safety.

You must not:

- use, possess or be impaired by the effects of illegal drugs while on duty
- consume alcohol while on duty or in the workplace (except at an authorised social activity)
- come to work impaired by the effects of alcohol or drugs
- gamble or bet on Council premises (except for authorised sweeps and tipping competitions).
- Smoking in Council buildings, offices or vehicles is not permitted.

5.5 Breaches of the Code of Conduct

Council expects all employees whilst engaged in official duties, to ensure they demonstrate the basic standards of acceptable conduct as enshrined in this Code. All employees have the responsibility to comply with this Code of Conduct and all other policies which Council implements and/or varies from time to time.

A breach of the Code of Conduct damages business effectiveness, public perception of Council and interpersonal work relationships. Any act or lack of action by an employee of Council that contravenes this Code may result in Council taking disciplinary action against that employee, and which may include dismissal. All suspected breaches will be dealt with on a case by case basis.

Suspected ~~Official~~ Misconduct must be referred to the Chief Executive Officer, and the Chief Executive Officer has a duty to notify the Crime and ~~Corruption~~ Misconduct Commission (CCC) of the suspected ~~Official~~ Misconduct.

In cases where a suspected breach of this Code is under investigation, and if the Chief Executive Officer deems it appropriate, any employee suspected of a breach of this Code may be suspended from duty on full pay until such time as the investigation has been completed.

All disciplinary action taken by Council against an employee for found breaches of this Code will be in accordance with Council's Disciplinary Guidelines and in compliance with Council's obligations pursuant to Chapter 8, Part 3 of the Local Government Regulation 2012.

5.6 If You Have a Concern

The Public Interest Disclosure Act 2010 and the Public Sector Ethics Act 1994 aim to create a work environment where public sector employees understand and maintain appropriate standards of conduct.

Where you honestly believe on reasonable grounds that you possess information about another Council Officer's conduct that relates to:

- ~~Official~~ Misconduct; or
- maladministration that adversely affects a person's interests; or
- a substantial misuse of public resources, other than an alleged misuse based on mere disagreement over policy that may properly be adopted about amounts, purposes or priorities of expenditure; or
- a substantial and specific danger to public health or safety; or
- a substantial and specific danger to the environment

you have the right to make a Public Interest Disclosure to a proper authority subject to, and in accordance with, the Public Interest Disclosure Act 2010.

Should you wish to make such a disclosure please contact:

- Your Director, Human Resources Manager, or Chief Executive Officer
- other external channels (e.g. Crime and ~~Corruption~~ Misconduct Commission, Anti-Discrimination Commission etc).

5.7 A Guide to Ethical Decision Making

It is not possible to have a rule for every situation. At times, you will need to make decisions or take actions that are not specifically covered in the Code of Conduct. The following guide is designed to help you reach an ethical decision based on the relevant facts and circumstances of a situation.

Step 1: assess the situation.

- What is your aim?
- What are the facts and circumstances?
- Does it break the law or go against Council policy?
- Is it in line with the Code's principles?
- What principles does it relate to? Why?
- Who is affected? What rights do they have?
- What are your obligations or responsibilities?

Step 2: look at the situation from Council's viewpoint.

- As a Public official, what should you do?
- What are the relevant laws, rules and guidelines?
- Who else should you consult?

Step 3: how would others see your actions?

- Would a reasonable person think you used your powers or position improperly?
- Would the public see your action or decision as honest and impartial?
- Do you face a Conflict of Interest?
- Will your decision or action stand up to public scrutiny?

Step 4: consider the options.

- Ask your team leader/supervisor/manager, or any person who is able to give sound, relevant advice.
- What options and consequences are consistent with Council's values, the five local government principles, the four ethics principles fundamental to good public administration and your obligations?
- What are the costs and long-term consequences of each option?
- How would the public view each option?
- What will be the outcome for Council, your colleagues, others and you?

Step 5: choose your course of action.

Make sure your actions are:

- within your power to take, legal and in line with policy and this Code;
- fair and able to be justified to your manager and the public;
- documented so a statement of reasons can be supplied;
- consistent with Council's mission, goals and values; and
- backed by advice from Council specialists, if this is appropriate.

Education and Training

Following adoption of this Code, training in its application will be provided to all existing Council employees. Training regarding the Code will subsequently form part of the Induction process for all new Council employees.

Enquiries and Assistance

Any employee requiring advice or assistance regarding the Implementation or Interpretation of this Code should contact one of the following:

- Your Manager or Supervisor
- Your Director
- Human Resources Manager

6 Definitions

Term	Meaning
Conflict of Interest	<p>Refers to a conflict between a SDRC employee's work responsibilities and their personal or private interests. A conflict of interest can arise from either gaining a personal advantage or avoiding a personal loss.</p> <p>Conflict of Interest can be real (actual) or perceived (apparent).</p> <p>A real conflict of interest is a conflict between the employee's duties and their private interests. For example Jo is on a recruitment and selection panel and his sister is applying for a position to be decided by that panel.</p> <p>A perceived conflict of interest is if it seems like an employee's private interests could improperly influence them at work as judged by a reasonable person. For example Lucy works for Council as a community grants funding program manager. On the weekend she plays tennis with the director of a community organisation applying for funding through the funding program Lucy is managing. A reasonable person is likely to believe that Lucy could be improperly influenced by the relationship she has developed with the director at tennis.</p> <p>Types of interests – interests can be financial, non-financial, personal, private, family or business.</p> <ul style="list-style-type: none"> • A financial interest is when the employee could gain a personal financial benefit including having shares, receiving gifts, benefits or bribes or receiving hospitality or travel. For example Kim's partner owns a company which is tendering for work with Council. • Some examples of non-financial interests are below. <ul style="list-style-type: none"> a) You work in the strategic procurement area and one of your regular fishing friends asks you to keep an eye on his tender application. b) You work in the funding application area and you are also president of a local group applying for funding from Council. c) You work in the development applications area and your children's school will be affected by a new development and the development proposal has been submitted to Council for approval.
Indictable Offence	Means an indictable offence as defined by the Criminal Code and similar legislation. It ordinarily means a criminal offence that is punishable by imprisonment for over one year

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Indictable offence conviction	Means a conviction by a Court of an indictable offence whether the conviction occurs in the District Court or Supreme Court.
Summary conviction	Means a conviction for an indictable offence of a lesser type that has been ordered by a Magistrate.
Public Official	Means an employee of Council.
Public Sector Entity	Means Council

7 Related Documents

- *Attachment A* – Example “Notification of Outside Employment” Letter

8 References

- n/a

9 Attachment A – Notification of Secondary Employment

To the Chief Executive Officer

In accordance with clause 5.1.2.6. of the Code of Conduct, I hereby notify you that I have engaged/I intend to engage* for remuneration, in private employment/contract work* outside the Council as follows.

I do/do not* believe that the employment or work relates to the business of Council or conflicts with my Council duties.

** Strike out the words that do not apply.*

Nature of the Employment or Work:

Name of Employer (person, company or organisation) and location:

Period of Employment or work including days of work, start and finish times (if variable state maximum time to be spent in any week)

PLEASE TURN OVER

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Please read the following statements prior to signing this notification:

I hereby confirm that I have read and understand Council's policy on Secondary Employment detailed in the Code of Conduct, and that I agree to be bound by the provisions of that policy.

I understand that the Chief Executive Officer may prohibit the outside work detailed in this notification if it is believed that this work would involve a conflict of interest with my employment with Council.

I understand that the Chief Executive Officer may prohibit previously approved applications if circumstances change.

I certify that the outside work will be performed outside the official Council work hours for my position.

I understand that the use of Council assets or facilities, information or resources of any kind in connection with secondary employment is not allowed.

I understand that if approved, this notification will be reviewed on the common review date and then annually, and that there is no guarantee that previously approved activities will continue to be approved.

Employee Name (print):

Signature:

Date:

Manager Name (print):

Signature:

Date:

Director Name (print):

Signature:

Date:

CEO'S OFFICE USE ONLY:

Date Received:	Date Acknowledged:
Received By:	Acknowledged By:
Date Approval/Prohibition Due:	

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DETERMINATION BY CHIEF EXECUTIVE OFFICER	
To:	_____
	(Employee's Name)
<input type="checkbox"/>	I hereby advise that your Notification of Secondary Employment has been approved. This decision will be reviewed on and annually thereafter.
<input type="checkbox"/>	I hereby advise that your Notification of Secondary Employment has been prohibited for the reasons set out in the attached letter.
_____	_____
Chief Executive Officer	Date



Investment Policy

Policy Number:	PL-FS018
Department:	Finance
Section:	Financial Services
Responsible Manager:	Manager Finance
Date Adopted:	8 October 2009
Date to be Reviewed:	Within 6 months of the quadrennial election
Date Reviewed:	25 February 2015
Date Rescinded:	N/A

REVISION RECORD

Date	Version	Revision description
30/07/12	1	Annual Review
07/11/13	2	Annual Review. Format changed to reflect new Southern Downs Regional Council Policy template. Legislative references updated. Definition amended.
02/02/15	3	Annual Review

Investment Policy

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Investment Policy

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Updated: 25 February 2016

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1 Policy Background

Under section 191 of the Local Government Regulation 2012, Council is required to prepare and adopt an Investment Policy.

Council has a low risk philosophy on Investments. Council's Investment portfolio typically consists of low risk, short term Investments offering the highest rate of return for that type of Investment.

As well as having responsibilities under the Local Government Regulation 2012, Council also has responsibilities under the Statutory Bodies Financial Arrangements Act 1982 and its associated regulation, the Statutory Bodies Financial Arrangements Regulation 2007.

Section 47 of the Statutory Bodies Financial Arrangements Act 1982 requires that:

- (1) A statutory body must use its best efforts to invest in funds:*
 - a) at the most advantageous interest rate available to it at the time of the investment for an investment of the proposed type; and*
 - b) in a way it considers most appropriate in all the circumstances.*
- (2) The statutory body must keep records that show it has invested in the way most appropriate in all the circumstances.*

2 Purpose

To provide Council with a contemporary Investment policy based on an assessment of market and liquidity risk within the legislative framework of the Statutory Bodies Financial Arrangements Act 1982 and Regulations 2007.

3 Scope

This policy applies to the Investment of all funds held by the Southern Downs Regional Council.

4 Legislative Context

- Local Government Regulation 2012
- Statutory Bodies Financial Arrangements Act 1982
- Statutory Bodies Financial Arrangements Regulation 2007

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5 Policy Details

All investments are to be denominated in Australian dollars.

Whenever an investment is proposed, a minimum of three (3) quotes will be obtained from authorised institutions achieving a Standard & Poors or Moody rating of "B+" or better. The QTC Cash Fund must be included as one of these quotes.

The institution offering the best quote, net of costs, will generally be successful in attracting Council's investment. Council may deviate from this arrangement in situations where it wishes to support local financial institutions whose investment interest rate may not exactly match its larger competitors.

The maximum amount invested in any one institution will not exceed thirty (30) percent of the total of Council funds invested annually. The purpose of this requirement is to minimise Council's risk exposure. **Queensland Treasury Corporation is exempt from the thirty (30) percent maximum investment limit.**

For Building Societies and Credit Unions that are unrated by Standard & Poors or Moody and are included in the Council's pool of potential institutions, the Manager Finance is to conduct a financial analysis of these institutions upon receiving those institutions' financial statements, which are normally received on an annual basis. A record shall be kept of the calculations prepared in this regard, with said calculations used as a basis for any decision to invest. Examples of local Building Societies and Credit Unions that may benefit from this policy are: Heritage Building Society, Warwick Credit Union, and Queensland Country Credit Union.

A monthly report shall be provided to Council detailing the current investment portfolio and its performance. The report will also detail investment income generated compared to the budget estimate of interest income.

For audit purposes, certificates must be obtained from the financial institution holding the funds, confirming the amounts of investment held on Council's behalf at June 30 each year.

If an investment is downgraded below the rating prescribed under this policy, it is to be divested as soon as possible.

6 Definitions

Term	Meaning
Investments	Arrangements prescribed under Section 44 of the Statutory Bodies Financial Arrangements Act 1982 and that are acquired or undertaken for the purpose of producing income and/or capital gain.

Investment Terms

Council's investment portfolio should be realisable, without penalty, in a reasonable time frame. The term to maturity of Council's investments must not exceed one year.

Authorised investments include:

- Deposits with an Authorised Deposit taking Institution (ADI);
- Investment arrangements accepted, guaranteed or issued by or on behalf of the Commonwealth Government, the Queensland Government, or a financial institution;
- Investments with the Queensland Investment Corporation (QIC) Cash Funds, Queensland Treasury Corporation (QTC) Cash Funds or 11am Fund;
- An investment arrangement with a minimum of "B+" rating according to Standard & Poors or Moody that is at call or has a fixed term of no greater than one year.

7 Related Documents

- Revenue Policy

8 References

- NA

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Partial Relief from the Payment of Water Consumption Charges

Policy Number:	PL-FS035
Department:	Finance
Section:	Revenue
Responsible Manager:	Manager Finance
Date Adopted:	3 September 2012
Date to be Reviewed:	Within 6 months of the quadrennial election
Date Reviewed:	25 February 2015
Date Rescinded:	N/A

REVISION RECORD

Date	Version	Revision description
2 Feb 15	1	Reviewed

Partial Relief from the Payment of Water Consumption Charges

Policy no: PL-FS035

Updated: 25 February 2015

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Partial Relief from the Payment of Water Consumption Charges

Policy no: PL-FS035

Updated: 25 February 2015

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1 Policy Background

Previously, Council assessed applications for water consumption relief based on the former Warwick Shire Council Policy Number 11 Relief from Excess Water Charges.

The former Warwick Shire Council's Relief from Excess Water Charges Policy stated that the property owner is responsible for the water pipeline from the property side of the meter and no relief from water consumption charges shall be allowed unless unique and unusual circumstances can be demonstrated.

2 Purpose

This policy has been developed to ensure consistency in the determining of Partial Relief from the Payment of Water Consumption Charges for affected property owners. It sets out administrative procedures associated with allowing a "one-off" rebate for an unusually high water consumption charge caused by an unapparent plumbing failure.

3 Scope

The scope of this policy is limited to Partial Relief from the Payment of Water Consumption Charges for affected property owners within the Shire.

4 Legislative Context

- Local Government Regulation 2012, Chapter 4 Rates and Charges, Part 7 Utility Charges
- ~~Local Government (Finance, Plans and Reporting) Regulation 2010, Chapter 2 Rates and charges, Part 7 Utility charges~~

5 Policy Details

5.1 Criteria for Rebate

To qualify for a partial rebate, the property owner must clearly demonstrate that:

1. The quantum of the water consumption charge levied was as a consequence (upon investigation) of an unapparent plumbing failure; and
2. When the owner of the property became aware of the unusually high water consumption on the property, all reasonable steps were taken to locate and repair that failure without delay; and

Partial Relief from the Payment of Water Consumption Charges

Policy no: *PL-FS035*

Updated: **25 February 2015**

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3. The repair was carried out by a licensed plumber who confirms that the water loss was, in the plumber's opinion, due to an unapparent plumbing failure. This can be proven by obtaining a report from the plumber that assessed the property.
4. If the failure is found on a property connected to untreated dam water no plumber's report is necessary. A letter from the property owner stating the nature of the failure and steps taken to locate and repair the failure must accompany the application.

The owner must apply for relief prior to the due date for payment of the relevant water consumption charge.

An "Application for Partial Relief from the Payment of Water Consumption Charges" form (the application form) must be completed and forwarded to Council with the relevant documentation from the plumber that assessed the property (eg. report and tax invoice received from the plumber).

5.2 Calculation of Rebate

If the property owner clearly meets the requirements of Section 5.1, proving that the water consumption was as a consequence of an unapparent plumbing failure, the calculation of the rebate will be as follows:

$[(A - B) \times 50\%] \times C = \text{Rebate Amount up to a maximum of } \$350.00.$

A = Total of Kilo litres actually levied for consumption for the current period
B = Average Kilo litres consumed based on 3 previous readings
C = Current Water Consumption charge for the area that the property is situated in

In cases where the meter was installed within the previous 3 reading periods, the average consumption for that lesser period will be used.

The rebate will be credited to the property owner's assessment.

5.3 Subsequent Applications for Relief

Any request for subsequent relief after relief has been allowed under this policy will be considered by Council as this policy covers one claim per property per owner only.

When relief is being sought for the second or subsequent time, relief will not be allowed unless the applicant seeking relief can prove to the Council's satisfaction that usage has been monitored monthly.

6 Definitions

Term	Meaning
"average kilolitres"	the average calculation of the previous three readings of the meter
"unapparent plumbing failure"	means the structural failure of a supply pipe, the water loss resulting from which is not readily evident upon any exposed surface

7 Related Documents

- Nil.

8 References

Council Officers reviewed policies from Toowoomba Regional Council, Western Downs Regional Council, Goondwindi Regional Council and the former Warwick and Stanthorpe Shire Councils.



Supplementary Rates Policy

Policy Number:	PL-FS014
Department:	Finance
Section:	Revenue
Responsible Manager:	Manager Finance
Date Adopted:	25 February 2015
Date to be Reviewed:	Within 6 months of the quadrennial election
Date Reviewed:	N/A
Date Rescinded:	N/A

REVISION RECORD

Date	Version	Revision description

Supplementary Rates Policy

Policy no: PL-FS014

Updated: 25 February 2016

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1 Purpose

To set the principles which Council will use when issuing Supplementary Rates notices for the adjustment of the general rate.

2 Scope

This policy applies to rateable properties that have received changes to their property from the Department of Natural Resources and Mines. This includes, but is not limited to, changes to the valuation, subdivided land, amalgamated properties, and land purchased and sold. The policy also covers properties where a change in the use of the land results in a change of rating category.

Although changes to utility charges, rural fire levy and emergency management levies are adjusted and charged on a supplementary rates notice they are within the scope of this policy. These are covered within Council's Revenue Policy and the Fire and Emergency Services legislation.

3 Legislative Context

- Local Government Regulation 2012
 - Chapter 4: Rates and Charges
 - Part 9: Levying and Adjusting Rates and Charges
 - Division 2: Adjusting Rates or Charges
- Council's Revenue Statement and Policy
- Fire and Emergency Services Act 1990
- Fire and Rescue Service Regulation 2011

4 Policy Details

The following situations are where Council will issue a supplementary rates notice.

4.1 Valuation Changes

All valuation changes will be updated on the property record from the date of the valuation notice provided to Council by the Department of Natural Resources and Mines. General rates changes will be adjusted for the current financial year only.

4.2 Ownership Changes

When a property is bought or sold, the date of settlement as detailed on the transfer form or form 24 from the solicitors will be used to raise charges for the new owner, and the previous owner will receive a credit adjustment for any rates previously raised.

Credit charges on general rates will be backdated to the date of the change, debit adjustments on general rates will be charged for the current financial year only.

4.3 Subdivisions

When a property is subdivided, the date recorded on the survey plan will be used to create the new lot and plans, this date will also be used for any rate adjustments.

Credit charges on general rates will be backdated to the date of the change, debit adjustments on general rates will be charged for the current financial year only.

4.4 Amalgamations

When properties are amalgamated for rating purposes the date as detailed on the valuation notice received from the Department of Natural Resources and Mines will be used for all rates adjustments.

Credit charges on general rates will be backdated to the date of the change, debit adjustments on general rates will be charged for the current financial year only.

4.5 Category Changes

Any change in category will take effect from:

- If the category objection form is submitted in the general rate issue period and is allowed the change to the general rate category will be from the start of the financial year
- If the category objection form is submitted outside the general rate issue period and is allowed the change to the general rate category will be from the date the category objection form was received by Council
- If the Department of Natural Resources and Mines provide a change of land use the change to the general rate category will be from the date provided to Council

4.6 Discount


The discount will be allowed on all new rates and charges. The percentage allowed will be as per Council's Revenue Statement for the financial year the supplementary rates are raised.

5 Definitions

Term	Meaning
Supplementary Rates	Adjustments to rates and charges outside the issue of annual rate notices.

