



# **SOUTHERN DOWNS REGIONAL COUNCIL**

## **GENERAL MEETING OF COUNCIL**

Dear Councillors

Your attendance is hereby requested at the General Meeting of Council to be held in the Council Chambers, Southern Downs Regional Council, 61 Marsh Street, Stanthorpe on **Wednesday, 25 March 2015** at **9.00AM**.

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

**David Keenan**

**CHIEF EXECUTIVE OFFICER**

19 March 2015

### **Attendance**

10.30am    Citizenship Ceremony



## ORDER OF BUSINESS:

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## **WEDNESDAY, 25 MARCH 2015 General Meeting of Council**

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- 1. ATTENDANCE**
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  - 4.1 General Council Meeting - 25 February 2015**
  - 4.2 Special Council Meeting - 9 March 2015**

## 5. ACTIONS FROM COUNCIL MEETINGS

### 5.1 Actions from Previous General Council Meeting

#### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Chief Executive Officer                   | <b>File Ref:</b>                   |

#### 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 February General Council Meeting.


A copy of the Actions report is attached.


#### Attachments


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

| <div>  <div> <b>ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING</b> <div> Date From: 25/02/2015<br/> Date To: 25/02/2015 </div> </div> </div> |             |   |                 |   |            |
|--|-------------|---|-----------------|---|------------|
| MEETING DATE   | ITEM NUMBER | AGENDA ITEM   | ACTION OFFICER  | ACTION TO DATE  | COMPLETED  |
| 25 February 2015   | 5.1         | Actions from Previous General Council Meeting   | David Keenan    | 25 Feb 2015 - 4:18 PM - Marion Seymour<br>Noted   | 25/02/2015 |
| 25 February 2015   | 7.1.1       | Opportunities to Improve Oral Health  | Marion Seymour  | 25 Feb 2015 - 4:26 PM - Marion Seymour<br>Letter sent to Darling Downs Hospital & Health Board.   | 27/02/2015 |
| 25 February 2015   | 7.1         | Correspondence  | David Keenan    | 25 Feb 2015 - 4:21 PM - Marion Seymour<br>Noted   | 26/02/2015 |
| 26 February 2015   | 10.1        | BCS - Quarterly Budget Review to 31 December 2014   | David Tuckford  | 18 Mar 2015 - 10:07 AM - Sue Harrold<br>Adjustments made to the budget as per the resolutions.  | 19/03/2015 |
| 25 February 2015   | 10.2        | BCS - Financial Report as at 31 January 2015  | James Overstone | 11 Mar 2015 - 4:17 PM - Sue Harrold<br>No further action required.  | 11/03/2015 |
| 25 February 2015   | 10.3        | BCS - Executive Performance Report - January 2015   | Peter Gribbin   | 11 Mar 2015 - 4:12 PM - Sue Harrold<br>Further information relating to all escalated Merit basics will be incorporated into future Executive Performance Reports. | 11/03/2015 |
| 25 February 2015   | 10.4.1      | BCS - Policy Review - February 2015 - Code of Conduct   | Peter Gribbin   | 18 Mar 2015 - 11:02 AM - Sue Harrold<br>Adopted and final version placed on SDRC website and Intranet.  | 19/03/2015 |
| 25 February 2015   | 10.4.2      | BCS - Policy Review - February 2015 - Investment Policy   | Peter Gribbin   | 18 Mar 2015 - 11:03 AM - Sue Harrold<br>Adopted and final version placed on SDRC website and Intranet.  | 19/03/2015 |
| 25 February 2015   | 10.4.3      | BCS - Policy Review - February 2015 - Partial Relief from the Payment of Water Consumption Charges Policy | Peter Gribbin   | 18 Mar 2015 - 11:05 AM - Sue Harrold<br>Adopted and final version placed on SDRC website and Intranet.  | 19/03/2015 |
| 25 February 2015   | 10.4        | BCS - Policy Reviews - February 2015  | Peter Gribbin   | 18 Mar 2015 - 11:02 AM - Sue Harrold<br>No further action. Policy deferred.   | 19/03/2015 |
| 25 February 2015   | 10.5        | BCS - Aerodrome Advisory Group (AAG)  | David Tuckford  | 12 Mar 2015 - 3:04 PM - Sue Harrold<br>Memo sent to Manager Finance to consider the budgetary considerations.   | 12/03/2015 |
| 25 February 2015   | 10.6        | BCS - Cemeteries Services Review  | Michael Bell    | 12 Mar 2015 - 3:05 PM - Sue Harrold<br>First workshop held on 9 March 2015  | 12/03/2015 |

|  <b>ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING</b> |      |   |                  |   | <b>Date From:</b> 25/02/2015<br><b>Date To:</b> 25/02/2015 |
|--|------|---|------------------|---|--|
| Second workshop scheduled for 13 April 2015  |      |   |                  |   |  |
| 25 February 2015   | 10.7 | BCS - Parks Rationalisation   | Michael Bell     | 12 Mar 2015 - 3:06 PM - See Harold<br>Deferred to March 2015  | 19/08/2015   |
| 25 February 2015   | 10.8 | BCS - Regional Arts Development Fund Applications Round Two   | Shelia Stebbings | 18 Mar 2015 - 10:30 AM - See Harold<br>Letters of Offer have been sent to all successful grant recipients except Gabriele Trabucco "Stanthorpe Sculpture Symposium" as per resolution 4.1 Special Meeting 9 March 2015.   | 19/03/2015   |
| 25 February 2015   | 10.9 | BCS - Quarterly Youth Development Officer's Report (Quarter 2 - October to December 2014)                       | Shelia Stebbings | 11 Mar 2015 - 4:11 PM - See Harold<br>No further action required.   | 11/08/2015   |
| 25 February 2015   | 11.1 | Engineering Department Monthly Report   | Peter See        | 26 Feb 2015 - 12:08 PM - Barb Fagan<br>Noted  | 26/02/2015   |
| 25 February 2015   | 12.1 | Material Change of Use - Nephie Planning and Design, 12 Clarke Street, Warwick                                  | Cheree Noble     | 26 Feb 2015 - 3:30 PM - Cheree Noble<br>Letter sent to applicant advising Council resolution and requesting amended plans be provided as soon as possible addressing the points in the resolution. Letter also sent to submitter to advise deferral of application. | 26/02/2015   |
| 25 February 2015   | 12.2 | Reconfiguration of Lot - Southern Downs Regional Council, 26 & 28 Anemone Street and 27 Arbutus Street, Kilsney | Cheree Noble     | 26 Feb 2015 - 3:33 PM - Cheree Noble<br>Decision Notice issued to applicant (SDRC).   | 26/02/2015   |
| 25 February 2015   | 12.3 | Request to Change the Defined Waste Collection Area to remove 4 Curran Lane, Applethorpe                        | Nicole Collett   | 02 Mar 2015 - 3:34 PM - Cheree Noble<br>Motion lost. No action required.  | 2/03/2015  |
| 25 February 2015   | 12.4 | Review of "Guidelines - Noise Control Measures for Using Scare Guns and Hall Cannons"                           | Brooks McKenzie  | 02 Mar 2015 - 3:43 PM - Cheree Noble<br>Memo sent to Manager Environmental Services and Senior Environmental Officer advising Council resolution. A further report on this matter is scheduled for the April Council meeting.                                       | 2/03/2015  |
| 25 February 2015   | 12.5 | Proposal to Make Major Amendments to the Southern Downs Planning Scheme   | Annette Doherty  | 02 Mar 2015 - 3:44 PM - Cheree Noble<br>Letter sent to Minister advising Council's decision to make major amendments to the Southern Downs Planning Scheme.   | 2/03/2015  |
| 25 February 2015   | 13.1 | Report from Delegates   | Marion Seymour   | 03 Mar 2015 - 1:18 PM - Marion Seymour<br>Noted.  | 5/03/2015  |

| <div>  <div> <b>ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING</b> <div> Date From: 25/02/2015<br/>Date To: 25/02/2015 </div> </div> </div> |        |   |                 |   |            |
|---|--------|---|-----------------|---|------------|
| 25 February 2015  | 15.1   | Clerification on Assistance to River Trust                | Peter See       | 11 Mar 2015 - 4:38 PM - Barb Fagan<br>Noted   | 11/03/2015 |
| 25 February 2015  | 16.1   | BCS - Scout Group Donations                               | David Tuxford   | 18 Mar 2015 - 10:33 AM - Sue Harrold<br>Correspondence sent to the Glennie Heights, Stanthorpe and Killarney Scout Groups on 2 March 2015 and registered in ECM.  | 19/03/2015 |
| 25 February 2015  | 16.2   | BCS - Surplus Regional Arts Development Fund (RADF) Funds | David Tuxford   | 18 Mar 2015 - 10:41 AM - Sue Harrold<br>1. Development of 2015/16 RADF program in progress.<br>2. Gabriele Trabucco "Stanthorpe Sculpture Symposium" subsequently gave presentation and report submitted, not approved as per resolution 4.1 Special Meeting 9 March 2015.            | 19/03/2015 |
| 25 February 2015  | 16.3   | BCS - Rating Consultation Group (RCG)                     | David Tuxford   | 18 Mar 2015 - 10:09 AM - Sue Harrold<br>No further action required.   | 19/03/2015 |
| 26 February 2015  | 16.4.1 | BCS - Sale of Land for Unpaid Rates                       | James Overstone | 18 Mar 2015 - 10:56 AM - Sue Harrold<br>Auction date set and correspondence sent to the owners of land to be auctioned for unpaid rates.  | 19/03/2015 |
| 25 February 2015  | 16.4   | BCS - Sale of Land for Unpaid Rates                       | James Overstone | 18 Mar 2015 - 10:56 AM - Sue Harrold<br>Auction date set and correspondence sent to the owners of land to be auctioned for unpaid rates.  | 19/03/2015 |
| 25 February 2015  | 16.5   | BCS - Water Consumption Payment Relief                    | James Overstone | 11 Mar 2015 - 4:06 PM - Sue Harrold<br>Letter has been sent to Peter & Joanne Thomas advising that the partial relief will be applied to their property once Council has received confirmation that the conditions outlined in the minutes have been undertaken. ECM Doc No: 2405740. | 11/03/2015 |
| 26 February 2015  | 16.6   | BCS - Tenders Received for Land for Lease by Tender 15036 | Peter Gribbin   | 11 Mar 2015 - 4:08 PM - Sue Harrold<br>This land was re-advertised "for lease by tender" on Thursday 5 March 2015 (contract no. 15/036), with tenders closing on Wednesday 25 March 2015.   | 11/03/2015 |
| 26 February 2015  | 16.7   | BCS - Proposed Freehold Lease to Community Organisation   | Peter Gribbin   | 11 Mar 2015 - 4:10 PM - Sue Harrold<br>Councilors have been advised that premises have been located at Eden Gardens which are suitable for this community organisation to periodically lease.   | 11/03/2015 |

|  <b>ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING</b> |        |   |                |   | <b>Date From:</b> 25/02/2015<br><b>Date To:</b> 25/02/2015 |
|--|--------|---|----------------|---|--|
| 25 February 2015   | 16.8   | Request for Relief from Payment Obligations   | Peter See      | 12 Mar 2015 - 3:50 PM - Beth Fagan<br>Memo to the Manager Water & Waste Water advising of Council's decision  |  |
| 25 February 2015   | 16.8   | Drainage Issues at 74 High Street, Stanthorpe   | Peter See      | 27 Feb 2015 - 2:31 PM - Beth Fagan<br>Memo sent to Manager Works - Maintenance advising of Council's decision   |  |
| 25 February 2015   | 16.10  | Request to consider the ancillary use of the Stanthorpe Showgrounds, from the Stanthorpe Agricultural Society | Cheree Noble   | 27 Feb 2015 - 3:47 PM - Cheree Noble<br>Letter sent to Stanthorpe Agricultural Society advising Council resolution. Letters also sent to David & Susan Marks and Webb & Severin to advise resolution.                   | 27/02/2015   |
| 25 February 2015   | 16.11  | Southern Downs Tourism Transition Reference Group   | Cecil Bernard  | 26 Feb 2015 - 3:48 PM - Cheree Noble<br>Letter sent to Chairperson of Southern Downs Tourism Transition Reference Group advising Council resolution.  | 26/02/2015   |
| 25 February 2015   | 16.12  | Public Notification Process for Emu Swamp Dam Community Infrastructure Designation                            | Cecil Bernard  | 02 Mar 2015 - 4:20 PM - Cheree Noble<br>Memo to Manager Planning and Development to note Council resolution.  | 2/03/2015  |
| 25 February 2015   | 15.4   | Conduct of the 2016 Local Government Election by Postal Vote  | David Keenan   | 26 Feb 2015 - 4:38 PM - Marion Seymour<br>Letter of submission sent to the Minister for Local Government.   | 3/03/2015  |
| 25 February 2015   | 15.4.1 | Electional Divisions  | David Keenan   | 26 Feb 2015 - 4:40 PM - Marion Seymour<br>Letter to Department of Local Government  | 3/03/2015  |
| 25 February 2015   | 15.5   | Rescheduling April 2015 General Council Meeting   | Marion Seymour | 26 Feb 2015 - 4:40 PM - Marion Seymour<br>Request to Media Advisor to advertise the change in meeting date  | 27/02/2015   |
| 25 February 2015   | 10.6.1 | Acknowledgement of RADF Committee   | Sue Harold     | 19 Mar 2015 - 10:40 AM - Sue Harold<br>Email sent to the RADF Committee expressing thanks from Council for their continued contribution to the RADF program and arts and culture in the region.                         | 19/03/2015   |
| 25 February 2015   | 12.3.1 | Reconsideration of Change to Defined Waste Collection Area - 4 Curran Lane, Applethorpe                       | Nicole Collett | 02 Mar 2015 - 3:38 PM - Cheree Noble<br>Memo sent to Manager Environmental Services and Senior Environmental Health Officer advising Council resolution. Further report on this matter will be presented to the General | 2/03/2015  |



**ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING**

**Date From:** 25/02/2015  
**Date To:** 25/02/2015

|                  |      |   |                 |   |            |
|------------------|------|---|-----------------|---|------------|
|                  |      |   |                 | Council meeting in March.   |            |
| 25 February 2015 | 15.2 | Review of Drought Management Plan                 | Peter See       | 11 Mar 2015 – 4:56 PM – Barb Fagan<br>Noted   | 11/03/2015 |
| 25 February 2015 | 15.3 | Labelling and Packaging of Horticultural Products | David Keenan    | 26 Feb 2015 – 4:28 PM – Marian Seymour<br>Letter sent to the Minister for Agriculture   | 3/03/2015  |
| 25 February 2015 | 16.9 | Drainage Issues at 74 High Street, Stanthorpe     | Chris Whitaker  | 11 Mar 2015 – 2:33 PM – Barb Fagan<br>Manager Works - Maintenance sent letter to property owners of 74 High Street Stanthorpe (Datamarks Doc No. 2486677) | 13/03/2015 |
| 25 February 2015 | 16.8 | Request for Relief from Payment Obligations       | James Overstone | 12 Mar 2015 – 3:51 PM – Barb Fagan<br>Letter sent to Alfred Barone from the Manager Finance advising of Council's decision (Datamarks No. 2485363)        | 2/03/2015  |


## **6. DECLARATIONS OF CONFLICTS OF INTEREST**



## 7. READING AND CONSIDERATION OF CORRESPONDENCE

### 7.1 Correspondence

#### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Chief Executive Officer                   | <b>File Ref:</b>                   |

#### Recommendation

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

#### Report

1. **SOS 'the Voice of Ratepayers & Residents'** regarding the conduct of the 2016 quadrennial election in the Southern Downs region (copy attached).

**Action:** Noted.

#### Attachments

1. Letter from SOS 'the Voice of Ratepayers & Residents'[View](#)

## SOS 'the Voice of Ratepayers & Residents'

T/A Save Our Shires Action Group Inc.  
ABN: 50 384 911 558

Mr David Keenan  
CEO  
Southern Downs Regional Council  
PO Box 26  
Warwick Q 4370

March 9, 2015

6 Wattle Court  
Stanthorpe, QLD., 4380  
T 07 46810805  
M 0427617679  
E sosaginc@gmail.com  
web: sosaginc.wix.com/sosaginc

|   |  |
|---|--|
| SOUTHERN DOWNS REGIONAL COUNCIL<br>WARWICK BRANCH |  |
| RECEIVED  |  |
| 11 MAR 2015                                       |  |
| Action Officer:                                   | <input checked="" type="checkbox"/> File |
| Tsk   | <input type="checkbox"/>                 |
| Dst   | <input type="checkbox"/>                 |
| Fwd   | <input type="checkbox"/>                 |

Dear Mr. Keenan,


At our last meeting, discussion occurred regarding published reports of our Councillors voting to request that the 2016 quadrennial election in Southern Downs Region be a full postal ballot.

Our organisation is directly opposed to full postal ballots because of our experiences in this area of undemocratic practices. We made direct representation to the the Queensland Parliament last year at their meeting in Toowoomba, presenting evidence of serious voting irregularities directly attributable to misuse of the full postal ballot system.

We believe that recent comments by the Mayor are mischievous and misleading on this issue, as he couched his argument as a plea for housebound and frail voters as though they would in some way be disadvantaged by an attendance vote. In fact their needs have been successfully met by electoral provisions which have always been in place to allow them a postal vote and which would not have changed in an attendance vote.

The letter from the former Local Government Minister also mentioned added provisions for those needing a postal ballot. Therefore, the Mayor's comments are completely out of order and we wish to register our strong disapproval to the whole of Council and we request that this letter be tabled at the next Council meeting.

Sincerely

  
Mary Rofe  
Secretary


cc: Lawrence Springborg MP  
Editor Stanthorpe Border Post



## 8. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

### 8.1 Joint Letter - Request for Extending the Bitumen - Pratten Street Between Palmerin & Guy Street, Warwick

#### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Chief Executive Officer                   | <b>File Ref:</b>                   |

#### Recommendation

THAT Council receive the Joint Letter and refer it to the Director Engineering Services for investigation.

#### Report

A Joint Letter has been received from residents requesting Council consider extending the bitumen on Pratten Street between Palmerin and Guy Streets, Warwick.

A previous request for this work had been received from one of the signatories to the Joint Letter, to which Council responded and advised that the request would be included with the list of other projects considered for Capital Works in 2015/2016 budget deliberations. However, Council also advised that under current circumstances the request was unlikely to be included in future Capital Works programs.

#### Conclusion

The Joint Letter will be referred to the Director Engineering Services for investigation.

#### Attachments

1. Joint Letter [View](#)

Helen Olsen  
PO Box 159  
WARWICK QLD 4370

2 March 2015

Eric Kraak  
Manager Works Construction  
Southern Downs Regional Council  
PO Box 26  
WARWICK 4370

|   |   |
|---|---|
| SOUTHERN DOWNS REGIONAL COUNCIL<br>WARWICK BRANCH |   |
| RECEIVED  |   |
| 06 MAR 2015                                       |   |
| Action Officer:                                   | / |
| Task  |   |
| Dist  |   |
| Fwd   |   |

Dear Eric

**REQUEST FOR EXTENDING THE BITUMEN - PRATTEN STREET BETWEEN  
PALMERIN & GUY STREETS**

Thank you for your letter of 22 October re above. I note you will include this request in the list of projects requested by the public for capital works consideration but believe it unlikely to be passed.

I am sure you are aware this is the only block in the Warwick area that is not sealed from kerb to kerb. My family have been mowing and maintaining council property for the last 30 years as have other residents of this block, most over a long term. We all pay our rates and feel it is well past time we residents are accorded the same privilege as the rest of Warwick.

Could Council please explain why, if they choose not to fulfil our request, it is the only block in Warwick where the street is not completely sealed and why the residents have been expected to maintain council property.

The fact that we have trees on our street cannot be used as a reason for lack of sealing as the block between Albion and Palmerin has been sealed around trees.

After many years of maintaining council property, we hope the council can finally see fit to fully bitumen our street.

Yours faithfully

*Helen Olsen* 70H  
Helen Olsen

*David Ford*  
70 Pratten St

*L. Watt 68A Pratten St Warwick*  
*Ph Ardington 66 Pratten Street, Warwick.*  
*64 Pratten Street Warwick*  
*Barbara Hannon - would like a clean edge with sufficient room allowed around the trees rather than having their trunks cut off by Palmerin St.*

c.c. Peter Blundell, Ross Bartley, Jo McNally, Neil Meiklejohn, Glyn Rees, Jamie Mackenzie


*Danielle Cassels*  
68 Pratten St.



## 9. EXECUTIVE

### 9.1 Memorandum of Understanding - SDRC and University of Southern Queensland

#### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Chief Executive Officer                   | <b>File Ref:</b>                   |

#### Recommendation

THAT Council adopt the attached Memorandum of Understanding with University of Southern Queensland to explore opportunities for cooperation and related areas of common interest.

#### Report

In accordance with the Constitution of the Queensland College of Wine Tourism ("QCWT") Council is entitled to have a representative on the Board, with the Mayor taking on that role since the Board's inception.

Following discussions with QCWT, it is proposed that Council enter into the attached Memorandum of Understanding with the University of Southern Queensland ("USQ") to explore the following areas of possible future cooperation:-

1. Development of strategies to attract new business and industry to the Southern Downs and surrounding region.
2. Development of strategies to attract and pursue third party funding, including cooperation and development of joint infrastructure.
3. Development of mutually beneficial internship and employment opportunities for USQ students and graduates with SDRC in areas in which USQ delivers programs.
4. Development of community education and business training programs to meet the needs of local government staff and the Southern Downs and surrounding community.
5. Effective coordination and communication to support USQ's capital works and land management programs.
6. Cooperation in joint applications for research funding in areas of need for the Southern Downs and surrounding community.
7. Development of student scholarships and research grants in areas of relevance to USQ that support the needs and aspirations of the rural communities.
8. Cooperation in the productions of community, cultural, health, environment and related initiatives to improve the lifestyle opportunities for the Southern Downs and surrounding regions.



9. Cooperation in the promotion of USQ and SDRC events, including in the area of media.

### **Budget Implications**

Nil.

### **Policy Consideration**

*Corporate Plan 2014 - 2019*

- 1.7 Partner with agencies to develop, enhance, promote and implement services for young people ...*
- 3.1 Investigate opportunities for additional tertiary education in the region (eg University of Southern Queensland Memorandum of Understanding)*
- 4.8 Maximise private and government funding opportunities to foster both community and business growth throughout the region*

*Community Plan*

- 3.1 Meet the needs and expectations of a changing workforce by developing stronger partnerships between all levels of education providers and industry*
- 3.4 Develop pathways of learning from formal schooling through to careers including the encouragement of school based traineeships ...*

### **Community Engagement**

Nil.

### **Legislation/Local Law**

Nil.

### **Options**

1. Adopt the attached Memorandum of Understanding with University of Southern Queensland.
2. Not adopt the attached Memorandum of Understanding with University of Southern Queensland.

### **Attachments**

1. Memorandum of Understanding [View](#)

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**UNIVERSITY SOUTHERN QUEENSLAND**

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# **Memorandum of Understanding**

### **Schedule 1 – Memorandum of Understanding Details**

This Memorandum is made up of this Schedule and the Agreed Terms.

|               |   |  |
|---------------|---|--|
| <b>Item 1</b> | <b>Parties</b>                              | <p>University Southern Queensland (ABN 40 234 732 081) of West Street, Toowoomba. Qld. 4350 (USQ)</p> <p>AND</p> <p>Southern Downs Regional Council (ABN 59 786 792 651) of 64 Fitzroy street, Warwick. Qld. 4370 (SDRC)</p>   |
| <b>Item 2</b> | <b>Areas of Possible Future Cooperation</b> | <ol style="list-style-type: none"> <li>1. development of strategies to attract new business and industry to the Southern Downs and surrounding region, including the development of research and internship/work experience opportunities for USQ students and researchers;</li> <li>2. development of strategies to attract and pursue third party funding, including cooperation and development of joint infrastructure;</li> <li>3. development of mutually beneficial internship and employment opportunities for USQ students and graduates with SDRC in areas in which USQ delivers programs;</li> <li>4. development of community education and business training programs to meet the needs of local government staff and the Southern Downs and surrounding community.</li> <li>5. effective coordination and communication to support USQ's capital works and land management programs;</li> <li>6. cooperation in joint applications for research funding in areas of need for the Southern Downs and surrounding communities;</li> <li>7. development of students scholarships and research grants in areas of relevance to USQ that support the needs and aspirations of the rural communities;</li> <li>8. cooperation in the productions of community, cultural, health, environmental and related initiatives to improve the lifestyle opportunities for the Southern Downs and surrounding regions;</li> </ol> |



|               |                                 |   |
|---------------|---------------------------------|---|
|               |                                 | 9. cooperation in the promotion of SQU and SDRC events, including in the area of media.   |
| <b>Item 3</b> | <b>Date of Commencement</b>     | 1 July 2014   |
| <b>Item 4</b> | <b>USQ Coordinating Officer</b> | <p><b>Organisation:</b> University Southern Queensland</p> <p><b>Position:</b> Chief Executive Officer (Queensland College of Wine Tourism)</p> <p><b>Address:</b> 22 Caves Road, Stanthorpe QLD 4380</p> <p><b>Telephone:</b> 07 4685 5040</p> <p><b>Email:</b> Peter.O'Reilly@usq.edu.au</p> <p><b>Organisation:</b> Southern Downs Regional Council</p> <p><b>Position:</b> Chief Executive Officer</p> <p><b>Address:</b> 64 Fitzroy Street, Warwick Qld 4370</p> <p><b>Telephone:</b> 1300 MYSDRC (1300 697 372)</p> <p><b>Facsimile:</b> 07 4661 0333</p> |

### **Agreed Terms – Memorandum of Understanding**

- A. The parties wish to enter into a Memorandum of Understanding to explore opportunities for cooperation and related areas of common interest.
- B. It is the intention of the parties that this Memorandum provide a framework for the creation of a separate formal agreement or agreements in the future between the parties in the areas of cooperation identified by the parties as being of mutual benefit.

#### **1. Parties**

The parties to this Memorandum are set out in Item 1 of Schedule 1.

#### **2. Principles of Cooperation**

- (a) The parties wish to facilitate cooperation in the areas set out in Item 2 of Schedule 1.
- (b) It is not intended that the areas of cooperation set out in Items 2 of schedule 1 be exhaustive or that the parties be precluded by operation of this Memorandum from cooperation in any other areas by mutual agreement between the parties.

#### **3. Agreement to be documented in formal and separate agreements**

- (a) The parties expressly agree that any agreement in relation to specific activities will be documented in a separate and formal legal agreement executed by the parties in accordance with the policies and procedures of the respective parties.
- (b) The parties expressly agree that this Memorandum shall not give rise to any legal obligations on either party, including an obligation to enter into a formal and separate agreement at any time.

**4. Memorandum will not prevent cooperation with other parties**

The parties expressly agree that this Memorandum will not prevent any party from undertaking any activities or cooperating with third parties or acting independently of the other.

**5. Facilitation of cooperation**

- (a) In order to carry out and fulfil the aims of this Memorandum University Southern Queensland and Southern Downs Regional Council will each appoint a Coordinator, as set out in item 4 of Schedule 1 to this Memorandum, who will negotiate and manage the
- (b) The parties acknowledge that the respective parties may, from time to time:
  - (i) disagree;
  - (ii) hold different priorities;
  - (iii) be in direct or indirect competition;
  - (iv) hold interests which are not relevant to the other party;

And expressly agree that each party may, to the extent outlined above, pursue its own interests while respecting the views of the other party and not acting to undermine this Agreement.

- (c) Either party may initiate proposals for activities under this Memorandum at any time.
- (d) The specific details of any activity will be documented in a separate agreement or agreements and will be executed in accordance with the policies and procedures of each party in place from time to time.
- (e) The Coordinators will be responsible for the evaluation of any future collaboration under this Memorandum according to the practices of the respective party.

**6. Confidentiality**

- (a) The receiving party agrees that it will not, except to the extent authorised by the disclosing party in writing, commercially use or disclose to any third party any Confidential Information, provided, however, that the foregoing restrictions on use and disclosure will not apply to such Confidential Information which:

- (i) at, prior or subsequent to the time of such disclosure is independently known to the receiving party;
  - (ii) was in the public domain, but not known to the receiving party, prior to the commencement of this Memorandum;
  - (iii) comes into the public domain subsequent to the date of this Memorandum, otherwise than as a result of a breach by the receiving party of its obligations under this Memorandum;
  - (iv) is disclosed to the receiving party by any third party having the lawful right to do so; or
  - (v) is disclosed by a party to its officers, employees or sub-contractors solely in order to comply with obligations, or to exercise rights, under the Memorandum; or
  - (vi) is disclosed to a party's internal management personnel, solely to enable effective management or auditing of Memorandum-related activities; or
  - (vii) is disclosed by the receiving party as required by law.
- (b) A receiving party covenants and agrees in favour of the disclosing party that all of the Confidential Information provided to, or obtained by the receiving party, or of which the receiving party becomes aware as a result of the exercise of the rights granted to the receiving party under this Agreement:
- (i) will be kept strictly confidential;
  - (ii) will, before disclosing any of the Confidential Information to any third party, take all reasonable action (including if necessary, the execution of confidentiality agreements) to ensure that such third party will not use or disclose the Confidential Information except in the manner and to the extent permitted in this Agreement.
  - (iii) will not, without the prior written consent of the disclosing party, be photocopied or reproduced in any way;
  - (iv) will be used exclusively, and only to the extent necessary, for the specified purpose and not for any other purpose.
  - (v) will be safely and securely stored when not in use; and
  - (vi) will remain the absolute and exclusive property of the disclosing party.
- (c) For the purposes of this Memorandum the following definitions shall apply:
- Confidential Information** means information that:

- (a) is by nature confidential;
- (b) is designated by a party as confidential; or
- (c) the receiving party knows or ought to know is confidential;

and includes, but is not limited to:

- (d) Information relating to the financial position of a party including information relating to the assets and liabilities of the party and any other matter that does or may affect the financial position or reputation of the party;
- (e) Information relating to the internal management and structure, policies and strategies of a party;
- (f) Information relating to a party's employees, subcontractors, agents, clients or suppliers; and
- (g) Information relation to University Southern Queensland's students.

**disclosing party** means a party who discloses Confidential Information under this Agreement.

**Information** means and includes information of any nature, knowledge, technology, ideas, technical data, concepts, techniques, processes, formulas, expertise, computer programs, trade secrets, inventions, discoveries, designs, methods, know-how and data, whether recorded or not.

**Receiving party** means a party who receives Confidential Information under this Agreement.

## **7. Termination of Prior arrangements**

This Memorandum terminates and supersedes any prior arrangements or memorandum relating to cooperation between the parties.

## **8. Term and termination**

- (a) This Memorandum commences on the date specified in Item 3 of Schedule 1 to this Memorandum and will remain in force for a period of three (3) years from that date.
- (b) Either party may terminate this Memorandum at any time and for any reason with immediate effect by giving written notice to the other party.
- (c) The termination of the Memorandum will not affect any rights or obligations under any separate agreement entered between the parties pursuant to this memorandum or otherwise.



**9. Notices**

- (a) A Notice under this Memorandum will be in writing and sent by email, mail or facsimile to the respective address specified in Item 1 of Schedule 1 or such revised address notified in accordance with sub-clause (b).
- (b) A party which changes its address or facsimile number for the purpose of Notices under this memorandum will endeavour to give notice of that change to the other party by both facsimile and electronic mail within seven (7) days of the change.

**10. Relationship of Parties**

- (a) Nothing in this Memorandum will be interpreted to create or imply any relationship between the parties and in particular the parties expressly agree that this Memorandum is not intended to, nor shall, create a partnership, joint venture or agency relationship between the parties.
- (b) Nothing in this Memorandum authorises a party, including an employee, officer or agent of a party, to make public comment on behalf of, or in the name of, another party without the express consent of that other party.
- (c) Nothing in this Memorandum authorises a party to incur a debt, or to pledge credit, on behalf of or in the name of the other party.


**11. Costs**

- (a) Nothing in this Memorandum shall oblige a party to incur any cost or expense, or undertake any work or take any action except as may be provided in any formal and separate agreement executed by the parties pursuant to the Memorandum or otherwise.
- (b) The parties expressly agree that where a party incurs a cost or expense arising from this Memorandum, that party pay, and is liable for, its own costs and expenses.
- (c) No party will be entitled to, nor will claim, any compensation for loss or prospective profits which arise directly or indirectly as a consequence of entering this memorandum, and whether resulting from termination of the Memorandum or otherwise.

## 10. BUSINESS & COMMUNITY SERVICES DEPARTMENT REPORTS

### 10.1 BCS - National General Assembly of Local Government

#### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Director Business & Community Services    | <b>File Ref:</b> 14.10.01          |

#### Recommendation

THAT Council :

1. Submit motions to the National General Assembly of Local Government that fall under the following principles:
  - The National General Assembly theme - "Closest to the Community: Local Government in the Federation";
  - Be relevant to the work of local government nationally; and
  - Compliment or build on the policy objectives of state and territory associations.
2. Adopt the motions proposed to be included in the National General Assembly Business Papers.

#### Report

The purpose of this report is to advise Council of the upcoming National General Assembly (NGA) of Local Government and to seek from Council suggested motions that may be eligible for inclusion in the NGA Business Paper that would then be discussed and debated at the conference.

The NGA of Local Government is being held from 14 to 17 June 2015 at the National Convention Centre in Canberra. The theme for this year's NGA is '*Closest to the Community: Local Government in the Federation*'. The NGA theme reflects current issues being debated nationally and priority issues facing local government.

The NGA is Council's opportunity to contribute to the development of national local government policy and currently the Australian Local Government Association (ALGA) Board is calling for motions for the 2015 NGA.

To assist Councils in preparing motions, a Discussion Paper has been prepared by the ALGA and is attached to this report. For Council to be eligible to have their motions included in the NGA Business Papers, motions must follow the following principles:

- Fall under the NGA theme;
- Be relevant to the work of local government nationally; and
- Compliment or build on the policy objectives of state and territory associations.

Motions submitted will be reviewed by the National General Assembly Committee as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state/territory local government association, and will not be included in the Business Papers.