10.5 BCS - Aerodrome Advisory Group (AAG)

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Director Business & Community Services Manager Community Facilities	File Ref: 02.28

Recommendation

THAT Council :

1. Adopt the Minutes of the AAG Meeting held on Thursday, 22 January 2015.
2. Consider the AAG motions and requests for future budgetary considerations for the following items:
 - a) Removal of the love grass and replace the soil type to support a suitable grass base for the Aerodrome.
 - b) Maintenance of the Warwick Aerodrome to a higher standard.
 - c) Sell or lease land at the Stanthorpe Aerodrome.
 - d) Inclusion of power at the Stanthorpe Aerodrome.
 - e) New Warwick and Stanthorpe Aerodromes Master Plans.

Report

The Aerodromes Advisory Group (AAG) met on Thursday, 22 January 2015. Attached to this report are the minutes of that meeting.

Removal of Love Grass

With reference to page 2 item (d) of the minutes, discussion took place regarding the love grass concerns at the Warwick Aerodrome. It was recommended this matter be considered for future budgetary considerations and the below motion was put forward.

MOTION from the AAG Meeting

That Council consider for the Warwick Aerodrome to maintain the grass area inside the gable markers of the runway strip to the right of 09 and 27, to a higher standard. The area requested is 300 x 50 metres on each side.

Moved: Kelvin Hutchinson **Second:** Val Wilkinson *Carried."*

Based on the above, the AAG are seeking approximately 30,000m² or three hectares of runway strip addressed. Allowing approximately \$5/m² for the purchase and supply of new turf, the replacement turf alone will cost approximately \$150k. The estimate excludes the cost for soil improvement, initial watering and maintenance whilst the grass takes up. In addition to the estimates, Council would need to consider removing love grass further than identified, due to the

invasive nature of the grass and investigate out front machinery, that would require regular cleaning if the machinery was brought from offsite (to reduce the risk of re-infestation).

Item (e) on page 3 of the minutes discusses further subdivision of the existing blocks at the Stanthorpe Aerodrome into smaller sizes with the AAG making the following motion for Council's consideration.

MOTION from the AAG Meeting

Council consider reducing the size of the blocks at the Stanthorpe Aerodrome. Report to Council on the size to increase the number of blocks and the power will be considered at the same time as the reconfiguration. Add to the report, the report from the Stanthorpe Shire Council regarding the Stanthorpe Aerodrome freehold/leasehold matter.

Moved: Barry Arentz **Seconded:** Kelvin Hutchinson *Carried."*

Maintenance of the Warwick Aerodrome to a Higher Standard

The Manual of Standards (MOS) 139 – Aerodromes imposes on Council, as Aerodrome operator, that dense grass on the runway strip (inside the gable markers) should not exceed 300mm in height. Should Council wish to implement an intervention level at a higher standard, then Council would need to allocate approximately \$3-4k for each additional cut.

Inclusion of Power at the Stanthorpe Aerodrome

Council has previously had a budget allocation in place to install power to those existing freehold sites located airside of the facility. These sites have been sold as being powered and funds of \$200,000 have been allowed in Council's draft Capital Works Program for 2015/2016 for power to be connected.

Draft Warwick Aerodrome Master Plan

With the current draft of this plan out for feedback from the AAG, it is likely if accepted and referred to Council for adoption, that Council will need to allow certain costs as estimated in the plan.

Budget Considerations

During the AAG meeting on 22 January 2015 it recommended that Council consider the following items during budget deliberations:

- a) Removal of the love grass and replace the soil type to support a suitable grass base for the Aerodrome – \$150,000 approximately.
- b) Maintenance of the Warwick Aerodrome to a higher standard - \$3,000 to \$4,000 approximately.
- c) Sell or lease land at the Stanthorpe Aerodrome. There are ten properties left which were valued at \$35,000 each in August 2014. The leasing of land would be subject to tender.
- d) Inclusion of power at the Stanthorpe Aerodrome - \$200,000 currently in Council's draft Capital Works Program for 2015/2016.
- e) New Warwick and Stanthorpe Aerodromes Master Plans. The budget consideration is to be advised, as this will be determined as part of the adoption of the Master Plans for both Warwick and Stanthorpe Aerodromes.

Policy Consideration

Community Plan 2030

4. The Economically Strong, Sustainable and Diverse Southern Downs
 - 1.12 Encourage local business and industry to develop coordinated approaches for the growth of the economy.
 - 1.13 Plan to maintain and encourage agricultural land use, enterprise, business and industry growth.
2. Destination Southern Downs
 - 5.6 Maximise the potential of history and heritage to diversify tourism experiences such as tin mines, airfield history, steam trains, rodeo and the pioneering past.
 - 5.14 Explore transport options for moving visitors throughout the region.
7. The Well Connected Southern Downs
 - 7.10 Promote and encourage small to medium scale commercial passenger flights into the region to support tourism and industry growth.

Corporate Plan 2014-2019

7. The Well Connected Southern Downs
 - 7.1 Develop a Regional Transport Strategy encompassing Road, Air and Rail.
 - 7.2 Lobby State and National Governments to enhance and develop key transport gateways and freight links including public transport.
 - 7.3 Review and implement strategies to allow for the expansion of aviation activities at both aerodromes.

Operational Plan 2014-2015

- 7.10.1 Review and implement strategies to allow for the expansion of aviation activities at both aerodromes.
 - 7.10.1.1 Manage and maintain aerodrome facilities at Warwick and Stanthorpe.
 - 7.10.1.2 Assist in the future development of the aerodromes and ensuring suitable opportunities for a range of different types and sizes of uses and activities.

Community Engagement

Aerodromes Advisory Group (AAG) including members from the Warwick Aerodrome User Group and Stanthorpe Aerodrome User Group; representatives from the QFES and Australian Defence Force.

Legislation/Local Law

Nil.

Options

1. Adopt the Minutes of the AAG Meeting held on Thursday, 22 January 2015.

Attachments

1. Minutes of the AAG Meeting held on 22 January 2015 [View](#)
2. RNAV-E (GNSS) - WCKGN01-128 [View](#)



Minutes of the Aerodromes Advisory Group (AAG) Meeting

Held on Thursday, 22 January 2015 in the Warwick Council Chambers at 8:30am

PRESENT:		
Ross Bartley	Deputy Mayor & Chair of AAG	SDRC
Vic Pennisi	Councillor	SDRC
Michael Bell	Manager Community Facilities	SDRC
Keith Clarke	Acting Manager Corporate Services	SDRC
Brian Weeks	Technical Officer	SDRC
Jenny Sherrin	Economic Development Officer	SDRC
Sue Harold	Minute Secretary	SDRC
Hammo de Vries	Inspector	Queensland Fire & Emergency Services
Bryan Blacka	Wing Commander	Australian Defence Force
Kelvin Hutchinson	Community Member	Warwick Aerodrome User Group
Val Wilkinson	Community Member	Warwick Aerodrome User Group
Phil Vichie	Community Member	Stanthorpe Aerodrome User Group
Barry Arenz	Community Member	Stanthorpe Aerodrome User Group
APOLOGIES:		
Jamie Mackenzie	Councillor	SDRC
Tony Bennett	Captain	Royal Flying Doctor Service
Peter Gribbin	Manager Corporate Services	SDRC
Peter See	Director Engineering Services	SDRC
Cecil Barnard	Manager Planning & Development	SDRC
John Newley	Projects Officer	SDRC
GUEST:		
Tim Sloane	Group Captain (GPCAPT)	Deputy Director General - Safety, Operations, Airworthiness, Cadet Branch - Air Force

1. Welcome

The meeting opened at 8:35am and Group Captain Tim Sloan, Deputy Director General – Safety, Operations, Airworthiness, Cadet Branch – Air Force, was welcomed to the meeting as a guest.

2. Apologies

Apologies were noted from Cr Jamie Mackenzie, Tony Bennett, Peter Gribbin, Peter See, Cecil Barnard and John Newley.

3. Previous Minutes

A change was required to Item 7. The minutes should have reflected that the Warwick Aerodrome has only a single runway strip, not four (4) grass runways.

A change was required to Item 11. The minutes should reflect that the Warwick Aerodrome is rated as a Code 2C, not a Code 3C.

Item 16 should reflect that the Air Force Cadets are committed to Warwick and have no intentions of leaving.

Other than these amendments to the minutes, they were received as a true and correct account of the meeting.

Moved: Kelvin Hutchinson

Seconded: Val Wilkinson

Page 1 of 7

- 4. Updates required for Action Items from the Minutes of the Meeting held on 6 November 2014.**
- a) Source & respond to the correspondence sent to Council from the Warwick Gliding Group.
- An email was sent to the Warwick Gliding Group on 25 November 2014 advising them that no land was being put aside for parking.*
- b) Circulate a copy of the power point presentation put to Council by the Aerodrome aviators at Warwick.
- Action Taken by Sue Herrold - Presentation was circulated to the AAG by email on 17 November 2014 with the Minutes from the 6 November 2014 meeting.*
 - The Group was advised that Council could probably put some resources to the Warwick Aerodrome Stage 3 over the next few weeks.*

ACTION ITEM (a)	Responsible: Cecil Barnard
	Commence putting some resources to the Warwick Aerodrome Stage 3 project.

- c) Based on the provided Aerodrome Plans, provide to the Minute Secretary your proposals for the Aerodromes for inclusion and consideration at the next AAG meeting. (Refer attachment B).
- Action Taken by Sue Herrold - Aerodrome Plans were circulated to the AAG by email on 17 November 2014 with the Minutes from the 6 November 2014 meeting.*
- d) Council consider removal of the love grass and replace the soil type to support a suitable grass base for the Aerodrome. 09 left is really bad. 09 & 27 right could do with some maintenance.
- Council advised that this item needs to be included in budget considerations. Council might need to quarantine plant used at the Aerodrome as the love grass is so invasive it can contaminate plant that has been used. It may be an option for Council to contribute plant to the Aerodrome to avoid infestation issues. The AAG was also advised that the grass strips at the Aerodrome are not set down as operational for Council.*
 - It was noted that the love grass growing on the 27 and 09 strips (an approximate area of 300 x 50 metres) is an issue because it grows in clumps. As an interim measure, it is understood that finishing mowers could be used to cut the grass rather than slashers. The glider group has mowed the strip this way themselves a few times and it did make a difference to the clumping. The gliding group confirmed later in the meeting that the group had a slasher, not a finishing mower.*
 - It was stated that the Warwick Aerodrome is used extensively by the gliding fraternity in Warwick and is one of the biggest in Queensland with members present most week-ends. Several users have purchased homes and businesses in the area.*

ACTION ITEM (b)	Responsible: Michael Bell
	Ensure this item is included in budget considerations.

MOTION

That Council consider for the Warwick Aerodrome to maintain the grass area inside the gable markers of the runway strip to the right of 09 and 27, to a higher standard. The area requested is 300 x 50 metres on each side.

Moved: Kelvin Hutchinson

Seconded: Val Wilkinson

- According to MOS Part 139 – Aerodromes, Chapter 13, the height of dense grass should not exceed 300mm within the runway strip. This height increases to 450mm to medium grass and 600mm for sparse grass located in the runway strip.
- e) Prepare for the next AAG meeting the viability of reducing the size of the remaining 10 blocks at the Stanthorpe Aerodrome. There are 17 blocks and 7 have been sold. The demand for smaller blocks. Requirements for fire proofing hangar walls etc.
- *There are only two sheds at the Stanthorpe Aerodrome at the moment.*
 - *Council has received interest from 3 or 4 interested parties who are serious about going into the Stanthorpe Aerodrome. Six months ago there was an interested party for one of the three blocks near one of the existing sheds. It was believed these three blocks could remain the size they are and sell quite quickly.*
 - *Council will need to put in a planning application to reconfigure the lots at the Stanthorpe Aerodrome. Block sizes would need to accommodate hangers 12x12 or 12x15.*
 - *Cr Pennisi stated that Council needs to put power on as that was understood by purchasers.*
 - *Discussion took place around whether the Aerodrome land should be freehold and/or leasehold. Cr Pennisi recalled that at the time leasehold was very expensive and Stanthorpe Shire Council decided to make the land freehold to help pay for the Aerodrome development costs.*
 - *It was noted that Ergon would need a new plan for the application in due course.*

MOTION

Council consider reducing the size of the blocks at the Stanthorpe Aerodrome. Report to Council on the size to increase the number of blocks and the power will be considered at the same time as the reconfiguration. Add to the report, the report from the Stanthorpe Shire Council regarding the Stanthorpe Aerodrome freehold/leasehold matter.

Moved: Barry Arentz

Seconded: Kelvin Hutchinson

- f) Delegated officers to advertise the Stanthorpe Aerodrome blocks for lease or sale on or about 26/27 November 2014. Provide a report to the December 2014 Council meeting including information regarding the potential purchasers.
- *No further action until 4(g) has been discussed and decided whether the blocks will be leasehold or freehold.*

ACTION ITEM (c)	<p><u>Responsible:</u> Michael Bell</p> <p>Ensure the request for maintenance the Warwick Aerodrome runway strip to a higher standard is included in budget considerations.</p> <p><u>Responsible:</u> Peter Gribbin</p> <p>Ensure the request to sell or lease land at the Stanthorpe Aerodrome is included in budget considerations.</p>
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- g) Obtain a copy of the original Stanthorpe Aerodrome subdivision development documentation to ascertain Council's obligations to provide power to the Stanthorpe Aerodrome sites. Provide a copy of the documentation to the Councillors.
- *Action Taken by Sue Herold - Documentation circulated to the AAG by email on 17-11-14 with the Minutes from the 06-11-14 meeting.*
 - *This item is to form part of the report noted above at 4(f).*

ACTION ITEM (d)	Responsible: Michael Bell Ensure this item to include power to the Stanthorpe Aerodrome sites is included in budget considerations.
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- h) Ensure the Avgas facility is fully operational by 5 December 2014 so Defence can access the Avgas for their Defences Flying Camp.
- *Action Taken by Michael Bell – Avgas facility was commissioned on 28 November 2014.*
- i) The ADF and SDRC agree to work closely together to explore future opportunities at the Warwick Aerodrome.

ACTION ITEM (e)	Responsible: Brian Weeks Talk to Cecil Barnard about the ablation possibilities noted above.
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ACTION ITEM (f)	Responsible: GPCAPT Tim Slocane Talk to Cecil Barnard to formulate a staged approach for the above.
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- j) There are no water hydrants at either aerodrome. Solutions to this issue need to be found and implemented as soon as possible to ensure that in the event of fire the aerodrome facilities can be defended. Look into whether tanks are a viable option for Aerodromes and provide the next AAG meeting with the relevant information.
- *QFES stated we have to work on something to have more water on both sites. Any new buildings will require fire suppressing devices. Need sufficient fire fighting facilities.*
 - *Put a similar system in place like the rural fire fighters.*
 - *Need to understand the options better and what capacity is needed.*
 - *Possibly tap into Allora mains? Mains pressure would be best but at what cost?*
 - *Walk over it together and have a "think tank" on it until we get mains pressure.*

ACTION ITEM (g)	Responsible: SDRC and QFES Organise to get together about this matter. Roof coverage and size of tanks and alternative solutions. Stanthorpe has no hydrants on site.
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- k) Disposal of Avgas near new facility
- *The Avgas facility is now operational. An issue with parking near the avgas facility was raised as there can be no loose stones whatsoever around the bowser as they destroy propellers. A cheap propeller is around \$25,000. Asphalt will be put down in approximately two weeks. Should be no more issues once the asphalt has been done.*
 - *The Avgas facility will be maintained by Council. Staff are trained on the Avgas facility. It is monitored daily all year round. Council has to guarantee the quality of the avgas and needs to ensure there are no impurities in the fuel. It is checked daily to minimise the possibility of any litigation. The orders are traced by CASA and have to be available for any audits.*
 - *NOTE: To be very careful as Avgas will destroy asphalt.*

ACTION ITEM (h)	Responsible: Michael Bell Council to provide a drum with a cap on it for pilots to throw their avgas into. Sign it appropriately. Pilots will respect this initiative and use it. It will save the asphalt.
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- i) Each year a copy of the Consultant's Safety Review be shared with the AAG so the members can discuss any raised safety issues with the Aviation Community prior to Council making any resolutions on future actions to be taken.
- *Action Taken by Sue Harrod - Safety Reviews circulated to the AAG by email on 18-12-14 with the Survey Monkey results.*
 - *Some recommendations put forward are statutory. Gliders on approach and departure. Seeking further advice from CASA.*
 - *Is it possible to have a second threshold? This would need clarification through CASA.*
 - *Make sure records are being kept of all near misses at the Warwick Aerodrome.*
 - *It is all well and good that locals know about the protocol being used and operate safely at the Warwick Aerodrome BUT visitors don't have that same knowledge.*

ACTION ITEM (i)	Responsible: Michael Bell Ensure CASA are advised and have an understanding of the other options noted above.
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ACTION ITEM (j)	Responsible: ALL Ensure Council is advised of any near misses at the Aerodrome so they can be referred to CASA.
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- m) Ensure the keyless entry to the Stanthorpe aerodrome can be triggered by emergency services, that pedlock numbers when changed are circulated to users. Provide the AAG with regular updates in this regard.
- *Action Taken by Michael Bell – Keyless entry was installed just prior to the Ballandean Fires in October 2014.*
- n) The Warwick Gliding Club apply to Council for an in-kind grant of \$2,000 to have the ditch at the base of the eastern side of its acre lease filled in so water runs away and does not pond.
- *The Club has applied for an in-kind grant of \$2,000 for this matter and will also include some ground work around the hanger. Liaising between Council's Brian Weeks and John Halford.*
- 5. RNAV ERSA Advice from CASA**
- The RNAV is a precision flying procedure to land in bad weather.
 - The Gliding Club should have a big RNAV sign at the club in a prominent position on the hanger so the gliding fraternity see it and they also need to understand it.
 - Email response provided from CASA indicated that there is no requirement to make a special entry into ERSA. However, CASA were going to seek further advice on this matter.
- 6. DRAFT Warwick Aerodrome Master Plan**
- Feedback is required from the AAG members.
 - Council will compile a combined Stanthorpe and Warwick Aerodromes Master Plan but will work on the Warwick component first.
 - Council will need to consider them separately for budgetary considerations.

- From the Masterplan viewpoint we need to look at what we want such as a more permanent road between Warwick and the Airfield.

ACTION ITEM (k)	Responsible: Michael Bell Ensure this item is included in budget considerations.
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7. General Business

A. Aerodrome Signage

ACTION ITEM (l)	Responsible: Brian Weeks To ensure this is completed before the next AAG Meeting on 19 March 2015.
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B. Spraying Grass in the Asphalt

- Spraying grass around the lights so the lights are visible at all times. Spraying the grass will help stop the asphalt breaking down.
- Weather permitting, spraying has been booked in for the second week of February 2015.

C. Clearing Stage 3 Re-Growth

- Clearing has been done but needs to be cleared again as trees are growing back.

D. Radio Controlled Planes

- For the second time a member of the AAG had been advised of radio controlled planes being flown around the airfield in Stanthorpe. This had not been noticed by any other members of the AAG.

E. Leslie Dam Recreational Facility

- Bryan Blacka asked for the contact details for a person at the Brisbane YMCA to talk to about the possibility of using this facility by Defence.

ACTION ITEM (m)	Responsible: Michael Bell Provide Bryan Blacka with the contact details for Brisbane YMCA and this has now occurred
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F. Cars Parking on the Apron

- New signage will be installed such as "Unauthorised Vehicles are Prohibited" to try and stop people parking on the apron and getting them to park behind the terminal.

ACTION ITEM (n)	Responsible: Brian Weeks Install "Unauthorised Vehicles are Prohibited" sign at the Warwick Aerodrome.
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G. Bryan Blacka's Replacement

- Bryan Blacka advised that he has been posted from his position of Air Force Liaison Officer - 2 Wing Australian Air Force Cadets with effect from 2 March 2015. As a result, he will not be attending further AAG Meetings. His replacement will attend the AAG Meeting in March 2015. Once confirmed, Bryan Blacka will provide details of his replacement to allow ongoing communication with SDRC.
- Group Captain Sloane indicated that he would also attend the March 2015 meeting of the AAG to assist in the handover period.
- If time permits, Bryan will attempt to bring his replacement to Warwick for a familiarisation visit before he leaves.