Through the review process, minor edits may be made to motions to ensure they can be included in the Business Papers. These edits will change the motion to call for action, for example to "call on the Australian Government" to do something, to ensure relevance to local government nationally by removing state specific references, or to ensure the wording is consistent with current conventions such as referring to the Australian Government instead of the Federal Government.

To assist in facilitating efficient and effective debate, motions that cover similar matters will appear grouped together in the Business Papers and the matter will be debated only once with the lead or strategic motion being that which is debated.

Motions that are agreed to at the National General Assembly become Resolutions. These Resolutions are then considered by the ALGA Board when setting national local government policy, when the Board is making representations to the Australian Government at Ministerial Councils, during meetings and in ALGA publications. The ALGA Board is not bound by any Resolution passed at the NGA.

Motions are to be submitted online and should be received by no later than 11:59pm AEST Friday, 17 April 2015. All proposed motions from Council need to be adopted by Council.

As previously stated, this is a great opportunity for Council to contribute to the development of national local government policy.

### **Budget Implications**

There are no budget and financial implications as a result of this report.

### **Policy Consideration**

#### Corporate Plan 2014-2019

4. The Economically Strong, Sustainable and Diverse Southern Downs.
  - 4.7 Lobby State and Federal Governments on issues of concern to the regional community.
  - 4.8 Maximise private and government funding opportunities to foster both community and business growth throughout the region.

### **Community Engagement**

Nil.

### **Legislation/Local Law**

Nil.

### **Options**

1. Submit motions to the National General Assembly of Local Government that fall under the following principles:
  - The National General Assembly theme - "Closest to the Community: Local Government in the Federation";
  - Be relevant to the work of local government nationally; and



- Compliment or build on the policy objectives of state and territory associations.
- 2. Adopt the motions proposed to be included in the National General Assembly Business Papers.
- 3. Council not submit motions to the National General Assembly of Local Government.

### **Attachments**

1. NGA - Discussion Paper - "Closest to the Community: Local Government in the Federation"[View](#)
2. NGA - Program & Registration[View](#)
3. NGA - Online Submission Form[View](#)



AUSTRALIAN LOCAL  
GOVERNMENT ASSOCIATION

**National General Assembly of Local  
Government**

**14 -17 June 2015**

**Call for Motions**

**'Closest to the Community:  
Local Government in the Federation'  
Discussion Paper**

*February 2015*

### *Preamble*

The 2015 NGA is being held at an important time, not only for local government, but the Commonwealth, states and territories and the Australian people. It is a time when the Commonwealth Government has invited all interested parties to consider potential reform of the Federation and of taxation.

While the Government recognises that the current Federation has given rise to '... a vibrant democracy, a strong economy and a cohesive society that millions of migrants have chosen to join', it also suggests that over time, it has '... increased the overlap of roles and responsibilities between spheres of government and reduced accountability to voters, created duplication and blame-shifting'. The Prime Minister has frequently alluded to this problem, and has established a White Paper process on the Reform of the Federation, and a White Paper on Taxation to address these issues.

The White Paper on the Reform of the Federation will '... seek to clarify roles and responsibilities to ensure that, as far as possible, the States and Territories are sovereign in their own sphere, so that voters know who is responsible for what'.

The Prime Minister in his Sir Henry Parkes Commemorative Dinner address at Tenterfield on 25 October 2014 said that '... the Government is determined to make the case for change'. But he also acknowledged that consensus is required for rethinking the conventions about which level of government is responsible for the delivery of a particular service, or the revenue measures to which particular levels of government should have access. He said, '...Without a measure of consensus, any change requiring legislation is unlikely to secure parliamentary passage and the whole exercise could turn out to be futile'. He went on to say, '...Without an element of consensus, any change that's actually achieved could be reversed at the earliest opportunity and therefore hardly worth doing'.

Local government is an essential part of the Australian system of government. Local governments are democratically elected and provide for the 'good governance'<sup>1</sup> of local communities throughout Australia. As part of that role, councils provide crucial local planning, services, programs and infrastructure including local roads, community halls, sports, cultural and recreation facilities that underpin the life of every local community throughout Australia. In this way local government is indeed the level of government that is 'closest to the community'.

It is therefore an important partner and stakeholder in the development of a national consensus on any reform proposal and should help shape this debate and make its contribution to the White Paper process. The Australian Local Government Association (ALGA) has had input to these papers, and in consultation with state and territory local government associations has made submissions on relevant matters. ALGA also intends to make substantial submissions to the Green Papers expected to be released on the Federation and Taxation during this process and encourages all councils to become actively involved in this process.

The NGA debate on motions and associated discussions will help to inform the ALGA Board in formulating these submissions.

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<sup>1</sup> See objects of state and territory Local Government Acts.

### ***How Can Councils Submit Motions***

The National General Assembly of Local Government is an important opportunity for you and your council to influence the national policy agenda.

To assist you and your council to identify motions that address the theme of the NGA the ALGA Secretariat has prepared this short discussion paper. You are encouraged to read all of the sections of the Paper, but are not expected to respond to every question contained in them. Your motion/s can address one or all of the issues identified in the discussion paper.

To be eligible for inclusion in the NGA Business Papers, and then debate on the floor of the NGA, motions must follow the following principles:

1. Be relevant to the work of local government nationally;
2. Be consistent with the themes of the Assembly
3. Complement or build on the policy objectives of your state and territory local government association;
4. propose a clear action and outcome, and
5. not be advanced on behalf of external third parties which may seek to use the NGA to apply pressure to Board members, to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of local government.

Motions should generally be in a form that seek the NGA's support for a particular action or policy change, at the Federal level which will assist local governments to meet local community needs. For example: That this National General Assembly call on the Federal Government to restore indexation to local government financial assistance grants.

Motions should be lodged electronically using the online form available on the NGA Website at: [www.alga.asn.au](http://www.alga.asn.au). All motions require among other things: a contact officer; a clear national objective; a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received by ALGA no later than 11:59pm on Friday 17 April 2015, electronically in the prescribed format.

All motions submitted will be reviewed by the National General Assembly Committee as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state/territory local government association, and will not be included in the Business Papers.

For more information, please contact the Director, National Events on (02) 6122 9400.

### ***Introduction***

During the 2013 Federal election campaign the Coalition announced their intention to produce a White Paper on the Reform of the Federation if they were to win Government. In addition, the Coalition promised to produce a White Paper on Taxation.

As a result, on 28 June 2014 the Commonwealth Government released the Terms of Reference for a White Paper on the Reform of the Federation. These can be found at <https://federation.dpmc.gov.au/>. At the time of writing the Terms of Reference for the White Paper on Taxation were not publicly available.

The Federation White Paper process will include the release of a Green Paper which will canvas options for reform in the latter part of 2015, and ultimately the White Paper which will outline '...a clear, well defined and timely policy platform', during the lead up to the next Federal election.

The Commonwealth has released five issues papers to engage interested parties on some of the key issues that will be considered in the White Paper Process. These are:

*Issues Paper 1 - A Federation for Our Future*

*Issues Paper 2 - Roles and Responsibilities in Housing and Homelessness*

*Issues Paper 3 - Roles and Responsibilities in Health*

*Issues Paper 4 - Roles and Responsibilities in Education*

*Issues Paper 5 - COAG and Federal Financial Relations*

Copies can be found at: <https://federation.dpmc.gov.au/issues-papers>

A separate Discussion Paper on Taxation is expected to be released in the coming weeks.

This National General Assembly (NGA) provides an important opportunity for local government to debate issues and options for reform, as well as to develop a national position ahead of the White Paper on the Reform of the Federation and White Paper on Taxation.

Councils and NGA delegates are strongly encouraged to read these discussion papers prior to submitting motion for this year's NGA.

### ***Local Government in the Federation***

Local government in Australia pre-dates Federation. The City of Adelaide was established in 1840, the first local government in the extensive network which exists today.

The formation of the early municipal authorities built on local initiatives inspired by local citizens who recognised and acted on the need for the provision of local services and infrastructure which were not being provided by colonial administrations. Typically, the municipal authority provided traditional property services such as local roads, waste management and through these services (waste, waste water and sewerage) environmental health services to meet local needs. Over time local authorities began to provide utilities and services such as electricity and gas. Gradually colonial administrations / states began to aggregate and regulate local networks such as electricity and take them over. In addition, over time, states began to prescribe local services that should be provided locally by the



municipal government including the provision of regulatory services, planning and other services.

Arguably this was just the beginning of some 'blurring' of roles, responsibilities and accountability between the existing two levels of governments in Australia. It also, inevitably, led to the significant debates about funding responsibilities. The evolution of the roles and responsibilities between states and local government is an important part of the story of how government institutions evolved to meet the emerging needs and demands of Australians. On 1 January 1901 our current Federal system was formalised.

As Commonwealth and state relations evolved, local government continued to operate at the local level. In the 1970s both the Whitlam and Fraser Governments, supported the need for the rapid expansion of government services, including municipal services in local communities. In addition, there was a recognition of the need for Commonwealth/states services to be delivered locally and the Commonwealth forged a direct relationship with local government through the provision of funds to local government.

The Fraser Government formalised support by establishing the system of Financial Assistance Grants (FAGs). Local government received a guaranteed share of Personal Income Tax through the *Local Government (Personal Income Tax Sharing) Act 1976*. Under the Act the amount of local government's share was to rise to 2%. The Hawke Government scrapped that approach and, after an inquiry in 1985, introduced a new Act at the same time as maintaining the system of FAGs.

FAGs aimed to facilitate Horizontal Fiscal Equalisation (HFE) and support the national provision of local government services. Commonwealth responsibility to maintain funding to local government (in this broad sense) was reconfirmed during the negotiation of the Goods and Services Tax (GST) in 1999. The concept of the Commonwealth funding (part funding) local services nationally was taken further with the advent of the highly successful and much need Roads to Recovery program (R2R) in 2000.

#### **White Paper Terms of Reference**

The Terms of Reference for the White Paper on the Reform of the Federation set out four overarching questions for investigation. These are:

- What are the practicalities of limiting policy and funding to core national interest matters, as typified by the matters in section 51 of the Constitution?
- How can overlap between Local, State and Commonwealth responsibilities or involvement in the delivery and funding of public programs be reduced or, if appropriate be eliminated?
- How can we achieve agreement between States and Commonwealth Governments about their distinct and mutually exclusive responsibilities and subsequent funding sources for associated programs?
- How can we achieve equity and sustainability in the funding of any programmes that are deemed to be the responsibility of more than one level of government.

These four questions are the starting point for the national debate and for councils to consider in the development of NGA motions.

*The challenge of this NGA can be considered at two levels:*

- 1. identify and propose potential reform of the Federation, including funding relationships, that will improve the operation of the Federation and improve government service delivery to the Australian people, and*
- 2. from a Local Government perspective, propose reforms that should occur to strengthen Local Government, and / or, if there are reforms to Commonwealth and state relations by shifting roles and responsibilities, how can any adverse impacts on Local Government and local communities be addressed.*

#### **Principles and criteria to be applied when allocating roles and responsibilities between different levels of government**

The White Paper on the Reform of the Federation will consider principles and criteria to be applied when allocating roles and responsibilities between different levels of government. They can be considered 'design principles' for designing, or re-designing, our Federation.

The White Paper's Terms of Reference set out six principles:

- accountability for performance in delivering outcomes;
- subsidiarity;
- national interest considerations;
- equity, efficiency and effectiveness of service delivery;
- durability; and
- fiscal sustainability.

It is important to note that this list extends the list of four principles agreed at the Special Premiers' Conferences in 1990 and 1991 as part of a previous attempt to reform our Federation. The four principles agreed at that time were nationhood, subsidiarity, structural efficiency and accountability. The focus on structural efficiency was borne out in the New Federalism agenda given expression in the National Competition Policy.

The first Issues Paper provides detailed descriptions of each principle and importantly it suggests that it is important to realise that these principles will often be in conflict, and in choosing between different policy options, governments will necessarily need to consider the trade-offs between them.

It poses the following questions:

- Are these the right principles? Are there additional principles that should be considered?
- How should these principles be prioritised?
- What are the likely trade-offs between the principles that need to be considered?

*Motions are invited on whether these principles are the right principles. For example a motion in the following form:*

*That this NGA supports (or does not support some or all of) the following six principles and criteria as outlined in Issues Paper No 1 to be applied when allocating roles and responsibilities between different levels of government*

- *accountability for performance in delivering outcomes;*
- *subsidiarity;*
- *national interest considerations;*
- *equity, efficiency and effectiveness of service delivery;*
- *durability; and*
- *fiscal sustainability.*

*Motions are invited on specific examples on how these principle and criteria should be applied to specific services that are directly relevant to Local Government.*

#### ***White Paper Issues Papers***

*Issues Paper Number 1, A Federation for Our Future (September 2014)* begins with a discussion of the Federation from 1 January 1901 and goes on to discuss the evolution of the Federation including the Constitutional basis of the allocation of roles and responsibilities between the Commonwealth and the states and territories. Over time, the paper suggests, roles and responsibilities for service provision between the Commonwealth and state boundaries became blurred.

The second, third and fourth Issues Paper are related to specific portfolios. These include: housing and homelessness; health; and education. The final Issues Paper deals with COAG and Federal Financial Relations.

The Issues Papers only briefly touch on local government with little discussion of the evolution of the current Commonwealth, state and local government relationship.

In light of this, a series of questions arise about Local Government's responsibilities including what is Local Government's current role in these areas, what the role should be and how it should be funded.



*Housing and Homelessness*

*Which level of government should be responsible for housing policy?*

*If more than one, how should roles and responsibilities in particular policy funding and delivery, be shared between governments and how should cost shifting between governments be avoided?*

*Which level of government should be responsible for funding public housing?*

*Which level of government, if any, should be responsible for the delivery of public housing?*

*Which level of government if any should be responsible for the regulation of public housing?*

*Which levels of government should be responsible for policy, funding, delivery and regulation to address homelessness?*

*What are the roles and responsibilities of local government in housing and homelessness?*

*Who should fund that role?*

*If there are changes in roles and responsibilities in relation to housing and or homelessness between levels of government, in particular between the Commonwealth and states/territories, what measures should be taken to stop cost shifting to local government?*

*Which level of government should be responsible for health and or education policy?*

*Which level of government should be responsible for funding health and education services?*

*If more than one, how should roles and responsibilities in particular policy funding and delivery, be shared between governments and how can cost shifting between governments be avoided?*

*Which level of government, if any, should be responsible for the delivery of health and or education?*

*Which level of government if any should be responsible for the regulation of health or education?*

*What are the roles and responsibilities of local government in health and or education?*

*Who should fund that role?*

*If there are changes in roles and responsibilities in relation to housing and or homelessness between levels of government, in particular between the Commonwealth and states/territories, what measures should be taken to stop cost shifting to local government?*

#### **Further Context for Consideration**

##### **Outcomes of 2014 NGA**

In response to the release of the National Commission of Audit Report (2014) and the 2014 - 15 Federal Budget decision to freeze the indexation of Financial Assistance Grants (outlined below), the 2014 NGA resolved:

*Delegates of the 2014 National General Assembly, in recognition of the vital importance of the Financial Assistance Grants (FAGs) to local government for the provision of equitable levels of local government services to all Australian communities, unanimously call on the Commonwealth Government to:*

- *restore indexation of Financial Assistance Grants in line with CPI and population growth immediately,*

- *reject Recommendation 22 of the National Commission of Audit in which the Commission recommends that tied grants to local government cease, and to the extent that programs are identified as priorities, local and state government provide them to the communities they serve.*

Further Delegates also resolved that:

- *It is imperative that the Commonwealth consult with local government, the states and territories and local communities in the development of the White Paper on Reform of the Federation and the White Paper on Taxation; that the Government's White Papers must genuinely reflect the wishes of the Australian people; and that future Federal-state and local financial relationship arrangements must ensure long term sustainable distribution of taxation revenues between the levels of government that are commensurate with the roles and responsibilities of each level government in our modern Federation.*

#### **2014 National Commission of Audit**

On 1 May 2014 the National Commission of Audit released its Phase 1 and 2 reports. The audit was established in October 2013 and asked, inter alia; "... assess the current split of roles and responsibilities between and within the Commonwealth government and State and Territory governments, including areas of duplication."

The two reports made 86 recommendations – 64 in its Phase 1 Report which dealt predominantly with roles and responsibilities and improving the sustainability of the nation's finances, and a further 22 recommendations in its Phase 2 Report which mostly addressed public sector performance and accountability as well as infrastructure. Many of these recommendations may be of interest to those engaged in the broad issue of Commonwealth-state relations. They may also have implications for local government. However there are some specific recommendations that go directly to the heart of Commonwealth-local government relations, and state and local government relations.

The approach taken by the 2014 Commission is similar to that of the 1996 National Commission of Audit with its central theme being that the Commonwealth has a narrow range of responsibilities (essentially outlined in Section 51 of the Constitution), and that the States have residual powers and therefore are responsible for most service delivery including health, education and ultimately local government. In stark terms the Commission proposed to sever the direct funding relationship between the Commonwealth and local government.

Recognising the degree of vertical fiscal imbalance within the Federation the 2014 Commission proposed in Recommendation 22 (Phase 2 Report) that: '... States have access to the personal income tax system so that they are in a better position to fund their own priorities. This will include support for local government.' They further conclude that in this situation, the need for separate tied funding from the Commonwealth will diminish. The Commission recommends that '... tied grants to local government cease, and to the extent that programmes are identified as priorities, local or State governments provide them to the communities they service.'

Recommendation 5 (Phase 2 Report) advances the same model for infrastructure funding: '... the States are responsible for infrastructure and should determine their own priorities'. Noting that implementing the Commission's recommendations will take time (i.e. states to

obtain access to additional revenue through personal income tax), the Commission recommends that a range of infrastructure funding, including the Identified Roads Component of FAGs and Nation Building Funds i.e. Roads to Recovery grants, be consolidated into a single pool.

In releasing the Audit Report the Treasurer explained that there were some Commission recommendations that the Government would accept, and would inform the preparation of the 2014 - 15 Federal budget, there would be some recommendations that the Government would reject and that there were some recommendations that would be considered in the context of the White Paper on Reform of the Federation and the White Paper on Taxation.

On 13 May 2014 the Commonwealth brought down the 2014 - 15 Federal Budget and provided a brief response to the Commission of Audit indicating that payments to local government would be considered in the Federation White Paper.

#### **2014 - 15 Federal Budget**

In the 2014 - 15 Federal Budget the Government committed to provide \$2.2867 billion in Financial Assistance Grants to Local Government (FAGs). However, the Government also announced it would pause the indexation of FAGs for the next three years.

Local Government Financial Assistance Grants (FAGs) are a Commonwealth Specific Purpose payment to local government paid through the states and Northern Territory Government. Payments are made to councils by jurisdictional Treasurers on the advice of state and territory Local Government Grants Commissions under the provisions of the *Local Government (Financial Assistance) Act 1995*.

The objects of the *Local Government (Financial Assistance) Act 1995* enable the Commonwealth Parliament to provide assistance to the states for the purposes of improving:

- (a) the financial capacity of local governing bodies;
- (b) the capacity of local governing bodies to provide their residents with an equitable level of services;
- (c) the certainty of funding for local governing bodies;
- (d) the efficiency and effectiveness of local governing bodies; and
- (e) the provision by local governing bodies of services to Aboriginal and Torres Strait Islander communities.

Freezing of FAG's will reduce Commonwealth expenditures (and grants to councils) by more than \$925 million over the forward estimates.

The freezing of FAGs indexation means that the aggregate level of FAGs will be permanently reduced by 13 per cent, unless there is a future government decision to restore this base with a catch-up payment.

*Councils are invited to submit motions to address either these developments, and or that build on the 2014 resolution of the NGA.*

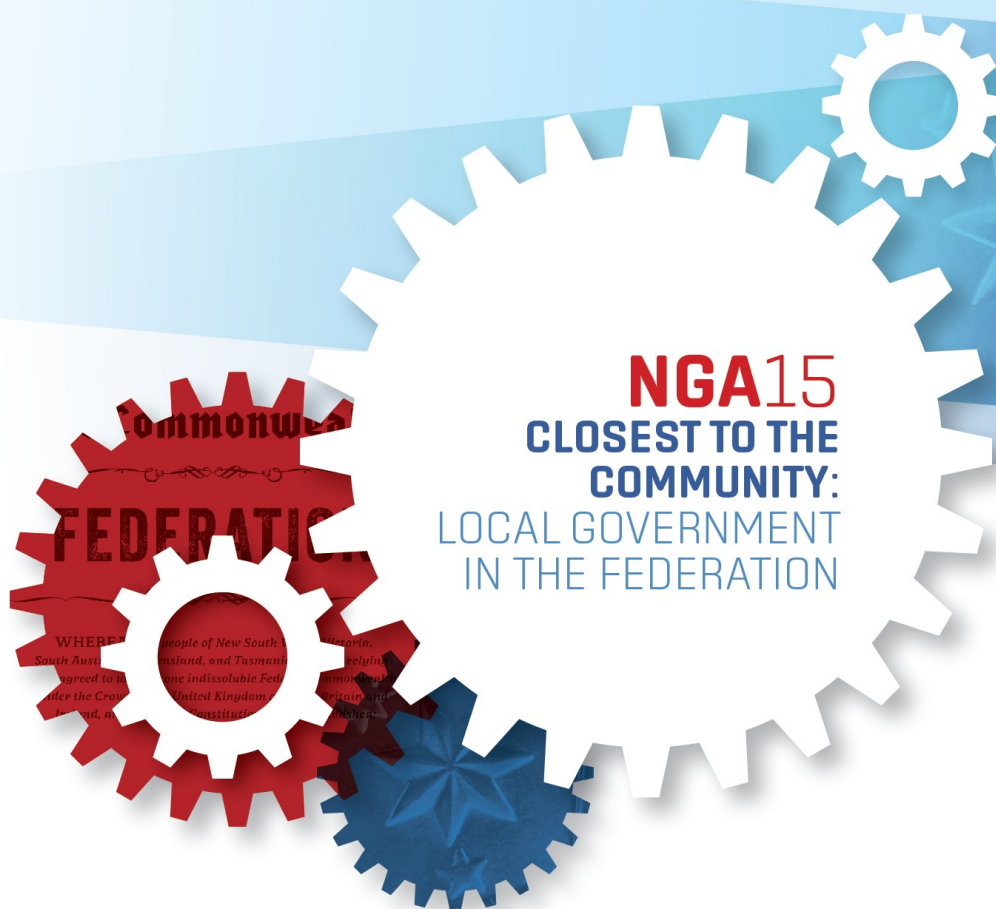
**Note:**

Motions should be lodged electronically using the online form available via the NGA website at: [www.alga.asn.au](http://www.alga.asn.au).

All motions require among other things: a contact officer; a clear national objective; a summary of the key arguments in support of the motion, and endorsement of your council.

Motions should be received by ALGA no later than 11:59pm Friday 17 April 2015, electronically in the prescribed format.

## PROGRAM & REGISTRATION



14-17 JUNE 2015  
NATIONAL CONVENTION CENTRE  
**CANBERRA**  
**REGISTER ONLINE**  
[WWW.ALGA.ASN.AU](http://WWW.ALGA.ASN.AU)



AUSTRALIAN LOCAL  
GOVERNMENT ASSOCIATION

2



## PRESIDENT'S: WELCOME

Dear Colleagues,

I invite you to attend this year's National General Assembly of Local Government (NGA) at the National Convention Centre in Canberra from 14-17 June 2015.

Invitations have been extended to the Prime Minister, the Deputy Prime Minister and the Leader of the Opposition to address the sector. We will also be joined by other ministers, shadow ministers and leading public figures presenting keynote addresses, which will help to focus discussions at the NGA.

The theme for this year's NGA is **'Closest to the Community: Local Government in the Federation'**.

The Australian Government is currently working with all state and territory governments and ALGA to develop White Papers on reform of the Federation and Taxation. The NGA presents local government as a whole with an opportunity to consider the range

of issues being raised and to ensure local government's aspirations are addressed in the White Papers. I have been clear that I want to see local government strengthened as a result of any reform and we need your input to advance that objective.

The NGA program will cover a wide range of issues, reflecting the diversity of local government and our interests. There will be opportunities for delegates to interact with not only invited political and keynote speakers, but with panels of subject-matter experts and local government representatives.

The ALGA Board recently called for Notices of Motions for the NGA and these will set out the framework for debate. I would encourage you and your council to think through ideas or initiatives you would like to see debated at the NGA and to submit these as motions.

Your council's involvement in the NGA is important in assisting ALGA to maintain the Government's engagement with local government and to drive improved outcomes for the local government sector at the national level. A number of crucial policy motions will be debated at the NGA and it is essential that every council is represented in these debates to actively contribute to the dialogue as we strategically position the sector within our Federation.

I look forward to seeing you in Canberra.



Mayor Troy Pickard  
ALGA PRESIDENT

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2015 THEME OVERVIEW

## CLOSEST TO THE COMMUNITY: LOCAL GOVERNMENT IN THE FEDERATION

The 2015 NGA is being held at an important time, not only for local government, but the Commonwealth, states and territories and the Australian people. It is a time when the Commonwealth Government has invited all interested parties to consider potential reform of the Federation and of taxation.

While the Government recognises that the current Federation has given rise to *'... a vibrant democracy, a strong economy and a cohesive society that millions of migrants have chosen to join'*, it also suggests that over time, it has *'... increased the overlap of roles and responsibilities between spheres of government and reduced accountability to voters, created duplication and blame-shifting'*. The Prime Minister has frequently alluded to this problem, and has established a White Paper process on the Reform of the Federation, and a White Paper on Taxation to address these issues.

The White Paper on the Reform of the Federation will *'... seek to clarify roles and responsibilities to ensure that, as far as possible, the States and Territories are sovereign in their own sphere, so that voters know who is responsible for what'*.

The Prime Minister, in his Sir Henry Parkes Commemorative Dinner address at Tenterfield, on 25 October 2014 said that *'... the Government is determined to make the case for change'*. But he also acknowledged that consensus is required for rethinking the conventions about which level of government is responsible for the delivery of a particular service, or the revenue measures to which particular levels of government should have access. He said, *'... Without a measure of consensus, any change requiring legislation is unlikely to secure parliamentary passage and the whole exercise could turn out to be futile'*. He went on to say, *'... Without an element of consensus, any change that's actually achieved could be reversed at the earliest opportunity and therefore hardly worth doing'*.

Local government is an essential part of the Australian system of government. Local governments are democratically elected and provide for the 'good governance' of local communities throughout Australia. As part of that role, councils provide crucial local planning, services, programs and infrastructure including local roads, community halls, sports, cultural and recreation

facilities that underpin the life of every local community throughout Australia. In this way local government is indeed the level of government that is 'closest to the community'.

It is therefore an important partner and stakeholder in the development of a national consensus on any reform proposal and should help shape this debate and make its contribution to the White Paper process. The Australian Local Government Association (ALGA) has had input to these papers, and in consultation with state and territory local government associations has made submissions on relevant matters. ALGA also intends to make substantial submissions to the Green Papers expected to be released on the Federation and Taxation during this process and encourages all councils to become actively involved in this process.

The NGA debate on motions and associated discussions will help to inform the ALGA Board in formulating these submissions.

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2015 NATIONAL GENERAL ASSEMBLY

## PROVISIONAL PROGRAM

### Sunday 14 June 2015

|          |                   |
|----------|-------------------|
| 5:00 pm- | Welcome Reception |
| 7:00 pm  |                   |

### Monday 15 June 2015

|          |   |
|----------|---|
| 9:00 am  | Opening Ceremony: <ul style="list-style-type: none"> <li>National anthem</li> <li>Welcome to Country</li> <li>Board introduction</li> <li>Prime Minister, <b>The Hon Tony Abbott MP</b> (invited)</li> </ul>              |
| 9:45 am  | President's Welcome   |
| 10:00 am | Keynote Speaker   |
| 10:30 am | <b>MORNING TEA</b>  |
| 11:00 am | FACILITATED DISCUSSION:<br><i>Is local government a real partner?</i>   |
| 12:30 pm | <b>LUNCH</b>  |
| 1:15 pm  | CONCURRENT SESSIONS:<br><i>Your Council, Your Challenges</i> <ul style="list-style-type: none"> <li>Governance and Ethics</li> <li>Financial and Asset Management</li> <li>Innovation and Community Engagement</li> </ul> |
| 2:45 pm  | President of Local Government NZ,<br><b>Mayor Lawrence Yule</b>   |
| 3:15 pm  | <b>AFTERNOON TEA</b>  |
| 3:45 pm  | Keynote Speaker   |
| 4:15 pm  | DEBATE ON MOTIONS: <i>Declaration</i>   |
| 5:00 pm  | Close Day 1   |
| 7:00 pm  | <b>BUFFET DINNER</b><br>National Convention Centre  |

### Tuesday 16 June 2015

|          |  |
|----------|--|
| 9:00 am  | DEBATE ON MOTIONS  |
| 10:00 am | Leader of the Opposition,<br><b>The Hon Bill Shorten MP</b> (invited)        |
| 10:30 am | <b>MORNING TEA</b>   |
| 11:00 am | DEBATE ON MOTIONS  |
| 12:00 pm | Leader of the Australian Greens,<br><b>Senator Christine Milne</b> (Invited) |
| 12:30 pm | <b>LUNCH</b>   |
| 1:30 pm  | PANEL SESSION:<br><i>Getting the job done - Council solutions</i>            |
| 3:00 pm  | <b>AFTERNOON TEA</b>   |
| 3:30 pm  | Keynote Speaker  |
| 4:00 pm  | DEBATE ON MOTIONS  |
| 5:00 pm  | Close Day 2  |
| 7:00 pm  | <b>OFFICIAL DINNER</b> Parliament House                                      |

### Wednesday 17 June 2015

|          |   |
|----------|---|
| 9:00 am  | <i>Adapting to climate risk</i><br><b>Prof Jean Palutikoff</b> , National Climate Change and Research Facilities  |
| 9:30 am  | DEBATE ON MOTIONS   |
| 10:30 am | Deputy Prime Minister and Minister for Infrastructure and Regional Development,<br><b>The Hon Warren Truss MP</b> |
| 11:00 am | <b>MORNING TEA</b>  |
| 11:30 am | SPEAKER: <i>Community services</i>  |
| 12:00 pm | Keynote Speaker   |
| 12:20 pm | President's Closing remarks   |
| 12:30 pm | Close   |



## ASSOCIATED EVENTS

### Australian Local Government Women's Association Breakfast

**Monday 15 June 2015**  
**7:30 am-8:30 am**

The ALGWA National President is pleased to invite members, friends and colleagues to our 5th Annual Networking Breakfast as part of the National General Assembly. The breakfast will be held on Monday 15 June from 7:30 am-8:30 am.

Seating is strictly limited, so book early. Details will be available on: [www.algwa.net.au](http://www.algwa.net.au)



### Regional Capitals Australia Networking Breakfast

**Wednesday 17 June 2015**  
**7:30 am-8:45 am**

Regional Capitals Australia (RCA) is an alliance of local government associations and councils from around Australia. The alliance is working to create a strong network of regional capitals that are at the forefront of federal policy and the national identity.

RCA will be holding a networking breakfast on Wednesday 18 June at the National Convention Centre during the ALGA conference.

To register for the event and for enquiries about RCA, please contact:

Email [secretariat@regionalcapitalsaustralia.org](mailto:secretariat@regionalcapitalsaustralia.org)

Phone 0422 067 858

Visit our website at [www.regionalcapitalsaustralia.org](http://www.regionalcapitalsaustralia.org)



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## SPEAKER PROFILES

### Prime Minister The Hon Tony Abbott MP



Tony Abbott was sworn in as the 28th Prime Minister of Australia on 18 September 2013.

Mr Abbott was first elected as Member for Warringah in March 1994. Prior to the election of the Coalition Government on 7 September 2013, Mr Abbott had been Leader of the Opposition since 1 December 2009.

During the Howard Government, Mr Abbott served as a Parliamentary Secretary, Minister, Cabinet Minister, and Leader of the House of Representatives. As Minister for Employment Services (1998-2001) Mr Abbott oversaw the development of the Job Network and a major expansion of Work for the Dole.

As Minister for Employment and Workplace Relations (2001-2003) Mr Abbott boosted construction industry productivity through the establishment of the Cole Royal Commission.

As Minister for Health and Ageing (2003-2007) Mr Abbott oversaw the expansion of Medicare rebates to allied health professionals such as dentists and psychologists and introduced the reforms which delivered record levels of bulk billing for patients. Mr Abbott also introduced the Medicare safety net for people with big out-of-pocket expenses.

Prior to entering parliament, Mr Abbott was a journalist with The Australian and The Bulletin. He was press secretary and political adviser to the Leader of the Opposition, Dr John Hewson, before becoming Executive Director of Australians for Constitutional Monarchy.

Mr Abbott holds Economics and Law degrees from Sydney University. He is a Rhodes Scholar and holds a Master of Arts (Politics and Philosophy) from Oxford University. Mr Abbott is the author of four books.





### The Hon Bill Shorten MP



Bill Shorten is the Federal Member for Maribyrnong and was elected leader of the Australian Labor Party

and Leader of the Opposition on 13 October 2013.

Mr Shorten completed a Bachelors degree in Arts and Law from Monash University, as well as an MBA from the Melbourne Business School.

Bill has since worked as a union organiser, union secretary, as a member of the ACTU executive, as a Member of Parliament and as a Minister in a Labor Government.

As a senior member of the Rudd/ Gillard Labor Governments, Bill played a key role in securing a number of historic reforms including establishing DisabilityCare and increasing universal superannuation to 12 per cent.

As Minister for Workplace Relations, Bill continued the Labor Government's ongoing commitment to a fair and productive workplace relations system and during his time as Minister for Education helped secure the Better Schools reforms.

Prior to entering Parliament, Bill worked at the Australian Workers Union, holding key leadership positions including State Secretary of the AWU Victoria Branch from 1998 to 2006 and the National Secretary from 2001 to 2007.

Bill has an enduring interest in social justice issues such as domestic violence, equal opportunity at work, and as a father of three and a stepdad, the increasing diversity of families in Australia.

### The Hon Warren Truss MP



The Hon Warren Truss MP is Deputy Prime Minister of Australia and the Minister for Infrastructure and Regional Development.

He became Leader of the Nationals in 2007 and is the longest serving federal leader of any political party in Australia today.

A third generation farmer from the Kumbia district near Kingaroy in Queensland, Mr Truss first won the federal seat of Wide Bay in 1990.

He was a Minister in the Howard Government for 10 years, serving as Minister for Customs and Consumer Affairs in October 1997, and a year later, Minister for Community Services. In July 1999 Mr Truss became the Minister for Agriculture, Fisheries and Forestry, where he served for six years. He became Minister for Transport and Regional Services in July 2005 and, in September 2006, was appointed Minister for Trade.

Before entering Parliament, Mr Truss was a Kingaroy Shire Councillor (1976 to 1990), including seven years as Mayor. He was Deputy Chairman of the Queensland Grain Handling Authority and a member of the State Council of the Queensland Graingrowers Association for more than 10 years.

Mr Truss is also former State and National President of the Rural Youth Organisation and President of the Lutheran Youth of Queensland.

### Senator Christine Milne



Christine Milne, Senator for Tasmania and Leader of the Australian Greens, is one of Australia's most experienced and

respected environmental and community activists, with a career spanning 30 years. After leading the successful campaign to protect farming land and fisheries from the Wesley Vale Pulp Mill, Christine was elected to the Tasmanian parliament in 1989, and became the first woman to lead a political party in Tasmania in 1993. She was elected to the Senate in 2004 and to the Leadership in 2012 following the retirement of Senator Bob Brown.

Christine's vision to address climate change and her unparalleled experience with power-sharing minority governments led to the establishment of the Multi-Party Climate Change Committee and its successful negotiations to design the Clean Energy Future package. The package placed innovation, opportunity and clean energy at the forefront of the transformation of the Australian economy for the 21st century.

As spokesperson on food security, Christine put the issue on the national agenda by calling for the development of a national food security plan during the 2010 election. She continues to advocate for reform of Australia's food and agricultural systems to ensure sustainability and prosperity now and into the future.

## 2015 REGIONAL COOPERATION AND DEVELOPMENT FORUM

### BENEFITS OF LOCAL AND REGIONAL INFRASTRUCTURE INVESTMENT

**SUNDAY 14 JUNE 2015**  
 National Convention Centre Canberra



The 2015 Regional Forum is the opening event of the National General Assembly of Local Government. It is a great opportunity for mayors, councillors, RDA members and other key decision and policy makers to gather together, share contemporary knowledge and experience to strengthen the ability of Australia's diverse regions to compete in the global economy.

This year's Forum and report examines the critical role played by our regional infrastructure assets and models the productivity benefits arising from strategic investment in a range of asset classes.

The Forum will allow the sharing of ideas and opportunities through both a mix of practitioner and academic insights, as well as hearing the latest positions from politicians, senior officials and other key regional stakeholders including representatives from Economic Development Australia, the Regional Australia Institute and the Australian and New Zealand Regional Science Association International.

The official launch of the 2015-16 *State of The Regions Report* also takes place at the Forum. The Report is commissioned by ALGA and prepared by National Economics and published with the support of Jardine Lloyd Thompson. All delegates receive a hardcopy Executive Summary of the Report.

#### Provisional Program

|          |   |
|----------|---|
| 9:30 am  | Welcome and Introduction: ALGA President, <b>Mayor Troy Pickard</b>   |
| 9:40 am  | KEYNOTE ADDRESS: <i>Debunking regional development myths and re-imaging the Region</i> , <b>Dr Paul Collits</b> , Adjunct Professor, University of the Sunshine Coast and Economic Development Adviser, Gosford City Council, NSW               |
| 10:10 am | 2015 National Local Government Award Winners<br><i>Boosting Productivity through Infrastructure and Contributing to Regional Growth</i>   |
| 10:45 am | <b>MORNING TEA</b>  |
| 11:15 pm | <i>State of the Regions</i> Launch: <b>Infrastructure</b><br><b>Dr Brain</b> and <b>Dr Manning</b> of National Economics  |
| 12:00 pm | Economic Development Australia<br><b>Mr Steve Chapple</b> , National Chair of EDA and Director Sustainable Environment, Mornington Peninsula Shire Council, Vic (invited)   |
| 12:30 pm | <b>LUNCH</b>  |
| 1:30 pm  | Opposition spokesperson for Regional Development<br><b>the Hon Julie Collins MP</b> (invited)   |
| 1:50 pm  | PANEL DISCUSSION: The Role of Regional Collaboration and Governance in the Federation:<br>TECHNICAL WORKSHOP: Exploring this year's <i>State of the Regions Report</i> , National Economics ( <b>Dr Peter Brain</b> and <b>Dr Ian Manning</b> ) |
| 2:45 pm  | <b>AFTERNOON TEA</b>  |
| 3:15 pm  | Deputy Prime Minister, <b>the Hon Warren Truss MP</b> (invited)   |
| 3:55 pm  | Official Closing, ALGA President  |
| 4:00 pm  | Close   |

*Regional Forum Registration is \$395 (inc GST) or \$195 when you also register to attend the National General Assembly.*

For more information or to register for the Regional Cooperation and Development Forum, go to [www.alga.asn.au](http://www.alga.asn.au)



|                                      |                      |
|--------------------------------------|----------------------|
| Submission for Motions for Debate    | Friday 17 April 2015 |
| Early Bird Registration on or before | Friday 1 May 2015    |
| Standard Registration on or before   | Friday 29 May 2015   |
| Late Registration on or after        | Friday 29 May 2015   |

## MOTIONS FOR DEBATE

The NGA is your opportunity to contribute to the development of national local government policy.

The ALGA Board is calling for motions for the 2015 NGA under the theme *Closest to the Community: Local Government in the Federation*. To assist Councils in preparing motions a Discussion Paper has been prepared and is available via [www.alga.asn.au](http://www.alga.asn.au)

To be eligible for inclusion in the NGA Business Papers motions must follow the principles:

- 1 Be relevant to the work of local government nationally;
- 2 Be consistent with the themes of the Assembly;
- 3 Complement or build on the policy objectives of your state and territory local government association;
- 4 Propose a clear action and outcome; and
- 5 Not be advanced on behalf of external third parties which may seek to use the NGA to apply pressure to Board members, to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of local government.

Motions should be submitted electronically via the online form at [www.alga.asn.au](http://www.alga.asn.au) and should be received by ALGA no later than 11:59 pm AEST, Friday 17 April 2015.

Motions submitted will be reviewed by a committee of the ALGA Board as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Committee considers the importance and relevance of the issue to local government.

Please note that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state/territory local government association, and will not be included in the Business Papers.

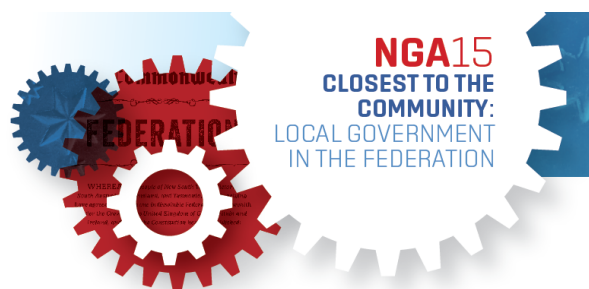
Motions that are agreed to at the National General Assembly become Resolutions. These Resolutions are then considered by the ALGA Board when setting national local government policy and when the Board is making representations to the Federal Government at Ministerial Councils, during meetings and in ALGA publications. The ALGA Board is not bound by any resolutions passed at the NGA.

## VOTING PROCEDURES

Each council is entitled to one voting delegate in the debating session. Councils will need to determine who their voting delegate will be. Voting cards can be collected at the Assembly. Councils do not need to advise ALGA of the name of the voting delegate prior to collecting voting cards.



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## REGISTRATION DETAILS

### General Assembly Registration Fees

**Early bird registration** \$899

Payment received by  
Friday 1 May 2015

**Standard registration** \$999

Payment received on or before  
Friday 29 May 2015

**Late registration** \$1,200

Payment received on or after  
Friday 29 May 2015

### General Assembly Registration Includes

- Attendance at all General Assembly sessions
- Morning tea, lunch and afternoon tea as per the General Assembly program
- One ticket to the Welcome Drinks, Sunday
- General Assembly satchel and materials.

### Day Registration Fees

**Monday 15 June 2015** \$470

**Tuesday 16 June 2015** \$470

**Wednesday 17 June 2015** \$260

### Day Registration Includes

- Attendance at all General Assembly sessions on the day of registration
- Morning tea, lunch and afternoon tea as per the General Assembly program on that day
- General Assembly satchel and materials.

### Sunday Regional Development Forum [Sunday 14 June 2015]

**Forum Only** \$395

**NGA Delegate** \$195

### Accompanying Partners Registration Fees

**Accompanying Partners  
Registration Fee** \$240

### Accompanying Partners Registration Includes

- 1 ticket to the Welcome Reception, Sunday 14 June
- Day tour Monday 15 June
- Day tour Tuesday 16 June
- Lunch with General Assembly Delegates on Wednesday 17 June.

### Payment Procedures

Payment can be made by:

- Credit card - MasterCard, Visa and American Express
- Cheque made payable to ALGA
- Electronic Funds Transfer:  
*Bank:* Commonwealth  
*Branch:* Curtin *BSB No:* 062905  
*Account No:* 10097760  
*NOTE:* If paying via EFT you must quote your transaction reference number on the registration form.

### Cancellation Policy

All alterations or cancellations to your registration must be made in writing and will be acknowledged by post, facsimile or email. Notification should be sent to:

Conference Co-ordinators  
PO Box 4994, Chisholm ACT 2905  
Fax [02] 6292 9002  
Email [conference@confco.com.au](mailto:conference@confco.com.au)

An administration charge of \$110 will be made to any participant cancelling before Friday 1 May 2015. Cancellations received after Friday 1 May 2015 will be required to pay full registration fees. However, if you are unable to attend, substitutes are welcome at no additional cost.

By submitting your registration you agree to the terms of the cancellation policy.

### Privacy Disclosure

ALGA collects your personal contact information in its role as a peak body for local government. ALGA may disclose your personal contact information to the sponsors of the event for the purposes of commercial business opportunities. If you consent to ALGA using and disclosing your personal contact information in this way, please tick the appropriate box on the registration form.

Importantly, your name may also be included in the General Assembly List of Participants. You must tick the appropriate box on the registration form if you wish your name to appear in this list.

## SOCIAL FUNCTIONS

### Photographs

During the National General Assembly there will be a contracted photographer, the photographer will take images during the sessions and social functions. If you have your picture taken it is assumed that you are giving consent for ALGA to use the image.

Images may be used for print and electronic publications.

### Welcome Reception and Exhibition Opening

*Sunday 14 June 2015*

#### National Convention Centre

5:00-7:00 pm

\$44 per person for day delegates and guests.

No charge for full registered delegates.

No charge for registered accompanying partners.

DRESS CODE: smart casual.

### Buffet Dinner

*Monday 15 June 2015*

#### The Ballroom, National Convention Centre

7:00-11:00 pm

\$100 per person.

DRESS CODE: smart casual.

Coaches will depart Assembly hotels (except Crowne Plaza) at approximately 6:45 pm with return shuttles commencing from 10:15 pm.

### General Assembly Dinner

*Tuesday 16 June 2015*

#### The Great Hall, Parliament House

7:00-11:00 pm

\$130 per person.

DRESS CODE: lounge suit/collar and tie for men and cocktail style for women.

Tickets to the prestigious General Assembly Annual Dinner at Parliament House are always highly sought after. Due to the size of the Great Hall, places are limited and therefore booking early is highly recommended to ensure your place.

Coaches will depart all Assembly hotels at approximately 6:45 pm with return shuttles commencing from 10:15 pm.

Note: Bookings are accepted in order of receipt.

### Canberra Weather in June

Winter days in Canberra are characterised by clear sunny skies but the days are cool at around 12-15°C and temperatures do drop to 1c on average in the evenings, so be sure to bring a warm jacket. Mornings can be foggy so keep this in mind when booking flights. It is best to avoid early arrivals or departures in case of delays due to fog.

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## PARTNER TOURS

### Venue and Dress Code

#### *Exhibition Opening and Welcome Reception*

VENUE National Convention Centre, Constitution Ave, Canberra City.

DRESS CODE Smart casual.

#### *General Assembly Business Sessions*

VENUE National Convention Centre, Constitution Ave, Canberra City.

All plenary sessions will be held in the Royal Theatre at the National Convention Centre.

DRESS CODE Smart casual.

#### *Exhibition*

VENUE National Convention Centre, Constitution Ave, Canberra City.

The exhibition is being held in the Exhibition Hall of the National Convention Centre.

DRESS CODE Smart casual.

#### *Buffet Dinner*

VENUE: The dinner is being held in the Ballroom at the National Convention Centre.

DRESS CODE Smart casual.

#### *General Assembly Dinner*

VENUE Parliament House.

The General Assembly Dinner is being held in the Great Hall.

DRESS CODE Lounge suit/collar and tie for men and cocktail style for women.

### Monday 15 June

#### **REGIONAL CANBERRA: WINERY AND CHOCOLATE**

Today's partner tour will experience two regional areas located just outside Canberra. Our first stop is Gundaroo which is home to several boutique wineries including the venue for the day—Capital Wines.

The group will enjoy wine tasting at the cellar door followed by lunch.

The group will then transfer to Murrumbateman to visit Robin Rowe Chocolates, here the group will be given a short demonstration with time to enjoy some samples and view the merchandise.

### Tuesday 16 June

#### **CANBERRA EXHIBITIONS**

This morning the group will visit the Australian War Memorial and view First World War Galleries, which have been redeveloped to commemorate the centenary of the First World War (opened December 2014).

After lunch the group will be able to experience a new local exhibition, further details will be provided as they are confirmed.

## ACCOMMODATION

To book your accommodation at the rates listed below complete the appropriate section of the registration form. Bookings are subject to availability and should be made prior to Friday 15 May 2015.

All cancellations or amendments must be made in writing to Conference Co-ordinators and will be acknowledged by facsimile.

Please note your credit card details are required to guarantee your room. Neither Conference Co-ordinators nor the hotel will make any charges against your credit card unless you fail to give 21 days notice in writing of your cancellation. Full payment of your account will be required at the time of your departure.

NOTE All Canberra hotels have a complete non-smoking policy.

#### **CROWNE PLAZA**

1 Binara Street, Canberra

The Crowne Plaza is adjacent to the Convention Centre and only a short walk from restaurants, bars and the main shopping district. Featuring a contemporary design, the Crowne Plaza provides guests with an outdoor pool, sauna, health/fitness centre, 24-hour reception, concierge, undercover parking and onsite dining at the RedSalt Restaurant. All rooms are non-smoking and include iron/ironing board, tea/coffee making facilities, hairdryer and room service is available.

SUPERIOR ROOM: **\$295** per night  
single/twin/double

DELUXE ROOM: **\$345** per night  
single/twin/double

#### AVENUE HOTEL

80 Northbourne Avenue, Canberra

A brand new property which recently opened in November 2014, the Avenue Hotel is Canberra's newest and only 5-star hotel in the CBD. The hotel has an onsite restaurant and bar, 24-hour reception and room service, gymnasium, undercover parking (charges apply per night) and guest lounge with free wifi. Offering hotel rooms, 1 and 2 bedroom apartments, all rooms have king size beds, rainfall showers, balconies and mini bar. The apartments also have full kitchen facilities, the Avenue is a 15-20 minute walk from the Convention Centre.

HOTEL ROOMS: **\$225** per night  
single/twin/double

1 BEDROOM APARTMENTS: **\$275** per night  
single/double

#### HOTEL REALM

18 National Circuit, Barton

The Hotel Realm is one of Canberra's 5-star hotels and is located walking distance from the popular shopping and restaurant villages of Kingston and Manuka. The Hotel Realm has two restaurants, a bar, day-spa, hairdresser and health club located on-site. The rooms are modern and have king sized beds, high speed internet (for a fee) LCD TV, pay movie channel, Foxtel and 24-hour room service.

STANDARD ROOM: **\$230** per night  
single/twin/double

#### MANTRA

84 Northbourne Avenue, Canberra

Mantra on Northbourne is centrally located and approximately a 15-20 minute walk from the National Convention Centre. The hotel features a heated indoor pool, sauna, fully-equipped gymnasium and the Zipp restaurant bar onsite. All rooms offer voice mail, individually controlled air-conditioning, pay per view movies, mini bar, tea/coffee making facilities, hairdryer and complimentary toiletries. One and two bedroom apartments also offer a separate lounge and dining area, fully-equipped kitchen and a laundry with washing machine, dryer, iron and ironing board.

HOTEL ROOM: **\$209** per night  
single/twin/double

1 BEDROOM APARTMENT: **\$249** per night  
single/twin/double

#### MEDINA APARTMENT HOTEL JAMES COURT

74 Northbourne Avenue, Canberra

The Medina Apartments Hotel James Court is approximately a 15-20 minute walk from the National Convention Centre and is close to cafes, restaurants, gyms and shopping. The hotel offers reception, undercover parking, outdoor heated swimming pool, sauna, gymnasium and a restaurant delivery service. All rooms feature private balconies, climate controlled air conditioning, separate lounge/dining areas, broadband access (for a fee), spa bath, mini bar, fully equipped kitchen facilities and an in-room safe.

Note: Reception operates between the hours of 6.30am and 11.30pm.

1 BEDROOM APARTMENT: **\$210** per night  
single/twin/double

2 BEDROOM APARTMENT: **\$260** per night  
single/twin/double

#### NOVOTEL

65 Northbourne Avenue, Canberra

Located on Northbourne Avenue, one of Canberra's main thoroughfares, the Novotel is a 15 minute walk from the National Convention Centre. The hotel offers 24-hour reception and room service, an onsite restaurant and bar, gymnasium and undercover parking (charges apply per night). In-room facilities include mini bar, tea/coffee making facilities, broadband (for a fee), Fox Sports and News, pay per view movies, climate control air-conditioning, hairdryer, iron and ironing board. Executive rooms have a king size bed.

STANDARD ROOM: **\$250** per night  
single/twin/double

EXECUTIVE ROOM: **\$280** per night  
single/twin/double

#### PEPPERS GALLERY HOTEL (FORMALLY DIAMANT HOTEL)

15 Edinburgh Place, Canberra

Peppers Gallery Hotel (formally Diamant Hotel, re-branded in 2014) is a boutique 80 room hotel located at the intersection of Marcus Clarke St and Edinburgh Ave, 15 minutes walk from the Convention Centre. Peppers Gallery Hotel features 24-hour reception, a restaurant and a bar. The rooms have a mini-bar, tea/coffee making facilities, plasma TVs, CD and DVD players, broadband (for a fee), and in-room safe.

STANDARD ROOM: **\$250** per night  
single/twin/double

*Accommodation options continue over page*



## COACH TRANSFERS

### QT HOTEL [FORMALLY RYDGES LAKESIDE]

1 London Circuit, Canberra

Qt Hotel Canberra [formally Rydges Lakeside] has recently been renovated throughout the foyer and restaurants. The rooms have been updated and offer balconies and high speed internet [for a fee], pay per view movies, mini bar, hairdryer, iron and ironing board. The hotel is a 15 minute walk to the National Convention Centre and has 24-hour reception, room service, onsite restaurant and bar.

STANDARD ROOM: **\$249** per night  
single/twin/double

### WALDORF

2 Akuna Street, Canberra

Located in the heart of Canberra's CBD, the Waldorf is only a couple minutes walk from the National Convention Centre. This hotel has 24-hour reception and provides guests with a gymnasium, indoor heated lap pool and onsite dining at the Waldorf London Restaurant. All rooms have kitchen and laundry facilities, in room safe, dining table and chairs, complimentary cable TV, pay per view movies, high speed internet service [for a fee] and room service is available. One bedroom apartments also offer a separate lounge/dining area.

STUDIO ROOM: **\$210** per night single  
**\$225** per night twin/double

1 BEDROOM APARTMENT:  
**\$230** per night single  
**\$245** per night twin/double

### Welcome Reception and Exhibition Opening Sunday 14 June 2015

Coaches will collect delegates from all General Assembly hotels [except Crowne Plaza Canberra] at approximately 4:45 pm. The return coaches will depart at 7:00 pm.

### Daily Shuttles to and from the National Convention Centre

A shuttle service between all General Assembly hotels [except Crowne Plaza Canberra] and the National Convention Centre will operate between 8:00 am and 8:30 am. Return shuttles will depart the National Convention Centre at 5:00 pm.

### Buffet Dinner National Convention Centre Monday 15 June 2015

Coaches will collect delegates from all General Assembly hotels [except Crowne Plaza Canberra] at approximately 6:45 pm. A return shuttle service will commence at 10:15 pm.

### General Assembly Annual Dinner Parliament House Tuesday 16 June 2015

Coaches will collect delegates from all General Assembly hotels [including Crowne Plaza Canberra] at approximately 6:45 pm. A return shuttle service will operate between 10:15 pm and 11:15 pm.

## CAR PARKING

Parking for delegates is available underneath the National Convention Centre for a cost of approximately \$18.00 per day. Alternatively, voucher public parking is available 200m from the entrance at a cost of approximately \$13.50 per day. The voucher machines are coin operated.



## REGISTRATION FORM

REGISTER ONLINE  
[WWW.ALGA.ASN.AU](http://WWW.ALGA.ASN.AU)

**NGA15** NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 14-17 JUNE 2015  
Australian Local Government Association APRIL CCH 603 876

Multiple delegates - photocopy form  
Register online, download PDF or return  
this form to:

Conference Co-ordinators  
PO Box 48844 Clubroom ACT 2608  
Phone (02) 6292 6000 / fax (02) 6292 6002  
Email [conferences@alga.asn.au](mailto:conferences@alga.asn.au)

By submitting your registration you agree to the  
terms and conditions of the registration policy

### PERSONAL DETAILS

|                      |        |           |
|----------------------|--------|-----------|
| TITLE                | DATE   | SURNAME   |
| POSITION             |        |           |
| COUNCIL/ORGANISATION |        |           |
| ADDRESS              |        |           |
| STREET               | CITY   | POST CODE |
| PHONE                | MOBILE | FAX       |
| EMAIL                |        |           |
| NAME FOR BADGE       |        |           |

How did you find out about the General Assembly? ☐ ALGA ☐ State/Territory Association ☐ Council ☐ Other: \_\_\_\_\_

PRIVATE ☐ I do consent to my name appearing in the 2015 General Assembly List of Participants booklet (name, organisation and state only disclosed) as outlined in the privacy disclosure on page 10.  
DISCLOSURE ☐ I do consent to ALGA disclosing my personal contact information as outlined in the privacy disclosure on page 10.

### REGISTRATION FEES

#### GENERAL ASSEMBLY REGISTRATION FEES

Please note registration does NOT include attendance at the Regional Cooperation and Development Forum

EARLY BIRD REGISTRATION FEES (payment received on or before 1 May 2015) . . . . . ☐ \$899.00  
STANDARD REGISTRATION FEES (payment received on or before 29 May 2015) . . . . . ☐ \$999.00  
LATE REGISTRATION FEES (payment received after 29 May 2015) . . . . . ☐ \$1,200.00  
DAY REGISTRATION FEES ☐ Monday 15 June \$470.00 ☐ Tuesday 16 June \$470.00 ☐ Wednesday 17 June ☐ \$260.00

#### REGIONAL CO-OPERATION AND DEVELOPMENT FORUM REGISTRATION FEES

REGIONAL DEVELOPMENT FORUM ONLY Registration Fee . . . . . ☐ \$995.00  
GENERAL ASSEMBLY DELEGATE Registration Fee . . . . . ☐ \$195.00  
STATE OF THE REGIONS REPORT 2015-16 (Single licence) . . . . . ☐ \$240.00  
STATE OF THE REGIONS REPORT 2015-16 (Organisational licence) . . . . . ☐ \$700.00

#### ACCOMPANYING PARTNERS REGISTRATION FEES

REGISTERED ACCOMPANYING PARTNER Name for label badge: \_\_\_\_\_ . . . . . \$240.00

### SOCIAL FUNCTIONS INCLUDED IN FEES

One ticket to each of the following functions is included in the full General Assembly registration and/or accompanying partners registration fee. Please confirm if you will be attending by placing a tick in the appropriate boxes. To purchase additional tickets to any of the following functions please indicate the number required and complete the total amount payable.

### REGISTERED DELEGATES AND PARTNERS

#### WELCOME RECEPTION AND EXHIBITION OPENING (SUNDAY 14 JUNE 2015)

I/we will attend: ☐ Delegate ☐ Partner Number of additional tickets  @ \$44.00 each . . . Total \$

#### REGISTERED PARTNERS

Day 1 - Regional Canberra - winery and chocolate (Monday 15 June 2015)

☐ I will attend: ☐ Partner Number of additional tickets  @ \$100.00 each . . . Total \$

Day 2 - Canberra exhibitions (Tuesday 16 June 2015)

☐ I will attend: ☐ Partner Number of additional tickets  @ \$100.00 each . . . Total \$

Registration form continues over the page





**National General Assembly 2015 - New Motion**

All form fields are required.

**Council**

Council Name:

**Contact**

Title:

First Name:

Last Name:

Position:

Phone:

Fax:

Email:

Address:

Suburb:

State:


Postcode:

**Motion**

Please enter your Motion below

## 10.2 BCS - Financial Report as at 28 February 2015

### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Manager Finance                           | <b>File Ref:</b> 12.13             |

### Recommendation

THAT Council receive and note the Financial Report as at 28 February 2015.

### Report

A review of Council's operating performance against forecast shows that the net operating position of \$15.4m is \$1,014m above the estimated position for the financial year to date.

### Income Statement

Total operating revenue of \$54.5m is in line with the expected year to date estimate of \$52.6m. Capital revenue of \$2.4m is slightly under the year to date estimate of \$2.6m (\$307k).

Overall operating expenditure of \$41.5m is \$560k below the year to date estimate of \$40.9m with employee costs being around 5.5% (\$928k) under budget and materials and services being around 13% (\$1.6m) over the year to date estimate.

### Capital Works in Progress

Capital works expenditure to 28 February 2015 is \$8.6m with \$2.6m of commitments bringing the total YTD figure to \$11.2m which is 65.5% of the capital works budget of \$17.1m.

Year to date capital expenditure by area is as follows:

|                          | Approved Annual Budget | Carryover & Amendments | Total Budget      | YTD Expenditure  | Committed        | Spent & Committed | % Spent & Committed |
|--------------------------|------------------------|------------------------|-------------------|------------------|------------------|-------------------|---------------------|
| Land & Land Improvements | -                      | 110,000                | 110,000           | 31,450           | 29,754           | 61,204            | 55.6%               |
| Buildings                | 193,000                | 16,491                 | 209,491           | 175,224          | 9,502            | 184,726           | 88.2%               |
| Plant & Equipment        | 4,400,000              | (326,328)              | 4,073,672         | 2,123,789        | 744,246          | 2,868,035         | 70.4%               |
| Roads, Drains & Bridges  | 6,845,000              | 521,123                | 7,366,123         | 3,839,460        | 789,925          | 4,629,385         | 62.8%               |
| Water                    | 2,610,000              | 272,934                | 2,882,934         | 1,383,214        | 538,140          | 1,921,353         | 66.6%               |
| Wastewater               | 240,000                | (24,694)               | 215,306           | 69,007           | 9,593            | 78,600            | 36.5%               |
| Other Assets             | 1,450,000              | 839,465                | 2,289,465         | 1,009,975        | 477,805          | 1,487,780         | 65.0%               |
| <b>Total</b>             | <b>15,738,000</b>      | <b>1,408,991</b>       | <b>17,146,991</b> | <b>8,632,118</b> | <b>2,598,966</b> | <b>11,231,084</b> | <b>65.5%</b>        |

### Budget Implications

No implications for the month of February 2015.

## **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**

1. Receive and note the Financial Report as at 28 February 2015.
2. Not accept the Financial Report as at 28 February 2015.

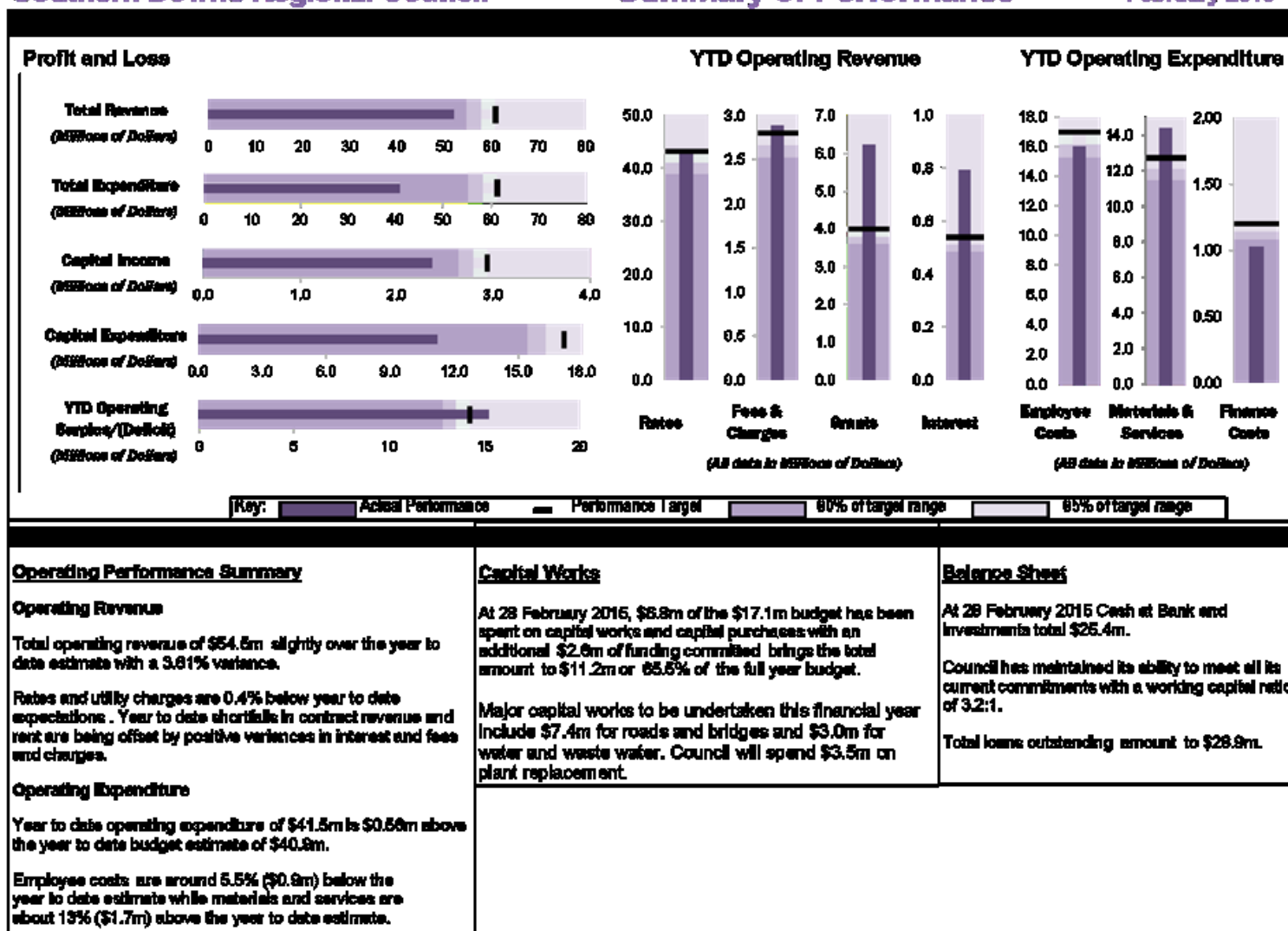
## **Attachments**

1. Council Finance Report to 28 February 2015 [View](#)
2. Investment Register [View](#)

## Southern Downs Regional Council

## Summary of Performance

February 2015



## Southern Downs Regional Council Income Statement February 2015

| 2014<br>Actual<br>\$                     |   | Annual<br>2013<br>Budget<br>\$ | Planned<br>2013<br>YTD Budget<br>\$ | Planned<br>2013<br>YTD Actual<br>\$ |
|--|---|--------------------------------|-------------------------------------|-------------------------------------|
| <b>Revenue from ordinary activities</b>  |   |                                |                                     |                                     |
| 26,320,000                               | General Rates   | 27,232,038                     | 27,232,038                          | 27,208,990                          |
| 20,092,000                               | Utility Rates and Charges                               | 20,973,700                     | 18,753,700                          | 18,646,332                          |
| (3,953,000)                              | Less Discounts  | (2,886,566)                    | (2,741,056)                         | (2,779,042)                         |
| <b>42,459,000</b>                        |   | <b>44,321,192</b>              | <b>43,244,782</b>                   | <b>43,076,381</b>                   |
| 4,623,000                                | Fees and Charges  | 4,310,489                      | 2,802,201                           | 2,894,383                           |
| 1,051,000                                | Interest  | 828,000                        | 340,400                             | 793,967                             |
| 2,219,000                                | Contract & Sales Revenue                                | 2,590,000                      | 1,657,600                           | 1,191,414                           |
| 805,000                                  | Rent and Other Income                                   | 553,087                        | 352,167                             | 309,382                             |
| 19,008,000                               | Government Grants and Subsidies                         | 7,812,983                      | 3,993,879                           | 6,227,921                           |
| <b>78,165,000</b>                        | <b>Total Operating Revenue</b>                          | <b>61,435,759</b>              | <b>52,594,948</b>                   | <b>54,495,578</b>                   |
| <b>Expenses from ordinary activities</b> |   |                                |                                     |                                     |
| 27,476,000                               | Employee Costs  | 25,045,115                     | 16,987,756                          | 16,058,840                          |
| 35,411,000                               | Materials and Services                                  | 19,102,018                     | 12,726,602                          | 14,388,504                          |
| 15,322,000                               | Depreciation and Amortisation                           | 14,999,433                     | 9,999,904                           | 10,000,235                          |
| 1,854,000                                | Finance Costs   | 2,148,896                      | 1,201,238                           | 1,027,264                           |
| <b>60,063,000</b>                        | <b>Total Operating Expenses</b>                         | <b>61,295,462</b>              | <b>40,915,501</b>                   | <b>41,474,844</b>                   |
| <b>(9,898,000)</b>                       | <b>Operating Surplus/(Deficit) before capital items</b> | <b>120,288</b>                 | <b>11,679,448</b>                   | <b>13,020,726</b>                   |
| <b>Other Capital Amounts</b>             |   |                                |                                     |                                     |
| 14,004,000                               | Capital Grants, Contributions and Donations             | 2,736,806                      | 2,671,806                           | 2,364,419                           |
| (7,611,000)                              | Other capital income and (expenses)                     | 200,000                        | -                                   | -                                   |
| <b>(3,607,000)</b>                       | <b>Net Result Surplus/(Deficit)</b>                     | <b>3,057,894</b>               | <b>14,351,254</b>                   | <b>15,385,146</b>                   |