H. Next Meeting

The next AAG Meeting will be held on Thursday, 19 March 2015 – 9:00am to 11:00am.

I. Meeting Closed

The meeting closed at 9:50am.

10. Attachments

- RNAVE (GNSS) – WCKGN01-128

UNCLASSIFIED

Michael

There are requirements in AJP En Route for pilots to make standard radio calls.

For example:

ENR says: 47.1 "When approaching a non-controlled aerodrome, pilots of all radio equipped aircraft should broadcast inbound/transiting 10NM or earlier from the aerodrome,..... at non-controlled aerodromes, pilots should monitor and make a broadcast whenever it is reasonably necessary to do so.....

The requirement above applies to all types of approaches including straight-in / RNAV /GPS approaches at all aerodromes.

Also CASA CAAP 166-1(3) says:

6.7.5 Pilots should announce their intention to conduct a straight-in approach with their inbound broadcast. A further broadcast of intentions should also be made when not less than 3 NM from the runway threshold.

7.1 Regulation 166C of CAR requires a pilot to make a broadcast whenever it is reasonably necessary to do so to avoid a collision, or the risk of a collision, with another aircraft. A broadcast must include:

- ☐ the name of the aerodrome.
- ☐ the aircraft's type and call sign.
- ☐ the position of the aircraft and the pilot's intentions.

7.3.3 When operating a VHF radio-equipped aircraft in the vicinity of a non-controlled aerodrome, pilots must make a broadcast whenever it is reasonably necessary to avoid a collision, or the risk of a collision, with another aircraft (as required by subregulation 166C (2) of CAR).

Therefore there appears to be no requirement to make a special entry to ERSA. If there was a special requirement, it would apply to a significant number of aerodromes.

Happy to discuss. Happy for you to relay this advice.


Regards

David Alder
Airspace and Aerodrome Regulation



10.6 BCS - Cemeteries Services Review

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Manager Community Facilities	File Ref: 24.11

Recommendation

THAT Council :

1. Continue to review cemetery operations on an ongoing basis to ensure that the community continue to receive value for money in the delivery of this service.
2. Continue to explore cost recovery and revenue opportunities throughout the cemetery operations.
3. Consider in the 2015/16 budget deliberations a fee to cater for funeral services that are requested to occur on a public holiday.
4. Request a Business Plan to be prepared on Cemetery Operations and that this Plan is presented to the April Council Meeting to be considered as part of the draft 2015/2016 Budget.

Report

At the October 2014 General Council Meeting, Council resolved that an in-house review of the Southern Downs Regional Council cemetery operations should be undertaken. The resolution further stated that due to the sensitivity of this matter, consultation should occur with stakeholders as part of a review comparing the cemetery fees and billing, staffing levels, rosters and management practices in adjoining local authorities and within the former Warwick and Stanthorpe Shires.

In response, Council made contact with neighbouring Councils, namely; Goondiwindi (GRC), Western Downs (WDRC) and Toowoomba (TRC) Regional Councils.

A. PRE-AMALGAMATION

The following was identified after consulting with staff involved in cemeteries prior to amalgamation.

(a) Shade and Chairs

Prior to amalgamation the previous Stanthorpe Shire and Warwick Shire Councils provided ten chairs for a service. With amalgamation, this was applied across the region, with services now being provided with ten chairs and at least one quick shade shelter and in most cases two. This occurs in consultation with the funeral director prior to the service.

(b) Staff Resources

Prior to amalgamation, Stanthorpe Shire Council had four staff allocated to complete cemetery operations, facility maintenance/cleaning and civic centre hall hire set up, take down and cleaning.

Warwick Shire Council had three staff permanently allocated full time to this work.

Post amalgamation has seen the cemetery operations allocated with six full time staff tasked to complete cemetery operations alone, support with one part time administration role, which had also been tasked to work with the team to explore business efficiencies and better work practices.

B. CEMETERY OPERATIONS

The feedback obtained from these neighbouring Councils is provided below, which has been separated to allow comparisons between each on revenue, expenditure and capital allocation for the 2013/14 financial year. It should be noted that for the 2013/14 financial year Council saw a significant increase in revenue due to the release of the Stanthorpe burial wall, which is not anticipated for the 2014/15 financial year.

In calculating the average cost per burial, the average number of burials per week was multiplied by 52 to give an average year. The expenditure was then divided by this annual figure. Of the four Councils, SDRC was considered to be the second lowest cost, with TRC giving the lowest average cost per burial.

Council	Staff Employed				Budget 2013/14				No. of Ceme-teries	Av. Intern-ments per Week	Av. Cost per Burial
	TL	Labour	Admin	Functions	Rev.	Exp.	Diff.	Cap.			
SDRC	1	5	0.25	General maintenance and interments. Parks staff are utilised in some cemeteries	\$555k	\$302k	(\$253k)	\$336k	12	4.5	\$1,291
WDRC	1	1	4	Parks and Works staff used for burials and maintenance work	\$281k	\$257k	(\$24k)	\$151k	16	3	\$1,647
TRC	1		3	Parks responsible for maintenance	\$430k	\$281k	(\$149k)	\$380k	20	6	\$900
GRC			3	Parks, Works and Contractors used for maintenance. Water and Sewerage used for digging graves	\$82k	\$191k	\$109k	Nil	4	0.98	\$3,748

C. FEES and CHARGES

The following table compares each Council's Fees and Charges where a direct comparison can be made. Whilst the report acknowledges that SDRC has more fees and charges for cemetery operations, these figures were not included due to the fact that a direct comparison could not be made to our neighbouring Councils. One of these fees by way of example is for the burial wall that has been built and operated at the Stanthorpe cemetery.

Council	Burial Monumental	Burial Lawn	Columbarium Single Niche	Reservation Fee Monumental
SDRC	\$1,876.40	\$2,466.40	\$ 257.20	\$ 165.90
WDRC	\$1,579.00	No Lawn Cemetery	\$ 508.00	\$ 513.00
TRC	\$1,600.00	\$1,400.00	\$ 450.00	NIL
GRC	\$1,210.00	No Lawn Cemetery	\$ 352.00	\$ 209.00

Whilst unable to make comment on other Council's fees and charges, the fees and charges applied by SDRC would be considered to be commercial fees. As such, their calculation would be based on the requirements contained under s. 262 (3) (c) of the *Local Government Act 2009*, which provides Council with the power to charge for a service or facility, other than a service or facility for which a cost-recovery fee may be fixed.

In the case of the cemeteries, the fees would or should be based on the acquisition of a plot, niche or vault; Council time to prepare and complete an interment (approximately three hours), dry hire of Council plant (as required), materials needed to carry out the work and overheads applied by other sections of the Council annually onto the cemetery operations. These overheads would include such items as human resource, finance and information technology support.

D. MANAGEMENT PRACTICES

Southern Downs Regional Council

SDRC provides burial services daily, from Monday through to Friday with an average of four point five interments per week. Weekend burials are by appointment only and overtime fees are charged.

Western Downs Regional Council

The cemetery administration officers from WDRC are based throughout the Council's customer service centres. They provide cemetery administration support from within their respective areas and charge their time accordingly.

The Parks and Gardens staff along with the Utilities staff also charge their time according to the works carried out for cemeteries.

Cemetery operations are Monday to Friday. Interments are available on weekends and incur an extra charge of \$986.00.

Toowoomba Regional Council

The twenty cemeteries within the TRC are operated as a Trust.

Cemetery operations are Monday to Friday. Interments are available on Saturdays and Council charge \$810.00 in labour. Interments that take place after 1pm on Saturday, Sunday and Public Holidays incur a \$920.00 fee.

Goondiwindi Regional Council

There is no dedicated cemetery team within GRC; therefore, cemetery operations are undertaken by other departments within Council and local contractors.

The Customer Service Officers take cemetery enquiries and administrate cemetery burial applications.

GRC does not provide any lowering device or grave dressing equipment for funerals (i.e. Astro Turf cover, shade tents or PA Systems). The Council advises all external Funeral Directors that the above equipment is not supplied and that they must provide their own.

Once a grave is dug, GRC staff leave the cemetery and return at a time specified by the Funeral Director, to fill in the grave.

Cemetery operations are Monday to Friday. Interments are available on the weekend and GRC charges an extra \$528.00 in labour.

Interments that take place on Public Holidays incur an extra fee of \$825.00.

E. OVERTIME COMPARISON

Council	Overtime	
	After Hours/Weekend	Public Holidays
SDRC	\$110 per 30 minutes (Max \$1100)	NA
WDRC	\$986	NA
TRC	\$810	\$920
GRC	\$528	\$825

The main advantage with the SDRC overtime calculation is that it is based on time used, not a flat rate as is applied by the other Councils, meaning that on many occasions SDRC would be the cheapest for conducting the activity after hours, where an activity is completed in a shorter period of time.

Budget Implications

In the 2013-2014 financial year it would appear that the SDRC cemeteries operations made a profit compared to those neighbouring Councils. However, the capital expense for the construction of the burial wall for Stanthorpe occurred in financial years: 2011-2012 (\$4,727), 2012-2013 (\$271,597) and 2013-2014 (\$36,837) totaling \$313,161 whilst the income for the sale was received in 2013-2014 (\$313,441). This has over inflated the income with no offset for expenditure.

The findings from this internal review also suggest that the cemeteries are being run effectively (whilst still acknowledging continuous improvement can be made). A Business Plan needs to be prepared for Cemetery Operations to ensure appropriate profit margins occur. The Business Plan would also recommend that any profit received from cemetery operations is quarantined (reserve funds) to allow future capital improvements. The Business Plan would also investigate the opportunity to grow cemetery operations as a business unit.

Policy Consideration

Community Plan 2030

1. The Southern Downs Sense of Community
 - 1.14 Ensure community facilities, infrastructure, information and engagement activities are accessible, equitable, inclusive and safe for all.

Corporate Plan 2014-2019

1. The Southern Downs Sense of Community
 - 1.11 Review all cemetery services including determining the viability of above ground vault construction.

Operational Plan 2014/2015

- 1.14.3 Review all cemetery services including determining the viability of above ground vault construction
 - 1.14.3.1 Manage and maintain cemeteries across the region.
 - 1.14.3.2 Assess the viability of above ground vault construction.

Community Engagement

Nil.

Legislation/Local Law

Local Law 1.9 – Operations of Cemeteries

Options


1. That Council notes the contents of the report and resolves the recommendations as presented.
2. That Council requests further investigations to occur in relation to cemetery operations.

Attachments

Nil

10.7 BCS - Parks Rationalisation

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Manager Community Facilities	File Ref: 21.04

Recommendation

THAT Council consider the recommendations of the Parks Rationalisation Committee in conjunction with the 2015/2016 Draft Budget.

Report

At the May 2014 General Council Meeting, the Chief Executive Officer tabled a Parks Rationalisation report to Council. In response to the report, Council recommended that:

1. They establish a Council Parks Rationalisation Committee consisting of Cr Pennisi, Cr Bartley, Cr McNally and Cr Rees to review the parks rationalisation program.
2. This Committee develop criteria for parks assessment and report back to Council at the June General Meeting.
3. The Committee recommend levels of service for existing parks and for those areas identified to be maintained by Council.
4. The Committee meet as required, determined by the Chair, so that this process is completed by 31 January 2015.
5. The Committee prepare a final report back to Council for its General Meeting in February 2015, detailing savings, income generated, and overall result.

On 5 June 2014, the Parks Rationalisation Committee consisting of Councillors Bartley, McNally, Pennisi and Rees met and declared that for the purposes of the committee, Cr Pennisi would be elected chairperson.

During the meeting the Councillors discussed many things around establishing the criteria, including a submission from Cr Mackenzie of 28 May 2014. As result, Councillors identified the following criteria that should be used to identify a park's hierarchy and therefore, ability for it to be rationalised.

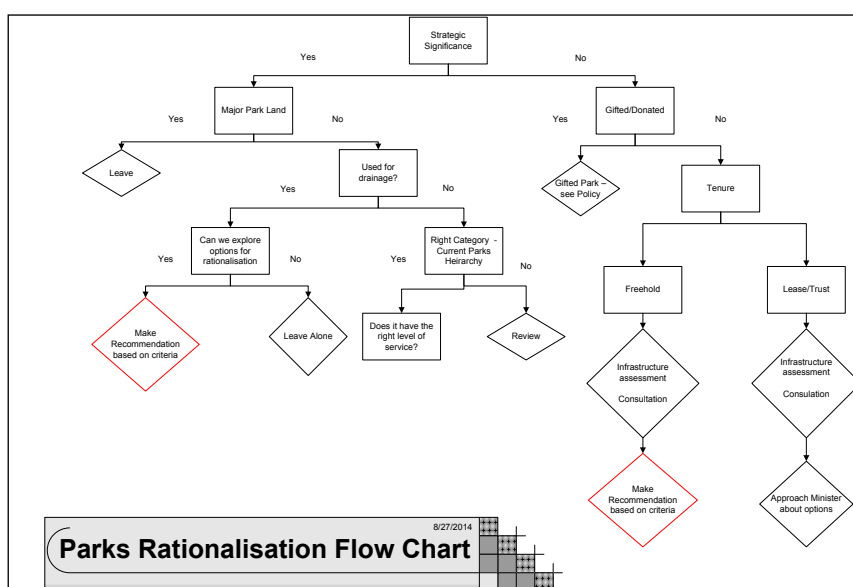
- Strategic significance
- Are there monuments on site?
- Has the site been gifted?
- Is there infrastructure above or below?
- Was the park donated by development condition?
- Tenure
- Is there any associated cultural or heritage significance?
- Is the park flood prone?

- Is the park a drainage easement?
- Do we want the park, if rationalised, built on?
- Proximity to other parks
- Community usage
- Ablution facilities
- When do we publicly consult?
- Impact on amenity
- Prior land use
- Operational costs

In addition to identifying criteria for assessing parks suitable for rationalisation, the committee recommended that:

- the initial parks identified for rationalisation during the March and April 2014 General Council meetings be placed on hold until the new criteria is identified. These parks will then be assessed against the new criteria; and
- A policy is developed around land being donated or gifted to Council.

On 16 June 2014, the Parks Rationalisation Committee Chair met with a Council officer to map out a draft flow chart on how the process could work when considering parks suitable for rationalisation. The flow chart below was developed (as amended); with the Parks Rationalisation Committee Chair clarifying that rationalization is about looking at the entire process, not just the selling or leasing of land or open space.



Flowchart 1: Draft flow process to assist with consideration of those parks/open spaces suitable for rationalisation. Decisions outlined in red require consultation with stakeholders prior to proceeding.

The flowchart highlights the need for clear and transparent consultation to occur at a number of the decision catch points in the process flow, with the assessment criteria used to inform the decision.

On 16 June 2014, the Parks Rationalisation Committee again met to discuss the parks assessment criteria. During the meeting Councillors further clarified the criterion to ensure clarity around interpretation. The clarification is provided below around a number of subjective items:

- Strategic significance – parks that attract both local and regional community members and events. Examples of parks that would be considered strategically significant include Leslie Park and Weeroona Park.

- Monuments – monuments that provide aesthetic value to the park or are considered significant to the local community.
- Cultural or heritage significance – is something that is tangible and can be proven, which provides value and is considered an important expression of a particular period, class, community or population.
- Flood prone – as defined by Council's Flood Mapping System.
- Proximity – is defined as the distance the park is located to other parks that provide equivalent recreational or enjoyment value. Will be rated on a 1 to 5 scale. For the purposes of assessment, park catchment was taken to be approximately one kilometre circumference around the park.
- Community usage – defined as the utilisation rate of a park and will be rating on a 1 to 5 scale.
- Ablution facilities – will come into consideration when facilities are due for capitalisation or the age or condition warrants the removal.
- Amenity – will come into its own where a piece of land has been donated and neighbouring properties have built based on the notion that this land was vacant.
- Operational costs – are those day to day costs to maintain park or open space.

On 25 June 2014, Council resolved at the Council General Meeting to:

- a. Adopt the criteria recommended by the parks rationalisation committee for the parks assessment as outlined below:
 1. Strategic significance
 2. Are there monuments on site?
 3. Has the site been gifted?
 4. Is there infrastructure above or below?
 5. Was the park donated by development condition?
 6. Tenure
 7. Is there any associated cultural or heritage significance?
 8. Is the park flood prone?
 9. Does the park have a drainage function?
 10. Do we want the park, if rationalised, built on?
 11. Proximity to other parks
 12. Community usage
 13. Ablution facilities
 14. When do we publicly consult?
 15. Impact on amenity
 16. Prior land use
 17. Operational costs
 18. Compliance with Regulations and Local Laws
- b. Keep the twelve (12) parks (identified in the March and April 2014 General Council Meeting) in Council control until such time as the new criteria has been established and approved by Council. These parks will then be assessed for suitability for rationalisation based on the new criteria.
- c. Develop a Policy about Council's position on the community or developers gifting land to Council.

On 19 August 2014, the Parks Rationalisation Committee inspected eleven (11) parks against the flowchart illustrated above. At the September 2014 Council General Meeting, Council approved the recommendations made by the Parks Rationalisation Committee for those parks listed in the table below.

Park Name	Recommendation
Apex Park	Remove Infrastructure, change tenure and sell land.
Arcoola Park	Assess utilisation. Depending on findings, sell land.
Australiana Park	Keep in Council control.
Barnes Park	Keep in Council control.
Barton Park	Seek legal opinion on donated asset and whether donated land can be sold.
Leslie Park	Keep in Council control.
Lysaght Park	Remove Infrastructure, change tenure and sell land.
MacGregor Park	Consult with family whom donated asset.
Mile End Park	Keep in Council control.
Shepperds Drive Park	Remove Infrastructure, change tenure and sell land.
Weeroona Park	Keep in Council control.

During September and October 2014, further park assessments were completed by the Parks Rationalisation Committee.

At the October 2014 Council General Meeting an agenda report was tabled around progress to date. Council resolved to defer any discussion on this report and to instead refer the matter to a Special Council meeting.

On 13 November 2014, Council received legal advice on the implications of Council approving the disposal of land or land provided for drainage or similar purposes. The response indicated that this land could be disposed of through sale; however, if the land was acquired through a development approval, then Council would need to undertake the following:

- a. Advertise its intention to sell the land by placing a noticeⁱ of the sale in the newspaper, inviting submissions; and
- b. Must consider all submissions received prior to making the decision to sell.

On 19 November 2014, the Chair for the Parks Rationalisation Committee met with the Acting Chief Executive Officer, Acting Director of Business and Community Services, Director of Planning and Environment and Director of Engineering to seek their views on those sites identified for potential rationalisation.

On 20 November 2014, the Mayor, Councillors Pennisi, Rees and McNally, Acting Chief Executive Officer, Manager Corporate Services and Manager Community Facilities met with the policy advisors to Minister Cripps to discuss options for those parcels of land identified as reserve or under trust.

On 21 November 2014, the Chair for the Parks Rationalisation Committee again met with the Acting Director of Business and Community Services, Director of Planning and Environment and Director of Engineering to seek their views on the balance of those sites identified for potential rationalisation.

The outcome of the inspections completed and the feedback obtained were to be presented by the Chair for the Parks Rationalisation Committee under separate cover at the Council Special Meeting scheduled 1 December 2014. The reason for taking this approach was due to the Committee wanting Council to absorb as much information on each park.

On 1 December 2014, Council resolved at its Special Council meeting that:

1. Council adopt the resolutions record in the Parks Rationalisation Project spreadsheet;
2. The Acting Chief Executive Officer identify the potential and/or actual savings to Council's operational budget and overheads through the reduction of park assets and maintenance and report back to Council's February 2015 General Meeting;
3. A Draft Policy be developed for Council's consideration regarding gifted or donated land to Council.
4. The Acting Chief Executive Officer immediately commence action under delegated authority to lease those parcels approved by Council as part of the Parks Rationalisation.
5. A Draft Policy be developed for Council's consideration regarding the entrances to communities.