### 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 February 2015

| 2014<br>Actual<br>\$           |   | Annual<br>2013<br>Budget<br>\$ | Planned<br>2013<br>YTD Actual<br>\$ |
|--------------------------------|---|--------------------------------|-------------------------------------|
| <b>Current Assets</b>          |   |                                |                                     |
| 6,541,000                      | Cash assets & Investments                           | 5,049,362                      | 23,446,723                          |
| 10,589,000                     | Receivables (includes Rates & Utilities receivable) | 8,118,906                      | 9,273,581                           |
| 916,000                        | Assets held for sale                                | 304,181                        | 915,300                             |
| 321,000                        | Inventories   | 245,732                        | 352,988                             |
| <b>18,367,000</b>              |   | <b>13,718,181</b>              | <b>35,988,792</b>                   |
| <b>Non-Current Assets</b>      |   |                                |                                     |
| 439,000                        | Trade & Other Receivables                           | -                              | -                                   |
| 946,000                        | Investment Property                                 | 946,000                        | 946,000                             |
| 783,639,000                    | Property, plant and equipment                       | 760,119,306                    | 773,472,033                         |
| 3,700,000                      | Other Financial Assets                              | 468,107                        | 377,872                             |
| 9,851,000                      | Capital works in progress                           | 6,979,689                      | 13,442,516                          |
| 970,000                        | Intangible Assets                                   | 855,220                        | 970,006                             |
| <b>799,565,000</b>             |   | <b>769,368,322</b>             | <b>793,288,427</b>                  |
| <b>817,932,000</b>             | <b>TOTAL ASSETS</b>                                 | <b>783,086,503</b>             | <b>829,197,219</b>                  |
| <b>Current Liabilities</b>     |   |                                |                                     |
| 8,212,000                      | Creditors and other payables                        | 4,863,866                      | 3,125,415                           |
| 3,914,000                      | Provisions  | 1,606,275                      | 6,216,826                           |
| 1,905,000                      | Interest bearing liabilities                        | 2,222,149                      | 1,904,798                           |
| <b>14,031,000</b>              |   | <b>8,692,290</b>               | <b>11,247,040</b>                   |
| <b>Non-Current Liabilities</b> |   |                                |                                     |
| 29,958,000                     | Interest bearing liabilities                        | 27,697,990                     | 28,968,922                          |
| 4,139,000                      | Provisions  | 6,574,724                      | 3,793,727                           |
| -                              | Other Payables                                      | 907,316                        | -                                   |
| <b>34,097,000</b>              |   | <b>35,180,030</b>              | <b>32,762,649</b>                   |
| <b>48,128,000</b>              | <b>TOTAL LIABILITIES</b>                            | <b>43,872,320</b>              | <b>44,009,689</b>                   |
| <b>769,804,000</b>             | <b>NET COMMUNITY ASSETS</b>                         | <b>739,214,183</b>             | <b>785,187,530</b>                  |
| <b>NET COMMUNITY ASSETS</b>    |   |                                |                                     |
| -                              | 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                    | 548,169,077                         |
| <b>769,804,000</b>             | <b>Retained surplus</b>                             | <b>739,214,183</b>             | <b>785,187,530</b>                  |

### Explanation

#### Balance Sheet

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

| Key Ratios  |               |               |            | Key Ratios  |        |            |            |
|---|---------------|---------------|------------|---|--------|------------|------------|
|   | Budget        | YTD Actual    | On Target? |   | Budget | YTD Actual | On Target? |
| <b>Working Capital Ratio</b><br><b>(Current Assets / Current Liabilities)</b>   |               |               |            | <b>Interest Coverage Ratio</b><br><b>(Net Interest Expense / Total Operating Revenue) (%)</b>   |        |            |            |
|   | 1.58 : 1      | 3.2 : 1       | ✓          |   | 2.15%  | 0.42%      | ✓          |
| <b>Target Ratio</b>   | > 1:1         | > 1:1         |            | <b>Target Ratio Upper Limit (%)</b>   | 10.0%  | 10.0%      |            |
| <p>This is an indicator of the management of working capital (short term financial capital). Measures the extent to which a Council has liquid assets available to meet short term financial obligations.</p>   |               |               |            | <p>This ratio indicates the extent to which a Council's operating revenues are committed to interest expenses. As principal repayments are not operating expenses, this ratio demonstrates the extent to which operating revenues are being used to meet the financing charges associated with debt servicing obligations.</p>  |        |            |            |
| <b>Operating Surplus Ratio</b><br><b>(Net Operating Surplus / Total Operating Revenue) (%)</b>  |               |               |            | <b>Asset Sustainability Ratio</b><br><b>(Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)</b>  |        |            |            |
|   | 5.0%          | 28.2%         | ✓          |   | 114.3% | 86.3%      | ✗          |
| <b>Target Ratio</b>   | 0.0% to 15.0% | 0.0% to 15.0% |            | <b>Target Ratio Lower Limit (%)</b>   | > 00%  | > 00%      |            |
| <p>This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes.</p> <p>A positive ratio indicates the percentage of total rates available to help fund proposed capital expenditure. If the relevant amount is not required for this purpose in a particular year, it can be held for future capital expenditure needs by either increasing financial assets or preferably, where possible, reducing debt.</p>  |               |               |            | <p>This is an approximation of the extent to which the infrastructure assets managed by the Council are being replaced as these reach the end of their useful lives. Depreciation expense represents an estimate of the extent to which the infrastructure assets have been consumed in a period. Capital expenditure on renewals (replacing assets that the Council already has) is an indicator of the extent to which the infrastructure assets are being replaced.</p>  |        |            |            |
| <b>Net Financial Liabilities Ratio</b><br><b>((Total Liabilities - Current Assets) / Total Operating Revenue)</b>   |               |               |            | <b>Comments on Ratio Results.</b>   |        |            |            |
|   | 55.3%         | 14.7%         | ✓          | <p>The reported ratios are taken from the Department of Local Government guidelines on sustainable financial management. When looking at ratios it is important to acknowledge that they represent a snapshot in time and that anomalies in the reported results are not taken in isolation. The targets are those provided by the Department as a preferred range and results outside those ranges will require further consideration.</p> <p>Whilst changes to the legislation have amended the required ratios, the ratios listed will continue to be reported on.</p> <p>For the year to date, all ratios are within expected guidelines.</p> |        |            |            |
| <b>Target Ratio Upper Limit (%)</b>   | <=60%         | <=60%         |            |   |        |            |            |
| <p>This is an indicator of the extent to which the net financial liabilities of a Council can be serviced by its operating revenues.</p> <p>A positive value of less than 60 per cent is the benchmark as determined by the Department of Local Government. It indicates that Council has the capacity to fund liabilities and to have the capacity to increase its loan borrowings. A positive value greater than 60 per cent but less than a 100% indicates that Council has the capacity to fund liabilities but has limited capacity to increase its loan borrowings.</p> <p>A ratio less than zero (negative) indicates that current assets exceed total liabilities and; therefore, Council has the capacity to increase its loan borrowings.</p> |               |               |            |   |        |            |            |



## **INVESTMENTS REGISTER**

**as at 28 February 2015**

### **CASH MANAGEMENT**

10.90sm CALL ACCOUNT

|         |               | <b><u>PRINCIPAL</u></b> | <b><u>INTEREST RATE</u></b> |
|---------|---------------|-------------------------|-----------------------------|
| GENERAL | QTC SORC Acct | \$ 3,414,029.11         | 3.25%                       |
| TOTAL   | QTC           | <u>\$ 3,414,029.11</u>  |                             |

### **BANK BILLS AND BDO**

| <b><u>DATE</u></b> | <b><u>DESCRIPTION</u></b> | <b><u>PRINCIPAL</u></b> | <b><u>INTEREST RATE</u></b> | <b><u>MATURITY DATE</u></b> |
|--------------------|---------------------------|-------------------------|-----------------------------|-----------------------------|
| 16-Oct-14          | WCU                       | \$ 804,888.71           | 3.80%                       | 15-Apr-15                   |
| 30-Oct-14          | QCCU                      | \$ 804,758.16           | 3.55%                       | 29-Apr-15                   |
| 13-Nov-14          | QCCU                      | \$ 807,380.00           | 3.45%                       | 12-Mar-15                   |
| 20-Nov-14          | QCCU                      | \$ 807,080.00           | 3.45%                       | 18-Mar-15                   |
| 20-Nov-14          | NAB                       | \$ 807,134.25           | 3.48%                       | 19-Mar-15                   |
| 27-Nov-14          | BENDIGO                   | \$ 808,708.85           | 3.40%                       | 4-Mar-15                    |
| 27-Nov-14          | QCCU                      | \$ 807,440.00           | 3.45%                       | 28-Mar-15                   |
| 27-Nov-14          | SUNCORP                   | \$ 808,708.85           | 3.50%                       | 1-Apr-15                    |
| 27-Nov-14          | SUNCORP                   | \$ 808,930.41           | 3.50%                       | 2-Apr-15                    |
| 27-Nov-14          | BANK OF QLD               | \$ 808,930.41           | 3.60%                       | 29-Apr-15                   |
| 4-Dec-14           | NAB                       | \$ 807,441.10           | 3.45%                       | 4-Mar-15                    |
| 4-Dec-14           | BANK OF QLD               | \$ 807,228.49           | 3.80%                       | 4-Jun-15                    |
| 10-Dec-14          | WCU                       | \$ 808,577.83           | 3.40%                       | 10-Mar-15                   |
| 11-Dec-14          | BANK WEST                 | \$ 807,583.19           | 3.40%                       | 11-Mar-15                   |
| 22-Dec-14          | QCCU                      | \$ 808,440.00           | 3.35%                       | 23-Apr-15                   |
| 23-Dec-15          | QCCU                      | \$ 808,152.88           | 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           | 3.30%                       | 16-Jul-15                   |
| 21-Jan-15          | BANK WEST                 | \$ 811,519.48           | 3.40%                       | 30-Apr-15                   |
| 28-Jan-15          | BANK WEST                 | \$ 811,594.43           | 3.40%                       | 30-Apr-15                   |
| 5-Feb-15           | WCU                       | \$ 812,183.14           | 3.35%                       | 7-May-15                    |
| 12-Feb-15          | BENDIGO                   | \$ 813,973.90           | 3.10%                       | 13-May-15                   |
| 12-Feb-15          | BANK OF QLD               | \$ 813,887.39           | 3.15%                       | 14-May-15                   |
| 18-Feb-15          | BANK WEST                 | \$ 808,781.37           | 3.05%                       | 21-May-15                   |
| 19-Feb-15          | SUNCORP                   | \$ 808,938.71           | 3.05%                       | 26-May-15                   |
| 25-Feb-15          | NAB                       | \$ 814,075.68           | 3.10%                       | 28-May-15                   |
| 17-Feb-15          | SUNCORP                   | \$ 300,000.00           | 3.00%                       | 18-May-15                   |
| TOTAL              |                           | <u>\$ 22,140,483.36</u> |                             |                             |
| GRAND TOTAL        |                           |                         |                             | <u>\$ 25,554,432.47</u>     |

### **FUNDS BREAKDOWN**

| <b><u>FUND</u></b> | <b><u>PRINCIPAL</u></b> |
|--------------------|-------------------------|
| GENERAL            | \$ 25,254,432.47        |
| RESERVE            | \$ -                    |
| TRUST              | \$ 300,000.00           |
| GRAND TOTAL        | <u>\$ 25,554,432.47</u> |


### **INSTITUTION BREAKDOWN**

(30% MAXIMUM AT ANY ONE INSTITUTION)

| <b><u>INSTITUTION</u></b> | <b><u>PRINCIPAL</u></b> |
|---------------------------|-------------------------|
| CBA                       | 0%                      |
| BENDIGO                   | 6%                      |
| WCU                       | 18%                     |
| SUNCORP                   | 11%                     |
| QCCU                      | 22%                     |
| HERITAGE                  | 0%                      |
| BANK OF QLD               | 9%                      |
| QTC                       | 14%                     |
| NAB                       | 6%                      |
| CITIBANK                  | 0%                      |
| BANK WEST                 | 13%                     |
| 100%                      |                         |
| GRAND TOTAL               | <u>\$ 25,554,432.47</u> |

## 10.3 BCS - Executive Performance Report - February 2015

### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b>                           |                                    |
|  | <b>Reporting Officer:</b>   | <b>Meeting Date:</b> 25 March 2015 |
|  | Senior Community Contact Co-Ordinator<br>Manager Corporate Services | <b>File Ref:</b> 06.01; 06.03.01   |

### Recommendation

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

### Report

Attached to this report are the Executive Performance Statistics for February 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

1. Receive and note the Executive Performance Statistics for February 2015.
2. Not accept the Executive Performance Statistics for February 2015.

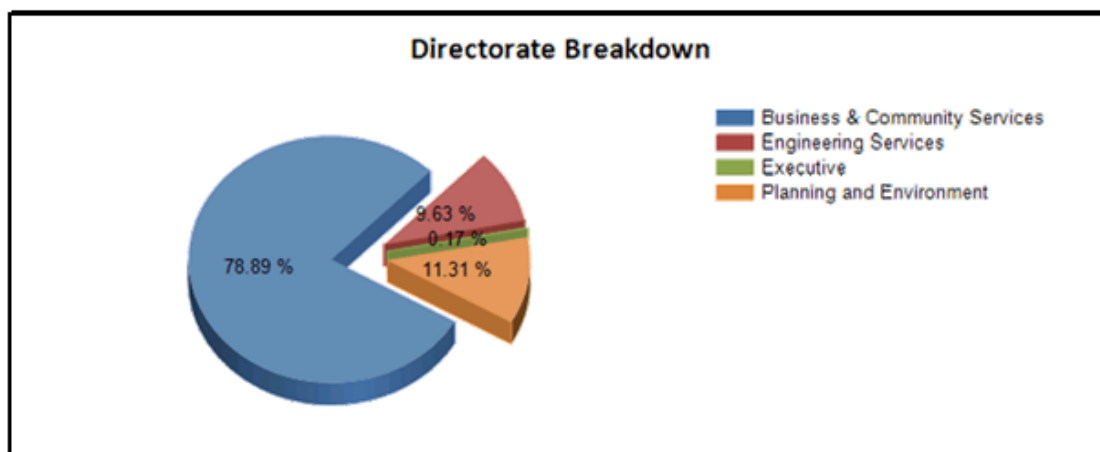
### Attachments

1. Executive Performance Statistics [View](#)

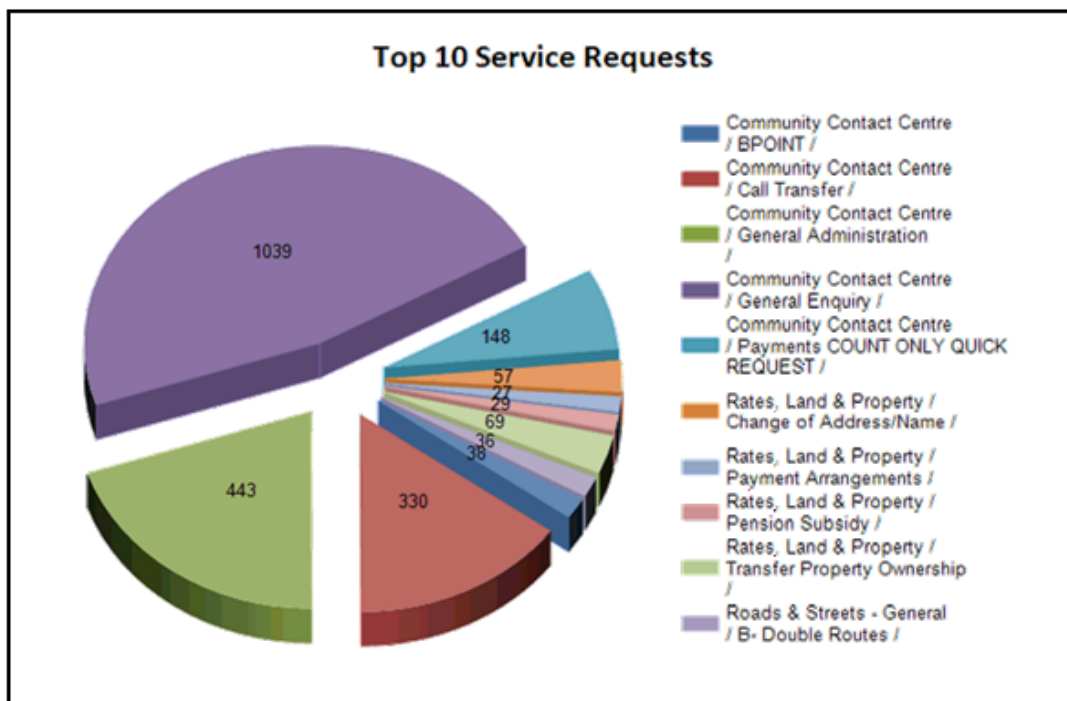


## Executive Performance Statistics February 2015

| Directorate                                  | Total        | Open       | Closed       | Escalated |
|--|--------------|------------|--------------|-----------|
| <b>Business &amp; Community Services</b>     |              |            |              |           |
| Business & Community Services                | 1            | 0          | 1            | 0         |
| Community Facility Services                  | 84           | 27         | 57           | 0         |
| Community Services                           | 8            | 3          | 5            | 0         |
| Corporate Services                           | 1,840        | 12         | 1,828        | 0         |
| Finance                                      | 211          | 20         | 191          | 0         |
| Information Services                         | 199          | 1          | 198          | 0         |
| <b>Total</b>                                 | <b>2,343</b> | <b>63</b>  | <b>2,280</b> | <b>0</b>  |
| <b>Engineering Services</b>                  |              |            |              |           |
| Engineering Services                         | 25           | 15         | 10           | 2         |
| Infrastructure Services                      | 87           | 13         | 74           | 4         |
| Water and Waste Water Works                  | 1            | 0          | 1            | 0         |
| <b>Total</b>                                 | <b>286</b>   | <b>73</b>  | <b>213</b>   | <b>9</b>  |
| <b>Executive</b>                             |              |            |              |           |
| Executive                                    | 3            | 3          | 0            | 0         |
| Human Resources & Organisational Development | 2            | 1          | 1            | 0         |
| <b>Total</b>                                 | <b>5</b>     | <b>4</b>   | <b>1</b>     | <b>0</b>  |
| <b>Planning and Environment</b>              |              |            |              |           |
| Environmental Services                       | 73           | 16         | 57           | 0         |
| Local Laws Dept                              | 150          | 44         | 106          | 0         |
| Planning and Development                     | 113          | 15         | 98           | 1         |
| <b>Total</b>                                 | <b>336</b>   | <b>75</b>  | <b>261</b>   | <b>1</b>  |
| <b>SDRC Total</b>                            | <b>2,970</b> | <b>215</b> | <b>2,755</b> | <b>10</b> |



## Executive Performance Statistics February 2015



| Request Type   | Received | Finished | In Time |
|--|----------|----------|---------|
| Community Contact Centre / General Enquiry /                       | 1,039    | 1,039    | 1,039   |
| Community Contact Centre / General Administration /                | 443      | 443      | 443     |
| Community Contact Centre / Call Transfer /                         | 330      | 330      | 330     |
| Community Contact Centre / Payments COUNT ONLY QUICK REQUEST /     | 148      | 148      | 148     |
| Rates, Land & Property / Transfer Property Ownership /             | 69       | 64       | 69      |
| Rates, Land & Property / Change of Address/Name /                  | 57       | 51       | 57      |
| Community Contact Centre / BPOINT /                                | 38       | 38       | 38      |
| Roads & Streets - General / B- Double Routes /                     | 36       | 36       | 36      |
| Roads & Streets - General / Slashing Roads / Rural & Road Reserves | 30       | 10       | 26      |
| Rates, Land & Property / Pension Subsidy /                         | 29       | 21       | 29      |



## Executive Performance Statistics February 2015

### Notations – Escalated Merit Requests:

| Request ID | Details  | Explanation   | Status at 10/3/15 |
|------------|--|---|-------------------|
| 69901      | Request flood marker Gillander Rd  | Escalated due to a delay in the arrival of flood markers for installation.                                  | Finalised         |
| 70649      | Excavation for retaining wall has been carried out but the wall has not been constructed | Contractors advised they would be on site week commencing 9/3/15 to finalise. Inspection to be carried out. | Open              |
| 70673      | Request quote on private works   | Reassigned multiple times. A council officer is currently finalising the matter.                            | Open              |
| 70672      | Request explanation of detour on Warwick Allora Rd                                       | Customer was notified but request hadn't been finalised in the system.                                      | Finalised         |
| 71560      | Water supply seemed milky for last 4 days  | Request had been actioned but request not finalised in the system.  | Finalised         |
| 72341      | Overflowing sewer main at Gore St  | Request had been actioned but request not finalised in the system.  | Finalised         |
| 72450      | Complaint re water quality at Clowes Cres  | Request had been actioned but request not finalised in the system.  | Finalised         |
| 72551      | Stop tap broken at Margaret St Warwick   | Request had been actioned but request not finalised in the system.  | Finalised         |
| 72741      | Water meter leak – Hawker Rd   | Request had been actioned but request not finalised in the system.  | Finalised         |
| 72802      | Water leak road reserve Cullen St  | Request had been actioned but request not finalised in the system.  | Finalised         |

| How Received         | Count        |
|----------------------|--------------|
| Telephone            | 1,933        |
| Walk In              | 602          |
| Document Management  | 350          |
| Website Enquiry Form | 27           |
| Traveller            | 19           |
| General Email        | 11           |
| Internal             | 10           |
| APP                  | 9            |
| Letter               | 9            |
| <b>Total</b>         | <b>2,970</b> |

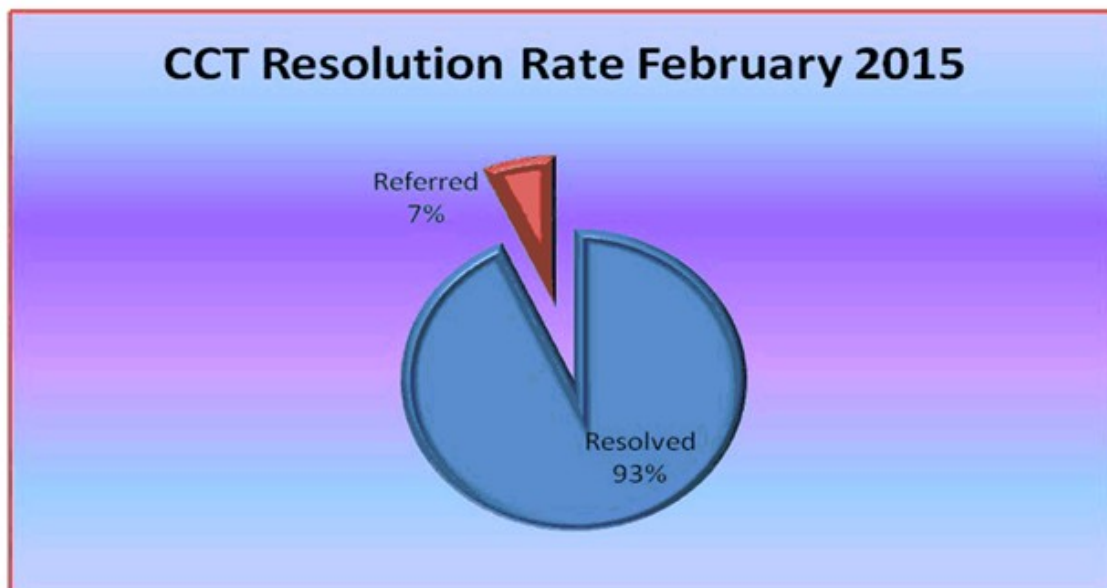




## Executive Performance Statistics February 2015

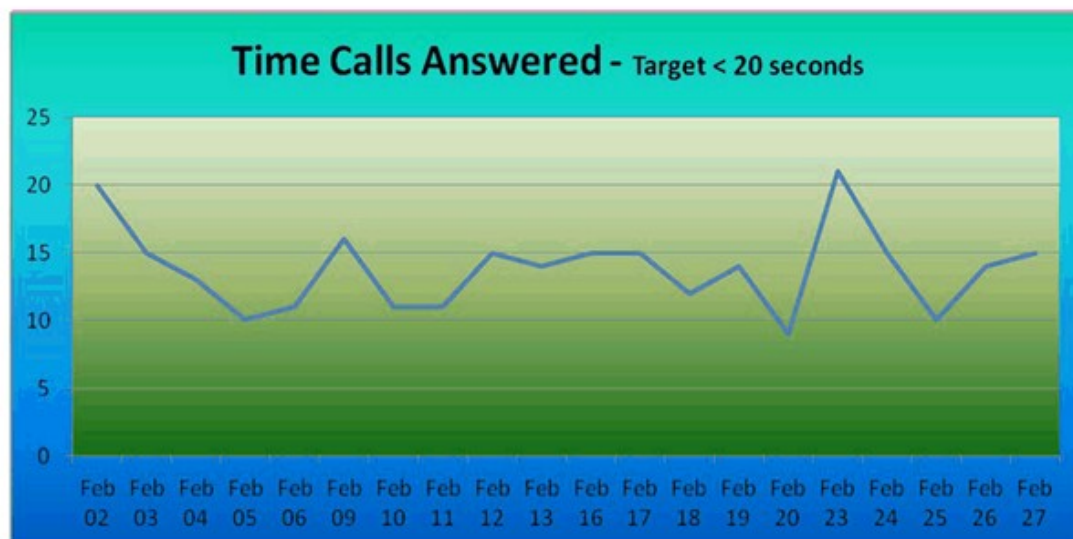
### Community Contact Resolution Rate:

| Total Customer Contacts | Resolved at Contact | Referred On |
|-------------------------|---------------------|-------------|
| 4,838                   | 4,508               | 330         |



### Total phone calls taken by the Community Contact Team:

3,914



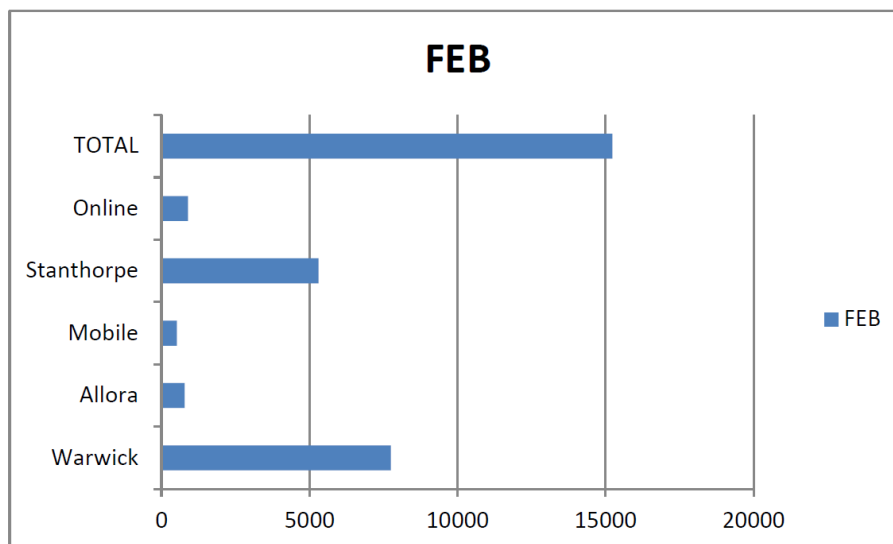
[4]



## Executive Performance Statistics February 2015

### Library Visitors:

| Warwick | Allora | Mobile | Stanthorpe | Online | Total  |
|---------|--------|--------|------------|--------|--------|
| 7,748   | 777    | 514    | 5,302      | 888    | 15,229 |



### CCTV Requests:

Received 12 and closed 12 requests from February and closed 1 request from January 2015.

### Bang The Table:

Nil for this month.

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


| On Hand<br>1 February 2015 |          | Received<br>February 2015 |          | Completed<br>February 2015 |          | On hand<br>28 February 2015 |          |
|----------------------------|----------|---------------------------|----------|----------------------------|----------|-----------------------------|----------|
| RTI – 1                    | IP – Nil | RTI – 2                   | IP – Nil | RTI – 1                    | IP – Nil | RTI – 2                     | IP – Nil |

### Economic Development:

Ongoing discussion between SDRC and a company that sells and repairs farm equipment that is looking to set up business on the Southern Downs. If this goes ahead it will create six full-time jobs for the region.

## 10.4 BCS - March 2015 Policy Reviews

### Document Information

|  |  |                                    |
|--|--|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b>        |                                    |
|  | <b>Reporting Officer:</b>                        | <b>Meeting Date:</b> 25 March 2015 |
|  | Manager Corporate Services<br>Governance Officer | <b>File Ref:</b> 04.12             |

### Recommendation

THAT Council adopt the proposed policy amendments as attached.

### 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:

#### 9 March 2015 Briefing Session

PL-FS014 Supplementary Rates Policy

The new policy, guideline and all proposed changes to policy are highlighted in the attachment.

### Budget Implications

Over \$100,000 was written off as a result of a revaluation that occurred in mid 2014.

### Policy Consideration

Vision 2040

Direction 8: The Well-Governed Southern Downs

### Community Engagement

Nil.

### Legislation/Local Law

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

### Options

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



## **Attachments**

1. PL-FS014 Supplementary Rates Policy [View](#)



## Supplementary Rates Policy

---

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

### REVISION RECORD

| Date | Version | Revision description |
|------|---------|----------------------|
|      |         |                      |
|      |         |                      |
|      |         |                      |

**Supplementary Rates Policy**

**Policy no: PL-FS014**

**Updated: 25 March 2015**

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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 charges 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 charges 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 charges 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. |

## 11. ENGINEERING SERVICES DEPARTMENT REPORTS

### 11.1 Engineering Department Monthly Report

#### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Director Engineering Services             | <b>File Ref:</b> 04.15.01          |

#### Recommendation

THAT Council:-

1. Receive the Engineering Department Monthly Report.
2. Does not proceed with a review of the gravel report.

#### Report

The following is provided for the information of Councillors

#### General

Three quotations have been received to review the gravel report. These range in cost from \$6,240 plus soil testing up to \$60,540 including soil testing. It should be noted that Council has contract agreements in place and it is the Officer's recommendation that Council does not proceed with the review.

#### Works

#### Capital Works Undertaken During February 2015

|                                |   |
|--------------------------------|---|
| <b>Project:</b>                | Gravel Resheeting 14/15 - Stage 2   |
| <b>Budget:</b>                 | \$1,647,471 (total budget for stages 1, 2 & 3)  |
| <b>Description:</b>            | Gravel resheeting   |
| <b>Start Date:</b>             | 1-Dec-14  |
| <b>Est End Date:</b>           | 30-Jun-15   |
| <b>% Complete:</b>             | Stage 1 - 100%; Stage 2 - 50%   |
| <b>Expenditure to date:</b>    | \$1,116,866 (stage 1 & 2)   |
| <b>Estimated Final Expend:</b> | \$1,647,471   |
| <b>Project Officer:</b>        | Pat Lyons, Heath Tomkins & Nathan Kamalan   |
| <b>Comments:</b>               | Out of 3 stages, stage 1 completed & stage 2 in progress. Around 40 roads included in stages 1 & 2. Stage 3 will continue to the end of Financial year. Currently \$106,319 left. |



|                                |  |
|--------------------------------|--|
| <b>Project:</b>                | TIDS InverramsayRd   |
| <b>Budget:</b>                 | \$535,000  |
| <b>Description:</b>            | Widen & Rehabilitate from Ch 2.77 to 5.40  |
| <b>Start Date:</b>             | 15-Sep-14  |
| <b>Est End Date:</b>           | 23-Dec-14  |
| <b>% Complete:</b>             | 100%   |
| <b>Expenditure to date:</b>    | \$534,149 (including commitments)  |
| <b>Estimated Final Expend:</b> | \$535,000  |
| <b>Project Officer:</b>        | Nathan Kamalan   |
| <b>Comments:</b>               | Primer seal from Ch 3.7-5.4km completed and final seal to be carried out in March 2015. This work will be carried together with new job (Ch2.80 - 3.70km). |

|                                |   |
|--------------------------------|---|
| <b>Project:</b>                | Stanthorpe-Texas Road- Contract No. STHD-1476 (Contract work for TMR)   |
| <b>Budget:</b>                 | \$521,690   |
| <b>Description:</b>            | Installation of signs & Tree clearing   |
| <b>Start Date:</b>             | 21-Oct-14   |
| <b>Est End Date:</b>           | 20-Mar-15   |
| <b>% Complete:</b>             | 60%   |
| <b>Expenditure to date:</b>    | \$206,006 + 6% overheads & 12% profit   |
| <b>Estimated Final Expend:</b> | \$350,000   |
| <b>Project Officer:</b>        | Nathan Kamalan  |
| <b>Comments:</b>               | Sign installation works commenced from Stanthorpe & Texas end and 70% completed. Tree clearing 95% completed. |

## Capital Works Forecast to Commence in March 2015

|                         |   |
|-------------------------|---|
| <b>Project:</b>         | SDRC InverramsayRd (Ch 2.80-3.70km)       |
| <b>Budget:</b>          | \$250,000                                 |
| <b>Description:</b>     | Widen & Rehabilitate from Ch 2.77 to 5.40 |
| <b>Est Start Date:</b>  | 9-Mar-15                                  |
| <b>Est End Date:</b>    | 24-Apr-15                                 |
| <b>Project Officer:</b> | Nathan Kamalan                            |
| <b>Comments:</b>        |   |

## Infrastructure Services

### Design

#### Works Section

##### Anemone Street Stage 2, Killarney

Decision Notice Approval for the subdivision application was received on 26 February and survey plan was received on the 27 February. This has been supplied to Council's solicitor for signatures of the relevant landowners.