On 22 January 2015, the Parks Rationalisation Committee met to discuss the different levels of engagement to be conducted. It was decided that as a minimum:

1. A reference folder is produced; and as the rationalisation process is delivered, this folder will be updated and provided to Councillors for their records;
2. An appropriate media release is drafted to inform the community of Council's direction and to encourage the community to be involved in the process;
3. Standard informative signage is developed and placed in the first round of parks identified. The signage will be provided with appropriate contact details and information to assist Council in the capture of the community feedback. The display to occur after the appropriate media release;
4. A fact sheet on each park is produced to inform the community of Council's direction and made available at the counter of Council and/or downloadable off the Council website.

Some entities have already started to approach Council expressing an interest for the future use for different parcels of land. This information will be collated and brought back to Council at a later date. The Committee has estimated this process of engagement is likely to take up to six months to complete.

Budget Implications

The rationalisation of park land should result in reduced maintenance costs, reduced corporate overheads and some immediate cash injection through the sale of land. An indicative figure is that Council is likely to identify approximately \$180k in savings through the rationalisation process. These potential savings will be discussed further as part of the formation of Council's 2015/2016 draft budget.

Policy Consideration

Policy developed between the Director of Planning and Environment and Director of Business and Community Services about gifted or donated land to Council, after input is obtained from Councillors on the key criteria that should be used to create the policy.

Policy developed between the Director of Planning and Environment and Director of Business and Community Services about community entrances.

Community Engagement

As outlined in the Parks Rationalisation Strategy adopted by Council.

Legislation/Local Law

Nil.

Options


1. Approve the recommendation.
2. Modify the recommendation.
3. Do Nothing.

Attachments

Nil

10.8 BCS - Regional Arts Development Fund Applications Round Two

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Manager Community Services Community Services Officer	File Ref: 15.36.01

Recommendation

THAT Council endorse the following Regional Arts Development Fund (RADF) round two 2014/2015 grants:

1	Gabriele Trabucco	Stanthorpe Sculpture Symposium & Sculpture Trail	\$22,530
2	Barbara Susanne Keong	Re-imagining Our Town	\$2,712
3	Sandra McEwan	Treasures Past	\$3,525
4	Warwick Tourism & Events	QMF Workshops & Performance	\$6,000
5	Stanthorpe RSL Sub Branch	Kyoomba Sanatorium	\$5,950
6	Peter With	Colours of Autumn	\$4,538
7	Penny Davies	In Search of the Fruit Train	\$2,000
8	Sue Higgins	The ANZAC Poppy Project	\$1,544
9	Kim Webster Reeves	Arts Development Workshop at Cooina Disability Respite House	\$1,070
10	Stanthorpe Agricultural Society	Stanthorpe Showgrounds Exhibition Centre Installation Project	\$7,668
11	The School of Total Education	Taiko Performance and Workshop	\$567
12	Stanthorpe Pottery Club Inc	Soft Slab & Decorating Workshop	\$700
TOTAL			\$58,804

Report

Round two of RADF for the 2014/2015 budget year opened on Monday 6 October 2015 and closed at 5.00pm Monday 8 December 2014. The program was advertised on Council's website and Facebook page, through media releases in the Stanthorpe Border Post, Warwick Daily News, Southern Free Times and People & Places Magazine. A total of 16 applications were received.

The Southern Downs RADF Committee met on Monday 12 January 2015 and assessed each application in accordance with the Arts Queensland RADF Guidelines, the new Queensland Government Arts For All Queenslanders Strategy and Council's Arts and Cultural Policy.

Please find below a summary of each application:

Application 1 – Gabriele Trabucco (Stanthorpe Sculpture Symposium & Trail)
\$22,530 subject to Council approval, RADF Committee funding two sculptors only

Sculpture symposium featuring six world class sculptors who will produce six sculptures over two weeks. Extensive media coverage and public are welcome to be involved in the process. Sculptures will be permanently installed in a sculpture trail along Quart Pot Creek.

Application 2 – Barbara Keong (Re-imaging Our Town)

\$2,712 subject to approval/inclusion in the Jumpers & Jazz Festival Program

Temporary art installation as part of the Tree Jumper Exhibition of 2015 Jumpers and Jazz Festival. Focusing on the Warwick district reflecting cultural and social histories. Partnering with Warwick Artist Group and local business Art on King.

Application 3 – Sandra McEwan (Treasures Past)

\$3,525 subject to depositing images with State Library and Council's libraries

A photographic record of historic buildings by descendants of the original settlers on properties including Maryland Station, Tolandra, Ballandean Station, Wallangarra Meat Works, Tilba Tilba, Terrica Station, Nundubbermere and Folkstone Run.

Application 4 – Warwick Tourism & Events (QMF Workshops & Performance)

\$6,000 subject to clarification of Corporate Sponsorship in their budget

Partnership with Queensland Music Festival's 2015 Flying Artists's Tour to engage specialist jazz vocalists and musicians to perform interactive presentations, workshops and concerts as part of the 2015 Jumpers and Jazz Festival program.

Application 5 – Stanthorpe RSL Sub Branch (Kyoomba Sanatorium)

\$5,950 subject to depositing copies with State Library and Council's libraries

Research and production of A3 broadsheets on the important role Kyoomba Sanatorium played during the First World War for the treatment of soldiers suffering from tuberculosis.

Application 6 – Peter With (Colours of Autumn)

\$4,538

Conducting two outdoor workshops in Warwick and Stanthorpe utilising the skills of prize winning contemporary impressionistic artist/tutor Kasey Sealy.

Application 7 – Penny Davies (In Search of the Fruit Train)

\$2,000 subject to depositing copies with State Library and Council's libraries

Research and recording stories for an oral history of the 42 pound rail Cottonvale to Amiens fruit train onto CD. The collection will come from members of the community including soldier settlement, the boom years of the fruit industry and the communities that relied on the train.

Application 8 – Sue Higgins (The ANZAC Poppy Project)

\$1,544

Temporary art installation involving approx 1,100 children simulating a giant field of poppies woven onto chain wire fencing in two locations - Allora and Warwick West schools. Children create the poppies and learn their history and significance. A digital time-lapse photostory will accompany project.

Application 9 – Kim Webster Reeves (Arts Development Workshop at Cooina Disability Respite House)

\$1,070

Arts development workshop with a group of disabled clients facilitated by local artist/tutor Kim Webster Reeves. Outcome of workshop will be to create a temporary art installation as part of the Tree Jumper Exhibition of 2015 Jumpers and Jazz Festival.

Application 10 – Stanthorpe Agricultural Society (Stanthorpe Showgrounds Exhibition Centre Installation Project)

\$7,668 subject to providing more detail of artwork to be approved by RADF Committee

Design and construction of two installations to fill openings in the centre divider of the Stanthorpe Showgrounds Exhibition Centre. Artwork to depict agricultural, horticultural, pastoral and mining heritage of the Granite Belt region.

Application 11 – SOTE (Taiko Performance and Workshop)

\$567

Partnership between Education Queensland and The School of Total Education (SOTE) to enable Warwick school children to attend a concert and workshop by acclaimed performers Taiko Drums and Flutes of Japan.

Application 12 – Stanthorpe Pottery Club (Soft Slab & Decorating Workshop)

\$700

Conducting a two day workshop facilitated by renowned potter/tutor Clair Locker learning to use soft paper clay slabs with wheel thrown work, decorating with slips and textures.

Application 13 – Southern Queensland Country Regional Food Network (Agricultural History & Public Market Space Development Project)

\$0 Incomplete application, components of application do not meet current eligibility criteria, Stanthorpe streetscape may affect location of market. Recommend re-submitting re-worked application in future round.

Development of public space at Seasonal Feast Food, Wine and Farmers Market for local farmers and food professionals to showcase oral food histories and practices through a recorded series of presentations.

Application 14 – Stanthorpe Regional Art Gallery (Public Cinema Program)

\$0 Recommend capital item should be incorporated into operational budget

Purchase of a projector to present documentaries, feature films and artist presentations to the public.

Application 15 – Granite Belt Community Space Inc (The Phoenix Rises)

Application withdrawn

Application 16 – Catherine Elliott (Heuristic Method in Artistic Expression)

Application withdrawn

Significant changes to the RADF funding program will result in Council having to develop its own concept, guidelines and processes. This will occur in consultation internally and externally and will be brought back to Council at a later date.

Consideration of the surplus funds will be addressed in a confidential report at the February General Meeting.

Budget Implications

Provision for RADF grants has been made in the 2014/2015 budget under PJ 100675. The amount available for distribution for round 2 is as per the following:

RADF 2014/15	Arts Queensland Funds	Council Contribution	Total
	\$58,333	\$45,000	\$103,333
	Total Round 1 Applications		- \$18,283
	RADF Committee Training		- \$2,364
	Total Available Funding for Round 2		\$82,676
	Total Round 2 Applications		\$58,804
	Surplus Funds for 2014/15		\$23,872

Policy Consideration

Community Plan 2030

3. The Southern Downs Learning Community
 - 3.16 Enlighten and educate the region in every aspect of the Arts, including music and theatre by encouraging, promoting and supporting the Arts in schools and the community.

Corporate Plan 2014-2019

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

Community Engagement

Nil.

Legislation/Local Law

Nil.

Options


1. Endorse RADF Committee's recommendations for 12 applications totaling \$58,804.

Attachments

Nil

10.9 BCS - Quarterly Youth Development Officer's Report (Quarter 2 - October to December 2014)

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Manager Community Services Youth Development Officer	File Ref: 03.27.03

Recommendation

THAT Council receive and endorse the Youth Development Officer report dated February 2015 in relation to Youth Services – October to December 2014.

Report

This report provides Council with information on the activities of the Southern Downs Youth Service from October to December 2014 as presented by its Youth Development Officer, Hailey Cosh.

Youth Services Funding Update

The Acting Regional Director – Disability and Community Services, Department Communities, Child Safety and Disability Services was notified in early January 2015 of Council's resolution passed at the December 2014 General Meeting to relinquish funding to the Department as of 1 April 2015.

Young Entrepreneurs Seminar – YES Southern Downs

SDRC Young Leader, Dominic Andersen-Strudwick, held his Young Entrepreneur's Seminar in November. Facebook and Twitter visionary Nick Bowditch spoke at an innovative Young Entrepreneur's Seminar that inspired, motivated, educated and equipped young people to start up creative new businesses. Other speakers included Kelvin Hutchinson and Trevor Burton. Mr Hutchinson, who is the immediate past Chairman of Queensland Entrepreneurs, has an immense wealth of business start-up experience having invested, managed and chaired a range of technology, property and marketing businesses in Australia and South East Asia over the past 20 years. Mr Burton, owner of Warwick and Stanthorpe McDonalds Restaurants, has built a strong business presence on the Southern Downs and his expertise was well received by the young people on the day. The Seminar was made possible by strong partners and supporters in Warwick Chamber of Commerce, Hello World Warwick, and SDRC Economic Development Unit.

EDGE (Encouragement, Development, Growth and Experience) Southern Downs

EDGE Southern Downs finished in November with 2765 attendees, and 74 participants taking part in 92 activities, including workshops, and various performance opportunities between January – November 2014. A Case Study showcasing our program will be published on the Arts QLD website in February 2015.

Since the workshops, several participants have gone on to perform at regional festivals, record EPs and place in competitions. For example:

- one participant has gone on to place second in a DJ competition
- one of the bands that were showcased early on went on to win a 'battle of the bands' competition and supported a headline band at a biannual regional festival (now recording their own EP).
- four artists have made demos and EP recordings.
- One participant is starting his own live production business, and up-skilling fellow students at his school.
- Facilitators and partners have built relationships with local youth, businesses, and the professional music industry.

This program was funded through Arts Queensland Funding under the Projects and Programs Fund and Council. The Rockin' EDGEfest Music festival was held in October, the event was well received by the community, with high participation.

Southern Downs Young Leaders

The Young Leaders have participated in various YL meetings and events during October-December 2014.

- *Rockin' EDGEFest* - (Stanthorpe) raising awareness for Youth Mental Health – for Mental Health Week
- Young Entrepreneurs Seminar
- Rodeo Street Parade in Collaboration with headspace Warwick
- Young Mum's PAMPA Brunch – Guest Speakers (supporting young mum's in the community)
- Applications and Interviews for new Southern Downs Young Leaders 2015
- 2014 End of year celebration
- Young Leader Activities January – March 2015:
 - ❖ Young Leader 2015 first Meeting and Welcome from the Mayor
 - ❖ Young Leaders 2015 Camp – 'The Outlook Boonah' – Leadership Adventure based program
 - ❖ Youth Action Plan 2015/2016 – March 16 (Young Leaders, Executive Staff and Councillors)
 - ❖ Young Leader Project Planning
 - ❖ National Youth Week Preparation

The 2015 Young Leaders were endorsed by Council in December, Liana Allen, Dominic Andersen-Strudwick, Jack Kearns, Sarah Pickering, Elizabeth Dennis, Kai Page, Gabe Howard, Jasmine Watts, Jacob Meiklejohn.

National Youth Week 2015 – “It Starts With Us” April 2015

SDRC, SDIEA and headspace Warwick applied for QLD PCYC National Youth Week Grant funding in December and were successful in obtaining \$1500 for a Southern Downs Youth Engagement Forum. The forum will offer the opportunity for young people to come together and discuss the issues for young people in the Southern Downs and learn the processes to address these issues within their community. They will also have the opportunity to participate in various activities, including training in leadership, civic participation, project planning and event management. SDRC Youth Development Officer, Community Development Officer and Disaster Management Coordinator have also partnered to deliver volunteer training in emergency services for young people. Day one will include theory based activities using subjects from the Certificate 2 in Active Volunteering (Framework), as offered by Volunteering Qld. Day Two sessions will include teaching/demonstrating basic skills of each agency (QAS, QPS, SES, RFSQ, and QFES), culminating in an afternoon challenge/race. Other Youth Week events are being planned with collaborating partners, SDIEA, headspace Warwick, and WIRAC YMCA.

Meetings/Events/Activities Attended

- Young Leaders Meetings
- Young Leader Events and Activities
- Southern Downs Youth Network
- Youth At Risk/Youth Homelessness Working Group (established)
- WING – Warwick Indigenous Network Group
- Community Services Team Meeting
- SDIEA Board Meetings
- headspace Warwick Service Advisory Group Meeting
- Young Leader Project Planning
- Young Leader Events - Stanthorpe and Warwick
- Stanthorpe Safety Group Meeting
- Young Leaders Program development (including Mentoring
- EDGE Southern Downs Workshops, Performances and Final Acquittal
- Youth Services Funding Forum
- Presentations to WSHS, SOTE and Warwick Senior Citizens Association
- National Rural Women's Coalition – ELeaders Social Media Training
- Started – Diploma Community Services Coordination
- Rodeo Parade 2015 – collaboration between Young Leaders and headspace Warwick
- National Youth Week – Preparation April 2015

Upcoming Meetings/Events/Activities

- SDYN (Southern Downs Youth Network)
- Southern Downs Young Leaders Meetings
- SDIEA Board Meetings
- **headspace** Service Advisory Group Meeting
- YL Projects/Events/Meetings
- Youth Action Plan 2015/2016
- Young Leaders Camp 2015
- National Youth Week preparation

Budget Implications

As provided for in financial year budget.

Policy Consideration

Corporate Plan 2014-2019

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

Operational Plan 2014/2015

- 1.7.3 Develop and Implement Councils Public Consultation Policies
 - 1.7.3.3 Review and refine the Youth Mentoring program between Councillors and Youth Services Young Leaders
- 1.9.1 Partner with Agencies to Develop, Enhance, Promote and Implement for Young People, People with a Disability and our Ageing Residents.
 - 1.9.1.2 Provide opportunities and activities to enhance the wellbeing of young people, people with a disability and our residents.

Community Plan 2030

1. The Southern Downs Sense of Community

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

Community Engagement

- Southern Downs Young Leaders Program
- Mental Health Week preparations and activities
- National Youth Week preparations
- Presentations to WSHS, SOTE and Warwick Senior Citizen's Association
- Support of Youth, Youth Programs and Events

Legislation/Local Law

Nil

Options

Nil


Attachments

Nil

11. ENGINEERING SERVICES DEPARTMENT REPORTS

11.1 Engineering Department Monthly Report

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Director Engineering Services	File Ref: 04.15.01

Recommendation

THAT Council receive the Engineering Department Monthly Report

Report

The following is provided for the information of Councillors.

WORKS

Capital Works Undertaken During January 2015

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:	30-Jun-15
% Complete:	Stage 1 - 100%, Stage 2 - 15%
Expenditure to date:	\$966,331 (stage 1 & 2)
Estimated Final Expend:	\$1,647,471
Project Officer:	Pat Lyons, Heath Tomkins & Nathan Kamalan
Comments:	Out of 3 stages, stage 1 completed & stage 2 commenced. Stage 3 will continue to the end of financial year

Project:	TIDS Inverramsay Road
Budget:	\$535,000
Description:	Widen & Rehabilitate from Ch2.77 to 5.40
Start Date:	15-Sep-14
Est End Date:	23-Dec-14
% Complete:	100%
Expenditure to date:	\$537,643 (including commitments)
Estimated Final Expend:	\$580,000 (including final seal)
Project Officer:	Nathan Kamalan
Comments:	Primer seal from Ch 3.7-5.4 km completed and final seal to be carried out in March 15

Project:	Stanthorpe-Texas Road - Contract No. STHD-1476 (Contract work for TMR)
Budget:	\$521,690
Description:	Installation of signs & tree clearing
Start Date:	21-Oct-14
Est End Date:	20-Mar-15
% Complete:	50%
Expenditure to date:	\$168,059 + 6% overhead
Estimated Final Expend:	\$521,690
Project Officer:	Nathan Kamalan
Comments:	Sign installation works commenced from Stanthorpe-Texas Road end and 40% completed. Tree clearing 95% completed.

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. The public notification period ends on 9 February. Contracts for the sale of parts of 3 lots affected by the proposed open channel have been signed by the property owners. 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.

The proposed design will require some sections of the CED reticulation to be relocated to accommodate new stormwater infrastructure. Plans for this work are being finalised so that this work can be carried out soon.

Willi Street and Aldred Street Intersection Improvements

Council applied for and received approval for blackspot funding at the above intersection based on its accident history. Requested by Works to investigate options to improve safety for motorists. After discussions with Works section representatives it was decided to improve streetlighting, signage and linemarking. Detailed survey of the site has been carried out. Preliminary streetlight layout has been prepared.

Roach Street, Mount Colliery

Requested by Works section to carry out detailed survey of Roach Street at Mount Colliery which is proposed to be sealed. This has been carried out and preliminary design prepared.

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. Work has commenced at the Golf Links Reservoir and request received to prepare traffic guidance scheme for work in Rose Street.

Land Acquisition, Wallangarra Water Treatment Plant

In Principal Agreement reached with the owner of property adjoining the Wallangarra Water Treatment Plant for acquisition of land required for the augmentation of the treatment plant. Surveyor to be engaged to prepare survey plan.

Asset Management/Geographical Information System

Asset Data Inspection and Assessment

- Road Condition Assessment data (Contract 14/39) has been received including previous missed roads and is currently being checked by Council staff. The contractor is working on the WebViewer software development and IntraMaps integration and various other issues to meet contract requirements.

Asset Management Plans

- Asset Management Plan for Open Space is in development. Target date for completion is April 2015.
- Asset Management Plans (AMP) for Bridges, Roads and Stormwater are in the initial stages of development.

Road Network- As constructed information

- The Asset Management Team is preparing to import as constructed after clearance from information into Mydata 2013-14 Finance Department. The GIS/AM Officer is developing FME (Feature Management Engine) applications for various asset categories to import AS Constructed Information into MYDATA much more efficiently in future into the various Mydata Categories.

Footpaths

- The latest footpath's data has been placed into a SQL Database and the existing Footpath Access Database will be transferred in the future.

Drainage

- The stormwater drainage and culvert SQL database design has well progressed in its development. There is currently one surveyor, one day a week collecting asset details. Stormwater pipes and pits data collection updates will not be completed in 2014/15 and subject to funding in the Budget 2015/16. The existing data is being cleaned up to meet the logic of the database that is currently been developed.

GIS

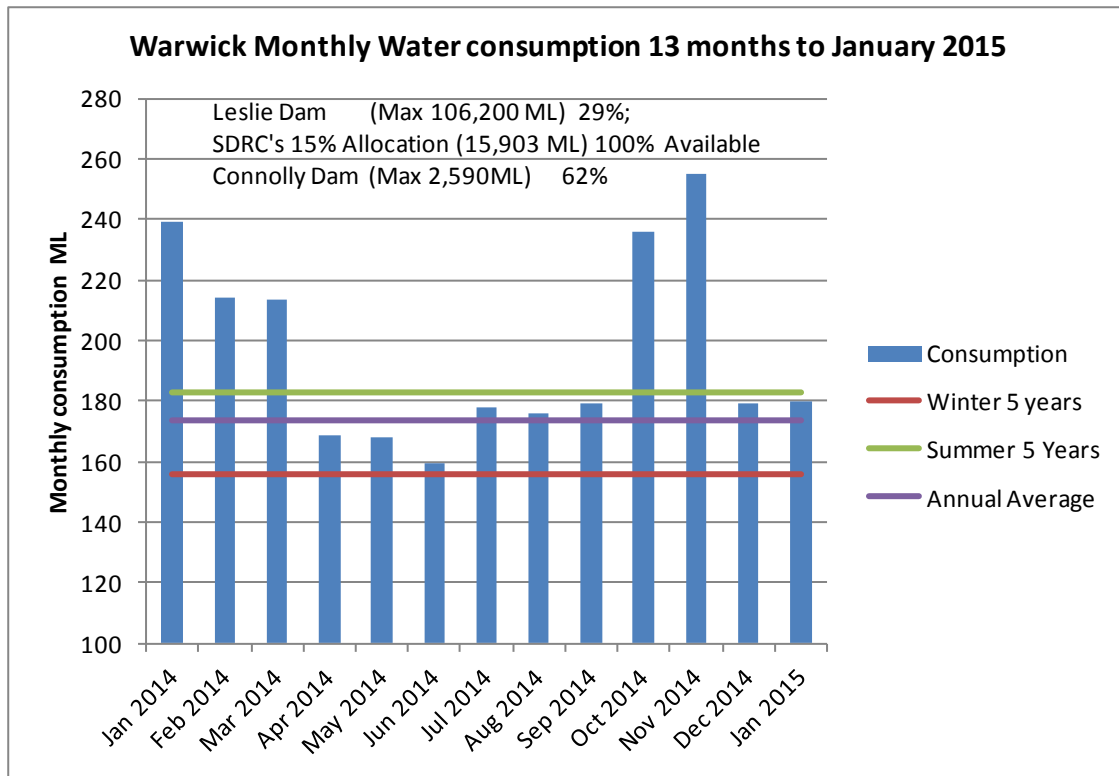
- The GIS Coordinator obtained permission to access properties for a flood level survey in Leyburn and Stanthorpe. Flood level photography and survey was carried out for approximately 40 dwellings in Leyburn.
- Assets from "Sovereign Downs" development in Rosenthal Heights are currently being processed.
- Meetings have commenced for the integration of GIS and the Tech One "One Council" system.
- "Community Facilities" module has now been added to internal GIS.
- The integration of IntraMaps with the road condition survey contractor's Web Viewer has commenced.

Preparations of Budget estimates

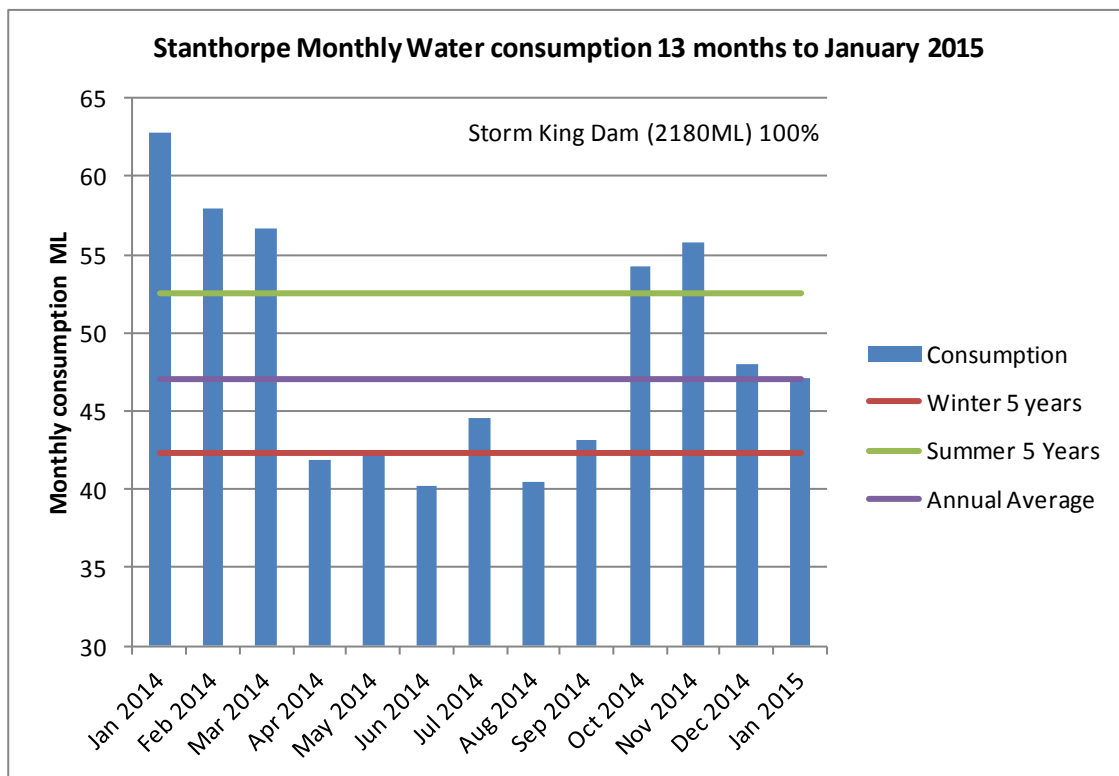
- The Asset Management Team is preparing budget estimates related to the ongoing requirements of Asset Inspections and Condition Rating and Revaluation.

Water & Wastewater as at 31 January 2015

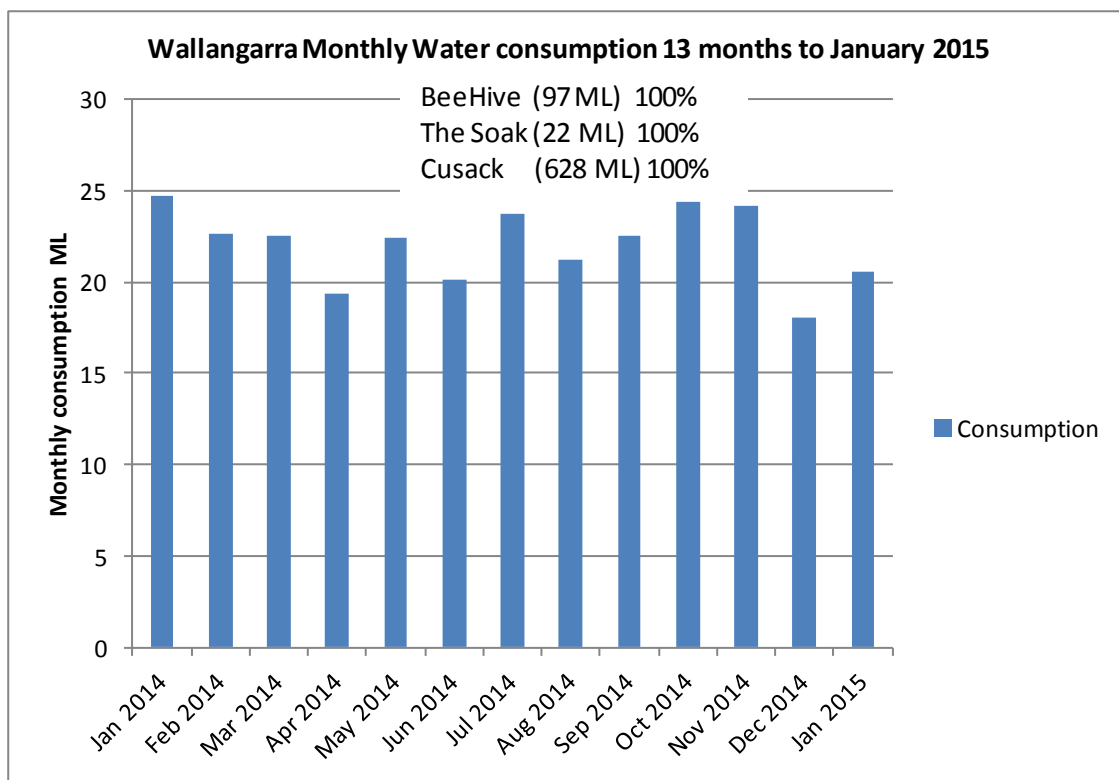
Water Consumption Graphs



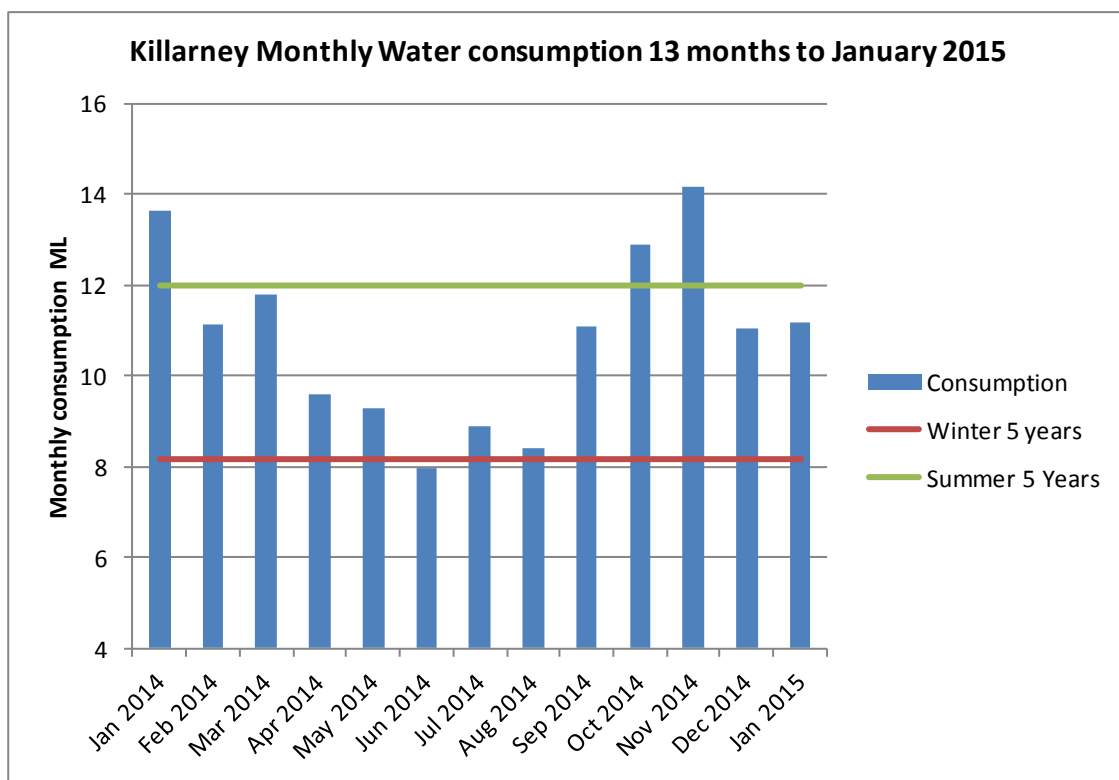
Jan 2015 consumption is 75% compared to same time last year &
Just below the Summer 5 Yr Average figure



Jan 2015 consumption is 75% compared to same time last year &
90% compared to the Summer 5 Yr Average



Jan 2015 consumption is 83% compared to same time last year &



Jan 2015 consumption is 82% compared to same time last year &
93% compared to the Summer 5 Yr Average

Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Nil

Options

Nil


Attachments

Nil

12. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

12.1 Material Change of Use - Nspire Planning and Design, 12 Clarke Street, Warwick

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Senior Planning Officer	File Ref: MCU\01584 & RC\01506

APPLICANT:	Ian Pettiford
OWNER:	Craig R, Ian R, and Shane M Pettiford
ADDRESS:	12 Clarke Street, Warwick
RPD:	Lot 5 RP218135, Parish of Warwick, County of Merivale
ZONE:	Medium density residential
LAND USE AREA:	1,620 square metres
PROPOSAL:	<ol style="list-style-type: none">1. Multiple dwelling (Five units) and Building Format Plan with Land; and2. Subdivision of one into two lots
LEVEL OF ASSESSMENT:	<ol style="list-style-type: none">1. Code for multiple dwelling units and building format plan with land; and2. Impact for reconfiguring of a lot.
SUBMITTERS:	One (1)
REFERRALS:	Nil

Recommendation Summary

THAT the application for Material Change of Use for the purpose of Multiple dwelling (Five units) and Building Format Plan with Land; and Subdivision of one into two lots, on land at 12 Clarke Street, Warwick, described as Lot 5 RP218135, Parish of Warwick, County of Merivale, be deferred pending a revised proposal from the applicant addressing the redesign of the units.

Report

The subject land has frontage to Clarke Street and contains a dwelling.



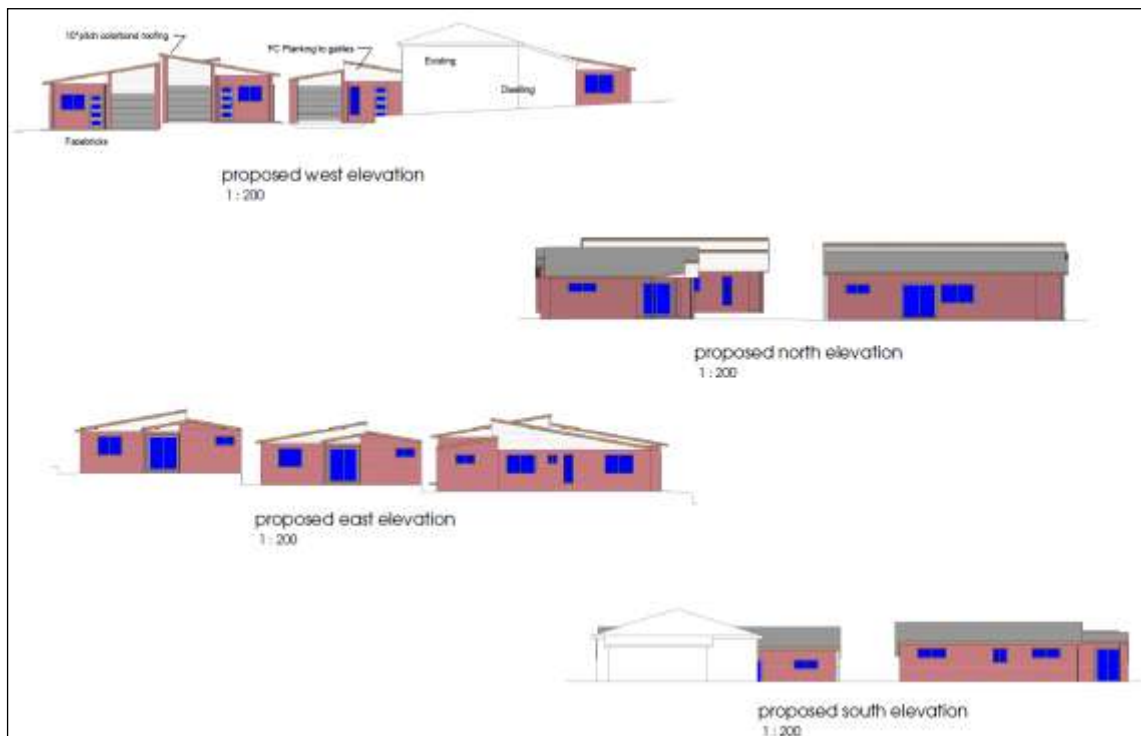
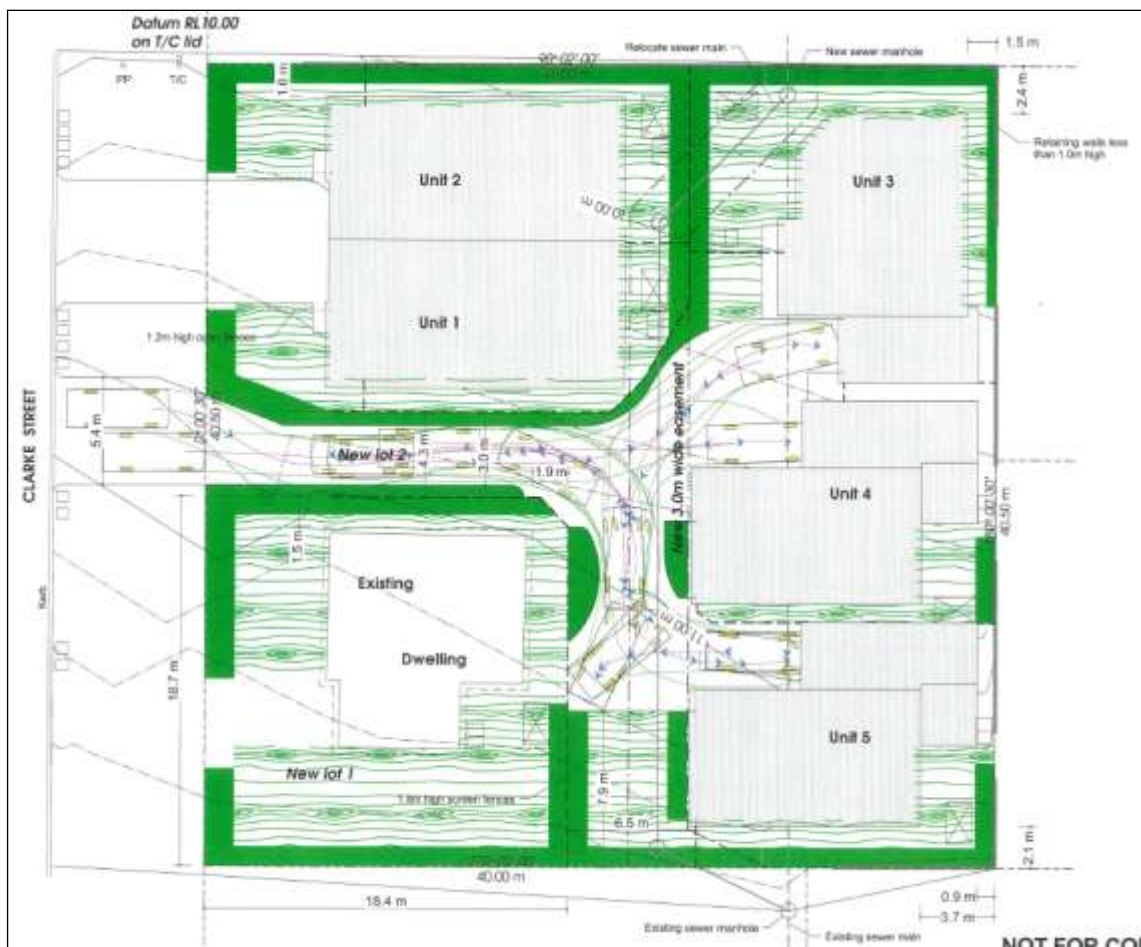
The proposal involves the subdivision of the land into two lots. Proposed Lot 1 will have an area of 342 square metres and will contain the existing dwelling, and proposed Lot 2 will have an area of 1,277 square metres.

It is proposed to construct five units on proposed Lot 2.