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 commence this financial year.

#### Water & Wastewater Section

##### Rose Street Water Main

Request received to revise some plans for the proposed crossing of the railway corridor just south of the Marshall St junction for submission to QR for their approval. This was carried out.

## Asset Management/Geographical Information System

### Asset Management Plans

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

### Budget

- Assisting Water, Wastewater and Facilities to refine and review 4 year Capital Budgets.
- Supported management to consider provisions for data collection, condition inspection / rating and revaluation costing in the Operational Budget

### MyData - As constructed information from 2013-14

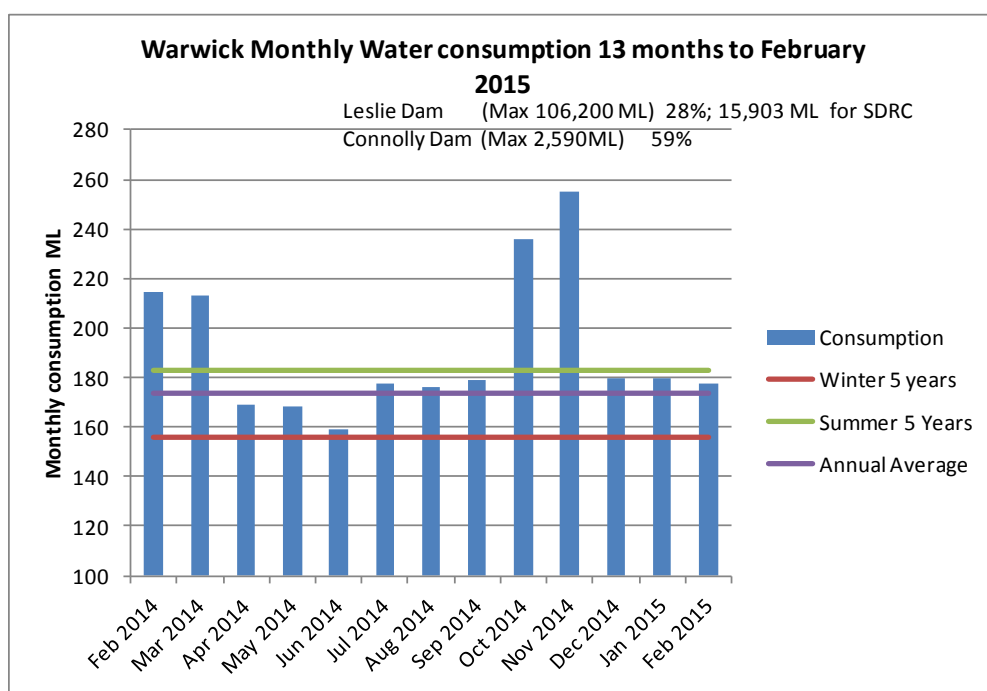
- The Asset Management Team has commenced updating the 2014-15 financial and technical information in Mydata Development Data Base by breaking up oneline accounts into the actual Capex from 2013-14 and allocating the amounts to the correct assets. Progress has been made with Footpaths, Kerb & Channel, Roads, Bridges, Culverts, Stormwater Pipe and Pits, Water & Waste Water.

### GIS

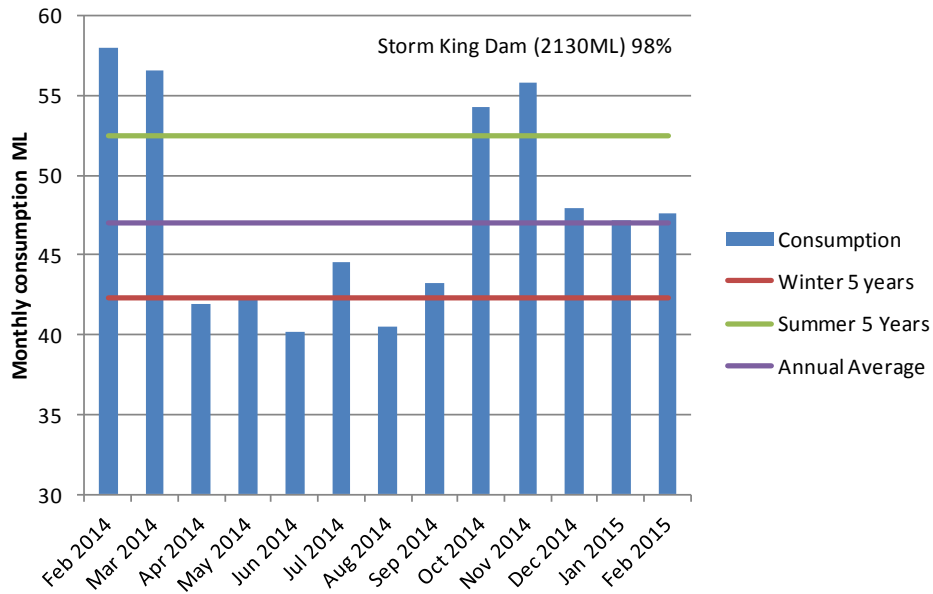
- Permission has now been obtained to access to properties for a flood level survey in Stanthorpe. Flood level photography and survey will be carried out in the coming weeks.

## Water & Wastewater

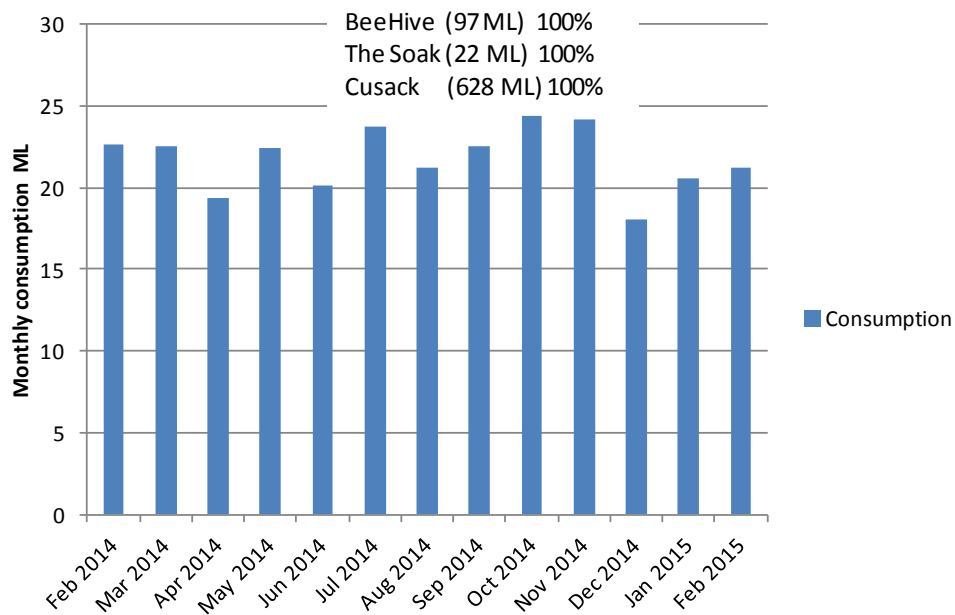
### Monthly Water Consumptions

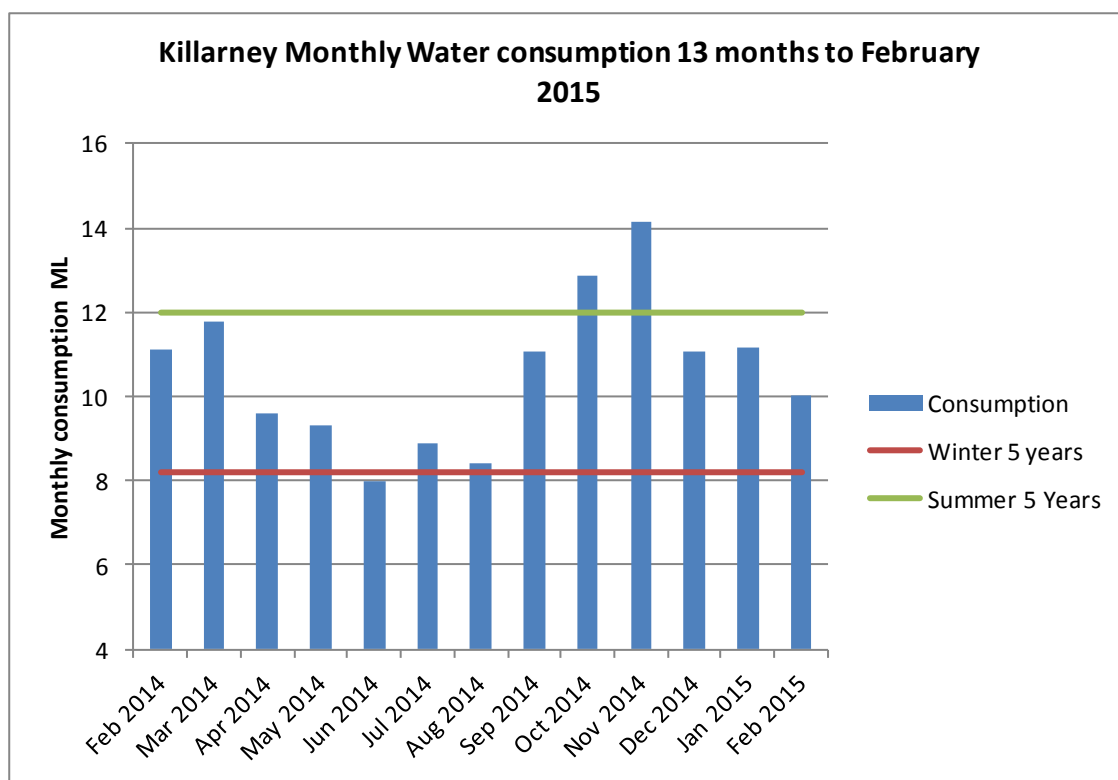


**Stanthorpe Monthly Water consumption 13 months to February 2015**



**Wallangarra Monthly Water consumption 13 months to February 2015**





### Budget Implications

Nil

### Policy Consideration

Nil

### Community Engagement

Nil

### Legislation/Local Law

Nil

### Options


1. Receive the Engineering Department Monthly Report.
2. Not proceed with a review of the gravel report.

### Attachments

Nil

## 11.2 Naming of Unnamed Roads

### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | PA to Director Engineering Services       | <b>File Ref:</b> 28.63             |

### Recommendation

THAT Council:-

1. Write to the adjacent landholders on these roads.
2. Advertise the roads to be named in the relevant local newspapers seeking public comment.
3. Receive a further report for consideration on this matter.

### Report

A request has been received to name two roads in Leyburn, Donald Street, north of Canal Creek and an unnamed road off Lewis Street.

The road reserve gazetted as Donald Street north of Canal Creek should be renamed in accordance with 4.2.4 of the Australian Standard for Rural and Urban Addressing since it is not a contiguously navigable section from Donald Street south of Canal Creek.

The unnamed road between Lewis Street and Tummalville Road was incorrectly shown as 'Lewis Street' in Council's road register but there is no record of this section of road reserve ever been named.

The roads that need to be named are constructed roads. The constructed roads are highlighted in blue (see attached map). Council's Roads & Streets Naming Policy states that a road has to be built or constructed for it to be named.

It is always desirable to name unnamed roads wherever possible so that emergency services can easily find the property.

In accordance with Council's Roads and Streets Naming Policy, the roads to be named are to be advertised in the relevant local newspapers and written advice should be sent to the adjacent landholders seeking public comment.

### Budget Implications

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

### Policy Consideration

Nil

### Community Engagement

Advertise in the relevant local newspapers and write to all adjacent landholders seeking public comment.

## **Legislation/Local Law**

Australian Standard for Rural and Urban Addressing

### **4.2.4 Contiguous navigable road**

A named road shall include only one section navigable by vehicles. Unconnected navigable sections, such as where separated by unbridged stream, pedestrian segment, railing, etc. shall be assigned separate road names.

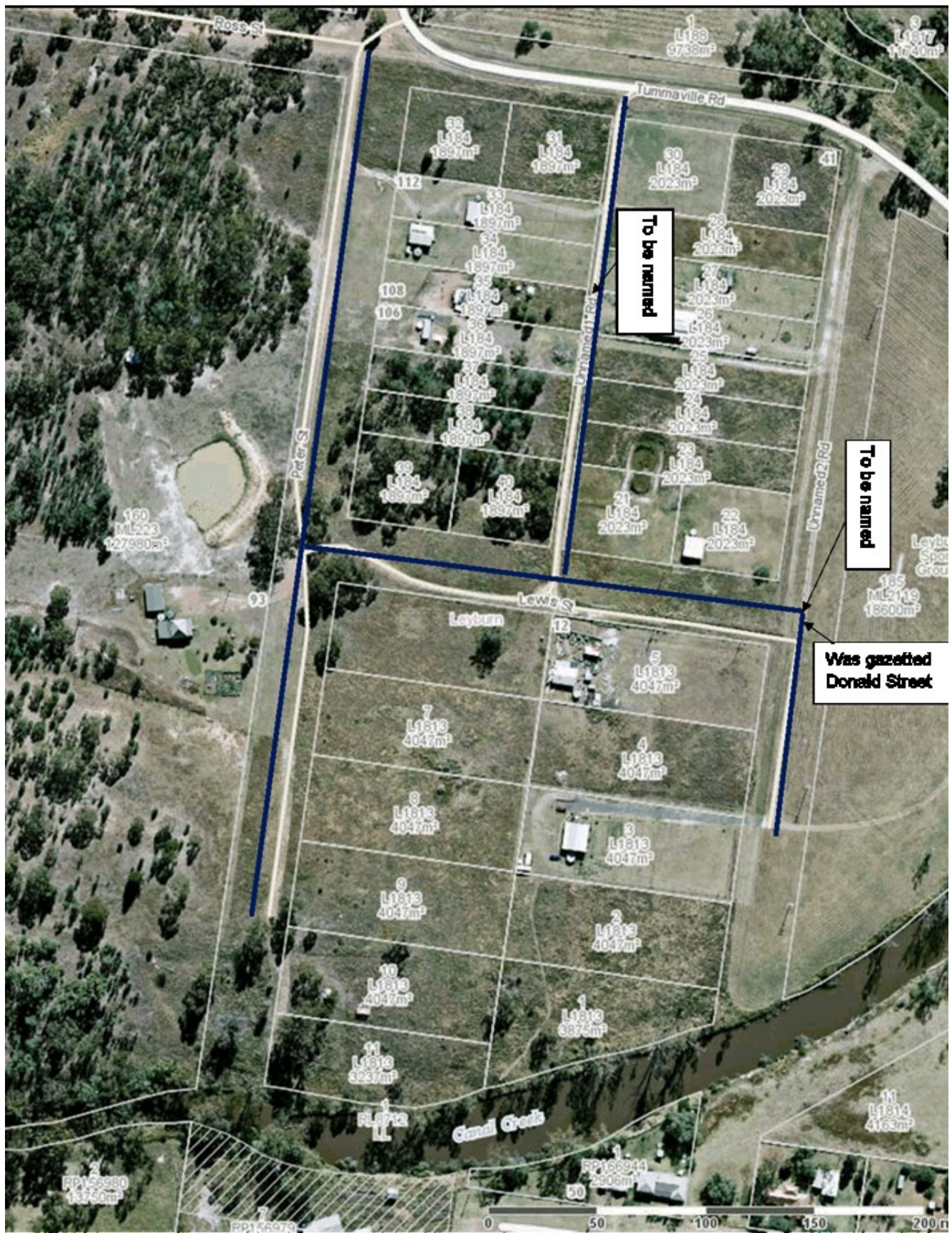
## **Options**

Write to the adjacent landholders on these roads and also advertise the roads to be named in the relevant local newspapers seeking public comment

## **Attachments**

1. Map - Unnamed Roads in Leyburn [View](#)





**Warning:**  
Southern Downs Regional Council does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that they shall bear no responsibility or liability whatsoever for any error, omission, delay or consequence of the information.  
Based on or contains data provided by the Department of Natural Resources and Water Conservation (2014) which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

**Scale (A4): 1:2261**  
**Projections: GDA84 / MGA zone 56**


**Printed by: Barb Fagan**  
**Date: 5/02/2015**





### 11.3 Request to Name Allora Cricket Oval

#### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | PA to Director Engineering Services       | <b>File Ref:</b> 28.63             |

#### Recommendation

THAT Council adopt the naming of the Allora Cricket Oval to the "Keith K.O. Masters Memorial Oval".

#### Report

A report was submitted to the General Council Meeting on the 17 December 2014 requesting the naming of the Allora Cricket Oval in Memory of Keith Masters. Council resolved to advertise the suggestion of "Keith K.O. Masters Memorial Oval" in the local media to seek community views prior to making a final decision.

The advertising of the suggested name was done in accordance with Council's Roads & Streets Naming Policy, the name "Keith K.O. Masters Memorial Oval" was advertised for public comment with written comments closing on the 20<sup>th</sup> February 2015.

Council received one letter of support for the name from Mrs Kate Gordon of Allora. A copy of this letter is attached.

No correspondence was received against the suggested name of the Cricket Oval.

Keith Masters contributed greatly to the game of cricket over the years for Warwick, Allora and the Eastern Downs Cricket Association (Toowoomba, Warwick etc), as well as other Allora community groups and organisations.

The naming of the Allora Cricket Oval the "Keith K.O. Masters Memorial Oval" would be a fitting tribute to the contribution that Mr Masters made to the Allora, Warwick and Toowoomba communities.

#### Budget Implications

The only budget implication will be the purchase and erection of the sign from the Parks Budget.

#### Policy Consideration

Nil

#### Community Engagement

The suggested name was advertised in the local newspapers seeking public comment.

#### Legislation/Local Law

Nil

## **Options**

Council can

1. Name the Allora Cricket Oval the "Keith 'K.O.' Masters Memorial Oval; or
2. Keep it as the Allora Cricket Oval

## **Attachments**

1. Letter of Support from Kate Gordon [View](#)

31 Warwick St,  
Allora.  
4362

31. 1. 15.

Dear Mr Keenan,

My husband and I wish to  
make known our approval for the  
Cricket Oval to be named in honour  
of Keith Masters.

As longtime residents of Allora,  
we know of his strong involvement in  
cricket for many years. We think it  
would be a very deserving honour  
for him to be remembered in this way.

Yours sincerely,  
Mrs Kate Gordon.


|   |  |  |      |
|---|--|--|------|
| SOUTHERN DOWNS REGIONAL COUNCIL<br>WARWICK BRANCH |  |  |      |
| RECEIVED  |  |  |      |
| 11 FEB 2015                                       |  |  |      |
| Task Officer:                                     |  |  | ✓    |
| Tsk   |  |  | File |
| Dst   |  |  |      |
| Envd  |  |  |      |

ention Period  
Years  
last action

Southern Downs Regional Council  
Barcode  
00001720176

## 11.4 Proposed Budget Amendment - Transfer \$168,000 from Engineering Operations Budget to Capital Budget for the Replacement of Kadows Road Bridge

### Document Information

|   |   |                                    |
|---|---|------------------------------------|
| <br><b>Southern Downs</b><br><small>REGIONAL COUNCIL</small> | <b>Report To: General Council Meeting</b> |                                    |
|   | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|   | Manager Works - Maintenance               | <b>File Ref:</b> 28.14             |

### Recommendation

THAT Council:-

1. Resolve to transfer operational funds to the capital budget to allow for the replacement of Kadows Road Bridge.
2. Award the full design and construct contract to Scenic Rim Regional Council.

### Report

Council has been successful in securing funding under the State Royalties for Regions Grant ("R4R") and the Federal Bridge Renewal Program ("BRP"). Below is a break-down of the funds awarded to Council relating to bridges:

#### R4R Funding

1. Timber Bridge Replacement project (Sandy Creek Road, Mullins Road, Tummaville Road, Bellinghams) – funding to a maximum of \$2,640,000
2. Lyndhurst Lane Bridge Replacement project – funding to a maximum of \$2,070,000

#### Federal BRP Funding

1. Sandy Creek Bridge Replacement – funding \$780,000, or a maximum of 50% of the agreed project cost, whichever is the lesser.

The following table represents the current draft timber bridge replacement program in prioritisation order:-

|                                |
|--------------------------------|
| Mullins Road, Womina           |
| Bellinghams Road, Elbow Valley |
| Sandy Creek Road, Leslie       |
| Kadows Road, Clintonvale       |
| Tummaville Road, Leyburn       |
| Boxes Road, Tannymorel         |
| Freestone Road, Freestone      |
| Bourkes Road, Elbow Valley     |
| Lairds Lane, Yangan            |

|   |
|---|
| Connells Bridge Road, Bony Mountain       |
| Ellinthorpe-Hendon Road, Talgai           |
| Upper Forest Springs Road, Forest Springs |

After removing the bridges which received State and Federal funding, Kadows Road Bridge then becomes the highest priority on the bridge replacement program.

Maintenance funds have been spent investigating the current condition of Kadows Road Bridge namely, the timber structure and geotechnical analysis. Scenic Rim Regional Council has been engaged to design the replacement bridge. As the size of the bridge was similar to a previous design there was no charge for this service. It is also planned to utilise timber girders that are already owned by SDRC. This all culminates in a full design and construct contract to be awarded to Scenic Rim Regional Council to replace Kadows Road Bridge for funds less than that currently available in the special maintenance budget. The intent of the special maintenance cost centre was to allow for larger than normal maintenance projects. However in this case the proposed scope of this project is to replace the whole bridge which is clearly a capital project. Hence, the reason for this report is to gain approval to transfer operational funds to the capital budget.

### **Budget Implications**

No extra funds are required. This report is to seek approval for transfer of funds from operational to capital budget to the amount of \$168,000.

### **Policy Consideration**

Nil

### **Community Engagement**

Nil, however there have been several comments to Council from local farmers to say they have been severely inconvenienced by the closure of the bridge. The bridge closure has resulted in their large agricultural plant, with conditional registration, having to travel via the Cunningham Highway.

### **Legislation/Local Law**

Section 235(f) *Local Government Regulation 2012*

### **Options**


1. To allow the transfer of funds from operational to capital budget.
2. Award the full design and construct contract to Scenic Rim Regional Council.
3. Not to allow the transfer of funds and include the item with other proposed capital projects in future budget considerations.

### **Attachments**

Nil

## 11.5 Contract No. 15/055 - Tender for the Supply & Delivery of One (1) Multi-Tyred Roller

### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Fleet and Workshop Coordinator            | <b>File Ref:</b> 23.01             |

### Recommendation

THAT Council:-

1. Award Tender 15/055 for the supply and delivery of one (1) only Multi-Tyred Roller to Hastings Deering for the lump sum tender price of \$161,887 (excluding GST).
2. Accept the existing Caterpillar PF300 Multi-Tyred Roller trade offer of \$35,000 (excluding GST) from Hastings Deering.

### Report

The purpose of this report is to present the findings of the review of all tenders received for the supply and delivery of one Multi-Tyred Roller to replace Council's existing Caterpillar PF300 Multi-Tyred Roller (Plant No. P00101) based in Warwick.

It will be a recommendation to Council that Tender 15/055 be awarded to Hastings Deering for the lump sum tender price of \$161,887.13 (excluding GST) to supply and deliver one Caterpillar CW34 Multi-Tyred Roller.

In January 2015, Council sought tenders for the supply and delivery of one Multi-Tyred Roller with the Dry ballasted weight to 22 tonnes. The new item of plant is required to replace Council's Caterpillar PF 300 Roller (Plant No P00101), which needs to be replaced due to its age. All prices quoted in this report are excluding GST.

Tenders closed on 27 January 2015, with four (4) tenders received from the following companies:

- Atlas Copco (Dynapac CP224 AOR);
- Conplant (Amman AP240T3);
- Hastings Deering (Caterpillar CW34)
- Tutt Bryant Equipment (Bomag BW25RH);

This Contract was called through the Local Buy Contract No.213-0511.

Appended to this report on table 1 is the summary of offers.

The purchase of a Multi-Tyred Roller is a significant investment for Council as it operates continuously in tandem with a grader and is expected to have little maintenance for a period of 8 years or more during which time it will work 8,500 hours to 9,000 hours. Consideration of the ergonomics and comfort for the operators is vital as they are expected to be working this machine for between 5½ to 6½ hours daily.

A five person panel consisting of the Fleet Coordinator, Warwick Workshop Supervisor, Warwick Workshop Leading Hand, and two Council Roller Operators was setup to validate the four tenders with their findings below.

The lowest priced roller offered for sale by tender is a Dynapac CP224 AOR for the Tendered price of \$122,096. The machine offered is a 2013 plated Model (over 2 years old) and has wet sand ballast to a maximum weight of 21 tonnes. Some Roadtek construction projects require a minimum ballasted weight of 22 tonnes. Council's specifications require a "Current Model, Dry Ballasted Machine up to 22 tonnes in weight". By using dry ballast it is much quicker and easier to change the weight of the roller which is required on some road building projects and rust problems are not an issue due to the absence of moisture. Atlas Copco, the dealer of this machine transported a CP224 to Yangan Road Depot for appraisal by Council's Staff which comprised of supervisors, operators and workshop personal. The operators submitted a written evaluation on their findings.

Listed below are some of the operator and workshop comments on the Dynapac CP224 machine.

- The Machine supplied for the demonstration was only ballasted to 18 tonnes which did not show the full power of the engine as if it was fully ballasted (21 tonnes.)
- It was felt that this roller needed higher engine power to operate in the steep terrain which it is expected to be working in.
- The single point front suspension made the roller very unstable and rough to ride.
- The 4 rear drive wheels do not pivot resulting in a bridging effect when trying to compact soft spots in the road surface.
- The ergonomics, size and features of the cabin were considered very good. Features included the 180 degree rotation of the operators module which allows the operator to travel in both directions without turning the machine around.
- Serviceability of the Roller was good with service points easy to access.
- The 3 front and 4 rear tyres give the smallest compaction width at 1800mm which is 290mm narrower than its competitors (4 front and 4 rear tyres).
- The transmission in the Dynapac is a 2 speed hydrostatic drive which does not give the overlap of speeds when compared to the 3 speed transmissions of the other rollers.
- The Dynapac only comes with 12 months machine warranty compared to the Caterpillar 12 Months full machine plus 4 years/5000Hrs power train & hydraulics warranty and the Ammann 2 years machine plus 1 year power train warranty.

For the reasons above the machine was considered to not meet Council's requirements.

The second lowest priced roller offered was an Ammann AP240T3 which Council currently has two of in its fleet, for this reason there was no need for a demonstration of this machine. Comments from the selection panel are listed below.

- The following ergonomic comments of the cabin were made:-
  - The Roller is fitted with two steering wheels and seats which takes up room in the cabin for lunch box and safety equipment etc.
  - The operator has to turn around (reversing camera would need to be fitted) when travelling in reverse or turn the machine around at the end of each run which can create problems by being stuck in the table drain.
  - Access to the cab is also much higher than the other rollers.
- Fully ballasted the roller is underpowered (74Kw) when used in hilly terrain.
- The 3 speed powershift transmission does not offer any braking effect compared to the hydrostatic transmission.
- Has a higher centre of gravity making it more unstable.
- Front suspension is able to be pumped up and down giving it more clearance when loading onto low loader etc.



- Access to servicing points is much more difficult due to height and access problems.
- The 4 rear drive wheels do not pivot resulting in a bridging effect when trying to compact soft spots in the road surface.

For the reasons above the machine was not considered to fully meet Council's requirements.

The third lowest priced roller offered which meets the specifications is the current model Caterpillar CW34 which now replaces the PF300 model which Council is trading.

- The CW34 has 98Kw of engine power which is 24Kw higher than the other rollers offered.
- 3 Speed hydrostatic transmission which can be changed while travelling. This transmission also gives better braking to the roller.
- Both the front and rear axles have 2 sets of dual tyres that pivot to allow for better compaction of soft spots and uneven ground.
- 4 Front and 4 rear tyres that give the widest compaction width of 2090mm.
- The ergonomics, size and features of the cabin were considered very good. Features included the 180 degree rotation of the operators' module which allows the operator to travel in both directions without turning the machine around, this eliminates the problem of getting stuck in table drains.
- The operating weight can be adjusted from down to 10 tonnes and as high as 27 tonnes if needed.
- The warranty on this machine is 12 months full warranty plus 4 years/5000hrs. extended powertrain and hydraulic's with travel time included, which is the best warranty offered.

Appended to this report on Table 2 is a comparison of these machines.

The most expensive roller offered was a Bomag BW25RH. This machine meets the specification but was not considered any further due to the price.

### *Conclusion*

Taking all this into consideration the panel thought the best value for Council is the Caterpillar CW34 Multi Tyred Roller.

The Auction value of the Caterpillar PF300 (P00101) is between \$32,000 and \$36,000. The offer being made for the trade-in is \$35,000.

### **Budget Implications**

Council has made provision for the replacement of the Caterpillar PF300 Roller with a net changeover of \$150,000 in the 2014/2015 Plant Replacement Program.

This considered there are sufficient funds available to purchase the Caterpillar CW34 Roller for the changeover purchase price of \$126,887.13

### **Policy Consideration**

Nil

### **Community Engagement**

Nil

### **Legislation/Local Law**

The *Local Government Act 2009* (the Act) and the *Local Government (Finance, Plans and Reporting) Regulation 2010* (the Regulation) provide the legislative framework for local government procurement in Queensland. More specifically, s106 of the Act states that when entering a contract, the local government must have regard to sound contracting principles.

## Options

1. Award Tender 15/055 for the supply and delivery of one (1) only Multi-Tyred Roller to Hastings Deering for the lump sum tender price of \$161,887 (excluding GST).
2. Accept the existing Caterpillar PF300 Multi-Tyred Roller trade offer of \$35,000 (Excluding GST) from Hasting Deering.
3. Not proceed with the Tender.

## Attachments

1. Table 1 - Summary 15/055 [View](#)
2. Table 2 - Comparison 15/055 [View](#)
3. Contract No. 15/055 - Weighting Report [View](#)

**Table 1**  
**Contract No. 15/055**  
**Offer for the Supply & Delivery of One (1) Multi Tyred Roller**  
**Less Trade of (P00101) Caterpillar Multi Tyred Roller**  
**Excluding GST**

| Offeror  | Make & Model      | Price at Depot | Less Trade  | Cost to Council | Optional Extras    |            | Comments             |
|--|-------------------|----------------|-------------|-----------------|--------------------|------------|----------------------|
| Complant<br>PO Box 1007<br>Beenleigh QLD 4207                  | Amman AP240T3     |                |             |                 |                    |            |                      |
|  | Offer A           | \$145,500.00   | Nil         | \$145,500.00    | Spare Wheel        | \$1,450.00 | Delivery 2 - 4 Weeks |
|  | Offer B           | \$151,500.00   | \$33,000.00 | \$118,500.00    | Jump Start Cable   | \$550.00   |                      |
|  |                   |                |             |                 | Turbo Timer        | \$450.00   |                      |
|  |                   |                |             |                 | External E Stop    | \$250.00   |                      |
|  |                   |                |             |                 | Scaper Blades      | \$1,600.00 |                      |
| Hestings Deering<br>PO Box 46<br>Archerfield QLD 4106          | CAT CW34          |                |             |                 |                    |            |                      |
|  | Offer A           | \$161,887.13   | Nil         | \$161,887.13    | Spare Wheel        | \$627.37   | Delivery 2 - 4 Weeks |
|  | Offer B           | \$161,887.13   | \$35,000.00 | \$126,887.13    | Fire Extinguisher  |            |                      |
|  |                   |                |             |                 | Toolbox            |            |                      |
|  |                   |                |             |                 | Reverse Alarm      |            |                      |
|  |                   |                |             |                 | Suspension Seat    |            |                      |
|  |                   |                |             |                 | Sign Writing       |            |                      |
| Atlas Copco<br>PO Box 358<br>Seven Hills NSW 1730              | Dynapac CP224 AOR |                |             |                 |                    |            |                      |
|  | Offer A           | \$122,098.00   | Nil         | \$122,098.00    | Spare Wheel        | \$3,500.00 | Delivery 2 - 4 Weeks |
|  | Offer B           | \$132,098.00   | \$58,000.00 | \$74,098.00     |                    |            |                      |
| Tuff Bryant Equipment<br>PO Box 38<br>Brisbane Market Qld 4106 | Bomag BW25 RH     |                |             |                 |                    |            |                      |
|  | Offer A           | \$166,500.00   | Nil         | \$166,500.00    | Spare Tyre and Rim |            | Delivery 2 - 4 Weeks |
|  | Offer B           | \$172,600.00   | \$28,000.00 | \$144,600.00    | Included in Price  |            |                      |

**Table 2**  
**Contract No. 15/055**  
**Offer for the Supply & Delivery of One (1) Multi Tyred Roller**  
**Comparison Table**

|                      | Manufacturer   |                       |  |
|----------------------|--|-----------------------|--|
|                      | Ammann AP240T3   | Dynapac CP224AOR      | Cat CW34   |
| Warranty             | 2 Years Full plus 12 Months Powertrain (part, labour & travel) | 12 Months Factory     | 12 Months Full Warranty Plus 4 Year/5000Hr Ext Powertrain & Hydraulics |
| Engine HP & Capacity | 74kW 3.3Lt   | 74kW 3.3Lt            | 98kW 4.4Lt   |
| Max Ballasted Weight | 24T - Dry Ballast  | 21T Dry & Wet Ballast | 27T Dry Ballast  |
| No of Tyres          | 4 Front & 4 Rear   | 3 Front & 4 Rear      | 4 Front & 4 Rear   |
| Drive Type           | Power Shift - 3 Speed  | Hydrostatic - 2 Speed | Hydrostatic - 3 Speed  |
| Air on Run           | Yes  | Yes                   | Yes  |
| Compaction Width     | 1993mm   | 1800mm                | 2090mm   |
| Front Suspension     | Dual Hydrostatic Cylinders with Two Steering Pivots            | Single Point          |  |
| Rear Suspension      | Nil  | Nil                   | 2 Sets of Single Point Pivoting Duals                                  |


| CONTRACT 15/055 WEIGHTING REPORT - (Description) <u>Multi Tyred Roller 22T</u> |                     |  |                               |  |                  |  |                                      |  |             |
|--|---------------------|--|-------------------------------|--|------------------|--|--------------------------------------|--|-------------|
| OFFEROR  | Price - 30 %        | Warranty - 20 %  | Service & Parts Backup - 10 % | Qualitative Criteria   |                  |  | Quality Workmanship & Components - % | Compliance with Specifications - 20 %                | Total       |
|  |                     |  |                               | Operational Features - 20 %  | Resale Value - % |  |                                      |  |             |
| <u>Confiant</u>  | <u>\$145,500</u>    | <u>8.4</u><br>2.52<br>2 Years Mech<br>+ 1 Year Power Trans.        | <u>8 - 8</u>                  | <u>5 - 10</u><br>UNSTABLE.<br>HIGH LOOSE OF<br>GRAVITY.                  |                  |  |                                      | <u>8 - 16</u>  | <u>77.2</u> |
| <u>Hassinas Deanna</u>   | <u>\$161,887-13</u> | <u>10 - 20</u><br>1 Year MACHINE<br>4 Year/500 HRS<br>Drive Trans. | <u>8 - 8</u>                  | <u>8 - 16</u><br>3 SPEED TRANS.<br>Pivoting Front +<br>Rear Suspension   |                  |  |                                      | <u>8 - 16</u>  | <u>82.5</u> |
| <u>Arus Corp</u>   | <u>\$122,096</u>    | <u>10</u><br>30<br>1 Year  | <u>8 - 8</u>                  | <u>6 - 12</u><br>Very Rough To<br>Ride In.<br>UNSTABLE.<br>No Suspension |                  |  |                                      | <u>5 - 10</u><br>2013 Model,<br>21T Fully<br>Brushed | <u>74</u>   |
| <u>Tut Bayant</u>  | <u>\$166,500</u>    | <u>7.3</u><br>2.2<br>1 Year Mech<br>2 Year/2000 HR<br>Power Trans. | <u>6 - 6</u><br>UNKNOWN       | <u>5 - 10</u><br>UNSTABLE<br>HIGH LOOSE OF<br>GRAVITY                    |                  |  |                                      | <u>8 - 16</u>  | <u>70</u>   |
|  |                     |  |                               |  |                  |  |                                      |  |             |
|  |                     |  |                               |  |                  |  |                                      |  |             |
|  |                     |  |                               |  |                  |  |                                      |  |             |
|  |                     |  |                               |  |                  |  |                                      |  |             |

Lowest Price Scores 10. DIVIDE THE LOWEST PRICE BY NEXT PRICE + HIT % BOTTOM, ABOVE DEZIMAR 16

## 12. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

### 12.1 Pest Management Working Group Minutes from meeting held 17 February 2015

#### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Manager Environmental Services            | <b>File Ref:</b> 11.12.08          |

#### Recommendation

THAT Council:

1. Receive the minutes of the Pest Management Working Group meeting held on 17 February 2015.
2. Support the submission of a grant application to Australian Wool Innovations (AWI) for deer traps.