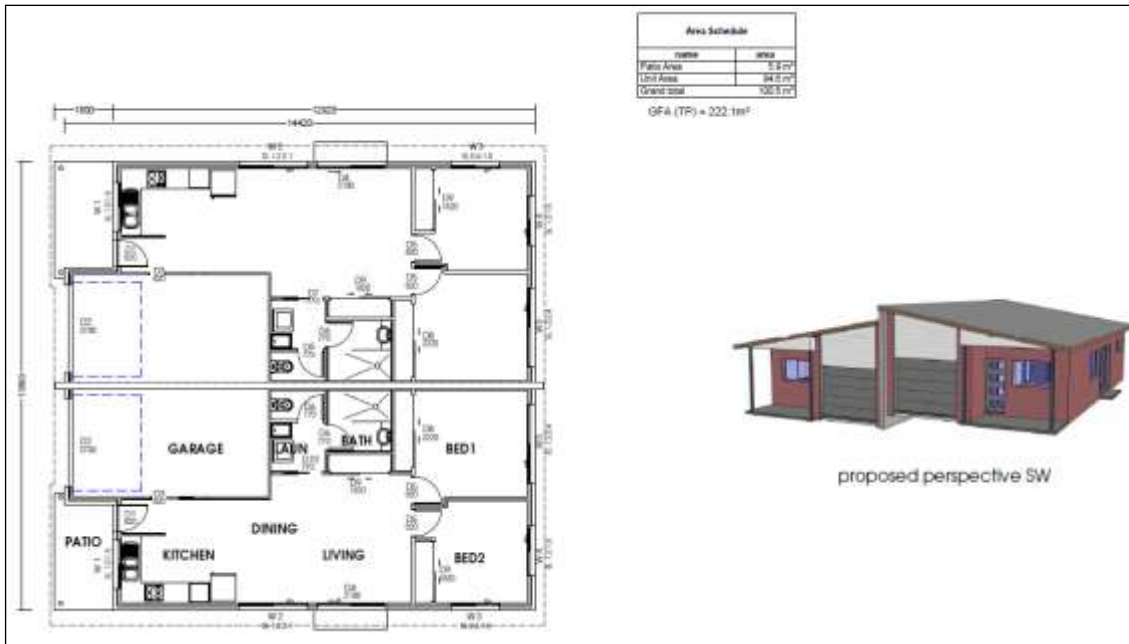
The existing dwelling presents to Clarke Street as shown below.



Proposed plans:



Floor plan and elevation of proposed Units 1 & 2



Floor plan and elevation of proposed Unit 3



Floor plan and elevation of proposed Units 4 & 5



Each unit will contain two bedrooms, ensuite, bathroom, dining area, kitchen, living area, patio and single garage.

The units have been designed to allow one standard vehicle to park in each garage and an additional car park in tandem.

The multiple dwelling aspect of the proposed development is Code assessable, however the subdivision is Impact assessable, as proposed Lot 1 is less than 600 square metres.

Submissions

One submission was received to the application. **A copy of the submission has been forwarded separately to Councillors.** The issues raised by the submitter are addressed below.

It is noted that the issues raised in the submission are in relation to the Code assessable aspect of the development.

Setback to the rear boundary, including potential impact on a swimming pool

- The greatest concern is the distance between our rear boundary fence and the rear of Unit 4 and Unit 5. It appears from the plans that the distance from the garage/laundry external wall to the rear boundary fence is 0.9 metres with the remainder of the home (living areas), apart from the patio area, almost four metres. We note that in Council's Information Request, dated 18 November 2014, a number of non-compliances with the Southern Downs Planning Scheme were identified, including the setback distances for all proposed units. AO10.1 of the Residential Use Code requires buildings to be setback three metres from any adjoining side or rear boundary. The applicant has responded (letter dated 25 November 2014) stating that the development achieves the Performance objective of being sited and designed to be complementary and compatible with the surroundings as:
 - The garages close to the boundary matches the building immediately to the south; and
 - The setbacks to the rear of the lots will have little to no effect on the adjacent lots or their lifestyle.

We believe the first point is incorrect. Living in close proximity to this property (assuming the reference is being made to 12a Clarke Street), there is no garage close to the boundary which would match the garages in this proposal. The actual house is very close to the side boundary adjoining the proposed lot, but there is a distance of about four metres from the back of the house to the rear boundary fence. In relation to the second dot point, we find it interesting that the applicant has assumed that the setback distances will not impact on our

lot or lifestyle, however there has been no discussion between the applicant and ourselves to determine this. It is also important to note that in the south west corner of our lot, there is an in-ground swimming pool. This pool has been here for almost 20 years. The setback distance for Unit 5 in particular, will greatly impact on our lot and lifestyle as we will immediately lose our privacy and possibly some late afternoon sunshine, along with impacting on our visual amenity due to the minimal set back distance and the skillion roof style.

Furthermore, the applicant stated minimal setback distances for garages are complementary and compatible with the standard of buildings in the area, however the majority of garages in the area are detached from houses and are colourbond garages or tin sheds. The proposal is not just a garage, it is attached to the house and also contains a laundry. We do not believe this proposal (garages attached to a house), with minimal setback distances from rear boundaries, is compatible to the area.

We would like to refer to the *Queensland Development Code Part 12 – Design and Siting Standard for Single Detached Housing - on Lots 450m2 and over* where P2(c) (Performance Criteria) states:

P2 Buildings and structures –

- (c) do not adversely impact on the amenity and privacy of residents on adjoining lots.

The Acceptable Solution (A2) of the Queensland Development Code states:

A2 (a) The **side and rear boundary clearance** for a part of the building or structure is -

- (i) where the height of that part is 4.5m or less - 1.5m;

The plans for the proposed lots indicate that the heights of the buildings are approximately 4.2 metres. Therefore A2 of the *Queensland Development Code* above is applicable, and there should be a minimum setback distance of 1.5 metres from the rear and side boundaries to achieve the performance criteria of not adversely impacting on the amenity and privacy of residents on adjoining lots. Further to this and stated above, AO10.1 of the Residential Use Code of the Southern Downs Planning Scheme requires buildings to be setback three metres from any adjoining side or rear boundary.

A further concern regarding the setback distance of 0.9 metres, is the proximity to our swimming pool. Our primary concern here is safety to persons, especially children. The *Queensland Development Code MP3.4 – Swimming Pool Barriers* references fence heights and no climb zones. A no climb zone is to be 0.9 metres from the barrier (pool fence) with no climbable objects. The maps indicate landscaping, a clothesline and waste storage area fall within the no climb zone (this will be discussed further in points 3 and 4 below).

As we have discussed above, we believe the applicant cannot demonstrate the performance objective of AO10.1 of being complementary and compatible with the surroundings, nor can they comply with the *Queensland Development Code* or the Southern Downs Planning Scheme. Because of this, the rear boundary setback distances for Units 4 and 5 of 0.9 metres should not be approved.

Comment: The concerns relating to the reduced setback have been addressed later in this report.

In relation to the pool on the adjoining property, the section of the QDC has been quoted correctly. It is considered appropriate that a condition could be imposed on any approval that requires any step in the retaining wall, landscaping, clothes line and bin storage area to not be located within 0.9 metres of the top of the eastern boundary fence. The bin storage area and clothesline should be relocated to along the southern boundary.

Building appearance

- We do not have too much of a concern in relation to the proposal for a skillion roof, however this will impact on our visual amenity if proposed Unit 5 were to be located at the setback distance of 0.9 metres. We note that Council's information request references non-

compliance with AO10.7. The applicant has responded by stating that the designs are complementary to and compatible with the types of dwellings in the area, however, the properties located on the same block as 12 Clarke Street (including Pratten, George, Wood, Self and Clarke Streets), do not have skillion roofs, nor are there any multi-unit dwellings (apart from a block of single story flats in Self Street with a gabled roof).

Comment: It is noted that the majority of dwellings within the area have gable and hipped roofs. The Westside Shopping Centre has a flat roof, with a small gable at each end. The proposed developments non-compliance with this Acceptable outcome is addressed later in this report.

It is considered appropriate to require the setbacks to be increased, to improve privacy and reduce the bulky appearance from the adjoining properties.

Landscaping

- There are no major concerns with regards to landscaping, apart from the fact that the landscaping at the rear of Unit 5 is within the 0.9 metres no climb zone for swimming pools. Landscaping here could be included, however it would have to be non-climbable such as a low growing plant or shrub. We would also request that any trees, shrubs, plants etc planted on the lot, are non-deciduous.

Comment: Conditions can be imposed on any approval with regards to the landscaping requirements. As previously discussed, the height of the landscaping should be conditioned to ensure there is no potential for reverse amenity issues that will lead to non-compliance with the QDC with regards to swimming pool barriers.

Location of the waste storage area and clothesline associated with Unit 5

- As mentioned briefly above, it is noted on the plans that the waste storage area (for wheelie bins) and the clothesline are within the 0.9 metres no climb zone for our swimming pool. We understand no one can control where a resident places their wheelie bins, however it would be favourable if an alternate storage area was sought. Furthermore, a more appropriate location for the clothesline would need to be sought. Our greatest concerns are ensuring all requirements are complied with in relation to swimming pool safety. There is no way to know who will be residing at these Units, however there is a possibility children could be living there. Children can be extremely resourceful and determined, and could find a way to climb the fence. Any structures that could assist a child in doing this should be removed.

Comment: As previously discussed, the location of the clotheslines and the bin storage should be relocated to ensure there is no potential for reverse amenity issues leading to non-compliance with the QDC with regards to swimming pool barriers.

Assessment against the Planning Scheme

This application required assessment against the Medium density residential zone code, Residential uses code, Car parking and loading code, Landscaping code, Outdoor lighting code, the Physical infrastructure code, and the Reconfiguring a lot code.

Medium density residential zone code

The proposed development complies or can be conditioned to comply with the Code with regards to Scale of development, Infrastructure, Access, Built form, Amenity, Traffic and Use.

In relation to the Reconfiguring a lot criteria, the minimum lot size is 600 square metres. Proposed Lot 1 will be 342 square metres. The associated Performance outcomes states as follows:

- PO19 Reconfiguring a lot provides a desirable residential environment through the provision of lots that are of sufficient size to accommodate dwellings in character with the existing residential built form and to provide for infrastructure requirements.
- PO20 Lots within an area of less than 600 square metres are located, designed and constructed to provide for an appropriate level of amenity and quality urban design and to integrate positively into the existing neighbourhood.

Proposed Lot 1 will contain the existing dwelling house, which is connected to all urban services. There is sufficient area to the south of the dwelling for private open space. It is considered that the proposed development complies with the Performance outcomes.

Residential uses code

The proposed development generally complies with the provisions of the Code in regards to Site, Access, Environmental protection, Privacy, Photovoltaic Cells, Landscaping and private open space, Communal open space, Site facilities, and Safety and security.

In relation to Streetscape, Building Siting and Design, the Code sets out the following Acceptable outcomes:

AO10.1 (b) The external walls of the building are setback at least 3 metres from any adjoining side or rear boundary.

AO10.7 Buildings incorporate a hipped roof with a slope of at least 20 degrees and incorporate a minimum overhang (eave) of 300 mm.

The proposed buildings are setback 2.4 metres from the northern boundary, 2.1 metres from the southern boundary, and 0.9 metres from the eastern boundary. The associated Performance outcome states as follows:

PO10 The use is sited and designed to be complementary and compatible with the surroundings and to address the street in a positive way.

Council officers raised concerns regarding these and other areas of non-compliance. The applicant was not forthcoming in amending the plans to address the concerns.

The applicant has provided the following justification with regards to the reduced setbacks and roof of the buildings:

AO10.1 of the Residential Use Code does require the external walls of buildings are setback 3.0m as an acceptable solution to the Performance objective that the use is sited and designed to be complementary and compatible with the surroundings and to address the Street in a positive way. Firstly, the dimensions quoted in your request [information request] is not quite correct firstly because they are to the outermost projection and secondly, there seems to be some assumed error in reading the plan. Unit 3 is about 1.8m from the rear boundary for the living areas and 1.2 m to the garage. The distance to the side boundary is about 2.7m. units 4 and 5 are about 0.9m from the wall to the rear boundary for the garage/laundry and about 4.0 m to the living areas. Unit 5 is about 2.4m to the side boundary. Unit 2 is about 2.1m from the side boundary. It is common practice in the building industry for garages to be placed closer to the boundary even on the boundary in some cases. The garages being close to the boundary matches the building immediately to the south of this development. And as discussed in my report the setbacks to the rear of the lots and will have little to no effect on the adjacent lots or their lifestyle. The setback to the living areas for units 4 and 5 conform and unit 3's living area is also setback sufficiently to the side boundary. The setback to unit 2, along with the other setbacks, meets all the requirements for standard building setbacks for residential building under the Building Act and, therefore in my opinion, is complementary to and compatible with the standard of building in the area.

*Apart from the rear of the garages/laundries of units 4 and 5, all overhangs meet the 300mm rule. I ventured the argument in my report that these designs are complementary to and compatible with the types of dwellings in this area. Twenty degree and steeper pitched gabled roofs are not the only style in this area or that common. **It is also difficult to understand the logic of the bland 20 degrees gabled roof rules and then cop discussion particularly at Council level, that the designs are too bland and the same old boring design.** In this instance, with a good variety of roof pitches established in the area, I believe this project is complementary to and compatible with the surroundings.*

Whilst the proposed development generally complies with the basic requirements relating to density, landscaping, and private open space, the plan indicating the turning circles clearly shows that there is very limited area on site for vehicle manoeuvring. The turning paths associated with

the carparking spaces for proposed unit 5 are required to almost hit the western fence to enable the manoeuvre to occur. The landscaped strip along the fence line has also been removed to ensure this movement can be made.

The majority of the surrounding area contains single detached dwellings. Some of these dwellings and the associated sheds do have a reduced side setback, however these are single dwellings. It is noted that the garage at 10 Clarke Street is in close proximity to the southern boundary, which borders the subject land.

The setbacks do not comply with the Planning Scheme requirements, and therefore the setbacks along the eastern boundary do not comply with the requirements of the *Queensland Development Code* (QDC), which requires a 1.5 metre setback. A reduction in the QDC provisions requires compliance with the Performance criteria which looks at the potential for adverse impacts on the amenity and privacy of residents on adjoining lots.

A submitter has clearly indicated that this is of concern to them, as an adjoining landowner, particularly given the location of the submitter's swimming pool in relation to the proposed units.

It is considered appropriate that the proposed development not be approved and that the application be deferred pending a revised proposal addressing the potential impact on the adjoining properties and surrounding area.

Given the location of the swimming pool on the adjoining property, it would be appropriate that the required 3.0 metre setback be achieved.

It should be a condition of any approval that any steps in the retaining wall, the landscaping, clothesline and bin storage areas do not encroach on the 900 millimetre non-climbable zone against the 1.8 metre high fence.

Proposed units 1 and 2 are designed to have glass sliding doors in the living areas. The glass sliding doors for both units open to a very narrow landscaped space along the side of the units. The private open space for these units do not provide for an extension to the living area.

Proposed units 4 and 5 have been designed with the garages on the northern facing elevation. These features would be more appropriate on the southern or western elevation. The applicant should be required to further address such climatic design elements as part of the redesign.

In relation to the roofline, it is noted that the majority of dwellings within the area have gable and hipped rooves. The Westside Shopping Centre has a flat roof, with a small gable at each end.

The site is located within an established residential area. The dwellings in this area are dated from around the 1960s, through to the 1990's, with a mix of single storey timber buildings with brick bases, and brick dwellings. As there is already a mix of styles and materials in this area, the development of this site will not compromise the existing streetscape. The proposed dwellings are of a basic brick design with a skillion roof.

A similar designed duplex has been constructed in High Street, Warwick (image following).



The main difference in the design is the incorporation of a gable over the entrance to each unit. This feature greatly reduces the bulk of the design and ensures the development is in character with the area. The front elevation of each unit is to be improved as part of the redesign, for

example, the inclusion of a gable over the entrances, so as to reduce the bulk and reflect design characteristics of the surrounding area.

Council's Manager Planning and Development has provided the following additional commentary:

The proposal is an overdevelopment of the site. Setback requirements are not met and the driveway serving three units is impractical for the potential number of vehicle trips generated. The design as it is does not constitute a quality development.

It is considered appropriate that the proposed development be deferred pending a redesign of the proposed development, taking into consideration the side and rear setbacks, architectural treatments, access to private open space from the living area of the units, and taking into consideration the climatic design of the units.

Reconfiguring a lot code

The proposed development complies with the Code with regards to Site suitability, Lot size and dimensions, Roads, access, access links and transport network, Infrastructure, Parks and open space, Electricity and telecommunications, Environment, Crime prevention and safety, Neighbourhood design, Access, and Site buffering.

Carparking and loading code

The proposed development complies with the Code and the required number of carparking spaces.

Landscaping code

The applicant has provided a plan indicating the location of landscaping, however some minor change are suggested to improve the appearance of the development. It should be a condition of any approval that a landscaping plan be submitted to Council.

Outdoor lighting code

The proposed development can be conditioned to comply with the provisions of this Code.

Physical infrastructure code

The proposed development will be connected to Council's reticulated water supply and sewerage system, telecommunication and underground electricity.

Adopted Infrastructure Charges

Subdivision only

Development Type	Network	Rate	Proposed	Credit	Charge
Subdivision – Residential	All	\$10,000/lot	2 lots	\$10,000	\$10,000
TOTAL:					\$10,000

Residential development only

Development Type	Network	Rate	Proposed	Credit	Charge
Residential - Multiple dwelling/Dual occupancy	All	\$7,500/dwelling unit	Six (6) units	\$10,000	\$35,000
TOTAL:					\$35,000

Both subdivision and residential development

Development Type	Network	Rate	Proposed	Credit	Charge
Subdivision - Residential	All	\$10,000/lot	2 lots	\$10,000	\$10,000
Residential - Multiple dwelling/Dual occupancy	All	\$7,500/dwelling unit	Five (5) units	\$10,000 - one dwelling	\$27,500
TOTAL:					\$37,500

The part of the adopted infrastructure charge relating to the subdivision is payable prior to Council approving the plan of subdivision and the remaining part for the material change of use is payable prior to the change of use of the land happening in accordance with Section 648H of the *Sustainable Planning Act 2009*.

Conclusion

The applicant proposes to subdivide the land into two lots. Proposed Lot 1 will have an area of 342 square metres and contain the existing dwelling, and proposed Lot 2 will have an area of 1,277 square metres. It is then proposed to construct five units on the proposed Lot 2.

The proposed development generally complies with the provisions under the Southern Downs Planning Scheme.

It is considered appropriate that the setbacks to the side and rear boundaries be increased to 3.0 metres.

To ensure the design of the units is in keeping with the character of the area, it is considered appropriate that a gable be provided over the entrance to each unit. This will also reduce the bulky appearance.

Given the location of the swimming pool in the adjoining property, it should be a condition of any approval that any steps in the retaining wall, the landscaping, clothesline and bin storage areas do not encroach on the 900 millimetre non-climbable zone against the 1.8 metre high fence.

The proposed development should be deferred pending a revised proposal from the applicant addressing the redesign of the units.

Recommendation

THAT the application for Material Change of Use for the purpose of Multiple dwelling (Five units) and Building Format Plan with Land; and Subdivision of one into two lots, on land at 12 Clarke Street, Warwick, described as Lot 5 RP218135, Parish of Warwick, County of Merivale, be deferred pending a redesign of the proposed development, taking into consideration the following points:


- The side and rear setbacks are to be increased to ensure the 3.0 metre minimum setback for buildings is achieved, this includes the garages and patios.
- Architectural treatments, including changes to the roofline are to be used to ensure the units reflect the character of the surrounding residential area and are not bulky in nature.
- Proposed units 1 and 2 have been designed with glass sliding doors in the living areas which open to a very narrow landscaped space along the side of the units, which is not appropriate. The private open space is to be an extension to the living area and provide an area which is functional.
- Proposed units 4 and 5 have been designed with the garages on the north facing elevation. These features would be more appropriate on the southern or western elevation for climatic purposes. The objectives of the Smart and Sustainable Homes - Designing for Queensland's climate document should be taken into consideration.
- Any amended plan is to show the turning circles, demonstrating how the vehicles associated with the units will enter and exit the site in forward gear, excluding any units with direct access to Clarke Street.

Attachments

1. Submission to application for Material Change of Use & Subdivision at 12 Clarke Street, Warwick (Excluded from agenda - Provided under separate cover)[View](#)

12.2 Reconfiguration of Lot - Southern Downs Regional Council, 26 & 28 Anemone Street and 27 Arbutus Street, Killarney

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Senior Planning Officer	File Ref: RC\01516

APPLICANT:	Southern Downs Regional Council
OWNER:	A & C Mills, L & S Gard and S Chocholowski
ADDRESS:	26 & 28 Anemone Street, and 27 Arbutus Street, Killarney
RPD:	Lots 42, 47 & 48 RP15684, Parish of Cunningham, County of Merivale
ZONE:	Low density residential
PROPOSAL:	Subdivision of three lots into four lots
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	Two

Recommendation Summary

THAT the application for a Subdivision of three into four lots, on land at 26 & 28 Anemone Street, and 27 Arbutus Street, Killarney, described as Lots 42, 47 & 48 RP15684, Parish of Cunningham, County of Merivale, be approved subject to conditions.

Report

The existing configuration of the lots is as follows:

Lot	Lot size	Frontage
Lot 42 RP15684	2,514m ²	Arbutus Street and unformed section of Hibiscus Street
Lot 47 RP15684	2,529m ²	Anemone Street and formed section of Hibiscus Street
Lot 48 RP15684	2,529m ²	Anemone Street

All lots currently contain dwellings and associated buildings.



The applicant proposes to subdivide a portion of each of the three lots, to create additional lots which will contain an existing overland stormwater drain.

It is proposed that 210 square metres will be excised from Lot 42 RP15684; 219 square metres from Lot 47 RP15684; and 427 square metres from Lot 48 RP15684. The total area to be used for drainage purposes is approximately 856 square metres.

It is anticipated that a formal channel will be created within the new lot, to improve the stormwater discharge within the catchment.





Submissions

Two submissions were received to the application. **A copy of the submissions have been forwarded separately to Councillors.** The issues raised by the submitters are addressed below.

Flooding

- The proposed subdivision adjoins a cause-way which floods.

Comment: The proposed development is to excise land at the rear of three properties to allow for an upgrade of the stormwater infrastructure, as it is acknowledged that additional works are required.

Additional traffic and access

- Traffic will increase and Arbutus Street is in very bad shape. The roads will not take extra traffic.

Comment: The additional allotment will not be used for residential purposes, it will be for drainage purposes. It is considered appropriate that the lot be used for drainage purposes.

Water and wastewater

- Water and sewage problems will occur.

Comment: The additional allotment will not be used for residential purposes, it will be for drainage purposes.

Garbage collection

- Garbage collection for how many bins?

Comment: The additional allotment will not be used for residential purposes, it will be for drainage purposes.

Public notification

- Council has no knowledge of this application, photographs had to be taken to prove the development was occurring.
- It was assured that Council was buying back land next to the cause-way so no development could occur.
- There was no evidence of the development in the newspaper.

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

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

The applicant has complied with all of the requirements.

Assessment against the Planning Scheme

This application required assessment against the Low density zone code and the Reconfiguring a lot code.

Low density residential zone code

In relation to the Reconfiguring a lot criteria, the minimum lot size is 600 square metres. It is proposed that 210 square metres will be excised from Lot 42 RP15684; 219 square metres from Lot 47 RP15684; and 427 square metres from Lot 48 RP15684. The associated Performance outcomes states as follows:

- PO22 Reconfiguring a lot provides a desirable residential environment through the provision of lots that are of sufficient size to accommodate dwellings in character with the existing residential built form and to provide for infrastructure requirements.
- PO20 Lots within an area of less than 600 square metres are located, designed and constructed to provide for an appropriate level of amenity and quality urban design and to integrate positively into the existing neighbourhood.

The applicant has provided the following justification:

Council has committed funding for the reconstruction of Anemone Street, Killarney and critical to this work is the installation of stormwater infrastructure. A total area of approximately 30 hectares of rural zoned land contributes run-off to the residential zoned areas of North Killarney with a major flow path crossing Anemone Street at a low point between Ash and Palm Streets.

The majority of properties on the Southern side of the Anemone Street are lower than the existing road surface and it is therefore desirable to contain the major flows within the roadway using the combination of new pipes and improved shape of the road surface and verges. Pipe culverts will therefore be installed on the Northern side of the road to capture flows along the new kerb and channel. At the sag point between the Ash and Palm Street junctions run-off has been discharged from the road reserve into private property for many years with no formal agreement with the property owners. It is intended to install a new culvert across Anemone Street at the sag point to take flows under the street and as the flows from this culvert will be concentrated onto private property, a legal point of discharge will be required which will affect several downstream properties. To attain this a grass lined trapezoidal channel approximately 0.8m deep will be constructed within a 10 metre wide strip of land dedicated for drainage. There will be four properties affected by the open channel and negotiations with the landowners have resulted in agreements being reached for the land acquisitions. A drainage easement will be created over Lot 49 RP15684 along the Eastern boundary of this lot. However the owners of Lots 48, 47 & 42 on RP15684 were of the view that a drainage easement would devalue their land and preferred that Council created separate titles for the areas of land required.

Whilst the proposed subdivision will not result in lots appropriate for the construction of dwelling, the land being excised will be used to improve stormwater drainage for the catchment. It is considered appropriate that these portions of land are amalgamated into one title and the land be used for drainage purposes only. This will ensure that the land can't be sold in the future and used for residential purposes.

Reconfiguring a lot code

The proposed development complies with the provisions of the Code with regards to Site suitability,

The Lot size and dimension criteria have been addressed previously in the report.

In relation to Roads, access, access links and transport network, the Acceptable outcome requires new lots to have access from the frontage of the site to the nearest town centre via roads with a sealed width of at least 5.5 metres.

The associated Performance outcome states as follows:

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

Similarly, in relation to Infrastructure, and Electricity and telecommunications, the Acceptable outcomes requires connection to all urban services, i.e. connection to reticulated water, reticulated sewer, electricity and telecommunications.

The associated Performance outcome states as follows:

PO14.1 (a) All lots in the Low density residential, Medium density residential, Rural residential, Principal centre, District centre, Specialised centre, Mixed use and Industry zones are connected to reticulated water.

PO14.2 (a) Except in Allora, all lots in the Low density residential, Medium density residential, Principal centre, District centre, Specialised centre, Mixed use and Industry zones are connected to the reticulated sewerage system.

PO18 Except for lots with an area of 10 ha or more located in the Rural zone, all new lots are connected to an existing reticulated electricity supply and a telephone service.

PO19 (a) In the Low density residential and Medium density residential zones, Principal centre zone, District centre zone, Specialised centre zone, Mixed use zone and Industry zone, underground electricity is provided

- (i). in a locality where underground electricity exists; or
- (ii). where the subdivision involves the opening of a new road or the creation of 3 or more lots.

As previously detailed, the proposed development will not result in lots which are appropriate for the construction of dwellings. The land being excised will be used to improve stormwater drainage for the catchment. It is considered appropriate that these portions of land are amalgamated into one title and the land be used for drainage purposes only. This will ensure that the land cannot be sold in the future and used for residential purposes.

Adopted Infrastructure Charges

The Adopted Infrastructure Charges are applicable when land is subdivided; however the land being excised will be used to improve stormwater drainage for the catchment. It is considered appropriate that these portions of land are amalgamated into one title and the land be used for drainage purposes only. Therefore, it is not considered appropriate to charge Adopted Infrastructure Charges on a lot which would be used for drainage purposes only.

Conclusion

The applicant proposes to subdivide a portion of each of the three lots, to create additional lots which will contain an existing overland stormwater drain.

The proposed subdivision will not result in lots appropriate for the construction of dwellings; the land being excised will be used to improve stormwater drainage for the catchment. It is considered appropriate that these portions of land are amalgamated into one title and the land be used for drainage purposes only. This will ensure that the land cannot be sold in the future and used for residential purposes.

As the lot will be used for drainage purposes only, it is not considered appropriate to require the connection to all urban services, roadworks, and the payment of Adopted Infrastructure Charges.

Recommendation

THAT the application for Subdivision of three (3) into four (4) lots, on land at 26 & 28 Anemone Street, and 27 Arbutus Street, Killarney, described as Lots 42, 47 & 48 RP15684, Parish of Cunningham, County of Merivale, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

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

Plan Name	Plan No.	Date
Subdivision Plan	ENG_00483, Sheet 1 of 2	11 December 2014
Proposed land dedication for drainage	ENG_00483, Sheet 2 of 2	11 December 2014

Reconfiguration of a Lot

2. The land excised from Lots 42, 47 & 48 RP15684, equating to a total of approximately 856 square metres, are to be amalgamated into one allotment and a new Certificate of Title issued to cover the newly created allotment.

Advisory Notes

Aboriginal Cultural Heritage

- (i) 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

- (ii) 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


- (iii) 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.**
- (iv) 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.

Attachments

1. Submissions received to application for Subdivision at 26 & 28 Anemone Street and 27 Arbutus Street, Killarney (Excluded from agenda - Provided under separate cover)[View](#)

12.3 Request to Change the Defined Waste Collection Area to remove 4 Curran Lane, Applethorpe

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Senior Environmental Health Officer	File Ref: 31.35

Recommendation

THAT Council refuse the request to amend the defined waste collection area and maintain the defined area to include the property at 4 Curran Lane, Applethorpe.

Report

Lawrence and Glenda Zammit have written to Council requesting a change to the defined waste collection area to exclude their property at 4 Curran Lane, Applethorpe. The letter requesting this change is attached to this report. The map below shows the location of 4 Curran Lane, Applethorpe. The shaded green area designates the defined waste collection area.



The reasons the property owners no longer want a waste collection service are detailed in the letter, and include:

- Their property is the only one on Curran Lane which is within the defined waste collection area. All other property owners on the lane take their refuse to a waste facility.
- Their driveway is on Curran Lane, and they are required to put their bin out on Border Road.
- They travel with their job and are away 5 or 6 days at a time. Therefore, they don't produce a lot of waste and sometimes the bin only goes out once a month.
- They find themselves financially disadvantaged to their neighbours, and believe this is unfair in the current economic climate.

There has been numerous communications with the property owners over this issue before this request was received. These are detailed below.

- On 22 August 2014, a letter was received from Lawrence and Glenda Zammit advising they no longer require a rubbish collection from their property (Merit request 49759). Advice was provided from Council officers that the property is within the defined waste collection area and therefore the service cannot be cancelled.
- On 29 September 2014, a further request was received by Council officers in Merit (Request number 54728), via Councillor Pennisi, advising the residents at 4 Curran Lane, Applethorpe, no longer want a waste collection service. Advice was provided from Council officers that the property is in the defined waste collection area and therefore the service cannot be cancelled. A map of the defined waste collection area was provided at this time.
- After this advice, further investigation was requested, due to the residents concern that they had to walk a long distance to put their bins out on Border Road, as JJ Richards do not travel down Curran Lane. A Council officer conducted an inspection of the location, and determined the distance from the property's driveway to Border Road is approximately 30m. The distance from inside the property boundary to Border Road is approximately 40m. Confirmation was received from JJ Richards that they are unable to travel down Curran Lane. This was deemed by the Council officer to be a reasonable distance to be able to put bins out for collection, and not an acceptable reason to be excluded from the defined waste collection area.

From the previous investigations undertaken, and advice provided from the owners of the property in their letter requesting a change to the defined waste collection area, there is no reasonable justification as to why the property should be removed from the defined area. Acceptable reasons for removing a property from the defined waste collection area could include that the waste collection contractor, JJ Richards, cannot gain access to near the property, or it is unsafe or not practicable for them to service the property.

In addition, a Council officer has discussed the request with JJ Richards, and such a change is not supported under the contract with JJ Richards.

Budget Implications

As the requested change is not permitted under the contract with JJ Richards, Council will be required to continue to pay for the service, even if a service is not provided to the property.

Policy Consideration

Nil

Community Engagement

As previously stated, there has been previous communication between Council and the owners of 4 Curran Lane, Applethorpe, on this issue.

Legislation/Local Law

Section 7 of the *Waste Reduction and Recycling Regulation 2011* states that a local government may, by resolution, designate areas within its local government area in which the local government may conduct general waste or green waste collection; and decide the frequency of the general waste or green waste collection in the designated areas.

The defined waste collection areas were approved at the introduction of the JJ Richards contract in 2009.

The *Environmental Protection Regulation 2008* outlines requirements for serviced premises, including the storage and removal of waste from these premises.

Options

There are two options, as follows:

- Council approve the request to amend the defined waste collection area to exclude the property at 4 Curran Lane, Applethorpe, from the defined area, however payment for the service will continue to be required under the contract with JJ Richards; or
- Council refuse the request to amend the defined waste collection area and maintain the defined area to include the property at 4 Curran Lane, Applethorpe.

Attachments

1. Letter from Lawrence and Glenda Zammit requesting a change to the defined waste collection area. [View](#)

From:
Sent: Tuesday, 10 February 2015 4:33:28 PM
To: General Enquiries
Subject: Fw: Attention Nicole Collett

Lawrence & Glenda Zammit
4 Curran Lane
Applethorpe 4378
Postal Address:

To
CEO
Southern Downs Regional Council

Dear Sir,
We request the Define Waste Collection area be changed.

As we live on Curran Lane and we are the only property in our lane that has a pick up, everyone else takes their refuse to the dump. Our driveway is on Curran Lane and we have to put our bin on Border Road for collection.

I travel with my job and I am away 5 or 6 days at a time. Therefore we don't have the refuse to collect, sometimes the bin only goes out once a month.

We find ourselves financially disadvantaged to our neighbours, and in this economic climate this is very unfair.

On these grounds we request a change.


Your Sincerely

Lawrence & Glenda Zammit

Sent from Windows Mail

12.4 Review of "Guidelines - Noise Control Measures for Using Scare Guns and Hail Cannons"

Document Information

	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Senior Environmental Officer	File Ref: 11.15

Recommendation

THAT Council:

1. Adopt the amended Guideline *"Noise Control Measures for Using Scare Guns"*.
2. Further investigate the historical references to Ministerial Approvals and Exemptions for hail cannon use and whether these can still be applied, and if required, amend the Guideline *"Noise Control Measures for Using Scare Guns"*.
3. Seek further clarification from EHP on Council's on-going role and responsibility into the regulation of environmental nuisances from the use of scare guns, in the following situations:
 - (i) when a damage mitigation permit has been issued; and
 - (ii) when a damage mitigation permit has been refused by EHP; and
 - (iii) when a scare gun is used in circumstances where a damage mitigation permit cannot be applied for.

Report

It was resolved at the General Council Meeting held on 28 January 2015 that Council would review its *"Guidelines – Noise Control Measures for Using Scare Guns and Hail Cannons"* as soon as possible.

Council has recently received complaints in relation to noise nuisance from the use of scare guns in the Yangan and Emu Vale areas. The complainants and property owners using the scare guns were provided with a copy of Council's *"Guidelines – Noise Control Measures for Using Scare Guns and Hail Cannons"* (the Guideline) with both parties agreeing to discuss the issue amongst themselves and the complaints being resolved amicably.

Council has previously considered a number of reports, the most recent report presented to the Planning and Environment Committee Meeting held on 23 February 2011 considering the adoption and alteration of the Guideline. Council's Guideline was adapted from a guideline that was originally prepared by the Department of Environment and Heritage Protection (EHP) (formally Environmental Protection Agency) and provides information about investigating complaints of noise nuisance from the use of scare guns and hail cannons, and measures that can be taken to reduce the likelihood of noise annoyance to residents on neighbouring properties. The EHP guideline no longer exists, as the responsibility for looking after commercial nuisances under the *Environmental Protection Act 1994*, including from scare guns, was devolved to local government in 2008.

The Council Guideline also refers to procedures and measures when using scare guns such as distance between a scare gun and noise sensitive place, operation hours, total number of blasts in a day etc. Also included is a reference to permits which states:

Council may consider applications from farmers or landholders to vary the conditions of this guideline if the need arises. Council's decision is to be based on the applicant's reasons for the variation and the Environmental Protection Act's General Environmental Duty requirements.

Further investigation was undertaken in relation to type of permits available through the EHP. The EHP administers the *Nature Conservation Act 1992* (the Act) and its associated regulations which recognise that in some situations, it is necessary to take wildlife to minimise damage or loss of property (eg crops) or to protect human health or wellbeing. Under the Act, the following types of damage mitigation permits are available:

- Damage mitigation permit (lethal take of flying-foxes);
- Damage mitigation permit (removal and relocation of wildlife); and
- Damage mitigation permit (culling and dispersal of wildlife).

The maximum duration of a damage mitigation permit is three years if an applicant operates under an 'approved property management plan', otherwise one year. The most appropriate damage mitigation permit type for using scare guns is for culling and dispersal of wildlife. It has been confirmed with an EHP staff member that dispersal includes the use of scare guns. To be eligible for a damage mitigation permit, applicants will need to demonstrate that there is a real need to take the wildlife, and that they have taken all reasonable steps to mitigate the damage caused by the wildlife.

Based on this information, it is recommended that Council encourage all property owners using scare guns to contact the EHP to apply for a damage mitigation permit for the culling and dispersal of wildlife and the Guideline amended to reflect this. If Council were to receive any complaints in relation to noise nuisance from the use of a scare gun/s and the property owner held a damage mitigation permit for the use of a scare gun, the complaint would be referred to the EHP for their investigation.

If a complaint were to be received in relation to noise nuisance from scare gun use, and investigations found that a damage mitigation permit was not held by the property owner, Council would encourage the property owner to apply to the EHP for a damage mitigation permit. However, in the interim, or if a damage mitigation permit was not able to be applied for, Council Officers would investigate the complaint in accordance with section 440, *Offence of causing environmental nuisance* of the *Environmental Protection Act 1994* (EP Act), using the procedures and measures in the Guideline to assist with the investigation. The Guideline would be amended to reflect this.

The Guideline also refers to the use of hail cannons, however it is only referenced in relation to dispute resolution, complaints and Ministerial Exemptions. It would be proposed to remove any reference to hail cannons when amending the Guideline and to deal with any future complaints in accordance with section 440 of the EP Act. Many of the procedures and measures in the Guideline are not applicable to the use of hail cannons being used by property owners to protect their crops from hail in approaching storms, particularly the operational hours. Further investigation would be required in relation to historical Ministerial Approvals and Exemptions for hail cannon use and whether these still apply.

It is important to note that this document is a guideline only and is not an enforcement tool to be used in conjunction with the EP Act. It may however be used to resolve complaints amicably before any necessary enforcement action.

Budget Implications

Nil

Policy Consideration

Operational Plan 2014/2015

6.8.2 Continue to promote, educate and implement awareness and best practice waste collection, recycling, environmental health and environmental protection strategies.

SDRC *"Guidelines – Noise Control Measures for Using Scare Guns and Hail Cannons"*

Community Engagement

Nil

Legislation/Local Law

Environmental Protection Act 1994

Nature Conservation Act 1992

Nature Conservation (Administration) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Wildlife) Regulation 2006

Options

1. Adopt the amended Guideline *"Noise Control Measures for Using Scare Guns"*.
2. Further investigate the historical references to Ministerial Approvals and Exemptions for hail cannon use and whether these can still be applied, and if required, amend the Guideline *"Noise Control Measures for Using Scare Guns"*.
3. Seek further clarification from EHP on Council's on-going role and responsibility into the regulation of environmental nuisances from the use of scare guns, in the following situations:
 - (iv) when a damage mitigation permit has been issued; and
 - (v) when a damage mitigation permit has been refused by EHP; and
 - (vi) when a scare gun is used in circumstances where a damage mitigation permit cannot be applied for.
4. All of the above.