#### Report

This report is to present the minutes of Council's Pest Management Working Group from 17 February 2015 to Council for adoption and actioning of the minutes. Council's Pest Management Working Group (PMWG) is an Advisory Committee of Council which involves Community Group members with an interest in Pest Management. Council has considered the minutes of the PMWG after each committee meeting.

The last meeting of Council's PMWG minutes from 17 February 2015 are presented for Council's endorsement and action.

The items of note from the minutes are the following recommendations:-

**Recommendation:** To leave revisiting investigating suppliers and potential cost of supply for 1080 on the agenda to address this further.

This matter will again be placed on the agenda of the PMWG for the next meeting.

Craig Magnussen has been discussing funding opportunities with Australian Wool Innovations (AWI) to undertake deer trapping to harvest meat for wild dog baiting. Cr Gow requested a letter of support from the Working Group to AWI for this funding. Cr Gow also indicated he would request Council to provide a letter of support for this funding. Submissions for AWI funding are now open and there is no set end date as Council has previously received funding through the AWI. Cr Glyn Rees and Cr Ross Bartley have been asked to bring it up at the next council meeting.

**Moved: Mr Clive Smith    Second: Ms Elspeth Cooper    CARRIED**

Council is requested to support the submission of an application to AWI to obtain a grant to purchase deer traps to assist control feral deer.

## **Budget Implications**

Nil

## **Policy Consideration**

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

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

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

## **Community Engagement**

The PMWG Committee is a community engagement tool.

## **Legislation/Local Law**

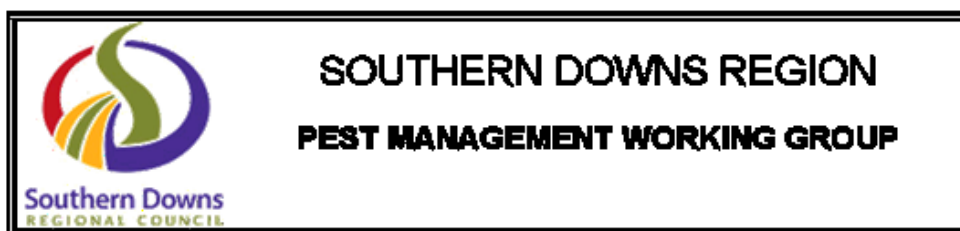
*Land Protection (Pest and Stock Route Management) Act 2002*

## **Options**

1. Receive the minutes of the Pest Management Working Group meeting held on 17 February 2015.
2. Support the submission of a grant application to Australian Wool Innovations (AWI) for deer traps.
3. Not support the submission of a grant application to Australian Wool Innovations (AWI) for deer traps.

## **Attachments**

1. Pest Management Working Group Minutes from meeting held 17 February 2015 [View](#)



**Minutes of Meeting held at 64 Fitzroy Street Warwick, Tuesday  
17th February 2015 at 10.05am**

**PRESENT:** Mr James Eastwell, Cr Cameron Gow, Mr Ray Lambert, Mr Craig Magnussen, Cr Glyn Rees, Cr Ross Bartley, Ms Renee Mackenzie, Mr Harley West, Mr Damien Ferguson, Ms Kym Campbell, Mr John Agnew, Mr Clive Smith, Mr Ken McCray, Mrs Elspeth Cooper, Mr Lloyd Hilton, Ms Nicole Collett, Mr Will Dobbie and Mrs Katrina Buckley (Minute Secretary).

**APOLOGIES:** Mr David Stevenson, Mr Tim O'Brien, Mr Pedro Hodgson, Ms Toni Wilmott, Mr Brett Roberts

**Recommendation:**

That the minutes from the meeting of the Pest Management Working Group held on 18 November 2014 as circulated are true and correct.

**Moved: Mr Clive Smith Seconded: Mr John Agnew CARRIED**

**3.0 Business Arising From Previous Minutes**

- Craig has advised that he has been in contact with Ninox Robotics to give them details of property owners in the Sundown area willing to participate in trials for the use of drones for feral animal detection, and the company is currently looking at the possibility of doing a test in March. It is rumoured that 1080 stock will run out towards the end of next year.

**Recommendation:** To leave revisiting investigating suppliers and potential cost of supply for 1080 on the agenda to address this further

- Community Wild Dog Management Advisory Committee – A member of the committee is looking at applying for funding to fence part of the Dunikal State Forest. It has not been established at this stage who is to be responsible for maintaining the fence. It could potentially be possible to ask landholders to maintain the fence if funding was sought to put additional fencing in. Clive advised that they are currently looking to obtain funding.
- Ken McCray advised that the press release regarding the working relationship between The Department of Transport and Main Roads and Council for roadside weed control has been sent back to Tim and Sonia at Council for final perusal and release.



#### **4.0 Update on Wild Dog Funding Initiatives – Craig Magnusson**

Craig advised that the last of the funding initiatives has now been finalised with the installation of the Council funded motion activated buzzers on the two grids on the rabbit fence. Cr Gow asked the other agencies to notify Craig if they become aware of any funding that may assist with wild dog control projects.

Craig has been discussing funding opportunities with AMV to undertake deer trapping to harvest meat for wild dog baiting. Cr Gow requested a letter of support from the Working Group to AMV for this funding. Cr Gow also indicated he would request council to provide a letter of support for this funding. Submissions for AMV funding are now open and there is no set end date as Council has previously received funding through the AMV. Cr Glyn Rees and Cr Ross Bartley have been asked to bring it up at the next council meeting.

**Moved: Mr Clive Smith      Second: Ms Elspeth Cooper      CARRIED**

#### **5.0 Community Wild Dog Management Advisory Committee – Clive Smith**

Clive advised that a member of the committee is asking for support for funding for fencing, in the form of a letter of support. They are looking for ways to fund additional fencing for the purpose of an exclusion fence for Durikol Forrest. Clive added that if the exclusion fence does go in, it is imperative that effective baits must be put in. Darren Marshall from QMDC will be attending a sub catchment meeting this weekend, which will encompass the Drumshead sub catchment and include some land in Goondwindi Regional Council. There will be a wild dog expert from National Parks in NSW facilitate the meeting and they are expecting good participation. They will be discussing and educating people on ways to detect and get rid of dogs in the area and hope to expand the planning approach to other parts of the region. There is a need to improve participation rates in baiting in sub catchments closer to town areas. The next baiting days are next week, 24- 27<sup>th</sup> February 2015.

Another group are also looking at cost comparisons for baiting with meat versus manufactured baits, as the freezers have been successful in providing the ability to opportunistically collect meat bait but they now have to fund running costs which can cause increased expense as opposed to purchasing manufactured baits which would not incur this additional cost.

#### **6.0 Update by Member Groups**

**James Eastwell** – James advised that they are currently conducting private property surveys and roadside spraying of Boxthorn in Swanfels and will be moving into the upper Freestone – Mount Sturt area next. Craig Hunter and a team of 4 other Biosecurity Queensland officers will be coming to survey for Honey Locust in the Condamine River on April 20<sup>th</sup> & 24<sup>th</sup>. This will commence from the Longs Bridge Road area and head back west towards town. This clashes with the next round of dog baiting so the baiting date will need to change. The first preliminary meeting has been held to draw lines on maps of potential flight paths for the aerial baiting as part of the drought pest funding secured by Condamine Alliance.

James acknowledged that Cr Glyn Rees has been a welcomed assistance with signing bounties in the Allora region.

**John Agnew** – John expressed his interest in keeping track of actions from meetings to be recorded as part of the agenda for follow-up as he is concerned that no action happens from meeting to meeting and would not like to see things slip through the cracks.

**Elspeth Cooper**– Advised that Condamine Headwaters Landcare Group are currently moving out of their Kings Street Office to the old Rosenthal Chambers. They have also had website disruptions due to security issues and are looking at solutions for this to minimise disruptions going forward.

**Harley West** – Harley advised that they have had success with the blackberry control since the Christmas period. And have also kicked off again with Rabbit control. It is quite difficult over the Holiday period as residents tend to be quite reluctant to report or assist with control through this time.

**John Cuskally** – Advised that Pedro Hodgson is currently on Long Service Leave.

There is a second round of Federal grant money (drought pest funding) coming up soon totalling \$4.9 million. He suggested to start thinking about submissions. Collaboration amongst local government and other groups will be looked upon favourably. QMDC secured funding in the first round for other local government areas however it did not extend to our region.

Biosecurity are currently doing appraisals on wild dog exclusion fencing being built. This is so they can undertake thorough cost-benefit analysis. This will be looked at as a 5 year project.

A discussion was held about the exclusion fencing and the cost benefits. Cr Gow encouraged groups to work together to assist in the overall situation.

**Will Dobbie** – Will provided an update on the replacement fencing at Cullendore. They have currently replaced a 12.40km section of the 13.3km section with the remainder to be completed within the next 2 weeks.

49 properties in the Southern Downs Region have been visited. Of those 49 properties, there are 10 new reports of rabbits. There have been no virus releases. They have had 52 reports of pet rabbits with only 1 in the Southern Downs region. There is concern with some landholders expecting that they have no obligation to act on the rabbit issue and that it is the sole responsibility of the Rabbit Board. This can cause mixed success.

Last year a 60km area was surveyed along the Lockyer Creek area focusing on the vegetable growers. 57 properties were identified as having rabbits. They are currently working at educating and advising the property owners of what steps to take. They are holding a meeting at Gatton to further educate the people in these areas. It was suggested that perhaps they invite Harley to talk about "the dirty side" at this next meeting with landholders.

**Ross Bartley** – Ross reported that the new Acting CEO for the Rabbit Board brings new energy and is keen to see how it all works. He is visiting areas of the fence and appears impressed so far. If anyone wishes to meet the CEO please drop in and do so.

It was reported that Dogs are a growing concern with \$2600 bounties being paid in January and to date February's figure is at \$2700.

Good coverage has been given in the Daily News and Southern Free Times with plenty of photos of the new fencing at Cullendore. This year has seen the biggest

investment in 50 years, and urged that if anyone wanted to see the fence, they are more than welcome to come with the members for a drive to do so.

**Ken McCray**— Ken advised that he has been liaising with Geoff Pittstock in relation to weed control on Main Roads. They are currently behind with dealing with blackberry control on the New England Highway but are confident it will be completed this year. There has been a case of Harrisella Cactus on the Leyburn Cunningham Road. Geoff has dealt with this and has been liaising with the landholders. There has however been a second outbreak on the Main Roads estate. Geoff and Ken have spoken about a template letter where identified properties adjacent to treated properties are notified to reduce the risk of reinfestation.

It was questioned what the purpose of this would be, would it be to follow up with these landholders at a later date to ensure action. It was proposed that Nicole to touch base with Ken to discuss this further.

**Craig Magnussen** – Craig advised that an early round of baiting will take place next week due to increased wild dog activity. He has established five permanent bait stations on both the dog and rabbit fences, including a new station on the corner of Rabbit Fence Road and Pikevale Road.

There have been lots of reports of pigs in the area and they are currently trialling baiting materials. They have sourced a supply of apples and are trialling these in a bait station at the moment. There have also been complaints of Deer especially in the vineyards at Ballandean. This is an increasing problem throughout a range of properties. The rain activity has also seen an increase in rabbit activity and blackberry but they have had lots of people from different groups working on this. They are concentrating on the Eukey and Mount Tully area, and conducting joint inspections with Harley at the moment.

Craig advised that he is attending a meeting in St George next week with a group recently formed by Biosecurity Qld, called the Southern Inland QLD Rural Lands Officers Group. This will be their second meeting. The group was formed with the purpose of meeting to promote strategic, regional pest management and to share information on pest management matters. James attended the first of the meetings and found it quite informative and interesting.

**Damien Ferguson** – As everyone is reporting there has been increased dog activity. Main range remains a concern, as they are reluctant to act due to the fact they believe the neighbouring properties are not complaining of pest issues coming from the range. It is noted however that these neighbouring property owners are bringing in lots of bounties. Main Range National Park are happy to keep the status quo rather than reduce numbers in the area. There is concern with access in this area which creates problems. It was suggested that perhaps we ask the parks to attend meetings to assist with education on the issue, however James advised that they already attend meetings with us but are quite stretched for staff which creates another issue contributing to them being reluctant to act.

Property owners are looking at ways to obtain funding for fencing to assist with pigs, dogs and kangaroos. Some property owners are fencing whole properties while others are only fencing crops. Reports indicate that it is cost effective to fence crops as the investment is recouped after a 2 year period.

**Kym Campbell** – Kym advises that they are looking at the second round of drought pest funding and need to complete the first round. Kym thanked James for his commitment to assisting with the wild dog component of the funding. They are currently looking to contract some trapper shooters to assist with landholders unable

to participate in baiting programs. Kym is collaborating with Ag-Force and other regional NRM bodies to deliver workshops regarding feral animal control.

**Next Meeting**


The next meeting will be held at 10.00am on Tuesday 19<sup>th</sup> May 2015 at the Council Chambers, 61 Marsh Street, Stanthorpe.

**Closure**

There being no further business, the meeting closed at 11.25pm.

## 12.2 Proposed Amendments to the Flood Hazard Overlay Code

### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Principal Town Planner                    | <b>File Ref:</b> 18.15.11          |

### Recommendation

THAT Council resolve to include the draft amendments to the Flood hazard overlay code in the major amendments to the Southern Downs Planning Scheme.

### Report

The Flood hazard overlay within the Southern Downs Planning Scheme identifies those areas of the Region that are subject to flooding in a Q100 flood event. The effect of the Flood hazard overlay code is to regulate development within the flood plain.

With the commencement of the Temporary Local Planning Instrument ("TLPI") 01/2014 (Amendment of the Flood hazard overlay) on 29 September 2014, the Flood hazard overlay was amended by:

- (i) replacing the Queensland Reconstruction Authority's (QRA) flood mapping for the Leyburn area with the 1 percent Annual Exceedance Probability (AEP) as mapped in the Leyburn Flood Risk Management Study; and
- (ii) replacing the QRA's flood mapping and the mapping from the 1976 Stanthorpe flood event with the 1 percent AEP for the Stanthorpe area as mapped in the Stanthorpe Flood Risk Management Study; and
- (iii) replacing the QRA's flood mapping for the Applethorpe area with the 1 percent AEP as mapped in the Applethorpe Flood Study; and
- (iv) replacing the QRA's flood mapping for the Glengallan Creek area with the 1 percent AEP as mapped in the Glengallan Creek Flood Study; and
- (v) replacing the QRA's flood mapping for the Rosenthal Creek area with the 1 percent AEP as mapped in the Rosenthal Creek Flood Study.

At its General Meeting on 26 March 2014, Council resolved to propose to make the TLPI and also resolved that an amendment of the Flood hazard overlay to incorporate the 1 percent AEP as mapped in the five flood studies mentioned above be included in the major amendment of the Southern Downs Planning Scheme.

The Flood hazard overlay as viewed on Council's IntraMaps system is the composite of the five flood studies mentioned above, the Condamine Flood Plain Study and the Queensland Reconstruction Authority's Interim Floodplain Assessment Overlay Floodplain Maps.

The TLPI and the Flood hazard overlay maps associated with the TLPI, are also available on Council's website.

Currently the provisions of the Flood hazard overlay code that relate to new buildings are as follows:

| Performance outcomes   | Acceptable outcomes  |
|--|--|
| <b>PO1</b><br>Development siting and layout responds to flooding potential and maintains personal safety at all times                        | <b>For Material Change of Use</b><br><b>AO1.1</b><br>New buildings, with the exception of farm sheds and outbuildings associated with an existing dwelling are not located within the overlay area.  |
| <b>PO2</b><br>Development is resilient to flood events by ensuring that design and construction account for the potential risks of flooding. | <b>For Material Change of Use (Residential Uses)</b><br><b>AO2.1</b><br>(a) Residential dwellings are not constructed as single storey slab on ground.<br>(b) Flood immunity for development areas is not achieved by filling land.<br><i>Note – the Standard Building Regulation and associated Queensland Development Code address the floor levels of habitable rooms in relation to flood levels. The definition of habitable rooms is in the Building Code of Australia.</i><br><i>Note - the highset “Queenslander” style house is a resilient low-density housing solution in floodplain areas. Higher density development should ensure only non-habitable rooms (e.g. garages laundries) are located on the ground floor.</i>   |
|  | <b>AO2.2</b><br>Residential buildings:<br>(a) Use screening to ensure that the understorey is not visible from the street;<br>(b) Are not excessively high or out of character with the area;<br>(c) Orient to the street by ensuring that the stairs to the dwelling and at least one habitable room overlook the street; and<br>(d) Have ground floors that allow for the flow through of flood water.   |
|  | <b>For Material Change of Use (Non-Residential Uses)</b><br><b>AO2.3</b><br><i>In partial fulfilment of the PO</i><br>Non-residential buildings are located and designed so that floor levels (except areas used for car parking) are not subject to flooding.<br><i>Note: The relevant building assessment provisions under the Building Act 1975 apply to all building work within the overlay area and must take account of the flood potential within the area.</i><br><i>Note: Resilient building materials for use within the overlay area should be determined in consultation with Council, in accordance with the relevant building assessment provisions.</i><br><i>Note: A flood assessment report may be necessary to demonstrate compliance to the satisfaction of the assessment manager (or designator). A flood assessment report should include an assessment of the development proposal against these outcomes, and may require a specific hydraulic and hydrologic investigation undertaken by a suitably qualified professional engineer.</i> |
|  | <b>AO2.4</b><br>Non-residential buildings and structures:<br>(a) Orient to the street by activating the street frontage through ground floor commercial uses or urban design treatments such as recess wall treatments , screening and landscaping; and<br>(b) Allow for flow through of flood waters on the ground floor.<br><i>Note: Businesses should ensure that they have the necessary continuity plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or of site.)</i>  |

While AO1.1 states there will be no new buildings within the Flood hazard overlay (with some minor exceptions), the Performance outcomes and other Acceptable outcomes suggest that new buildings may be acceptable in some circumstances, though it is unclear what those circumstances would be.

The State Planning Policy provides guidance as to the depth and velocity of flood water that correspond to the level of flood hazard.

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

It is suggested that if Council was to allow buildings within the Flood hazard overlay, only a low degree of flood hazard could be considered acceptable, as in the event of a flood the age and fitness of the evacuees, and the means of egress available, will be unknown.

Attached is the Flood hazard overlay code showing proposed amendments to the code in red. These amendments have been drafted based on the following:

1. Compliance with the State Planning Policy;
2. Inclusion of the latest flooding studies to incorporate the TLPI (Amendment of the Flood hazard overlay);
3. Format changes to group together the requirements for each type of development; and
4. Inclusion of criteria for new buildings on flood prone lots, where the depth and velocity of flood waters and the evacuation distance are such that there is a low hazard level.

The major change proposed to the code is to Acceptable outcome AO1 as follows:

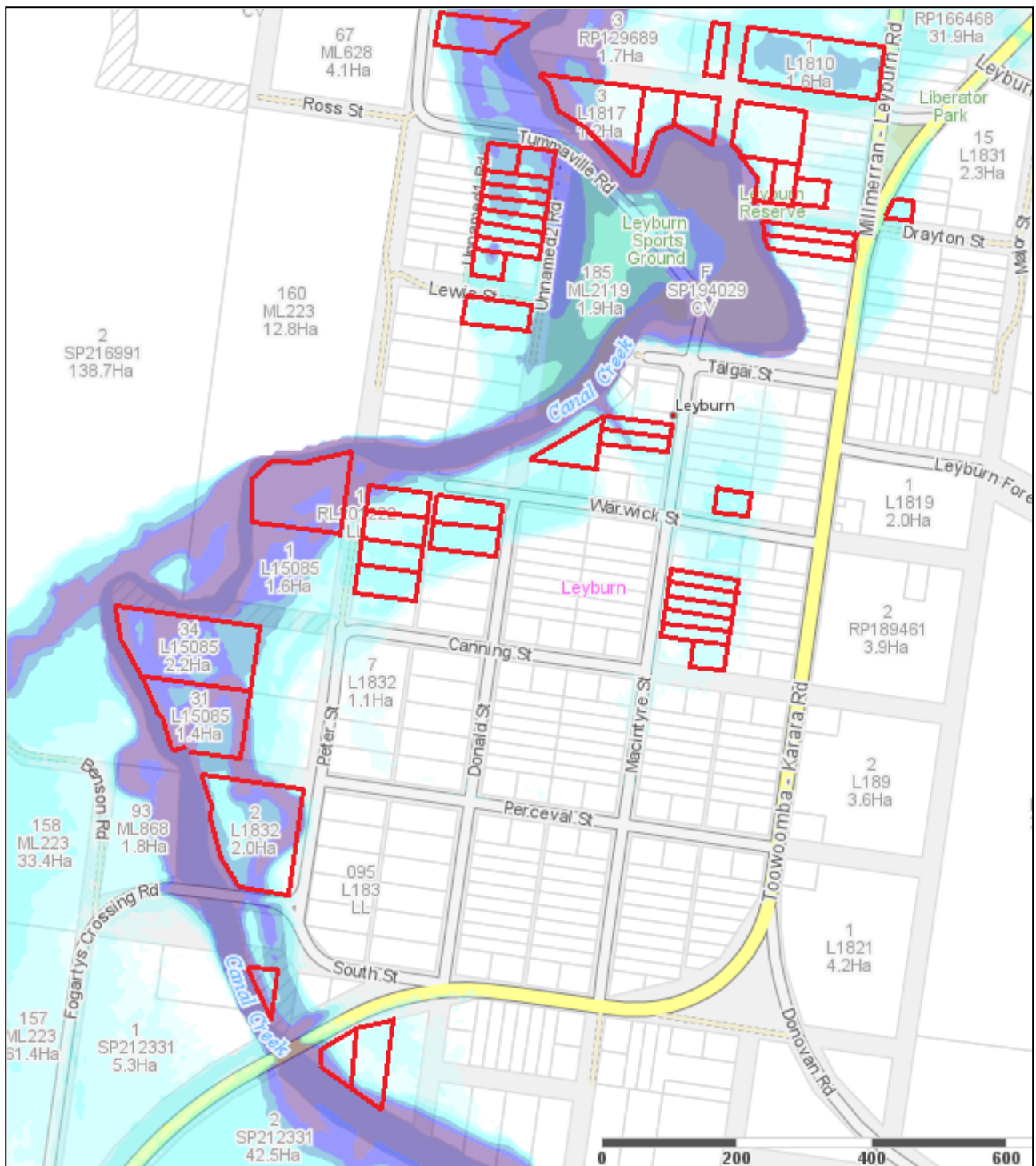
| Performance outcomes   | Acceptable outcomes  |
|--|--|
| <b>PO1</b><br>Development siting and layout responds to flooding potential and maintains personal safety at all times. | <b>AO1.4</b><br>(a) New buildings, with the exception of farm sheds and outbuildings associated with an existing dwelling, are not located within the overlay area; or<br>(b) New buildings are located within the overlay area only where the following criteria are met:<br>(i) There is no part of the lot that is outside of the Flood hazard overlay area;<br>(ii) New buildings are located on the highest part of the lot to minimise entrance of floodwaters;<br>(iii) New buildings are located in areas of low flood hazard only as follows:<br>– Maximum flood depth is 0.3 m; and<br>– Maximum flood velocity is 0.4 m/s.<br>(iv) Direct access is available to low hazard evacuation routes as follows:<br>– Maximum flood depth is 0.3 m;<br>– Maximum flood velocity is 0.4 m/s; and<br>– Evacuation distance is less than 200 m. |

The proposed amendment would allow the construction of new buildings on a flood prone lot subject to the building being located on the highest part of the lot, and the flood hazard being low, i.e. a maximum flood depth of 0.3 metres and a maximum flood velocity of 0.4 metres per second. A low hazard evacuation route must also be available.

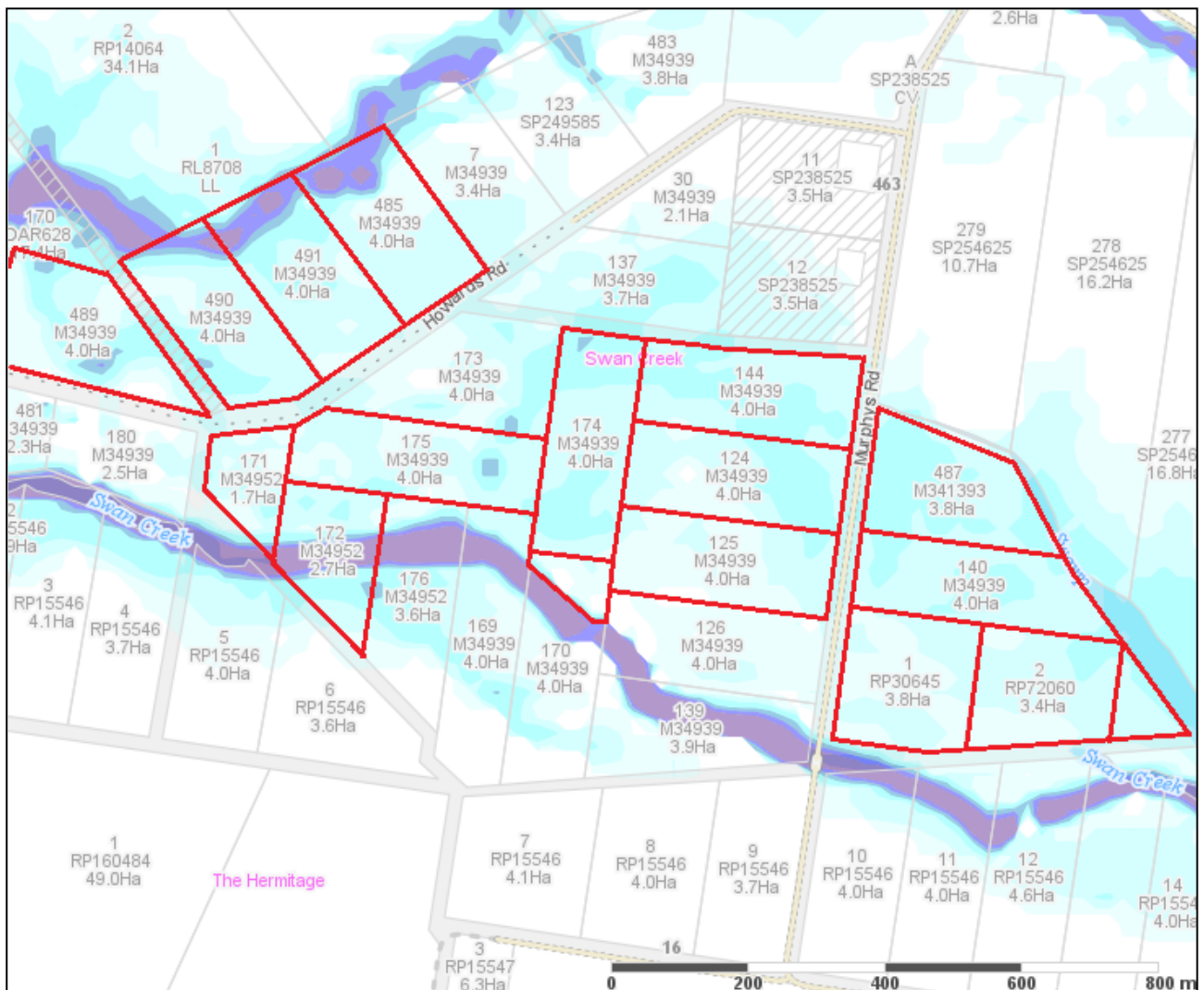
The part of the Region where the proposed amendment to the code will potentially have the greatest effect is the Leyburn area. The map below shows those lots within Leyburn that are completely flood prone and don't currently have a dwelling constructed on the land. Buildings could not be constructed on all of the lots shown in red, as some of these lots are subject to flood waters exceeding the maximum depth and velocity. The lightest shade of blue shows a flood water height of up to 0.25 metres, therefore only those lots with a sufficient building envelope available in the lighter shades of blue could potentially be built upon.

As the Swan Creek area similarly includes a number of allotments that are subject to low flood hazard during a Q100 event, a map is also provided below for the Swan Creek area.





**Leyburn - lots that are completely flood prone and don't currently have a dwelling**



**Swan Creek - lots that are completely flood prone and don't currently have a dwelling**

## 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

### Operational Plan

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

## Community Engagement

All proposed amendments to the Planning Scheme must undergo a consultation process for a minimum of 30 business days.

## **Legislation/Local Law**

*Sustainable Planning Act 2009*

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

Southern Downs Planning Scheme

## **Options**

1. Council resolve to include the draft amendments to the Flood hazard overlay code, as attached, in the major amendments to the Southern Downs Planning Scheme.
2. Council resolve to include draft amendments to the Flood hazard overlay code, other than those shown on the attached document, in the major amendments to the Southern Downs Planning Scheme.
3. Council make no change to the Flood hazard overlay code.

## **Attachments**

1. Draft amendments to the Flood hazard overlay code [View](#)

## **Draft amendments to the Flood hazard overlay code**

### **8.2.5 Flood hazard overlay code**

~~Note: Parts of this planning scheme were subject to inundation during the January 2011 flood. The Queensland Floods Commission of Inquiry has investigated the flood disaster, including a review of the existing planning provisions related to flooding and flood risk mitigation. Consequently, the provisions of this planning scheme with respect to the management of flooding and flood risk mitigation is subject to change at the discretion of the Queensland Government or Southern Downs Regional Council in the near future. This should be taken into account by applicants and assessment managers when considering development in the local government area.~~

#### **8.2.5.1 Application**

This code ~~applies to is an applicable code for~~ assessable and self-assessable development involving land wholly or partially within the area identified in the Flood hazard overlay maps which are a combination of:

- (a) Flood hazard maps contained in the Condamine Flood Plain Study which apply to the Condamine flood plain;
- (b) ~~Flood hazard maps contained in the Stanthorpe Flood Risk Management Study which apply to the showing the highest known flood level as mapped in February 1976 for the urban area of Stanthorpe~~ which apply to the urban area of Stanthorpe; and
- (c) ~~Flood hazard maps contained in the Leyburn Flood Risk Management Study which apply to the Leyburn area;~~
- (d) ~~Flood hazard maps contained in the Applethorpe Flood Study which apply to the Applethorpe area;~~
- (e) ~~Flood hazard maps contained in the Glengallan Creek Flood Study which apply to the Glengallan Creek area;~~
- (f) ~~Flood hazard maps contained in the Rosenthal Creek Flood Study which apply to the northern section of the Rosenthal Creek area; and~~
- (g) The Interim Floodplain Assessment Overlay Floodplain Maps, ~~prepared by the Queensland Reconstruction Authority,~~ which apply to the remaining parts of the planning scheme area.

When using this code, reference should be made to section 5.3.2 and where applicable, section 5.3.3 located in Part 5.