Attachments

1. Current "Guidelines - Noise Control Measures for Using Scare Guns and Hail Cannons". (Note: Changes (removal/amendments) to the Current Guideline are highlighted in yellow). [View](#)
2. Amended Guideline "Noise Control Measures for Using Scare Guns". (Note: Changes (inclusions/amendments) to the Amended Guideline are highlighted in green). [View](#)



Guidelines

Noise Control Measures for Using Scare Guns and Hail Cannons

This guideline has been adapted from a Guideline that was originally prepared by the Department of Environment & Resource Management (formerly known as the Environmental Protection Agency) and provides information about investigating complaints of noise nuisance from the use of scare guns and hail cannons and measures that can be taken to reduce the likelihood of noise annoyance to residents on neighbouring properties.

Council has adopted these Guidelines but it must be stressed that Council supports the need for control measures to be used to protect farming processes and other rural pursuits.

Purpose and Scope

- To determine Council's approach on how best to minimize excessive noise impacting on neighbouring properties, from the use of gas powered scare guns and hail cannons, which are used to protect crops and orchards from being affected/damaged, from hail and animals such as birds and flying foxes.
- To outline the parameters for the use of scare guns and hail cannons so that noise impact is not excessive and unreasonable.

Background

Gas scare guns and hail cannons are commonly used by farmers, due to their simplicity, low maintenance and comparatively low cost, to protect crops from hail and animals such as birds and flying foxes.

The scare gun emits a loud blast at predetermined intervals, that acts as a deterrent to pests. This blast from the scare gun can create an environmental noise nuisance, particularly if the scare gun is used in close proximity to residential houses and is not in keeping with the object of the *Environmental Protection Act 1994* (EP Act), to protect Queensland's environment through Ecological Sustainable Development. The following procedures are recommended to minimise the impact of excessive noise from gas powered scare guns and to protect crops and orchards from animals such as birds and flying foxes.

The Southern Downs Regional Council acknowledges that devices are used to protect valuable crops from being damaged by animals (eg birds, flying foxes). However, all residents in Queensland have a responsibility under Section 319 of the Act, to comply with their General Environmental Duty. The General Environmental Duty states that a person must not carry out an activity that causes or is likely to cause environmental harm unless the person takes all reasonable and practical measures to prevent or minimise the harm.

This Guideline aims to provide information on alternative methods of crop protection against hail and animals and procedures for dealing with complaints.

Procedures

The following procedures provide guidance in resolving noise complaints:

1. In the event that a substantiated nuisance complaint is received by Council, the operator of the scare gun must adopt all reasonable and practicable measures available, to minimise noise impacting on noise sensitive places. Such measures include, but are not limited to:
 - Maintaining a distance of greater than 300m between any scare gun and any noise sensitive place. For the purpose of this guideline, the dwelling occupied by the operator of the scare gun shall not be considered a sensitive place.
 - Operation of a scare gun/s shall only occur between 5:00am and 9:00pm.
 - Each scare gun must not emit more than 90 blasts in total, in any one day. At all times, the interval between blasts from any one scare gun must be 10 minutes or longer. Consequently, alternative methods of crop protection may need to be used concurrently with scare guns, to maximise the effectiveness of crop protection, (due to the allowable time between blasts and the total number of blasts allowed in the operating period).
 - Where a number of scare guns are used on one property, or where a neighbouring property also uses scare gun(s), it is the responsibility of the property owner(s) to co-ordinate the timing of the blasts of their scare guns to within thirty seconds of the adjacent gun(s). This will allow a minimum of at least 9 minutes between all blasts, thus minimising the nuisance effect at a noise sensitive place.
 - The positioning of a gun or scare guns should minimise its effects on noise sensitive places. This would be achieved by:
 - Using the shielding effects of natural features to reduce noise impact at sensitive places.
 - Pointing the scare gun away from noise sensitive places.
 - Placing the scare gun as far away as practicable from any noise sensitive place (ie a distance greater than 300m).
2. Where noise is an issue the use of scare guns should be minimised and alternative methods of crop protection considered. Alternative methods of crop protection include:
 - Visual scarers, such as the use of cheaper, more effective portable lights, (producing high intensity flashes at random intervals), scarecrows or suspended fertiliser bags, wine cask bags, car yard bunting and shiny tapes or aluminium strips, netting - see attached Fact Sheet - Damage mitigation methods for flying foxes, for other methods.
 - Recorded distress call systems that imitate injured birds or the calls of predator species¹.
 - Netting, (ultra violet resistant), or cages over crops.

¹ Recorded Distress Call Systems are subject to the same operating conditions and environmental nuisance criteria as stated for scare guns.

- Crop placement to restrict access of pests. Susceptible crops could be planted in locations away from areas frequented by birds and planted in rows parallel to bird habitats, such as scrub and undergrowth. The use of parallel rows, compared to perpendicular rows, minimises the creation of 'flight ways'. Flight ways maximise the access of birds to a crop, allowing them to penetrate too deeply, without leaving the cover of the crop.

Related Processes

Dispute Resolution

- Operators of scare guns and hail cannons are to be encouraged to consider the impact of noise on neighbours. If complaints arise, the operator(s) and the complainants are encouraged to engage in dispute resolution. The Department of Justice and Attorney General provide dispute resolution services via their Alternative Dispute Resolution Branches - 1800 017 288 throughout Queensland. Dispute resolution services have the potential to allow negotiation between the parties and may result in flexibility in relation to the frequency of the use, start and finish times, positioning of hail cannons, scare guns and other measures to minimise noise whilst maximising effectiveness of the hail cannons or scare guns. Dispute resolution is an effective, confidential and voluntary means of settling a dispute.

Complaints

- Anonymous complaints will not be investigated by Council. For a relevant nuisance complaint to be lodged with Council, the complainant must supply Council with a written complaint, stating the complainant's name, residential address, a contact phone number and enough details of the emission, to allow Council to investigate the complaint.
- Council will not respond to vexatious complaints and further, if during an investigation it is determined that the complaint is vexatious, the investigation by Council will cease and the complainant will be directed to contact the Alternative Dispute Resolution Branch.
- Whether the complainant wishes or does not wish his/her details to be released to the source of the complaint, Council may assist in negotiating an agreed outcome, acceptable to the complainant and the operator. Council will advise both parties in writing, as to any agreed variations in the operating procedures for the hail cannon, scare gun or guns.

Permits

- Council may consider applications from farmers or landholders to vary the conditions of this guideline if the need arises. Council's decision is to be based on the applicant's reasons for the variation and the *Environmental Protection Act's* General Environmental Duty requirements.

Other Issues to Consider

- Any complaints received by Council regarding environmental nuisance caused by trials of methods for damage mitigation against flying foxes or other animals that are co-ordinated, condoned or approved by the State Government will be forwarded to the relevant State Government Department for their action.
- Scare guns and hail cannons are not classified as a regulated device under Section 440S (5) of the Act.

- Council encourages all farmers who are currently using scare guns and hail cannons to operate within the time restrictions of 5:00am to 9:00pm and move towards introducing and relying on alternative methods of crop protection. The operator of a hail cannon and pest deterrent apparatus, (eg Scare Guns or Recorded Distress Call Systems etc) has an obligation under Section 319 of the *Environmental Protection Act* to comply with their General Environmental Duty.

Ministerial Exemptions

These Guidelines do not apply to Hail Cannons that operate in accordance with Ministerial approvals or exemptions.

Enforcement/Offences

- Under Section 363E of the Act, Council as the administering authority, may issue a Direction Notice to a responsible person to control noise from a scare gun or hail cannon if:
 - a relevant nuisance complaint has been made for the emission and
 - the administering authority believes the emission is or has been causing unlawful environmental nuisance², after considering whether the noise is or has been excessive and therefore an unlawful environmental nuisance.
- Where the operator of the scare gun/s can demonstrate compliance with the procedures detailed in this guideline, Council will not issue an abatement notice for unlawful environmental nuisance.
- Should a Direction Notice be issued to an operator of a scare gun or hail cannon under Section 363E of the *Environmental Protection Act 1994* for unlawful environmental nuisance and the Notice is breached without a reasonable excuse, the breach is an offence under the Act.
- A breach of a Direction Notice for unlawful environmental nuisance, may result in the issue of a Penalty Infringement Notice, (on-the-spot fine), currently \$3,000.00.
- The maximum penalty for a breach of a Direction Notice is \$30,000.00.

Should further information be required regarding the use of these devices, please contact Council's Planning & Environment Department on 4681 5500 (Stanthorpe) or 4661 0300 (Warwick).

"These guidelines have been adopted by Council at the General Meeting 23 February 2011, however the conditions where a permit will be issued to vary the guidelines are still being developed."

² When investigating claims of excessive noise from a hail cannon, scare gun or guns, which are being operated outside the parameters of this guideline, Council Officers will consider Section 363C (3) (General emission criteria) when deciding whether the hail cannon, scare gun or guns under investigation is causing excessive noise and therefore unlawful environmental nuisance.



Noise Control Measures for Using Scare Guns

This guideline has been adapted from a Guideline that was originally prepared by the Department of Environment & Heritage Protection (EHP) (formerly known as the Environmental Protection Agency) and provides information about investigating complaints of noise nuisance from the use of scare guns and measures that can be taken to reduce the likelihood of noise annoyance to residents on neighbouring properties.

Council has adopted this Guideline but it must be stressed that Council supports the need for control measures to be used to protect farming processes and other rural pursuits.

Purpose and Scope

- To ensure the use of scare guns used to protect crops and orchards from being affected/damaged by wildlife such as birds and flying foxes is undertaken in accordance with applicable permits under the *Nature Conservation Act 1992*.
- To outline the parameters for the use of scare guns when a permit under the *Nature Conservation Act 1992* is unable to be held to ensure the noise impact on neighbouring properties does not create an unlawful environmental nuisance.

Background

Scare guns are commonly used by farmers, due to their simplicity, low maintenance and comparatively low cost, to protect crops from native animals such as birds and flying foxes and non-native wildlife such as deer.

The scare gun emits a loud blast at predetermined intervals that acts as a deterrent to pests. This blast from the scare gun may create an environmental noise nuisance, particularly if the scare gun is used in close proximity to noise sensitive places and is not in keeping with the object of the *Environmental Protection Act 1994* (EP Act), to protect Queensland's environment through ecological sustainable development. The following procedures are recommended to minimise the impact of excessive noise from scare guns.

The Southern Downs Regional Council (Council) acknowledges that devices are used to protect valuable crops from being damaged by native wildlife (eg birds, flying foxes) and non-native wildlife (eg deer). However, all residents in Queensland have a responsibility under the EP Act, to comply with their General environmental duty (section 319 of the EP Act). The General environmental duty states that a person must not carry out an activity that causes or is likely to cause environmental harm unless the person takes all reasonable and practical measures to prevent or minimise the harm.

The *Nature Conservation Act 1992* (the Act), which is administered by the EHP, recognises that in some situations, it is necessary to take wildlife to minimise damage or loss of property (eg crops) or to protect human health or wellbeing. Under the Act, a damage mitigation permit for the culling and dispersal of wildlife may be issued to property owners when it can be demonstrated that there is a real need to take the wildlife, and that all reasonable steps to mitigate the damage caused by the wildlife has been taken. A damage mitigation permit for the dispersal of wildlife includes the use of scare guns. The maximum duration of a damage mitigation permit is three years if an applicant operates under an 'approved property management plan', otherwise one year.

Council will encourage all property owners using scare guns for the purposes of dispersing native wildlife, to contact EHP to apply for a damage mitigation permit.

Council understands that at times property owners may use scare guns to deter non-native wildlife (eg deer). A damage mitigation permit can only be applied for when deterring native wildlife. Therefore in these instances, the use of scare guns should be in accordance with the below criteria of this Guideline.

Scare Gun Use Criteria and Guide

1. When a damage mitigation permit has not been granted or is unable to be applied for, the following should be adhered to.

The operator of the scare gun must adopt all reasonable and practicable measures available, to minimise noise impacting on noise sensitive places. Such measures include, but are not limited to:

- Maintaining a distance of greater than 300m between any scare gun and any noise sensitive place. For the purposes of this guideline, the dwelling occupied by the operator of the scare gun shall not be considered a noise sensitive place;
 - Operation of a scare gun/s shall only occur between 5:00am and 9:00pm;
 - Each scare gun must not emit more than 90 blasts in total, in any one day. At all times, the interval between blasts from any one scare gun must be 10 minutes or longer. Consequently, alternative methods of crop protection may need to be used concurrently with scare guns, to maximise the effectiveness of crop protection (due to the allowable time between blasts and the total number of blasts allowed in the operating period);
 - Where a number of scare guns are used on one property, or where a neighbouring property also uses scare gun(s), it is the responsibility of the property owner(s) to co-ordinate the timing of the blasts of their scare guns to within thirty seconds of the adjacent scare gun(s). This will allow a minimum of at least 9 minutes between all blasts, thus minimising the nuisance effect at a noise sensitive place; and
 - The positioning of scare guns should minimise its effects on noise sensitive places. This would be achieved by:
 - Using the shielding effects of natural features to reduce noise impact at sensitive places;
 - Pointing the scare gun away from noise sensitive places; and
 - Placing the scare gun as far away as practicable from any noise sensitive place (ie a distance greater than 300m).
2. Where noise is an issue the use of scare guns should be minimised and alternative methods of crop protection considered (the operator should contact EHP to determine

whether the following suggested methods require a damage mitigation permit).
 Alternative methods of crop protection include:

- Visual scarers, such as the use of cheaper, more effective portable lights, (producing high intensity flashes at random intervals), scarecrows or suspended fertiliser bags, wine cask bags, car yard bunting, shiny tapes or aluminium strips or netting;
- Recorded distress call systems that imitate injured birds or the calls of predator species¹;
- Netting (ultra violet resistant) or cages over crop/s; and
- Crop placement to restrict access of pests. Susceptible crops could be planted in locations away from areas frequented by birds and planted in rows parallel to bird habitats, such as scrub and undergrowth. The use of parallel rows, compared to perpendicular rows, minimises the creation of 'flight ways'. Flight ways maximise the access of birds to a crop, allowing them to penetrate too deeply, without leaving the cover of the crop.

Complaint Process

1. If a complaint is received in relation to scare gun use and a damage mitigation permit is not held, Council are to encourage property owners to seek a damage mitigation permit from the EHP for the culling or dispersal of wildlife.
2. If a complaint is received in relation to scare gun use and a damage mitigation permit has been issued by the EHP, all complaints are to be referred to EHP for their investigation.
3. If a complaint is received in relation to scare gun use and a damage mitigation permit cannot be applied for or granted, Council will investigate the complaint in accordance with section 440, Offence of causing environmental nuisance, of the EP Act. The property owner will also be provided with a copy of this Guideline.
4. Anonymous complaints will not be investigated by Council. For a relevant nuisance complaint to be lodged with Council, the complainant must supply Council with a written complaint, stating the complainant's name, residential address, a contact phone number and enough details of the emission, to allow Council to investigate the complaint;
5. Council will not respond to vexatious complaints. If during an investigation it is determined that the complaint is vexatious, the investigation by Council will cease and the complainant will be directed to contact the Dispute Resolution Centre; and
6. Property owners using scare guns are encouraged to consider the impact of noise on neighbours. If complaints continue to be received after Council has finalised their investigation, property owners and complainants are encouraged to engage in dispute resolution. The Department of Justice and Attorney General provide dispute resolution services via their Dispute Resolution Centres. The nearest Centre is the South Queensland Dispute Resolution Centre located in Brisbane (1800 017 288). Dispute resolution services have the potential to allow negotiation between the parties and may result in flexibility in relation to the frequency of the use, start and finish times, positioning of scare guns and other measures to minimise noise whilst maximising effectiveness of the scare guns. Dispute resolution is an effective, confidential and voluntary means of settling a dispute.

¹ Recorded Distress Call Systems are subject to the same operating conditions and environmental nuisance criteria as stated for scare guns.

Other Issues to Consider

Any complaints received by Council regarding environmental nuisance caused by trials of methods for damage mitigation against flying foxes or other animals that are co-ordinated, condoned or approved by the State Government will be forwarded to the relevant State Government Department for their action.


Offences under the *Environmental Protection Act 1994*

Under Section 363B of the EP Act, an authorised officer of Council may issue a Direction Notice to a person contravening a prescribed provision (noise from a scare gun creating an unlawful environmental nuisance) and the contravention can be remedied.

It is an offence not to comply with a Direction Notice under Section 363E of the EP Act, unless the person has a reasonable excuse. A Penalty Infringement Notice (PIN) may be issued to an individual, currently \$1 138, otherwise the maximum penalty for a breach of a Direction Notice is \$34 155.

12.5 Proposal to Make Major Amendments to the Southern Downs Planning Scheme

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 25 February 2015
	Principal Town Planner	File Ref: 18.15.11

Recommendation

THAT:-

1. Council decides to make major amendments to the Southern Downs Planning Scheme; and
2. The Minister be advised of Council's decision to make major amendments to the Southern Downs Planning Scheme.

Report

Council officers have been conducting a review of the Southern Downs Planning Scheme which will result in major amendments to the planning scheme. Some of the proposed amendments have been discussed with Councillors at briefing meetings, and further amendments will be presented for Councillors' consideration in the near future.

The *Statutory guideline 04/14 - Making and amending local planning instruments* outlines the processes involved in undertaking major amendments to the planning scheme. The stages in the amendments process are as follows:

1. Council decides to make major amendments to the planning scheme;
2. Council advises the Minister of its decision to make major amendments;
3. When the proposed major amendments have been prepared, Council must request a State interest review;
4. The Minister considers the proposed amendments and decides how to proceed, i.e. whether any conditions are imposed by the Minister;
5. Public consultation is undertaken;
6. Council reviews any submissions received, decides how to proceed with the proposed amendments, and advises the Minister accordingly;
7. The Minister advises whether Council may adopt the amendments, with or without conditions; and
8. Council decides whether to adopt the amendments.

To meet the procedural requirements to enable the amendment process to proceed, Council is required to decide to make major amendments to the planning scheme and advise the Minister of its decision.

Budget Implications

Nil

Policy Consideration

Corporate Plan

4.4 Continue to provide development assessment, operational works, building, plumbing, regulatory, health and Local Law services in accordance with legislative requirements, community expectations and to ensure the protection of the environment and our community.

Implement and Review the following agreed Plans and Strategies - Planning Scheme for the Southern Downs Regional Council

8.1 Review the Planning Scheme in accordance with the new Planning Act

Operational Plan

4.3.2 Protect our prime agricultural land for sustainable primary industry use - Provide strategic direction for appropriate use of agricultural land.

4.10.1 Review and expand the amount of serviced land available for industrial growth and development, including land for special industry and develop strategies for the expansion of key Council infrastructure to allow for this growth including opportunities for council funding of this infrastructure.

4.13.4 Implement and Review the following agreed Plans and Strategies - Planning Scheme for the Southern Downs Regional Council

Community Engagement

The process for making major amendments to a planning scheme includes a public consultation process for a minimum of 30 business days.

Legislation/Local Law

Sustainable Planning Act

Statutory guideline 04/14 - Making and amending local planning instruments

Southern Downs Planning Scheme

Options

- (i) Council decides to make major amendments to the Southern Downs Planning Scheme; or
- (ii) Council does not make a decision to make major amendments to the Planning Scheme.

Attachments

Nil

13. REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES

Nil

14. NOTICES OF MOTION

Nil

15. GENERAL BUSINESS

16. 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:

16.1 BCS - Scout Group Donations

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.

16.2 BCS - Surplus Regional Arts Development Fund (RADF) Funds

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.

16.3 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.

16.4 BCS - Sale of Land for Unpaid Rates

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.

16.5 BCS - Water Consumption Payment Relief

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(d) of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

16.6 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.

16.7 BCS - Proposed Freehold Lease to Community Organisation

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.

16.8 Request for Relief from Payment Obligations

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.

16.9 Drainage Issues at 74 High Street, Stanthorpe

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.

16.10 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.

16.11 Southern Downs Tourism Transition Reference Group

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.

16.12 Public Notification Process for Emu Swamp Dam Community Infrastructure Designation

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.