#### **8.2.5.2 Purpose**

- (1) The purpose of the Flood hazard overlay code is to manage development outcomes in the floodplain so that risk to life, property, community and the environment during future flood events is minimised, and to ensure that development does not increase the potential for flood damage on site or to other property.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development maintains the safety of people on the development site from flood events and minimises the potential damage from flooding to property.
  - (b) Development does not result in adverse impacts on people's safety, the environment or the capacity to use land within the floodplain.
  - (c) Land that is identified as subject to flood hazard is conserved for sustainable rural use or sport, recreation and open space purposes and when located adjacent to the Warwick urban area contributes where possible to the Warwick green belt.



### 8.2.5.3 Assessment criteria

Table 8.2.5.3 – Flood hazard overlay - Self-assessable and assessable development

| Performance outcomes   | Acceptable outcomes  |
|--|--|
|  | <b>Material change of use</b>  |
| <b>PO1</b><br>Development siting and layout responds to flooding potential and maintains personal safety at all times.                       | <b>AO1-4</b><br>(a) New buildings, with the exception of farm sheds and outbuildings associated with an existing dwelling, are not located within the overlay area; <b>or</b><br>(b) <b>New buildings are located within the overlay area only where the following criteria are met:</b><br>(i) <b>There is no part of the lot that is outside of the Flood hazard overlay area;</b><br>(ii) <b>New buildings are located on the highest part of the lot to minimise entrance of floodwaters;</b><br>(iii) <b>New buildings are located in areas of low flood hazard only as follows:</b><br>– <b>Maximum flood depth is 0.3 m; and</b><br>– <b>Maximum flood velocity is 0.4 m/s.</b><br>(iv) <b>Direct access is available to low hazard evacuation routes as follows:</b><br>– <b>Maximum flood depth is 0.3 m;</b><br>– <b>Maximum flood velocity is 0.4 m/s; and</b><br>– <b>Evacuation distance is less than 200 m.</b>  |
| <b>PO2</b><br>Development is resilient to flood events by ensuring that design and construction account for the potential risks of flooding. | <b>AO2.1</b><br>Residential buildings:<br>(a) are not constructed as single storey slab on ground;<br>(b) <b>do not involve the filling of land to achieve flood immunity-for-development areas-is-not-achieved-by-filling land;</b><br>(c) use screening to ensure that the understorey is not visible from the street;<br>(d) are not excessively high or out of character with the area;<br>(e) orient to the street by ensuring that the stairs to the dwelling and at least one habitable room overlook the street; <b>and</b><br>(f) have ground floors that allow for the flow through of flood water; <b>and</b><br>(g) <b>electrical meter boxes, switchboards, power points and switches are located above the Defined Flood Event (DFE) flood level.</b><br><br><i>Note: The Standard Building Regulation and associated Queensland Development Code address the floor levels of habitable rooms in relation to flood levels. The definition of habitable rooms is in the Building Code of Australia.</i><br><i>Note: The highset "Queenslander" style house is a resilient low-density housing solution in floodplain areas. Higher density development should ensure only non-habitable rooms (e.g. garages laundries) are located on the ground floor.</i> |

| Performance outcomes   | Acceptable outcomes  |
|--|--|
|  | <p><b>AO2.2</b><br/> <i>In partial fulfilment of the PO -</i><br/> Non-residential buildings:</p> <ul style="list-style-type: none"> <li>(a) are located and designed so that floor levels (except areas used for car parking) are not subject to flooding;</li> <li>(b) orient to the street by activating the street frontage through ground floor commercial uses or urban design treatments such as recess wall treatments, screening and landscaping; <del>and</del></li> <li>(c) allow for flow through of flood waters on the ground floor; <del>and</del></li> <li>(d) <del>electrical meter boxes, switchboards, power points and switches are located above the DFE flood level.</del></li> </ul> <p><i>Note: The relevant building assessment provisions under the Building Act 1975 apply to all building work within the overlay area and must take account of the flood potential within the area.</i></p> <p><i>Note: Resilient building materials for use within the overlay area should be determined in consultation with Council, in accordance with the relevant building assessment provisions. A flood assessment report may be necessary to demonstrate compliance to the satisfaction of the assessment manager <del>(or designator).</del> A flood assessment report should include an assessment of the development proposal against these outcomes, and may require a specific hydraulic and hydrologic investigation undertaken by a suitably qualified professional engineer.</i></p> <p><i>Note: Businesses should ensure that they have the necessary continuity plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off-site.)</i></p> |
| <p><b>PO3</b><br/> Development avoids the release of hazardous materials into floodwaters.</p> | <p><b>AO3</b></p> <ul style="list-style-type: none"> <li>(a) <del>Materials manufactured or stored on-site are not hazardous or noxious; or</del></li> <li>(b) The manufacture or storage in bulk of hazardous materials takes place above the DFE flood level; and</li> <li>(c) Material, manufacturing equipment and containers are located above the adopted flood level or where the flood level is not adopted they are located on the highest part of the site to enhance flood immunity.</li> </ul> <p><del><i>Note: Hazardous materials are as defined in the Dangerous Goods Safety Management Act 2001 (except that radioactive substances and infectious substances are excluded) in quantities that would be equivalent to or exceed the minimum quantities set out to determine a Large Dangerous Goods Location in the Dangerous Goods Safety Management Regulation.</i></del></p> <p><del><i>Note: Refer to the Work Health and Safety Act 2011 and associated regulation and guideline, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements related to the manufacture and storage of hazardous substances.</i></del></p>   |



| Performance outcomes  | Acceptable outcomes   |
|---|---|
| <b>PO4</b><br>Community infrastructure is able to function effectively during and immediately after flood events.   | <b>AO4</b><br>(a) Community infrastructure development is not located in an area that has been identified by flood hazard mapping as being below the Recommended Flood Level (RFL) specified for that community infrastructure in Table 8.2.5.4; OR<br>(b) The community infrastructure is located below the RFL but can function effectively during and immediately after the RFL flood event; AND<br>(c) Essential community infrastructure (emergency services and shelters, police facilities and hospitals, and associated facilities) has an emergency rescue area above the RFL.   |
| <b>Material change of use, Reconfiguring a lot and Operational works</b>  |   |
| <b>PO5</b><br>Development directly, indirectly and cumulatively avoids any significant increase in water flow, velocity or flood level, and does not increase the potential for flood damage either on site or on other properties. | <b>AO5.1</b><br>Works in urban areas associated with the proposed development do not involve:<br>(a) Any physical alteration to a watercourse or floodway including vegetation clearing; or<br>(b) A net increase in filling.<br><i>Note: Berms are considered to be an undesirable built form outcome and are not supported.</i>   |
|   | <b>AO5.2</b><br>Works in areas other than an urban area either:<br>(a) Do not involve a net increase in filling greater than 50 m <sup>3</sup> ; or<br>(b) Do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters. <del>Additionally, this is up to and including the DFE;</del> or<br>(c) Do not change flood characteristics (at the DFE) outside the subject site in ways that result in –<br>(i) Loss of flood storage;<br>(ii) Loss of/changes to flow paths;<br>(iii) Acceleration or retardation of flows; or<br>(iv) Any reduction in flood warning times elsewhere on the floodplain.<br><i>Note: A flood assessment report may be necessary to demonstrate compliance to the satisfaction of the assessment manager. The flood report should include an assessment of the proposal against these outcomes and may require specific hydraulic and hydrologic investigation to be undertaken by a suitably qualified professional engineer.</i> |
| <b>Reconfiguring a lot</b>  |   |
| <b>PO6</b><br>Development siting and layout responds to flooding potential and maintains personal safety at all times.  | <b>AO6.1</b><br>New lots are:<br>(a) Located outside the overlay area; or<br>(b) All new lots have an area at natural ground level measuring 17 m x 17m that is located outside the overlay area; and<br>(c) Are provided with legal, clear and direct pedestrian and vehicle evacuation routes that are not within the flood hazard overlay area.<br><i>Note: If part of the site is outside the overlay area, this is the preferred location for all lots (excluding park or other relevant open space and recreation lots).</i>  |




| Performance outcomes | Acceptable outcomes   |
|----------------------|---|
|                      | <i>Note: Buildings subsequently developed on the lots created will need to comply with the relevant building assessment provisions under the Building Act 1975.</i>   |
|                      | <b>AO6.2</b><br>Road and pathway layout provides a safe and clear evacuation path:<br>(a) By locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and<br>(b) By direct and simple routes to main carriageways.   |
|                      | <b>AO6.3</b><br>Signage is provided on site (regardless of whether the land will be in public or private ownership):<br>(a) Indicating the position and path of all safe evacuation routes off the site; and<br>(b) If the site contains or is within 100 m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as floodway crossings or entrances to low-lying reserves. |

**Table 8.2.5.4 – Recommended Flood Levels for Community Infrastructure**

| Types of community infrastructure   | Recommended flood levels  |
|---|---|
| <b>Detention facilities</b>   | <b>0.2% AEP</b>   |
| Emergency services  | 0.2% AEP  |
| Emergency shelters  | 0.5% AEP  |
| Police facilities   | 0.5% AEP  |
| Hospitals and associated facilities   | 0.2% AEP  |
| Stores of valuable records or items of historic or cultural significance (e.g. galleries and libraries)   | 0.5% AEP  |
| <ul style="list-style-type: none"> <li>State controlled roads</li> <li>Works of an electricity entity not otherwise listed in this table</li> <li>Railway lines, stations and associated facilities</li> <li>Aeronautical facilities</li> <li>Communication network facilities</li> </ul> | No specific recommended flood level but development proponents should ensure that the infrastructure is optimally located and designed to achieve suitable levels of service, having regard to the processes and policies of the administering government agency. |
| Power stations  | 0.2% AEP  |
| Major switch yards  | 0.2% AEP  |
| Substations   | 0.5% AEP  |
| Sewage treatment plants   | DFE   |
| Water treatment plants  | 0.5% AEP  |

## 12.3 Reconfiguration of Lot - Mad Investment Trust & Tamgate Pty Ltd, and Tamgate Pty Ltd as Trustee, 18 Ruby Street & 69 High Street, Stanthorpe

### Document Information

|   |   |                                    |
|---|---|------------------------------------|
| <br><b>Southern Downs</b><br><small>REGIONAL COUNCIL</small> | <b>Report To: General Council Meeting</b> |                                    |
|   | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|   | Principal Town Planner                    | <b>File Ref:</b> RC\01513          |

|                             |   |
|-----------------------------|---|
| <b>APPLICANT:</b>           | Gary Hayes & Partners Pty Ltd   |
| <b>OWNER:</b>               | Mad Investment Trust & Tamgate Pty Ltd, and Tamgate Pty Ltd as Trustee    |
| <b>ADDRESS:</b>             | 18 Ruby Street and 69 High Street, Stanthorpe                             |
| <b>RPD:</b>                 | Lot 2 RP75672 and Lot 7 RP21514, Parish of Folkestone, County of Bentinck |
| <b>ZONE:</b>                | Medium density residential zone   |
| <b>PROPOSAL:</b>            | Subdivision of two lots into four lots                                    |
| <b>LEVEL OF ASSESSMENT:</b> | Impact  |
| <b>SUBMITTERS:</b>          | One   |
| <b>REFERRALS:</b>           | Department of State Development, Infrastructure and Planning              |

### Recommendation Summary

THAT the application for Reconfiguration of Lot - Mad Investment Trust & Tamgate Pty Ltd, and Tamgate Pty Ltd for subdivision of land at 18 Ruby Street & 69 High Street, Stanthorpe, described as Lot 2 RP75672 & Lot 7 RP21514, Parish of Folkestone, County of Bentinck, be approved subject to conditions.

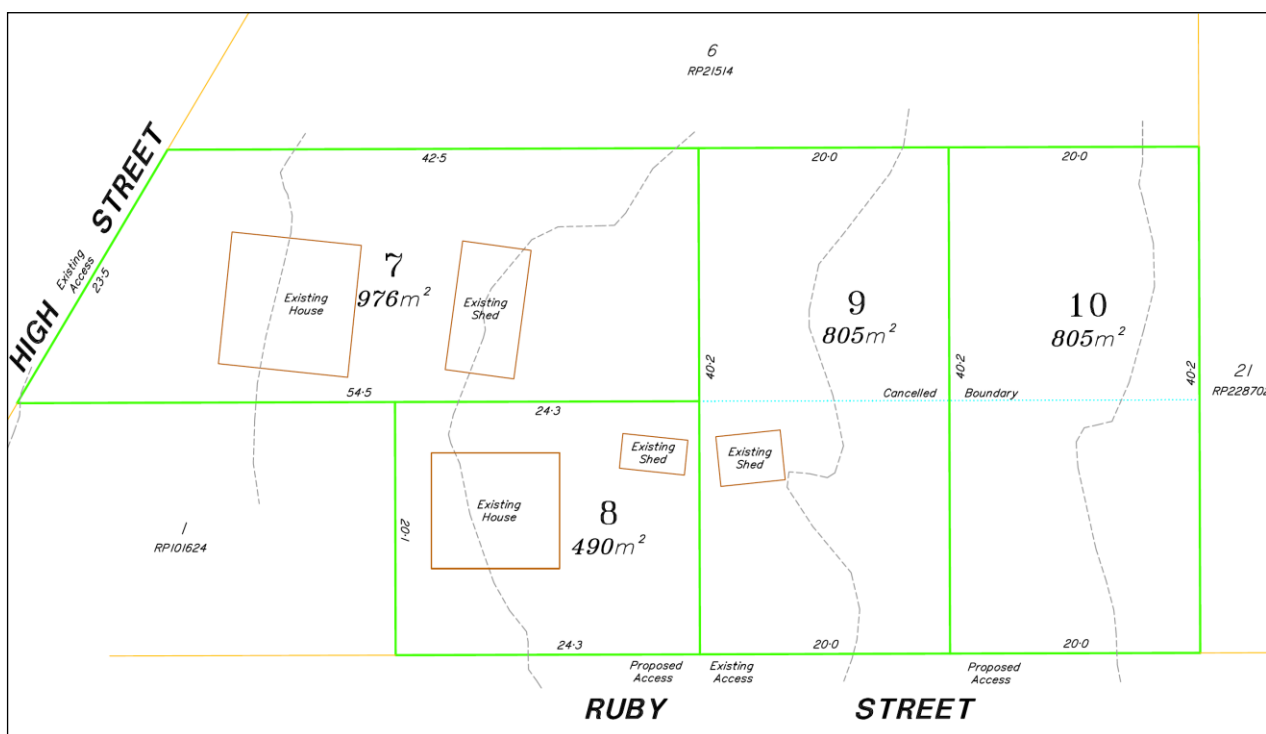
### Report

An application has been received for the Subdivision of land at 18 Ruby Street & 69 High Street, Stanthorpe, described as Lot 2 RP75672 & Lot 7 RP21514, Parish of Folkestone, County of Bentinck.

Lot 7 RP21514 has an area of 1781 square metres and frontage to High Street. Lot 2 RP75672 has an area of 1295 square metres and frontage to Ruby Street. There is a dwelling located on each lot.



The applicant proposes to subdivide the two lots into four lots. The proposed lot that will include the existing dwelling on Ruby Street will have an area less than 600 square metres, which means the application is subject to impact assessment.



### Referral

The application was referred to the Department of State Development, Infrastructure and Planning (DSDIP). The DSDIP requires conditions to attach to any approval.

## ***Submissions***

One submission was received to the application and is attached to this report.

The submitter states that they have no objection to the proposed subdivision provided off-street parking is available on each new lot.

The new allotments will be residential. Two parking spaces are required to be provided with each dwelling. There will be ample space available on each lot for parking.

## **Assessment against the Planning Scheme**

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

The minimum lot size in the Medium density residential zone is 600 square metres. Proposed Lot 8 will have an area of 490 square metres. The development must therefore comply with the Performance outcomes as follows:

### ***Medium density residential zone code***

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 with 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.

### ***Reconfiguring a lot code***

PO4 All lots in a zone or precinct have a size and dimensions that is consistent with the purpose and outcomes of the zone and precinct.

PO5 Lots have the minimum size and dimensions as specified in the applicable Zone code.

Proposed Lot 8 will be of sufficient size to accommodate a dwelling as one of the two existing dwellings will be located on this lot. The lot meets the minimum frontage requirement of 20 metres, which will ensure the lot integrates with the existing neighbourhood. The lot will be smaller in size than the other allotments in the vicinity, however a range of lot sizes is expected in the Medium density residential zone to encourage a mix of dwelling types.

While PO5 of the Reconfiguring a lot code states that lots must have the minimum size and dimensions as specified in the zone code, PO20 of the zone code indicates that lots less than 600 square metres may be acceptable in the Medium density residential zone. A zone code prevails over a development code, and it is considered that the proposed development achieves the other Performance outcomes. The size of proposed Lot 8 can be considered acceptable.

### ***Reconfiguring a lot code***

The proposed subdivision will not result in any buildings being located closer to any boundary than required under the planning scheme and the *Building Code of Australia*.

The developer will be required to provide connections to electricity supply, the reticulated water supply and the sewerage system.

The two lots are currently connected to the sewerage system via a combined drain. The developer will be required to extend the sewer to service the four new lots.

## ***Adopted Infrastructure Charges***

| Development Type          | Network | Rate         | Credit            | Proposed          | Charge          |
|---------------------------|---------|--------------|-------------------|-------------------|-----------------|
| Subdivision - residential | All     | \$10,000/lot | 2 lots = \$20,000 | 4 lots = \$40,000 | \$20,000        |
| <b>TOTAL:</b>             |         |              |                   |                   | <b>\$20,000</b> |

The adopted infrastructure charge is payable prior to Council approving the plan of subdivision in accordance with Section 648H of the *Sustainable Planning Act 2009*.

## **Conclusion**

The proposed development involves the subdivision of two lots into four lots. One of the proposed lots is less than 600 square metres which is the minimum lot size for lots in the Medium density residential zone. However, a range of lot sizes is expected in this zone to provide for a mix of dwelling types. The lots can be provided with all urban services. The application is recommended for approval subject to conditions.

## Recommendation

THAT the application for Reconfiguration of Lot - Mad Investment Trust & Tamgate Pty Ltd, and Tamgate Pty Ltd for subdivision of land at 18 Ruby Street & 69 High Street, Stanthorpe, described as Lot 2 RP75672 & Lot 7 RP21514, Parish of Folkestone, County of Bentinck, be approved subject to the following conditions:

### Schedule 1 - Southern Downs Regional Council's Conditions of Approval

#### Approved Plans

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

| Plan Name   | Plan No. | Date             |
|---|----------|------------------|
| Proposed Subdivision - Proposed Lots 7 to 10<br>Cancelling Lot 2 on RP75672 and Lot 7 on RP21514<br>Ruby & High Streets, Stanthorpe | W4868-01 | 11 November 2015 |

#### Building and Site Design

2. All household drainage (including sewer house connection, stormwater drainage and interallotment drainage) and services (including electricity and telephone) associated with the existing dwellings on the land are to be relocated so that they are wholly contained within proposed Lots 7 and 8, or easements provided over this private drainage and services. Plans, drawn by a suitably qualified person, showing all drainage associated with the existing dwellings are to be submitted to Council to demonstrate compliance with this requirement.

#### Fencing, Landscaping and Buffers

3. A minimum 1.8 m high solid fence is to be erected along the side and rear boundaries of proposed Lot 8, except within 6.0 metres of the front boundary. Any fence erected along the front boundary or within 6.0 metres of the front boundary is to have a maximum height of 1.2 m unless it contains openings that make it at least 50% transparent.

#### Car Parking and Vehicle Access

4. Vehicle access is to be constructed to proposed Lot 8 in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.) Such entrance roadworks are to be constructed in concrete and are to include appropriate drainage works.

#### Stormwater Drainage

5. A stormwater drainage system serving the development is to be constructed and the stormwater disposed of to a legal point of discharge, in accordance with the Queensland Urban Drainage Manual (QUDM). Where the finished levels of a proposed allotment are such that stormwater runoff from all or part of the allotment cannot be gravity discharged to the street, an underground drainage line shall be provided to discharge the runoff from the allotment. Where necessary, suitable easements may be required over adjoining properties. The easements shall be provided to Council, at the developer's cost. All drainage works should meet the requirements of the Queensland Urban Drainage Manual (QUDM).

#### Water Supply and Sewerage

6. An underground reticulated water supply system, up to and including water meters, is to be provided to service all allotments. This system is to be connected to Council's water supply system.
7. A sewerage reticulation system is to be provided to service all allotments. This system is to be connected to Council's wastewater sewerage system. None of the proposed lots are to be serviced by a combined drain.

## **Electricity, Street Lighting and Telecommunications**

8. Reticulated electricity is to be provided to each lot to the requirements of Ergon Energy. Prior to Council signing the Plan of Subdivision, written advice must be provided from Ergon Energy confirming that reticulated electricity has been installed to service each lot.
9. In accordance with the Federal Government's National Broadband Network (NBN) initiatives, the Developer (at the Developer's expense) is to install a fibre ready pit and pipe network (including trenching and ducting, design and third party certification) to NBN Co's specifications, to allow for the installation of Fibre-to-the-Premises (FTTP) broadband services. Any fibre provider may be used, provided they meet NBN specifications and open access requirements. Ownership of the infrastructure is to be transferred to Telstra in exchange for the provision of fibre within that pit and pipe network. Prior to Council approving the plan of subdivision, written advice is to be provided from Telstra that the pit and pipe network has been installed in accordance with NBN Co's specifications.

## **Operational Works**

10. All operational works are to be accepted on-maintenance prior to the Council signing the Plan of Subdivision. (See advisory note below.)

## **Adopted Infrastructure Charges Notice**

11. Payment is to be made to Council in accordance with the Adopted Infrastructure Charges Notice attached to the decision notice.

## **Advisory Notes**

### **Operational Works**

- (i) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Sustainable Planning Act 2009*. This application must be submitted with the following:
  - Relevant IDAS Forms;
  - The relevant fee in accordance with Council's Schedule of General Fees and Charges;
  - Design, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);
  - A Stormwater Management Plan;
  - An Erosion and Sediment Control Plan.

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

### **Aboriginal Cultural Heritage**

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

### **Approval Times**

- (iii) In accordance with the *Sustainable Planning Act 2009*, this approval will lapse two years from the day the approval takes effect, or four years where the reconfiguration involves Operational Works. If an application for a related approval is made within two years of the day this approval takes effect, the relevant period is taken to have started on the day the latest related approval takes effect (*Sustainable Planning Act 2009* s341).



## Approval of Plan of Subdivision

- (iv) The Plan of Subdivision for the reconfiguration must be submitted to Council for Compliance Assessment (*Sustainable Planning Regulation 2009* Sch 19). The Plan of Subdivision must be submitted to Council within the relevant period of the approval, and with the appropriate form (IDAS Form 32) and fees. **Council will NOT issue a Compliance Certificate or approve the plan unless all conditions of this approval have been complied with to the satisfaction of Council and within the relevant period of the approval.**
- (v) The approved Plan of Subdivision must be lodged for registration in the Office of the Registrar of Titles within six months of the date of Council's Compliance Certificate and approval of the Plan of Subdivision. If the Plan of Subdivision is not registered within this timeframe, Council's approval of the Plan of Subdivision will lapse. Council may reapprove the Plan of Subdivision subject to payment of the applicable fee.

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

|   |  |                            |
|---|--|----------------------------|
| Our reference: SDA-1114-016431  |  |                            |
| Your reference:   |  |                            |
| <b>Attachment 1—Conditions to be imposed</b>  |  |                            |
| <b>No.</b>  | <b>Conditions</b>  | <b>Condition timing</b>    |
| Stormwater and Drainage impacts on the state-controlled road  |  |                            |
| Schedule 7, Table 2, Item 2 —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads (DTMR) to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s): |  |                            |
| 1.  | (a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled (SCR) road.<br>(b) Any works on the land must not: <ul style="list-style-type: none"> <li>(i) Interfere with and/or cause damage to the existing stormwater drainage on the SCR;</li> <li>(ii) Surcharge any existing culvert or drain on the SCR;</li> <li>(iii) Reduce the quality of stormwater discharge onto the SCR.</li> </ul> | (a) And (b): At all times. |
| 2.  | The development must be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> <li>• Gary Hayes &amp; Partners Pty Ltd, Proposed Subdivision – Survey Plan, Drawing No: W4868-01, Date: 11/11/2014.</li> </ul>   |                            |

## Attachments

- Submission to application for Subdivision of two lots into four lots at 18 Ruby Street and 69 High Street, Stanthorpe [View](#)

**From:** Maureen Staples [mm.staples@hotmail.com]  
**Sent:** Wednesday, 4 February 2015 1:55:06 AM  
**To:** General Enquiries  
**Subject:** Proposed development 18 Ruby & 69 High St Stanthorpe

The Assessment Manager,  
Southern Downs Regional Council,  
PO Box 26,  
Warwick. Qld. 4370

Dear Sir/Madam,

I am currently the owner of 71-73 High Street, Stanthorpe.

It is noted that the two properties in the proposed development application are both neighbours.  
I would like it noted that I have no problem with the development as long as off-street parking is available for each new block.

Our block has two businesses operating from it presently and a residence, therefore street parking for customers is a concern.


Yours faithfully,

**Maureen Staples**

[http://wks-01:8080/arcroot/datawks/stores/default/default/orig/docId/2476472/dw\\_get\[5/03/2015 11:02:00 AM\]](http://wks-01:8080/arcroot/datawks/stores/default/default/orig/docId/2476472/dw_get[5/03/2015 11:02:00 AM])

## 12.4 Material Change of Use - Gregory Butler, 9 Curtin Road, Lyra

### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Senior Planning Officer                   | <b>File Ref:</b> MCU01603          |

|                             |   |
|-----------------------------|---|
| <b>APPLICANT:</b>           | Gregory A Butler  |
| <b>OWNER:</b>               | Gregory A & Jewell E Butler   |
| <b>ADDRESS:</b>             | 9 Curtin Road, Lyra   |
| <b>RPD:</b>                 | Lot 1 SP201775, Parish of Ballandean, County of Bentinck                              |
| <b>ZONE:</b>                | Rural   |
| <b>LAND AREA:</b>           | 3.5 hectares  |
| <b>PROPOSAL:</b>            | Short-term accommodation (Two buildings providing for a maximum of eight guests each) |
| <b>LEVEL OF ASSESSMENT:</b> | Impact  |
| <b>SUBMITTERS:</b>          | Four  |
| <b>REFERRALS:</b>           | Department of State Development, Infrastructure and Planning                          |

### Recommendation Summary

THAT the application for a Material Change of Use for the purpose of a Short-term accommodation (Two buildings providing for a maximum of eight guests each) on land at 9 Curtin Road, Lyra, described as Lot 1 SP201775, Parish of Ballandean, County of Bentinck, be approved.

### Report

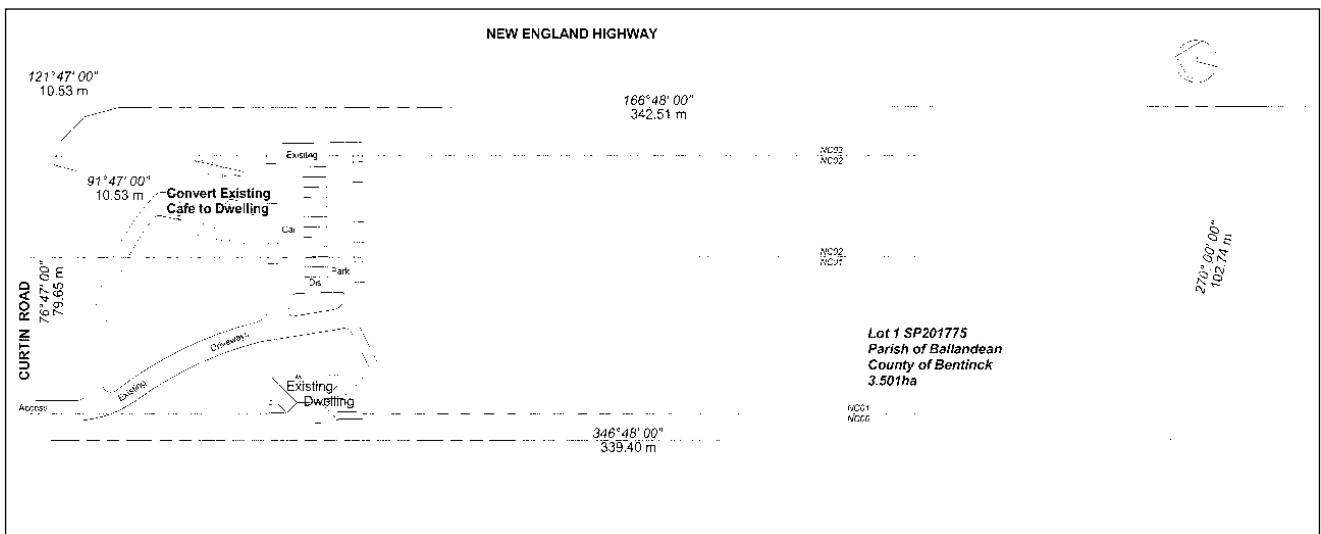
The subject land has frontage to the New England Highway and Curtin Road. The property contains a dwelling and cafe/restaurant with trade aimed at the tourism market.

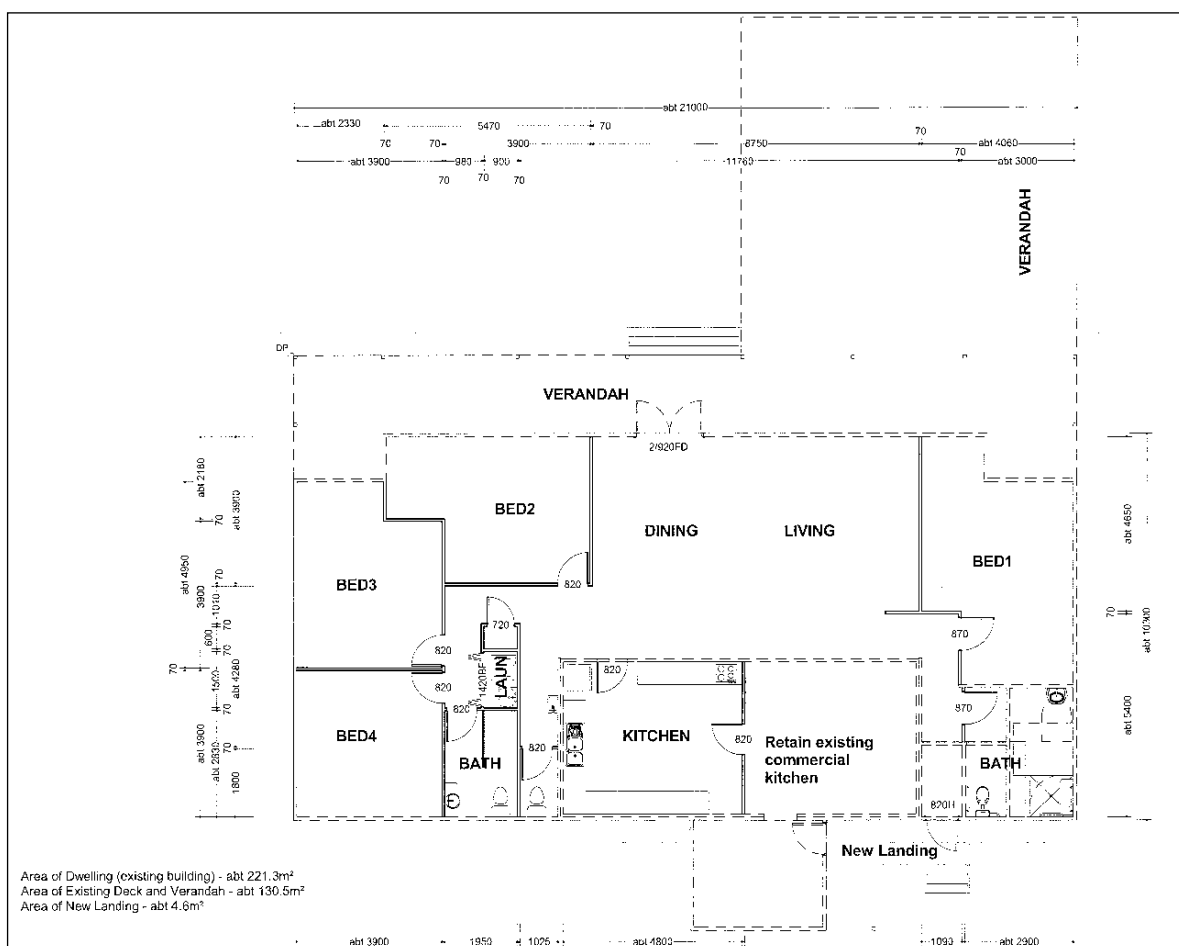
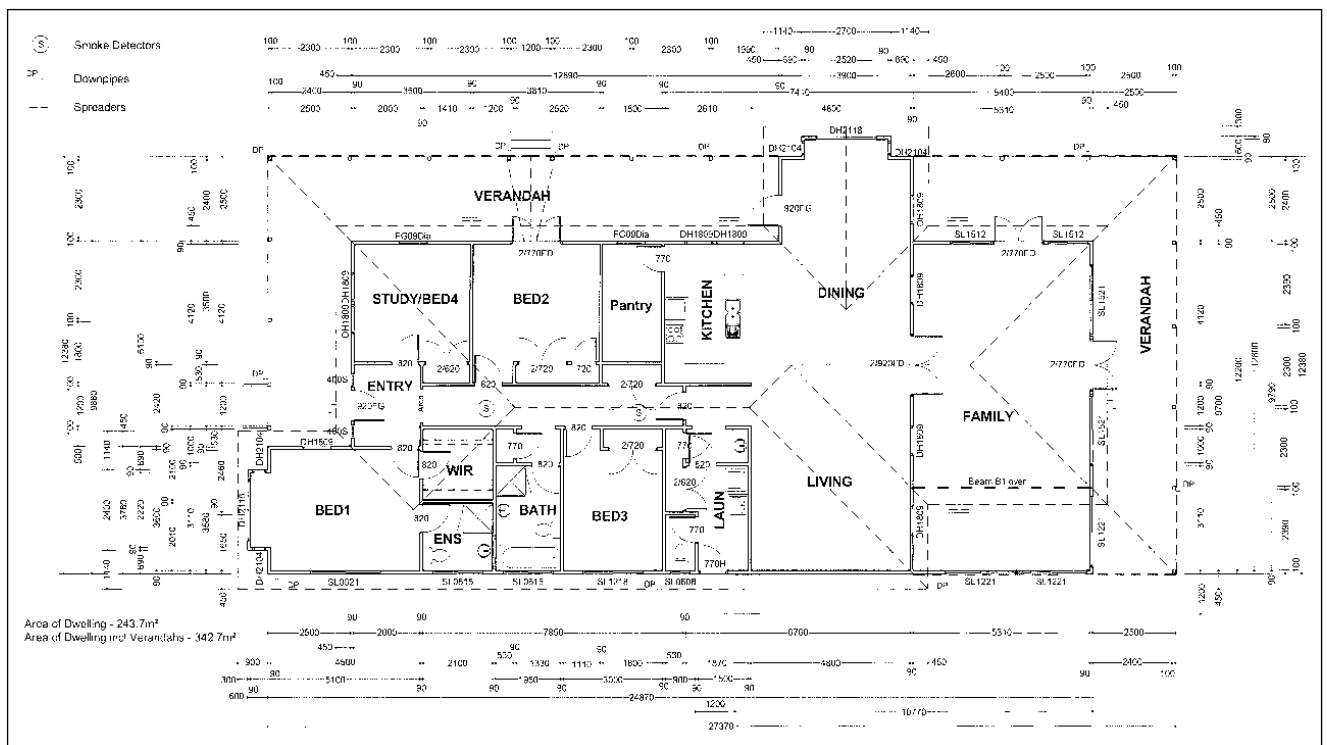


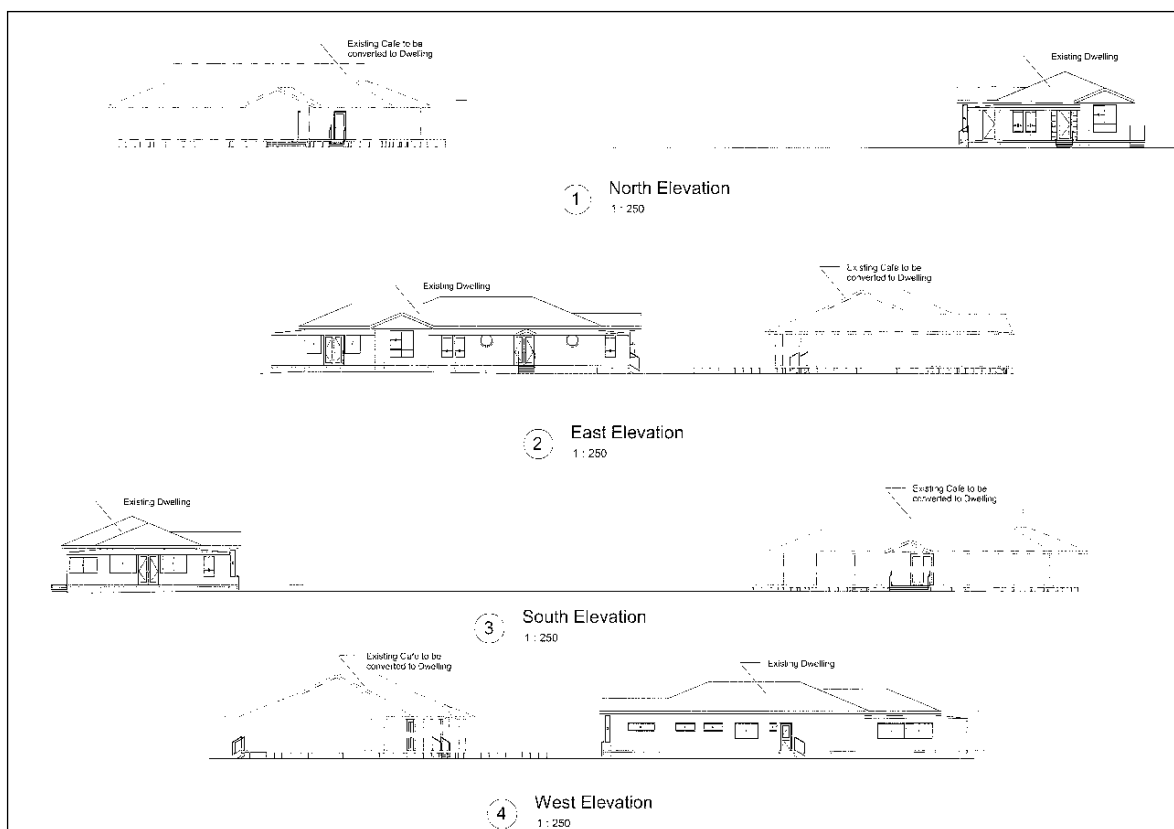
The applicant proposes the following:

- Stage 1: Convert the existing dwelling to short term accommodation; and
- Stage 2: Convert the existing café to short term accommodation.

The individual dwellings will be rented out as a whole unit, to a single group, accommodating up to eight guests each.







The applicant proposes to utilise the existing access from Curtin Road and the existing carparking for the proposed development.

### **Referral**

As the property has frontage to the New England Highway, a State-controlled road, the proposed development required referral to the Department of State Development, Infrastructure and Planning (DSDIP). The DSDIP have no requirements with regards to the proposal.

### **Submissions**

There were four submissions received to the application. Copies of the submissions are attached.

The matters raised by the submitters are as follows:

#### **Impact on privacy and amenity**

- What is the potential impact the change of zoning may have in the future use of the land? Will it allow for many additional dwellings? This will change the character of the area and the rural outlook.
- It is understood that development is good for the district, but it is believed that this would detract from the natural beauty of the area and have a negative impact on more immediate neighbours.
- The area is zoned rural and should be built on accordingly, not just a change to zoning of an isolated block for the gain of the owner, with no thought to the detriment on the surround residents.
- The proposal to turn the café and house into short term accommodation will have an impact on the lives of surrounding residents, as up to 12 people can stay in each of the two buildings.
- The use of the property by holiday residents is a concern, as it could increase trespassing and vandalism of adjoining properties, particularly if there is no caretaker on site. On a previous occasion of a party in the café, a mailbox was stolen from an adjoining property.

- Curtin Road is a nice quiet road and persons do not want it to become a residential area, as this will set a precedent for other land holders on Curtin Road, to build accommodation units. In turning making Curtin Road very busy.

*Comment:* The purpose of the Rural zone clearly identifies tourism uses are appropriate, where they do not conflict with surrounding rural activities and environmental values.

One of the goals for the Region, outlined in Council's Community Plan 2030, is for the Southern Downs to offer outstanding tourism experiences. The encouragement of tourists to the region, requires a range of accommodation options. The importance of tourism is also reiterated in the Southern Downs Economic Development Strategy.

Compliance with the provisions of the Planning Scheme is detailed later in this report.

#### Intersection of Curtin Road and the New England Highway

- The stretch of road is just after Accommodation creek and is where the speed limit increases to 100 kilometres per hour. There have been many instances where vehicles will overtake as persons are turning right into Curtin Road. There is no breeze through lane for other vehicles to pass on the left and the increase in traffic entering Curtin Road will increase as a result of the proposed development. There are concerns that it will only be a matter of time before there is a very bad or fatal incident at the intersection.

*Comment:* The Department of State Development, Infrastructure and Planning were a Concurrence agency for this application, due to the properties location in regards to the State-controlled road. The DSDIP have no requirements with regards to the proposal.

The upgrading works on the highway and at the intersection is not required by the Department of Transport and Main Roads.

#### Need for the development and Devaluation

- The Region has too many short term accommodation places, more competition means less income for tourism operators already struggling to fill accommodation. '
- The proposed development will devalue adjoining properties.

*Comment:* Part of the purpose of the Rural zone encourages tourism uses which are compatible and compliment the rural activities and environmental values.

There is no evidence to prove that additional short term accommodation options will harm existing businesses. The Granite Belt region is popular with overnight visitors, and additional options for short term accommodation allow this market to grow.

No evidence or market related verification has been supplied validating the claim, that short term accommodation devalues property. Council would be unable to rely upon this ground as a reason to refuse this application.

#### **Assessment against the Planning Scheme**

This application required assessment against the Rural zone code, the Short term accommodation code, the Carparking and loading code, the Landscaping code, the Outdoor lighting code, the Physical infrastructure code, the Biodiversity areas overlay code.

##### ***Rural zone code***

The proposed development complies with the Code with regards to General, Access, Scenic amenity, Conservation of good quality agricultural land, and Conservation of rural land.

In relation to Amenity, public health and safety, the Performance outcome requires compliance with the following:

- PO7 All uses are located, designed, oriented and constructed to minimise nuisance caused by noise, vibration and dust emissions generated by the State controlled road and rail network.

The applicant has indicated that the existing dwelling was constructed to meet the requirements of QDC MP4.4 for a Noise Category 1. The existing café will need to be modified to meet the requirements of Noise Category 2.

Specific to the Granite hills precinct, the proposed development complies with the Code with regards to Use and Scenic amenity.

The proposed development complies with the requirements of the Code as the buildings exist, and the proposal involves the conversion of these buildings.

#### **Short term accommodation code**

The proposed development complies with the Code with regards to Access, Built form, Protection from impacts and hazards, Environment, and Infrastructure.

In relation to Site, the Code stipulates the following Acceptable outcome:

AO1 Where the use is for more than 2 dwellings (including dwellings not used for short term accommodation) or accommodates more than 10 guests the site has an area of at least 15 ha.

The subject land has an area of 3.5 hectares and it is proposed that each building will accommodate eight guests, equating to a total of 16 guests.

The associated Performance outcome states as follows:

PO1 Short term accommodation is located on a site that has sufficient area to accommodate the building, associated land uses, necessary services and buffers.

The site has previously been used as a café and therefore there is building and associated infrastructure on the site, including carparking and landscaping. There will be no additional area used for the proposed accommodation activities. The entire area encompassing the proposed development uses less than 30 percent of the site.

It is considered that there is sufficient area to accommodate the proposed development.

In relation to Amenity, the Code states as follows:

AO9 Building, carparking areas, accessed and other infrastructure are set back at least 100 metres from all boundaries.

The property is approximately 100 metres in width, making it impossible to locate buildings 100 metres from the boundaries. The existing buildings are located the following distances from the boundaries:

| Existing building | North (metres) | East (metres) | West (metres) |
|-------------------|----------------|---------------|---------------|
| Residence         | 73             | 81            | 5.0           |
| Cafe              | 36             | 17            | 57            |

The associated Performance outcome states as follows:

PO9 Uses are located and designed that

- An adequate visual buffer is provided between the use and adjoining uses;
- Noise, odour, traffic and lighting impacts on adjoining properties are minimised; and
- The visual impact of the use is minimised.

The original approval, for the Café and Shop, was issued in May 2005, and allowed a seating capacity of 156 patrons. The dwelling on the property to the west is located approximately 27 metres from the common boundary with the subject property, and at that time no screening between this property and the adjacent property to the west was required.

An extension to this facility was granted in January 2013, which also required the increase in the number of carparking spaces to 26 spaces, including one disabled space.



There are currently three large tanks within the setback of the residence to the western boundary. A shed is also located on the adjoining property, between the dwelling and the common boundary. It is considered appropriate that a landscaped strip be provided along the western boundary of the land, to provide a visual screen to the adjoining property, in the location of the proposed development.

### ***Carparking and loading code***

For Short term accommodation, the Code requires one space per guest room or suite.

There are 26 existing car parking spaces on site, which complies with the requirements of the planning scheme.

### ***Landscaping code***

There is currently landscaping on site within the car park area and adjoining the café. The southern portion of the property is grassed.

As previously detailed, it is considered appropriate that a landscaped strip be provided along the western boundary of the land, to provide a visual screen to the adjoining property, in the location of the proposed development.

### ***Outdoor lighting code***

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

### ***Physical infrastructure code***

The property is not connected to Council's reticulated water supply and relies on rainwater harvesting from the buildings to supply water.

It should be a condition of any approval that each accommodation building be provided with at least 67,500 litres of water storage.

The applicant has detailed that waste water disposal will be via the existing system. No details of the existing system have been obtained. It is acknowledged that the system has a capacity of less than 20 equivalent persons. It should be a condition of any approval that the capacity be confirmed to be suitable for the proposed development.

### ***Biodiversity areas overlay code***

The subject land is wholly contained within the Biodiversity areas overlay. As the proposal involves the conversion of buildings that exist, and which are located in an already cleared area, it is considered appropriate that the proposed development complies with the requirements of the Code.

### ***Adopted Infrastructure Charges***

| <b>Development Type</b>  | <b>Network</b>  | <b>Rate</b>                     | <b>Proposed</b> | <b>Credit</b>                         | <b>Charge</b> |
|--------------------------|-----------------|---------------------------------|-----------------|---------------------------------------|---------------|
| Accommodation short term | Roads and Parks | \$5,000/cabin or dwelling @ 30% | 2 dwellings     | Dwelling: \$3,000<br>Café: \$7,387.80 | \$0           |

No adopted infrastructure charges are necessary.

### ***Conclusion***

The applicant proposes to convert the existing café and residence to Short term accommodation, catering for up to eight persons in each building.

The buildings exist therefore there will be no adverse impact on the local character of the area.

The property has been used for non-residential purposes since 2005. The proposal for Short term accommodation is not dissimilar than the current use, and will not impact negatively on the surrounding properties and accords with the Rural zone purpose.

The proposed development generally complies with the Southern Downs Planning Scheme and is recommended for approval, subject to conditions.

## Recommendation

THAT the application for Material Change of Use for the purpose of a Short-term accommodation (Two dwellings providing for a maximum of eight guests each) on land at 9 Curtin Road, Lyra, described as Lot 1 SP201775, Parish of Ballandean, County of Bentinck, be approved subject to the following conditions:

### Schedule 1 - Southern Downs Regional Council Conditions

#### Approved Plans

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

| Plan Name                       | Plan No.    | Date           |
|---------------------------------|-------------|----------------|
| Site Plan                       | 12BUTLG T01 | 2 January 2015 |
| Floor Plan                      | 12BUTLG T03 | 2 January 2015 |
| Floor Plan - Conversion of Cafe | 12BUTLG T04 | 2 January 2015 |
| Elevations                      | 12BUTLG T05 | 2 January 2015 |

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

#### Land Use and Planning Controls

3. The approved short term accommodation is for short term guests only. The two dwellings must not be occupied on a permanent basis, excluding those persons in a manager's resident for the premises.
4. The maximum number of guests accommodated at any one time must not exceed 16 persons, eight persons in each building.
5. Each of the buildings is to be let as a whole, i.e. one booking (not as individual rooms).
6. No person is to reside in any building identified for tourist accommodation for more than 45 days consecutively, or more than 90 days in any 12 month period.
7. The café and restaurant use is to cease, prior to the commencement of the use of the building for Short term accommodation.

#### Building and Site Design

8. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
9. A copy of the Form 11 (Certificate of Classification) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

#### Amenity and Environmental Controls

10. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
11. No effluent is to drain from the site or into any watercourse.
12. Advertising Devices relating to the Short term accommodation may **only** be erected on the subject land, i.e. Lot 1 SP201775. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the rural character of the surrounding area. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.
13. All service equipment and refrigeration units are to be positioned and housed so as not to cause nuisance or disturbance to persons or property not connected with the development.

14. Any lighting device is to be so positioned and shielded so as not to cause any glare nuisance to any nearby residential property or passing motorist, or to shine upwards into the night sky.

### **Fencing, Landscaping and Buffers**

15. Landscaping is to be provided, and continually maintained, around each of the accommodation buildings
16. A densely planted landscaped strip, at least two metres in width is to be provided along the western boundary of the site, from the existing rainwater tanks at the rear of the “residence”, to the north, for a distance of at least 25 metres.

The existing vegetation may be utilised within the landscaped strip.

17. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment prior to the commencement of the use.** The Landscaping Plan must include details of the location and species of plants, the irrigation system and the height and material of fencing. Plants are to be generally frost resistant and drought hardy, and must not include weed species. Root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

### **Car Parking and Vehicle Access**

18. Car parking shall be provided on site in accordance Plan No. 12BUTLG T01, dated 2 January 2015, prepared by Nspire Planning and Design. All car parking, driveway and loading areas shall be constructed in gravel or similar materials, drained, laid out and regularly maintained.

The existing all-weather driveway and carpark area is to be continually maintained.

### **Water Supply and Sewerage**

19. At least 67,500 litres of on-site water storage is to be provided for each accommodation building.
20. Wastewater is to be disposed of by means of a suitable septic system in accordance with the *Queensland Plumbing and Wastewater Code*. Written advice is to be supplied from a suitably qualified person detailing the capacity of the existing system and its ability to cater for the proposed development.

### **Advisory Notes**

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning and Environment, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Sustainable Planning Act 2009* and would have to comply with the requirements of the Planning Scheme.
- (iii) If food is to be provided to guests, an application for a licence under the Food Act 2006 is to be submitted to Council prior to the food being provided to guests.
- (iv) An application must be submitted and approved by Council for a permit under Local Law No. 6 (Rental Accommodation other than Shared Facility Accommodation) 2011.
- (v) **Plumbing and Drainage Approval is to be obtained if any new work is proposed**, in accordance with the *Plumbing and Drainage Act 2002* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Certificate of Compliance must be issued** for the works prior to the use commencing.
- (vi) **Building Approval is to be obtained if any new work is proposed**, in accordance with the

*Sustainable Planning Act 2009* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. A **Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing.**

- (vii) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for a Change of Classification of Building, to allow the use of the existing building for accommodation purposes. The application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. **Building works and modification of the existing building may be required to be undertaken** as part of the approval so as to accord with the requirements of the *Building Act 1975*.

#### **Aboriginal Cultural Heritage**

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

#### **Schedule 2 - Department of State Development, Infrastructure and Planning Conditions as a Concurrence agency**

Nil.

#### **Attachments**

1. Submissions to application for Short-term accommodation, 9 Curtin Road, Lyra [View](#)



Paul Hayes & Marilyn Dean  
13 Curtin Road  
Lyra 4352  
Ph: 0421256624  
E-Mail: paul.mazhayes@gmail.com  
Date: 18<sup>th</sup> February 2015

To  
Assessment Manager  
Southern Downs Regional Council

We live next door to Mr Greg Butler of 9 Curtin Road Lyra 4352 and we are OPPOSED to the Development Application No: MCU0163.

We brought our property to live in a rural environment not in a residential area, if we wanted to live in a residential area we would of brought a house in the town of Stanthorpe. We brought our property before Mr Butler brought the cafe come restaurant.

Mr Butler's proposal to turn his cafe and house into short term accommodation will have an impact on our lives as of the proposal Mr Butler can have up to 12 people staying in the renovated cafe and up to 12 people staying in the existing dwelling.

As our property is right next door to Mr Butlers property we are worried that the holiday residents will come over to our property and vandalise our property as there will not be a caretaker for the holiday accommodations. We have worked so hard to make this our home and we do work everyday. Not that long ago Mr Butler had a reservation for a party in the cafe, the next morning we found that our letterbox was stolen

Also is this the only accommodation dwelling Mr Butler is applying for or does he want to build more dwellings in the near future, If Mr Butler decides to sell in the near future can the new owners build more accommodation houses or units, if so this will have an even bigger impact on our lives and devalue our property

The intersection of The New England Highway and Curtin Road is a very dangerous corner as there has been many near misses as cars, cars towing caravans, delivery vans and trucks turning into Curtin Road are overtaken by cars going north or south as they can not see their turning blinkers going as they are block by heavy vehicles following the turning vehicles. The speed limit on The New England Highway going past Curtin Road is 100 KPH.

All the residents of Curtin Road are very couscous of this intersection as they know it is very difficult to turn in or out of Curtin Road

Curtin Road road is a nice quiet road and we would not like this to become a residential area. as this will set a precedent for other land holds in Curtin Road, if they decide, can build accommodation houses or holiday units which will make Curtin Road a very busy road, as it is very narrow and you have to drive on the grass verg to pass. The bridge on Curtin Road is a one way traffic only no passing or overtaking

Yours

Paul Hayes

And

Marilyn Dean



Southern Downs Regional Council



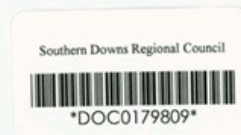
To  
Assessment Manager  
Southern Downs Regional Council

I am contacting you in regards to application MCU\01603 for lot 1 on SP201775 on Curtin road.  
My main concern if this development goes ahead is for the increased danger to traffic turning off the New England highway. At the moment because of the expanding number of farms, private residences and wineries down Curtin road there is much more traffic using this road.  
The only solution, with a high volume of trucks cars and caravans using the highway and it being a 100 k zone, is to put in a turnoff lane so traffic can turn safely into Curtin road  
If this is not done I believe there is a high risk of a serious accident

regards  
Norm and Rose Gearing  
43 Curtin road  
Lyra 4352

ph mobile 0407750319

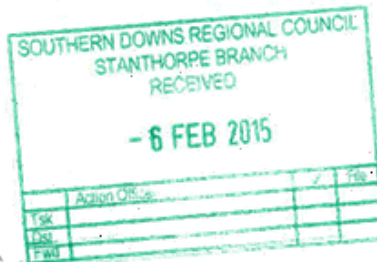
|  |                 |   |      |
|--|-----------------|---|------|
| SOUTHERN DOWNS REGIONAL COUNCIL<br>STANTHORPE BRANCH |                 |   |      |
| RECEIVED   |                 |   |      |
| 16 FEB 2015  |                 |   |      |
|  | Action Officer: | ✓ | File |
| Tsk  |                 |   |      |
| Dst  |                 |   |      |
| Fwd  |                 |   |      |



14/02/2015



6/2/2015



33 Curtin Rd  
Ballandean 4382.

Dear Council

Re Ref NCU/01603

I wish to state that Safety issues currently exist at the corner of New England + Curtin Road. I have been almost killed in a traffic accident going into Curtin Rd from New England Highway.

The region has too many short term residential places/tourism accommodation, in the region, more competition means less income for tourism operators already struggling to fill accommodation.

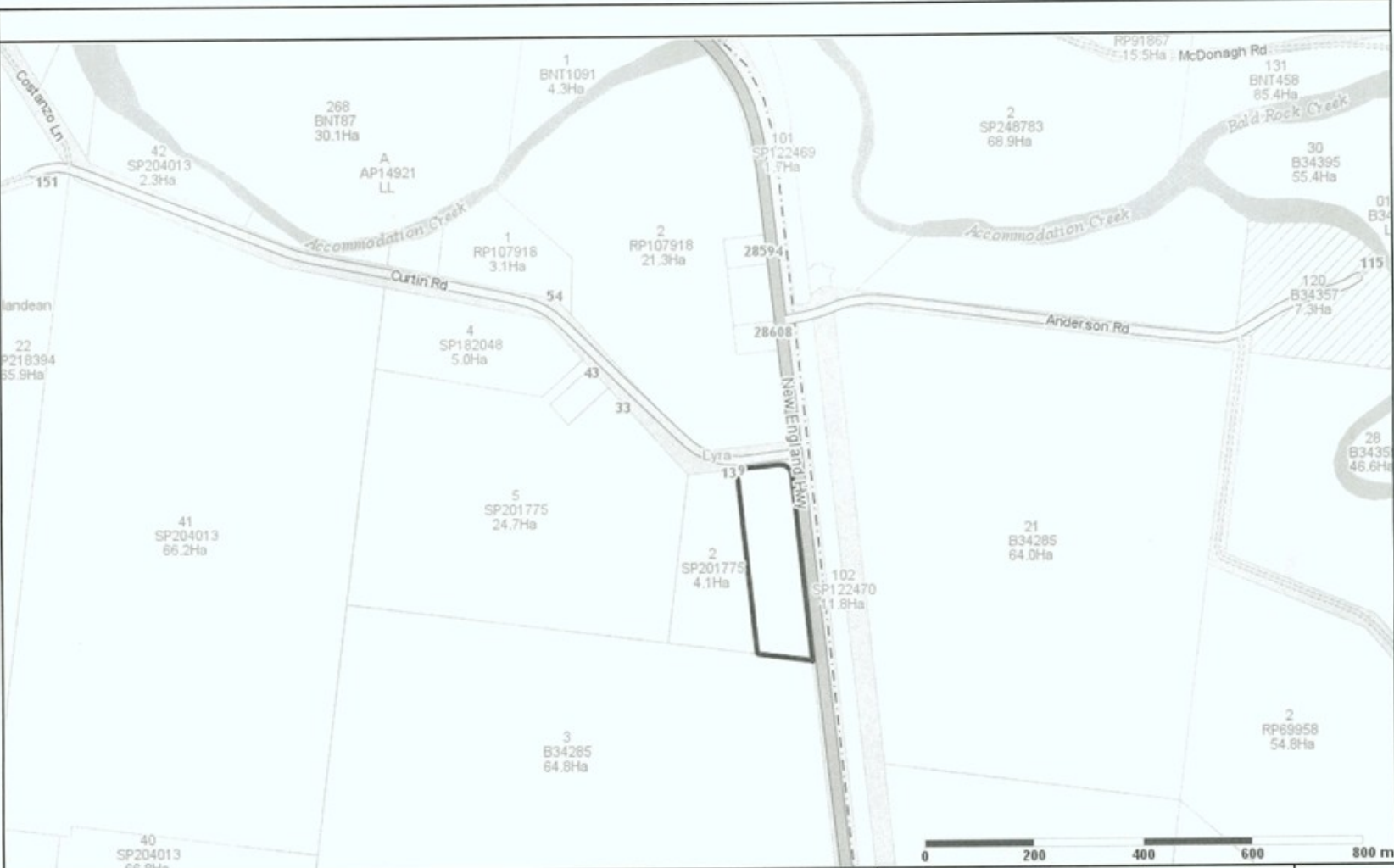
Your Sincerely



Kelvin Johnston  
ph 0434 122 069.



Attachment 1: Submissions to application for Short-term accommodation, 9 Curtin Road, Lyra



**From:** Info@unique.com.au  
**Sent:** Friday, 20 February 2015 9:39:09 PM  
**To:** General Enquiries  
**Subject:** Development Application MCU\0163

Please find attached letter of response to development application MCU\0163

Thank you

Graham Parker  
Unique Graphic DeSigns

0419 774 942  
07 4684 1200  
Logo\_Magenta\_50mm



[http://web-scm-01:8080/dfsroot/databackstore/default/default/orig/docId/2482483/dw\\_get](http://web-scm-01:8080/dfsroot/databackstore/default/default/orig/docId/2482483/dw_get)[13/03/2015 9:11:30 AM]

**Graham & Donna Parker  
51 Curtin Road  
Ballandean Qld 4382  
Ph: 4684 1200**

**Assessment Manager, Southern Downs Regional Council.  
Application number MCU0163**

**I would like to register a concern regarding the current development application at the property at the corner of New England Highway and Curtin road.**

**I understand that the application requests a change of zoning from rural to residential. The purpose of this being to convert the current cafe into short term accommodation. There is also a plan to convert the current house on the property into short term accommodation as well, also with a view to build more cabins on the property.**

**My first concern is that I would like to know what impact the change of zoning may have in the future if this or other adjoining neighbours also wish to follow suit and change to residential. Will this allow for many additional dwellings in this or adjoining land. Our rural outlook over bushland, farms and the sparse coverage of dwellings should not be encroached upon by a mini village appearing in our midst.**

**My other concern is the ability to turn right into Curtin road. The stretch of road where the property is located is just after Accommodation creek and is where the speed limit increases to 100 kmh. I have had quite a few instances where vehicles following will overtake when you are trying to turn right off the highway. There is no breeze through lane for other vehicles to pass on the left and the increase of traffic entering curtin road to access the new development would increase the instances of this occurring. I have little doubt that it would only be a matter of time before there is a very bad or fatal incident at the intersection.**


**I understand that development is good for the district but I question the nature of this as it would only detract from the natural beauty of the area and have a negative impact on more immediate neighbours. The area is zoned rural and should be built on accordingly not just a change to zoning of an isolated block for the gain of the owner with no thought to the detriment on the surrounding residents.**

**Kind Regards**

**Graham & Donna Parker**

## 12.5 Reconsideration of Change to Defined Waste Collection Area - 4 Curran Lane, Applethorpe

### Document Information

|  |   |                                    |
|--|---|------------------------------------|
| <br><b>Southern Downs</b><br>REGIONAL COUNCIL | <b>Report To: General Council Meeting</b> |                                    |
|  | <b>Reporting Officer:</b>                 | <b>Meeting Date:</b> 25 March 2015 |
|  | Senior Environmental Health Officer       | <b>File Ref:</b> 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. This matter was considered at the General Council Meeting on 25 February 2015, and Council requested further information to assist with their decision making. The resolution from this meeting was as follows:

THAT a further report to Council be prepared in relation to the request to remove 4 Curran Lane, Applethorpe from the defined waste collection area, including:-

- Which properties in the adjacent area are provided with the waste collection service.
- What properties receive the waste collection service, where the vehicle access point to those properties is on a road that is not used by the garbage collection trucks.
- A history of the defined waste collection service in this area.
- The rating address of the identified property.

The following information is provided to answer these questions. The information has been provided for the Applethorpe area of the defined waste collection area unless otherwise stated.

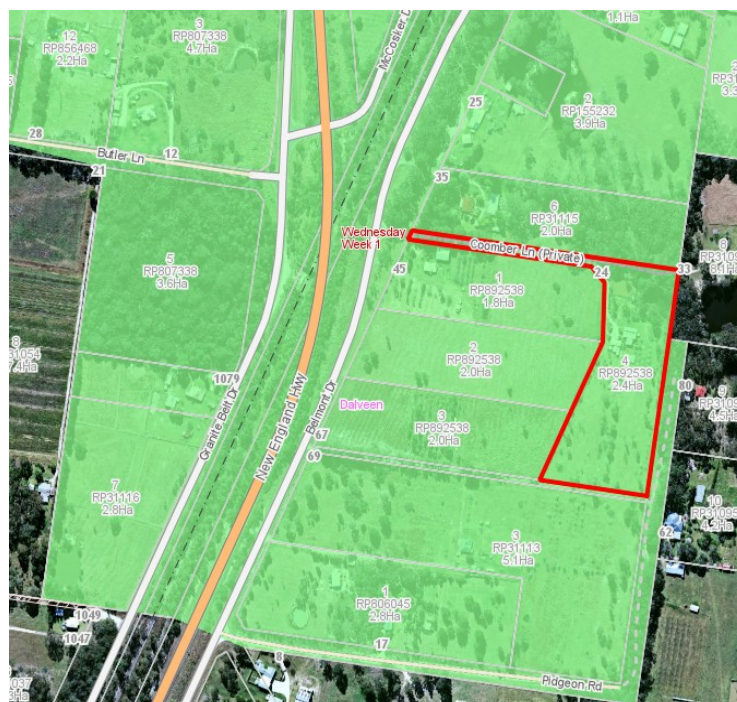
- The map below (Map 1) shows the Applethorpe area of the defined waste collection area. The properties shaded green are included in the defined waste collection area, and therefore it is compulsory for them to have a service. It is important to note there may be other properties with a waste collection service outside of this area, however these would be voluntary services and are therefore not mapped.

It has been confirmed the two properties further east along Border Road from Curran Lane, 57 and 79 Border Road, both have a waste collection service.



### Map 1- Applethorpe Defined Waste Collection Area

- b. Officers have sought the assistance of the JJ Richards driver in Stanthorpe to answer this question. In the immediate Applethorpe area, the property at 4 Curran Lane is the only one in the defined waste collection area which has a vehicle access point on a road that is not used by the garbage collection truck. The driver also reviewed all areas collected on the same day as Applethorpe, which includes the northern areas of Stanthorpe, Applethorpe, The Summit, Thulimbah, Cottonvale and Dalveen. There is one other locality where this situation occurs:
- From Coomber Lane in Dalveen, the bins are presented on Belmont Drive. This is one property, shown in Map 2.



Map 2- Coomber Lane, Dalveen



- c. Officers have discussed the history of the Applethorpe defined waste collection area with the former Director Health and Building Services and former rubbish trucks drivers from the Stanthorpe Shire Council. It was determined the Applethorpe area has been in the defined waste collection area for the Stanthorpe region since at least 1985, when the former Director Health and Building Services started with Council. The only addition to the area has been the inclusion of the Bau Court subdivision (seen in the lower section of Map 1). This subdivision was approved in 2005.

In April 2004, surveys were sent out to gauge the public's opinion on proposed extensions to the defined waste collection area. The proposed Applethorpe extension area included Aerodrome Road, Curran Lane, and part of Border Road, Old Warwick Road and Applethorpe Road. 17 out of 26 surveys were completed and returned to Council, and of the 17 properties, six wanted a waste service and 11 did not. It was therefore recommended that the extension to defined waste collection area did not occur.

- d. The rating address for the property which requested a cancellation of the service, owned by Lawrence and Glenda Zammit, is 4 Curran Lane, Applethorpe, QLD 4378. The property number is 102045.

### **Budget Implications**

The removal of properties from the defined waste collection area is not permitted under the contract with JJ Richards. Therefore Council will be required to continue to pay for any properties that are removed from the defined waste collection area, even if a service is not provided to the properties.

### **Policy Consideration**

Nil

### **Community Engagement**

Nil

### **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**

1. 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.
2. 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**

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 - Maintenance of Council's Sporting Fields**

#### **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 - 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.

### **16.3 BCS - Proposed Freehold Lease to Community Organisations**

#### **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.

### **16.4 BCS - Parks Rationalisation**

#### **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.

### **16.5 Tender Assessment Report - Request for Tender 15/046 "Construction of Berat Forest Springs Road Bridge"**

#### **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.

### **16.6 Notice of Appeal to the Planning and Environment Court, Sarah Gordon, 2081 Inverramsay Road, Goomburra**

#### **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.

### **16.7 CH Property Holdings Pty Ltd, 11 Rowland Street, Warwick**

#### **Reason for Confidentiality**

This item is considered confidential in accordance with section 275(1)(f) of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving Southern Downs Regional Council.

## **16.8 Release of Silt into Quart Pot Creek, Proposed Legal Action**

### **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.